

Social worker: Carol Barnett

Registration number: SW96517

Fitness to Practise

Final Hearing

Dates of hearing: 06 September 2023 to 13 September 2023

Hearing venue: Remote hearing

Hearing Outcome: Removal order

Interim order: Interim suspension order for 18 months

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) (“the regulations”).
2. Ms Barnett did not attend on days 1, 2, 4, 5 or 6 of the hearing and was not represented. On day 3 of the hearing Ms Barnett attended and was not represented.
3. Social Work England was represented by Ms Atkin case presenter from Capsticks LLP.

Adjudicators	Role
Hilary Nightingale	Chair
Belinda Henson	Social worker adjudicator
Angela Duxbury	Lay adjudicator
Paige Swallow	Hearings officer
Kathryn Tinsley	Hearings support officer
Charlotte Mitchell-Dunn (6-8 September 2023)	Legal adviser
Helen Gower (11-14 September 2023)	

Service of notice:

4. Ms Barnett did not attend on day 1, 2, 4, 5 or 6 of the hearing and was not represented. The panel of adjudicators (hereafter “the panel”) was informed by Ms Atkin that notice of this hearing was sent to Ms Barnett by email to an address provided by the social worker, namely her registered email address as it appears on the Social Work England register. Ms Atkin submitted that the notice of this hearing had been duly served.
5. The panel of adjudicators had careful regard to the documents contained in the final hearing service bundle as follows:
 - A copy of the notice of the final hearing dated 3 August 2023 and addressed to Ms Barnett at her address which she provided to Social Work England;
 - An extract from the Social Work England Register as at 3 August 2023 detailing Ms Barnett’s registered address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 3 August 2023 the writer sent by email to Ms Barnett at the address referred to above: notice of hearing and related documents;
 - A copy of the Mimecast recipient access email indicating Ms Barnett accessed the email on 4 August at 00.20 hours.
 - A copy of a telephone attendance note and a chain of emails between Social Work England and Ms Barnett post-dating the notice of service and discussing potential ways in which Ms Barnett’s attendance could be facilitated.

6. The panel accepted the advice of the legal adviser in relation to service of notice.
7. Having had regard to Rule 14-15 and 44-46 of the Fitness to Practise Rules 2019 (as amended) (the Rules) and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Barnett in accordance with Rules.

Proceeding in the absence of the social worker:

8. On the first day of the hearing the panel heard the submissions of Ms Atkin on behalf of Social Work England. Ms Atkin submitted that notice of this hearing had been duly served, no application for an adjournment had been made by Ms Barnett and Social Work England had made a number of attempts to facilitate her attendance at the hearing virtually from New Zealand. Ms Atkin reminded the panel that Ms Barnett had indicated in her final correspondence that she did not wish to attend the hearing, as such she submitted that there was no guarantee that adjourning today's proceedings would secure Ms Barnett's attendance. Ms Atkin therefore invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.
9. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to Rule 43 of the Rules and the cases of *R v Jones [2003] UKPC*; *General Medical Council v Adeogba [2016] EWCA Civ 162*. The panel also took into account Social Work England guidance 'Service of notices and proceeding in the absence of the social worker'.
10. The panel considered all of the information before it, together with the submissions made by Ms Atkin on behalf of Social Work England. The panel considered that Social Work England had taken a number of steps to seek to facilitate Ms Barnett's attendance and despite this she had indicated that she did not wish to attend the final hearing. The panel noted that Ms Barnett had been sent notice of today's hearing and the panel was satisfied that she was aware of the hearing. The panel also noted that Ms Barnett had sent written submissions including her comments on the witness statements and had confirmed that she accepted an agreed statement of facts.
11. The panel therefore concluded that Ms Barnett had chosen voluntarily to absent herself. The panel had no reason to believe that an adjournment would result in Ms Barnett's attendance. Having weighed the interests of Ms Barnett in regard to her attendance at the hearing with those of Social Work England and the public interest in an expeditious disposal of this hearing, the panel determined to proceed in Ms Barnett's absence.

Preliminary matters:

Matters dealt with in private

12. The panel heard an application by Ms Atkin that the evidence in respect of Ms Barnett's health should be heard in private because it touched upon personal matters in her private life.
13. The panel had regard to rules 37 and 38 of the Rules which provide:
 37. Subject to Rule 38, a hearing under these Rules shall be held in public.
 38. (a) A hearing, or part of a hearing, shall be held in private where the proceedings are considering:
 - (i) whether to make or review an interim order; or
 - (ii) the physical or mental health of the registered social worker.
 - (b) The regulator, or adjudicators as the case may be, may determine to hold part or all of the proceedings in private where they consider that to do so would be appropriate having regard to:
 - (i) the vulnerability, interests or welfare of any participant in the proceedings; or
 - (ii) the public interest including in the effective pursuit of the regulator's over-arching objective.
14. The panel bore in mind the evidence that it had read and the need to hold as much of the hearing as possible in public. Balancing all matters, the panel decided that it would hear parts of the evidence relating to the health of Ms Barnett in private.

Ms Barnett's attendance

15. On the third day of the hearing Ms Barnett attended the hearing in order to observe the evidence of Dr J and AP. Ms Barnett confirmed that she did not wish to ask any questions of these witnesses and nor did she wish to give evidence or make submission on her own behalf. Ms Barnett confirmed that she would not be in attendance for the remainder of the hearing and confirmed that she was content for the panel to proceed in her absence. Ms Barnett further confirmed that she was content that the panel had accepted her written admissions to the allegations.

Allegations:

1. The allegations arising out of the regulatory concerns referred by the Case Examiners on 29 April 2021 are:

Whilst registered as a social worker

1. In the period between July 2019 and April 2020, you developed and/or engaged in an inappropriate personal relationship with Service User A, including by on one or more occasions:

a. Sharing information with Service User A about your personal life;

- b. Spending time with Service User A and/or their children socially;
- c. Communicating with Service User A via your personal mobile phone and/or personal messaging services;
- d. Sending Service User A messages of an inappropriate nature;
- e. Sending Service User A photographs, including photographs of yourself;
- f. Engaging in inappropriate physical and/or sexual touching of Service User A.

2. Your conduct at:-

- a. 1a and/or 1b and/or 1c and/or 1d and/or 1e and/or 1f above was:-

i sexually motivated;

ii intended to put pressure on Service User A to engage in a personal and/or sexual relationship with you;

b. 1f above included touching of Service User A in circumstances where she did not consent and/or you did not reasonably believe she was consenting.

3. On one or more occasions between July 2019 and April 2020 you:-

a. were critical of your colleagues and/or the Council in your communication with Service User A;

b. inappropriately shared information from, and/or about, your colleagues or other service users, with Service User A.

4. In or around November 2019, allowed Service User A to assist you with a draft Parenting Assessment

5. [PRIVATE]

Your conduct at paragraphs 1, 2, 3 or 4 above amounts to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of your misconduct and/or [PRIVATE]

Schedule 1

[PRIVATE]

Admissions:

- 16. Rule 32c(i)(aa) Fitness to Practise Rules 2019 (as amended) (the 'Rules') states:

Where facts have been admitted by the social worker, the adjudicators or regulator shall find those facts proved.

17. Following the reading of the allegations the Panel Chair noted the written representations of Ms Barnett and the agreed statement of facts in which she admits to the following allegations;
 - i) Allegation 1a-1e
 - ii) Allegation 3a and b
 - iii) Allegation 5
18. The panel noted that these admissions reduced to writing were clear and unequivocal. The panel therefore accepted these admissions.
19. The panel therefore found allegations 1a, 1b, 1c, 1d, 1e, 3a, 3b and 5 proved by way of Ms Barnett's admissions.
20. The panel noted that Ms Barnett denied either in full or in part allegations 1f, 2a, 2b and 4.
21. In line with Rule 32c(i)(a) of the Rules, the panel then went on to determine the disputed facts.

Factual Background

22. On 7 September 2020, Social Work England received a referral from Surrey County Council ("the Council") regarding Ms Barnett. Ms Barnett started working for the Council as a newly qualified social worker in 2014. At the time of the relevant events, she was working within the Council's Child Protection Team.
23. The referral from the Council raised concerns regarding Ms Barnett's relationship with Service User A.
24. Service User A had been known to the Council since approximately March 2006 due to concerns about her ability to cope as a single parent to triplets. Service User A had another child in or around December 2008, becoming a single parent to four children. Over time, a number of referrals were made raising concerns about Service User A's presentation, health, home conditions and relationship with her mother.
25. Ms Barnett was the allocated social worker for Service User A and her children from approximately April 2018. Prior to the case being allocated to her, in February 2018, an Initial Child Protection Conference was held due to concerns that Service User A was not engaging with professionals. This resulted in the children being placed on Child in Need Plans. At a Review Child Protection Conference on 20 April 2018, the children were made subject to Child Protection Plans under the category of neglect, due to concerns in respect of Service User A's engagement and [PRIVATE].
26. In January 2019, the Public Law Outline process was commenced in respect of Service User A's children. This ultimately led to an Interim Supervision Order being granted on 19 August 2019.

27. Following the Interim Supervision Order being granted, Ms Barnett was required to complete a Parenting Assessment in order to help the court make decisions about Service User A's family. The deadline for this was initially 29 October 2019, but this was subsequently extended as it had not been completed by Ms Barnett. The completed assessment was sent to the Local Authority solicitor for review on 13 November 2019.
28. Towards the end of November 2019, Ms Barnett's Team Manager raised with Ms Barnett that she appeared to be struggling and suggested that she took some time off work. Ms Barnett was absent from the end of November 2019, and returned to work in early January 2020. She was off work for a further period of time from early February 2020 to mid-March 2020.
29. In May 2020, Service User A raised concerns with Ms Barnett's Team Manager about Ms Barnett's wellbeing and work in respect of her family's case. Service User A's case was transferred to another social worker pending an investigation into the concerns which had been raised.
30. In August 2020, Service User A raised additional concerns about Ms Barnett with another Team Manager at the Council. She advised that Ms Barnett had been sending her text messages "at all times of the day and night", and expressed her belief that Ms Barnett wanted a relationship with her. She provided copies of some of the messages which had been sent to her by Ms Barnett over the following weeks.
31. The additional concerns raised by Service User A were considered as part of the Council's investigation. Ms Barnett accepted that she had engaged in an inappropriate personal relationship with Service User A but explained [PRIVATE].
32. [PRIVATE].

Summary of evidence:

i) Social Work England

Service User A

33. Service User A was called to give evidence, she confirmed the content of her witness statement was true to the best of her knowledge and belief. Service User A raised in respect of her statement that she wished to make one amendment at paragraph 50, to reflect that her triplets were 13 and her daughter was 10.
34. Service User A was asked about the support her family received from Ms Barnett. She stated that she did not agree that Ms Barnett had made referrals to an organisation called Hope and this referral was made by CH. She stated the issue with regard to her child's education had been ongoing for many years before Ms Barnett was involved with her family. She confirmed that Ms Barnett did support the application to Hope, but was not instrumental in the process of obtaining the required funding from Fresh Start.

35. Service User A confirmed that she felt the lack of support also came from Ms Barnett also having a lack of support herself and a lack of responses when she sought to provide support.
36. Service User A was asked about Ms Barnett's denial that she showed Service User A an email from AG and then went into Service User A's garden and rocked back and forth. She was also asked about Ms Barnett's denial that she was pressurised by AG to sign documents. Service User A confirmed that she stood by her statement. She stated, "Obviously I've got copies of the emails that Ms Barnett sent me that were personal ones from AG to herself that she then forwarded on to me". Service User A confirmed that Ms Barnett sent her a message with AG's name on it.
37. Service User A was asked about the fact that Ms Barnett disputes that Service User A was involved in writing a parenting assessment. Service User A confirmed what was said in her statement.
38. It was put to Service User A that Ms Barnett had said that she was intimidated by Service User A at first and did not talk about "personal stuff". Ms Barnett had stated that Service User A's daughter raised the issue of her being a lesbian. To this Service User A responded that her children were 10 and 13 and she stated, "The evidence speaks for itself". Service User A stated, "You've all got copies over there, you know, laying on a bed with your hand on your vagina probably implies something, doesn't it."
39. Service User A was asked about the fact that Ms Barnett had stated Service User A's statement was fabricated and full of untruths. Service User A stated that she had no reason to fabricate or tell untruths at this point. [PRIVATE].
40. Service User A was asked about her first contact with Ms Barnett. It was put to Service User A that Ms Barnett had said that Service User A contacted Ms Barnett first on her personal number. To this Service User A responded that she would not have been able to obtain Ms Barnett's personal number if Ms Barnett had not messaged her first.
41. Service User A was asked about an alleged message that Ms Barnett contends was sent to her by Service User A. It was put to Service User A that the message stated that Service User A wished Ms Barnett was her mother and stated that she really liked her. To this Service User A responded that she had sent all the messages exchanged [PRIVATE]. Service User A questioned why if such a message was sent it was not reported.
42. Service User A was asked about other alleged messages in which she is alleged to have told Ms Barnett she was drinking and to come over. Service User A denied such messages were sent.
43. Service User A was asked about her statement in which she recalls that Miss Barnett would tell her how she felt, and she would go along with that, because if she did say it was not okay, Ms Barnett would mention how she was the one taking the families case to court and completing the parenting assessment. Service User A confirmed this was said on several occasions, when things were not going the way Ms Barnett wanted them to go.

44. It was put to Service User A that Ms Barnett had said the relationship and feelings were reciprocated. Service User A was asked about messages sent to Ms Barnett. Service User A confirmed the messages were hers and she did reciprocate she stated, "I was under the impression she had the authority to remove my children. So, at that point I would have done anything to make sure that that didn't happen." Service User A stated, "I was willing to do anything not to get my children taken away". Service User A stated that she kept telling AG about the situation and nobody would listen to her.
45. It was put to Service User A that Ms Barnett denied sending her a photo with her finger on her vagina. To this Service User A responded that she believed the picture was in the bundle. Service User A was shown the bundle and stated "there is a lot more photos that that. There's one of her standing in a mirror in a white bikini pulling the bikini top down. There is one of her on the bed". Service User A stated, "the county council have got copies of all of them because NS took photographs of the photographs off my phone and then we had an issue trying to get them off of WhatsApp because everything on WhatsApp is not there." Service User A stated "there is lots of photographs that are fuzzy." Service User A stated "because when we tried to get them back off of WhatsApp" there was a technical issue. She stated, "So some of the photographs on Facebook Messenger were still there, which I believe are these ones. But all of the photographs from WhatsApp are now just, you can't access them. They are blurry. They are not photographs anymore."
46. Service User A was asked about the fact that Ms Barnett denied referring in a message to her being in bed naked or sending messages of a sexual nature. Service User A confirmed the content of her statement and stated that she felt pressurised.
47. Service User A was asked about Ms Barnett being invited to attend her family party and she stated she was in her house "crying, asking why she wasn't invited, why I hadn't told her about it." She stated this was an example of how she felt pressured by Ms Barnett into things she would not usually have done.
48. Service User A was asked about taking her daughter to Hope and Ms Barnett allegedly waiting outside her house to come with her and commenting "oh don't play up. We don't want to write anything down about your mum upsetting you". Service User A stated this was accurate and confirmed the content of her statement.
49. Service User A confirmed that there were several occasions when Ms Barnett would go to the pub with her and get drunk and stay at her home or in her car. Service User A also confirmed that Ms Barnett would also sulk and cry when she did not get attention from her.
50. [PRIVATE]. She stated she kept asking AG for help.
51. Service User A was asked about a trip Ms Barnett took Service User A's son on, it was put to Service User A that Ms Barnett had stated that her son had used his birthday money on the trip. Service User A stated "he didn't have any birthday money and would not have been able to be responsible for his own finances". Service User A also confirmed that Ms Barnett bought her daughter hundreds of pounds worth of clothes on a shopping trip.

52. Service User A confirmed that Ms Barnett stayed at her house for the first time in Summer 2019. She confirmed that Ms Barnett stayed at her home at least 7 or more times.
53. Service User A confirmed that she stayed at Ms Barnett's house in Ms Barnett's bed, and Ms Barnett attempted to touch her and was trying to start something sexual with her. She stated she would have no reason to lie as she had not brought the matter to Social Work England's attention.
54. Service User A confirmed that Miss Barnett would lean over her, would lay her head between her breasts and touched her knee. She confirmed that she leaned in as if she was going to kiss her and held her face.
55. Service User A confirmed that she was informed about [PRIVATE] information in relation to other service users by Ms Barnett, not from other sources i.e. AG's daughter she went to school with or a friend who she knew from church.
56. Service User A confirmed that she wrote her own parenting assessment in a pub, and it was 3 days late. [PRIVATE]. She stated Ms Barnett didn't understand how to write the assessment and didn't know how to set it out. She stated Ms Barnett was provided with a template and they filled the template out at the pub around 2-3 days after it was supposed to be sent to the solicitors.
57. The panel had no questions for Service User A.

AG

58. AG was called to give evidence she confirmed the content of her witness statement was true to the best of her knowledge and belief. AG was asked the extent to which she was involved in the investigation of this matter. AG confirmed that she had not been involved at all. She stated it was alleged that she had been told about the relationship between Ms Barnett and Service user A, and it was thought that she had not told anyone. She stated as a result she was suspended and therefore not part of the investigation. She confirmed that she did not see any of the investigation documents and wasn't given any further information.
59. In respect of Ms Barnett's sabbatical, she was asked about her understanding as to whether this was after Ms Barnett's [PRIVATE]. She stated, "From my recollection it was shortly after [PRIVATE], I may be wrong there may have been a diagnosis and I was not told."
60. AG was asked whether the date in paragraph 8 of her statement was correct or whether it could have been July. She stated, "If it was July it must have been early July." [PRIVATE]. She acknowledged that Ms Barnett could be right that the date was incorrect as it was a "long time ago."
61. AG was asked about Ms Barnett's comments that morale was low in the team and there were changes and new systems introduced. She stated, "In my head it was the year before, that changes were made." AG acknowledged that Ms Barnett did struggle with the new system. She confirmed Ms Barnett's morale was low but not the team generally.

62. [PRIVATE].

63. In respect of the parental assessment, Ms Barnett's case that AG was not at the council at the time and that the assessment was completed in time scales was put to AG. AG stated when she returned from leave it was just about being completed and AP informed her about difficulties about getting Ms Barnett to write the assessment. AG confirmed she signed the assessment off.
64. AG confirmed that she had a discussion with Ms Barnett about becoming overly involved with Service User A. She stated she discussed with her line manager swapping social workers however the Assistant Director did not want the team swapping cases among social workers.
65. AG was shown a number of WhatsApp messages between herself and Ms Barnett she confirmed that they were messages which she had sent to Ms Barnett. AG confirmed that Service User A had made a threat towards her in those messages. In response she stated Service User A was manipulative, that she had just been vindicated from an investigation into herself and that was the context in which the messages were sent.
66. She confirmed that she believed Service User A to be truthful in respect of raising issues in relation to Ms Barnett's [PRIVATE]. However, she stated that she knew that Service User A has lied previously. She confirmed that Service User A was previously angry with her because she wrote in the court statement that a 12-month supervision order should be in place, and she only wanted a 6-month order.
67. She described the messages she sent to Ms Barnett as "sounding off".
68. In response to the panel's questions, she confirmed that in relation to the parenting assessment she did not know that it was not written by Ms Barnett. She confirmed she was happy to sign the report off but felt the report was overly positive at the time.

NS

69. NS was called to give evidence, she confirmed that the content of her witness statement was true to the best of her knowledge and belief. NS confirmed that she did not recall Ms Barnett raising concerns about the council's involvement generally with Service User A's family. She confirmed that she had exhibited 500 -600 WhatsApp messages.
70. NS confirmed that she had only recently changed phone and all the messages she was provided with by Service User A were downloaded on to her laptop. She stated she placed them in a folder on her laptop, and this was done as soon as she received the messages in order that they could be preserved. She confirmed that there was no time delay which prevented the loss of the information. She confirmed the download remains on the laptop.
71. NS confirmed that she had viewed the messages and photos, she could not specifically recall a picture of Ms Barnett in a white bikini and confirmed that she recalled a photo of Ms Barnett in a towel.
72. In regard to her exhibits, she confirmed that these were obtain via two methods taking screen shots from Service User A's mobile phone and also receiving and then downloading the WhatsApp messages.

LH

73. LH confirmed the content of her witness statement was true to the best of her knowledge and belief.
74. She was asked whether she could be incorrect about the date of Ms Barnett's suspension. She stated, "To my recollection she was already suspended, if it had have been later I would have been a part of the decision-making process."
75. It was put to LH that Ms Barnett had submitted that her judgement was not affected in respect of Service User A's children's safety. LH stated that she stood by her opinion. She stated that if a person is in a personal relationship with a client, that it is difficult for them to make independent decisions about the children. LH confirmed Ms Barnett was struggling to write the court statement, and that's information was passed on to her by the team manager at the time.
76. In respect of Ms Barnett's relationship with Service User A she stated that it was about the "unknowns." She states "we don't know 100% one way or another whether the impact on the family was worse or better, because there was no true independent assessment. She confirmed "the worry was the picture we had was not the correct one."
77. The Panel had no questions for LH.

Dr Junaid

78. [PRIVATE]
79. [PRIVATE]
80. [PRIVATE]
81. [PRIVATE]
82. [PRIVATE]
83. [PRIVATE]
84. [PRIVATE]
85. [PRIVATE]
86. [PRIVATE]

AP

87. AP confirmed the content of her witness statement was true to the best of her knowledge and belief.
88. In respect of the parenting assessment, she confirmed that she had a professional difference of opinion with Ms Barnett about setting out the history of the family. She confirmed the family had been known to the council for 2 years and they we were in the courts. She stated, "We look at the history of the concern and have to take into account the history of the concerns." She stated, "We were writing a positive assessment but including the history was

warranted in the circumstances.” AP confirmed that it could not be disregarded that the family were already in care proceedings. She stated the assessment “had to acknowledge what had led us to be in care proceedings.”

89. AP confirmed that she had not read every parenting assessment report of Ms Barnett and was not her manager or supervisor, but with parenting assessments the reasons for the concerns need to be acknowledged. In respect of Service User A’s family, she confirmed that there were times that there was good parenting and then time when children were exposed to harm. She confirmed that the history should be acknowledged as there are time when the harmful behaviour may revert back. She stated failing to acknowledge the history was not doing the children a service in her professional opinion.
90. Ms Barnett had no questions for AP. The panel also confirmed that they had no questions for AP.
91. The panel admitted into evidence the witness statement and exhibits of NS2 which was limited to producing documents which were received or created as part of the councils disciplinary investigation.

ii) Social worker

92. The panel chair stated to Ms Barnett that the panel had already found proved the facts she had admitted in the agreed statement of facts. Ms Barnett confirmed that she did not wish to give evidence or make submissions on her own behalf. She confirmed that she would not be in attendance for the remainder of the hearing, and she was content for the remainder of the hearing to proceed in her absence.

Finding and reasons on facts:

93. The panel accepted the advice of the Legal Adviser. She advised on the the panel’s approach to fact finding with reference to the cases of *R(Dutta) v GMC* [2020] EWHC 1974 and *Joseph v General Medical Council* [2022] EWHC 3345. In respect of whether any touching was “sexual” the Legal Adviser referred to the test in Section 78 of the Sexual Offences Act 2003. The Legal Adviser also referred the panel to the cases of *Basson v General Medical Council* [2018] EWHC 505 and *Haris v General Medical Council* [2021] EWCA Civ 763 in relation to whether Ms Barnett’s conduct was sexually motivated.
94. In respect of the facts admitted by Ms Barnett, the panel adopted the agreed statement of facts as follows:

“Paragraphs 1a – 1e

In the period between July 2019 and April 2020, you developed and/or engaged in an inappropriate personal relationship with Service User A, including by on one or more occasions:

a. Sharing information with Service User A about your personal life;

- b. Spending time with Service User A and/or their children socially;***
- c. Communicating with Service User A via your personal mobile phone and/or personal messaging services;***
- d. Sending Service User A messages of an inappropriate nature;***
- e. Sending Service User A photographs, including photographs of yourself;***

The Social Worker admits the facts of this paragraph of the allegation in its entirety.

The Social Worker accepts that she had an inappropriate personal relationship with Service User A. She admits that this developed from around August 2019 when they began exchanging messages via her personal mobile phone following the Social Worker telling Service User A about a personal bereavement she had suffered. She admits that, over the period between July 2019 and April 2020, she discussed personal matters with Service User A which included:-

- [PRIVATE]

- [PRIVATE]

- details of personal bereavements.*

The Social Worker also accepts that she spent time with Service User A and her children socially, and that her colleagues at the Council were unaware that she was doing so. The Social Worker admits that the occasions when she spent time socially with Service User A and/or her children, included:-

- her attendance at a birthday party for one of Service User A's children;*
- meetings at the pub with Service User A on more than one occasion;*
- an occasion where she went with Service User A and her friends to a social club;*
- an occasion when she stayed overnight at Service User A's home;*
- an occasion when she took one of Service User A's children to London.*

The Social Worker admits that she communicated with Service User A via her personal mobile phone and/or personal messaging services. She accepts that the messages exhibited to the statements of Ms Smallwood and Service User A, namely exhibits NS/04, NS/06, LD/02 and LD/03, are messages which she exchanged with Service User A. She confirms in particular that she sent the messages contained within the tables

set out at paragraphs 40 and 82 of the statement of case, and the messages referred to at paragraphs 37 and 59 of the statement of case. The Social Worker accepts that the messages set out at paragraphs 37, 40, 59 and 82 are all examples of messages of an inappropriate nature.

The Social Worker admits that she sent photographs to Service User A, including a number of photographs of herself. She admits that this included the photographs contained within exhibits NS/04, NS/06 and LD/04, which are described at paragraphs 37 and 39 of the statement of case.

Paragraph 1f

In the period between July 2019 and April 2020, you developed and/or engaged in an inappropriate personal relationship with Service User A, including by on one or more occasions engaging in inappropriate physical and/or sexual touching of Service User A.

The Social Worker admits that she engaged in inappropriate physical touching of Service User A, and that this was part of the inappropriate personal relationship which existed between them. She denies that any sexual touching occurred and therefore disputes this aspect of the allegation.

In terms of the inappropriate physical touching, the Social Worker accepts that she had:-

- *massaged Service User A's back over her clothes on more than one occasion;*
- *hugged Service User A on more than one occasion.*

Whilst the Social Worker states that she massaged Service User A's back for the purpose of alleviating stiffness which was a consequence of [PRIVATE], she accepts that this type of physical contact was not appropriate in the context of her role as a social worker who was allocated to work with Service User A's family.

Paragraphs 3a and 3b

On one or more occasions between July 2019 and April 2020 you:-

- a. were critical of your colleagues and/or the Council in your communication with Service User A;***
- b. inappropriately shared information from, and/or about, your colleagues or other service users, with Service User A.***

The Social Worker admits the facts of this paragraph of the allegation in its entirety. The Social Worker accepts that she sent the messages described in paragraph 82 of the statement of case, and that these messages demonstrate that she was critical of her colleagues and the Council in her communication with Service User A, and that she shared information from or about her colleagues.

The Social Worker additionally accepts that, aside from the contents of the messages, she would engage in discussions with Service User A in which she was critical of her colleagues and the Council, and in which she would share information from or about her colleagues. The Social Worker accepts that she told Service User A details about her colleague Jane Patten, including where she lived, that her children were at university [PRIVATE]. The Social Worker denies however that she told Service User A that Ms Gray had [PRIVATE], or that she made comments about Ms Gray's relationship with her husband. The Social Worker explains that Service User A knew one of Ms Gray's daughters and may have obtained this information from her.

The Social Worker accepts that she also inappropriately disclosed information to Service User A about other service users which she should not have disclosed. She accepts that this included information about a service user named 'Keeley' who had been removed from her mother's care, and about another service user named 'Kat' who had been beaten up by the father of her children. She denies however that she provided information to Service User A about a service user named 'Constance' who was independently known by Service User A.

Paragraph 5

You have a health condition, as outlined in schedule 1

Schedule 1

[PRIVATE]

The Social Worker admits the facts of this paragraph of the allegation in its entirety and accepts the conclusions reached by Dr Junaid within his report."

95. The inappropriate messages and photographs are as follows:

- Ms Barnett sent Service User A a photograph of herself on 23 April 2020;
- Service User A responded to a message from Ms Barnett on 24 April 2020 which ended with the question *“so is this it between us?”*, by stating *“it’s nice us being friends and I enjoy going out to the pub and stuff but [. . .]”*;
- Ms Barnett sent Service User A a message on 24 April 2020 in which she stated *“I know the lines and our friendship is blurred”* and *“I love you and yes I do find it really difficult and am finding it difficult when you now have stopped talking to me, although I know that day it was me that stopped talking.”*;
- Ms Barnett sent Service User A a message on 24 April 2020 in which she stated *“[Service User A] please can we still be friends, I miss you, I miss hearing about the kids. I cant [sic] turn off my feelings. [. . .] I don’t say I love people if I don’t [sic], you have massive impacted [sic] on my life. I want to still know you and your children.”*;
- Ms Barnett sent Service User A a further message on 24 April 2020 reiterating her request to be friends, followed by a message stating *“[p]lease see me as a person who loves you so much. I cant [sic] know you and spend time with you and then it’s like kaput. I believed you when you said you loved me and I love you. My feelings dont [sic] just disappear.”*;
- Ms Barnett sent Service User A a further message on 24 April 2020 stating *“[h]ey as annoying and frustrating and fucking stupid I am [sic], I do love you and I do apologise for being me and being part of an organisation that has fucked with your life and the kids.”*;
- Ms Barnett sent Service User A a further message on 24 April 2020 describing what had happened at a doctor’s appointment;
- photographs which appear to be of Ms Barnett body / body parts, including a photograph of her feet sticking out of the end of a duvet cover, a photograph of the lower half of her body, where she is wearing pants and has bare legs, a photograph of the lower half of her body, where she is wearing shorts and socks, a photograph of the lower half of her body, where she is wearing pyjama bottoms and slippers, and a photograph of a bruise on her torso;
- photographs of Ms Barnett face and upper torso;
- a photograph of Ms Barnett wearing a towel;
- a photograph of Ms Barnett with her trousers undone;

- messages as described in the table below ("table 1"):-

Date / Approximate Date	Description of message(s)	
Unknown	Ms Barnett sends Service User A song lyrics accompanied by heart emojis	
21.11.19	Ms Barnett states <i>"I love you, thsnks [sic] for last night . . . And if T and Q ask if I loved their concert . . . Yes I did . . Xxxx Love you"</i>	
22.11.19	Ms Barnett includes a range of emojis including lipstick/kiss marks	
23.11.19	Ms Barnett sends a range of heart emojis	
23.11.19	Ms Barnett and Service User A appear to exchange messages saying <i>"I love you"</i>	
November 2019	Ms Barnett send messages asking for information about Service User A's children's birthday and states <i>"I think I need to accidentally stay at yours so that I can drive T and whoever else wants to come to London down to mine and we go from there on the Saturday"</i>	
24.11.19	Ms Barnett states <i>"[y]ou mean the world to me . . .you know the planet that has only existed for 22 yrs . . ."</i> with a range of emojis including hearts	
24.11.19	Ms Barnett states <i>"[m]iss you, love you, want you. Xxx"</i> with a range of emojis including hearts	
November 2019	Ms Barnett states <i>"[s]weetheart your brain is overloaded. . . You just need some love and care too you know . . . I care. I love you. Plus you find that hard to accept too."</i> with a range of emojis including hearts	
24.11.19	Ms Barnett states <i>"[o]k so can you take anything to slow your brain down Like imagine me doing your shoulders . .or kissing you. . . Or maybe me</i>	

	<i>telling you I have a condition. .and I need all my clothes on.” with ‘laughing’ emojis</i>	
25.11.19	<i>Ms Barnett states “I know you’re as independent as. . . And you don’t trust people . .and things panic you . . But you know what . . . I fancy you. . I love being physically close to you . . . I’d make love with you and you know what . . thst [sic] could just me [sic] . . being beside you. . . Cos loving you . .is that simple. Xxxxx”</i>	
27.11.19	<i>Ms Barnett says “[w]hatever I do and I promise I will be on your side always xxxx” and “I love you more than I can say xxxx”</i>	
November 2019	<i>Ms Barnett states “[t]he only thing the LA know, Alison knows about me seeing your kids outside work fine [sic] was when I took [T] to the chef course. I think that is justifiable in terms of my role. No one absolutely no one knows I’ve seen them at any other time . . .I mean no one.”</i>	
30.11.19	<i>Ms Barnett states “[i]f I could hold your head in my lap and watch you sleep I would . . Xxxx Not in a weird way xxxx”</i>	
02.12.19	<i>Ms Barnett says “Babe you are amazing, you are lovely [. . .] Love YOU xxc”</i>	
December 2019	<i>Ms Barnett tells Service User A that she had told her Manager that she had not heard from her since she had been off</i>	
04.12.19	<i>Ms Barnett says “[Service User A], just want to say. You are an amazing human being. You are without a doubt in my mind beautiful. Your intellect as I’ve said more times than not is as sexy as ! I love you unconditionally. Thank you for being in my life. You add so much even when I dont [sic] want to hear stuff. I love You with all my heart. I have the utmost respect for You.”</i>	

05.12.19	Ms Barnett tells Service User A <i>"I'm signed off work till after my birthday"</i>	
06.12.19	Ms Barnett tells Service User A <i>"I also have spoken to Tracy G and she did ask if I'd spoken to you c [sic] and I fibbed and said no. . . .x"</i>	
11.12.19	Ms Barnett states <i>"Id [sic] like to take you out for the day, the night, the week . . .lol xxxxxxxx"</i>	
16.12.19	Ms Barnett states <i>"[Service User A] I so love you xxxx"</i>	
16.12.19	Ms Barnett states <i>"I feel sad when I don't see you ; the more time I spend with you , the more I want to see you , to just love you. My heart [...] feels filled up . . . I m [sic] not good at explaining stuff The best thing that the stupid LA did via Jane is to "allocate" you and your kids to me. I am the richer for knowing you, I have learned so much from you, I love loving you. You ROCK my world. You add value to my life xxx"</i>	
December 2019	Ms Barnett states <i>"I love you. . I love your kids Xxxxxxxxxx"</i>	
December 2019	Ms Barnett responds from a message from Service User A in which she says she is sad, by stating <i>"I knew that's why you need loads of cuddles xxxxxxxxx"</i>	
Various	Messages in which Ms Barnett refers to Service User A as 'Babe'	

- the messages as described in the table below ("table 2"):-

Date / Approximate Date	Description of message(s)	Page Reference(s)
December 2019	Ms Barnett sends Service User A messages which refer to management getting <i>"some sadistic pleasure out of it all"</i> and being <i>"blinded by this</i>	

	<i>whole fucking Ofsted business</i> ". Ms Barnett also comments, with apparent reference to Alison Gray and Jane Patten that "[t]heir adherence to a system and arse licking anyone above them is pretty sick".	
December 2019	Ms Barnett states "[t]hey have an absolute bias against you" in a message to Service User A which appears to be referring to the Council / her colleagues.	
December 2019	Ms Barnett states "[y]our children are still treated with contempt by the L.A."	
December 2019	Ms Barnett appears to have forwarded a message from her Manager, Alison Gray, to Service User A in which Ms Gray expresses concerns for Ms Barnett's emotional well-being.	
December 2019	Ms Barnett sends Service User A a message stating that [t]he LA and the guardian [. . .] have not provided you the practical help with their education"	
December 2019	Ms Barnett sends Service User A a message stating "Jubilee High DID FUCK ALL. SEN FAILED majorly T on every level".	
December 2019	Ms Barnett sends Service User A a message in which she suggests the Council are "abusing your family [. . .] to justify their recorded history"	
November 2019	Ms Barnett sends Service User A a message stating "[n]o one in this place gives a fucking shit babe"	
November 2019	Ms Barnett sends Service User A messages explaining what she is writing in her statement, that she disagreed with the proposal for 12 months' supervision and commenting on what colleagues have said	
20.11.19	Ms Barnett sends Service User A a message stating "I will definitely leave this job once you and your kids are rid of these fucking cunts"	

22.11.19	Ms Barnett sends Service User A a message referring to an email exchange she had had with a colleague (understood to refer to Jane Patten)	
26.11.19	Ms Barnett sends Service User A a message naming people who had been looking at her children's file.	
26.11.19	Ms Barnett sends Service User A messages explaining that the social worker statement has been rewritten.	
26.11.19	Ms Barnett sends Service User A a message commenting on Alison (Gray) having rewritten her statement.	
28.11.19	Ms Barnett forwards Service User A messages from a Senior Social Worker called Tess.	
30.11.19	Ms Barnett sends Service User A a message stating "[t]hey (the LA) feel like master manipulators"	
01.12.19	Ms Barnett tells Service User A about discussions she has had with Alison Gray, appearing to describe her and others as <i>"lying cunts"</i> . She goes on to provide advice on Service User A's approach at court.	
02.12.19	Ms Barnett sends Service User A a message stating <i>"I'm in trouble big time as Juliana and Jo Moses is concerned about me mouthing of [sic] about managers really loudly in the office . . so the little tell tale tits grassed me up. . ."</i>	
Unknown	Ms Barnett sends Service User A a message stating <i>"Omg, your solicitor has sent two emails to Surrey Legal. Very reasonable and Alison has replied with the BS about you not letting any visits, you didn't rock up to the RCPC . . . Lying c****"</i>	

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- 1. In the period between July 2019 and April 2020, you developed and/or engaged in an inappropriate personal relationship with Service User A, including by on one or more occasions:**

(f) Engaging in inappropriate physical and/or sexual touching of Service User A

96. Ms Barnett admitted that there was inappropriate physical touching of Service User A as set out in the agreed statement of facts, but denied that there was any sexual touching.
97. In considering this particular the panel carefully considered the contextual evidence, including the WhatsApp messages. Social Work England, in presenting this case, has very fairly highlighted evidence which indicates that it is likely that there were more WhatsApp messages that may have been deleted and not been presented to the panel. The panel understood the reasons why Service User A may have chosen not to present every message, and that she has selected the messages demonstrating the inappropriate relationship. The panel was of the view that this did not undermine the reliability of the WhatsApp messages in presenting a fair picture of the relationship between Ms Barnett and Service User A. Ms Barnett has also taken the opportunity to present a selection of social media messages between herself and Service User A, and the panel also accepted these messages as reliable contemporaneous documents.
98. The panel found that Service User A was a credible and reliable witness in relation to the core allegations. She has provided a detailed, coherent, and consistent narrative of the inappropriate personal relationship between herself and Ms Barnett. Substantial parts of her evidence were corroborated, directly or indirectly, by the WhatsApp messages and photographs. Service User A was questioned in detail with reference to Ms Barnett's challenges to her evidence and the panel considered that she did her best to answer the questions to the best of her recollection.
99. The panel noted the evidence that Service User A had lied on previous occasions and that AG described Service User as manipulative. However, in relation to her description of Ms Barnett's behaviour, Service User A had nothing to gain by lying or exaggerating in her account of the relationship. Service User A's initial reported concern about Ms Barnett was that she may not be well enough to function as a social worker. In her oral evidence Service User A repeated her concerns about Ms Barnett's health and the panel did not detect any personal hostility on the part of Service User A towards Ms Barnett. She had had genuine concerns about Ms Barnett's well-being, and this was her initial focus when she first raised concerns with AG.
100. The panel noted that there was a discrepancy between the evidence of Ms Barnett and the evidence of AG as to whether Ms Barnett had reported concerns about the inappropriate relationship to AG in May 2020. The panel considered that this did not undermine Service

User A's credibility in relation to the core allegations. It was not a difference of such importance that it should be given significant weight.

101. The panel noted Ms Barnett's written submissions and her challenge to parts of Service User A's evidence, but it decided to give little weight to this hearsay evidence. Ms Barnett had not attempted in her submissions to explain in detail or put the text messages in a narrative context or the photographs she had sent, particularly those highlighted in Social Work England's case summary and agreed in the statement of agreed facts. She had responded, with the benefit of hindsight, to evidence provided by Social Work England's witnesses. Ms Barnett's written evidence had not been subject to testing by cross-examination or panel questions. She also had a motive to reduce the extent of her culpability in these proceedings.
102. The panel accepted the evidence of Service User A in which she described conduct which was by its nature sexual. In particular Service User A provided a description of touching by Ms Barnett on one occasion when she stayed overnight at Ms Barnett's house in October 2019. She described on this single occasion:
 - (a). sitting in a rocking chair type seat and Ms Barnett rubbing her back under and over her clothes
 - (b). in bed with Ms Barnett when she was fully clothed and Ms Barnett was wearing men's boxers, Ms Barnett massaging her back and arms with her hands underneath Service User A's top, including with her hand under Service User A's bra, undoing the bra and lifting the top
 - (c). Ms Barnett stroking her hair and touching her everywhere, on her back, breast, bum and front part, but not on her vagina as Service User A said that she had her period and could not do anything like that, stroking the top of Service User A's leg.
103. Service User A gave details of the context in which the sexual touching occurred. For example she described that while watching her daughter dancing Ms Barnett pinched her bum or ran her finger down her back. She described other occasions when Ms Barnett touched her over her clothes in the area of her vagina. This took place in the car and on the sofa, under a blanket. On some occasions, after a visit to a pub, Ms Barnett put her hand down the front of Service User A's clothes and left her hand there until Ms Barnett told her to stop. Service User A also described that Ms Barnett would lick her cheek or pinch her bum in the kitchen when she was cooking.
104. The panel acknowledged that physical touching such as a massage to the back is not always sexual. However, this physical contact described by Service User A was in the context of the other intimate touching that took place on the same evening and that also took place on other occasions. The panel also considered Ms Barnett's purpose in engaging in this form of physical contact, and inferred that it was in pursuance of a sexual relationship. In drawing this inference as to Ms Barnett's purpose the panel took into account the content of the WhatsApp messages which evidenced that Ms Barnett was attracted to and in love with

Service User A (table 1). The panel noted the volume of messages, sent at all times of the day, including overnight. The following messages illustrate the content and tone of the messages:

- 24.11.19 *"Like imagine me doing your shoulders....or kissing you... or maybe me telling you I have a condition...and I need all my clothes on" with 'laughing' emojis*
- 25.11.19 *"But you know what...I fancy you...I love being physically close to you...I'd make love with you and you know what...thst [sic] could just me [sic] ..being beside you...Cos loving you...is that simple Xxxxx"*
- 30.11.19 *"[i]f I could hold your head in my lap and watch you sleep I would...Xxxx Not in a weird way"*
- 04.12.19 *"[Service User A], just want to say. You are an amazing human being. You are without a doubt in my mind beautiful. Your intellect as I've said more times than not is as sexy as ! I love you unconditionally. Thank you for being in my life. You add so much even when I dont [sic] want to hear stuff. I love You with all my heart. I have the utmost respect for you"*

105. The panel decided that some of the physical touching described by Service User A was sexual by its nature, and the panel inferred that other physical touching was sexual because Ms Barnett's purpose was to pursue a sexual relationship.
106. The panel found particular 1(f) proved in relation to inappropriate physical and sexual touching.

2. Your conduct at:-

a. 1a and/or 1b and/or 1c and/or 1d and/or 1e and/or 1f above was:-

i sexually motivated;

107. In considering Ms Barnett's motivation the panel noted that the best evidence of a social worker's motivation is their behaviour. The panel accepted Service User A's evidence in which she describes conduct which is overtly sexual in its nature. The panel refers to the conduct of touching Service User A under her clothing, touching in the area close to the vagina, and touching and pinching Service User A's bum.
108. Ms Barnett denies that any such contact took place, but she does not suggest that there could be any plausible alternative explanation for such conduct. Ms Barnett has also not explained the WhatsApp messages in which she refers to her desire to kiss, to be physically close to, and to make love to Service User A.
109. The panel also took into account the photographs sent by Ms Barnett to Service User A. The photographs included:
- A photograph of herself with her trousers undone

- A photograph of herself wearing a towel
 - Photographs showing parts of her body including a photograph focussed on her legs where she is wearing pants and has bare legs
110. The photographs, considered together, are suggestive and they imply that Ms Barnett was inviting Service User A to engage in a sexual relationship.
111. Ms Barnett has not suggested that there was a professional reason for any of the conduct in particulars 1(a)-1(f). Her explanation is that her actions were driven by wanting to be friendly and as helpful as possible to Service User A and attempting to be 'on her side', while at the same time feeling very stressed and distressed and at home and needing a friendly ear, which Service User A provided. The panel rejected this explanation because the WhatsApp messages demonstrate that Ms Barnett's feelings were of love and attraction towards Service User A, rather than merely friendship. The panel did not accept that the photographs sent by Ms Barnett were consistent with an attempt to cement a friendship. They conveyed the message that Ms Barnett was interested in a sexual relationship with Service User A.
112. Taking into account all the contextual evidence, particularly the WhatsApp messages and the photographs, the panel inferred that each aspect of the inappropriate relationship particularised in 1(a)-1(f) was sexually motivated.

2. Your conduct at:-

a. 1a and/or 1b and/or 1c and/or 1d and/or 1e and/or 1f above was:-

ii intended to put pressure on Service User A to engage in a personal and/or sexual relationship with you;

113. In her written response Ms Barnett states that her actions were driven by her desire to be friendly. She states that the friendship was always a two way friendship until towards the end when Service User A began to say she was finding the friendship too heavy because of Ms Barnett's [PRIVATE] and distress.
114. The panel found Service User A's written and oral description of the impact of Ms Barnett's conduct in particulars 1(a) to (f) compelling. For example, she described that Ms Barnett had a meltdown because she had not been invited to a birthday party for Service User A's children. Ms Barnett told Service User A that she could not believe she had not been invited because she was so close to Service User A and the children. Service User A felt that she had been guilt tripped and told Ms Barnett that she could come to the party.
115. Service User A described that Ms Barnett would come to her house uninvited and that her visits would be longer and longer. Eventually none of the visits were in work hours. Sometimes Ms Barnett would ring Service User A at 6 a.m. When Service User A took her child to school Ms Barnett would wait outside to come with them. Ms Barnett would use an excuse for not going home and would be jealous if Service User A attended social events without her.

116. Service User A also described that if she did not agree to go for a drink with Ms Barnett, Ms Barnett would tell her that she was missing information for a report or that Service User A was missing an opportunity to put her point across in relation to possible local authority court action. Ms Barnett persuaded Service User A to visit her house by saying that there were a lot of things to discuss about the case. When Service User A arrived at the house it was not what she expected. Ms Barnett had prepared wine and chocolates and there were candles around the lounge.
117. Ms Barnett also described the ways in which she had responded to pressure she felt she was under. She told Ms Barnett she was not a lesbian. She resisted Ms Barnett's attempts to remove her clothes. She said that she did not like people touching her. Ms Barnett would then apologise, but say that she felt that she had to be close to Service User A. On the occasion when she was in bed with Ms Barnett, Service User A told Ms Barnett she had her period.
118. In her oral evidence Service User A was asked about messages sent by herself indicating that the friendship and love was two ways and she readily agreed that she had reciprocated. There are messages from Service User A to Ms Barnett stating that she loved Ms Barnett. Although agreeing that she did reciprocate, Service User A continued in her answer to explain the reasons she did so. She said that Ms Barnett had the authority to remove her children and that she would have done anything to ensure that did not happen.
119. The evidence that Service User A's primary concern was ensuring that her children were not removed is consistent with the evidence from other witnesses. For example, when Service User A described the relationship with Ms Barnett to NS, Service User A described that she felt she had no option but to be complicit in the relationship. NS made a written record of a meeting on 19 August 2020 in which she noted that Service User A *"was herself emotionally vulnerable at the time of the court process and fell [sic] that Ms Barnett had blurred the boundaries of their working relationship and Ms Barnett had misused her power over [Service User A]"*. The content of the WhatsApp messages also refer extensively to Service User A's concerns and complaints about the way in which she was treated by the local authority and her frustration that the court proceedings were ongoing. For example one WhatsApp message from Service User A includes the following *"there is no way on this planet they can remove the kids that so make another court date for all I care because I wont [sic] be there"*.
120. As the professional social worker Ms Barnett was in a position of power in relation to Service User A. She knew and understood Service User A's concern in relation to her children and the potential for action by the local authority. She understood and exacerbated Service User A's feelings of fear, anger, and frustration in relation to the proposed supervision order and the actions of the local authority. The messages in table 2 indicate the extent to which she joined Service User A by criticising her managers and colleagues.
121. The panel rejected Ms Barnett's alternative explanation for her conduct that she only wanted a friendship with Service User A and that this was freely reciprocated. The panel inferred that all Ms Barnett's conduct in particulars 1(a)-(f) was intended to put pressure on Service User A to engage in a personal and a sexual relationship.
122. The panel therefore found particular 2(a)(ii) proved.

2b. 1f above included touching of Service User A in circumstances where she did not consent and/or you did not reasonably believe she was consenting.

123. The panel found that Service User A did not consent to sexual touching by Ms Barnett. She had told Ms Barnett she was not a lesbian and she had stated that she did not like to be touched. She chose to not pursue a complaint when she was touched sexually because her primary concern was to engage Ms Barnett's support in preventing any negative action against her from the local authority. She was not in a position where she could make a free choice because of the imbalance of power between herself and Ms Barnett.
124. The panel found that Ms Barnett did not genuinely believe that Service User A consented to the sexual touching as described by Service User A in her witness statement. Service User A had told Ms Barnett that she did not like to be touched and there is no evidence that Service User A responded positively by engaging in similar touching herself.
125. Even if Ms Barnett had genuinely believed that Service User A had consented to sexual touching, her belief was unreasonable. An ordinary reasonable person would consider her belief to be unreasonable because Ms Barnett was the professional social worker and was in a position of power in relation to Service User A. She knew that Service User A would do anything to ensure that her children were not removed from her care.
126. The panel therefore found particular 2b proved.

4. In or around November 2019, allowed Service User A to assist you with a draft Parenting Assessment

127. Ms Barnett has firmly and consistently denied that she allowed Service User A to assist her with a draft Parenting Assessment.
128. The panel considered carefully the timetable of events as described by JP. JP described that there was time pressure for completing the Parenting Assessment and she was aware that Ms Barnett sometimes struggled to complete paperwork [PRIVATE]. She therefore invited Ms Barnett to her house on Saturday 9 November so that JP could assist. Ms Barnett remained at JP's house for 4 or 5 hours and had made a start on most of the sections in the report. JP received the first draft Parenting Assessment from Ms Barnett on 11 November 2019.
129. Service User A described in her witness statement that on 10 November 2019 she was concerned about Ms Barnett's welfare, who had told her that the Parenting Assessment needed to be done. She described that she and Ms Barnett went to a pub and used the Wifi to access the template. She described that Ms Barnett struggled to fill in the template. Her description of Ms Barnett's difficulties with the template was consistent with JP's evidence. Service User A described that the assistance she provided was to type into the form information provided by Ms Barnett. This limited form of assistance would not have been apparent to subsequent recipients of the Parenting Assessment such as JP or AG.
130. Service User A's description was consistent with the timetable described by JP, it was also plausible and consistent with JP's evidence as to the nature of Ms Barnett's difficulties.

131. The panel accepted Service User A's evidence and found that Service User A had assisted with the Parenting Assessment to the extent that she had typed information provided by Ms Barnett into the template.

Finding and reasons on grounds

132. In relation to the ground of adverse health Ms Atkin referred the panel to the medical report of Dr Junaid dated 2 November 2022 and to Social Work England's guidance on health grounds. She highlighted that the only diagnosis confirmed within the medical evidence is of [PRIVATE].
133. In relation to misconduct Ms Atkin submitted that each of the particulars was sufficiently serious to amount to misconduct. She referred the panel to the Health Care Professions Council (HCPC) Standards of Conduct, Performance and Ethics and to Social Work England's professional standards. She highlighted evidence which indicated that Ms Barnett was aware of professional boundaries and knew that she should not have been engaging in a relationship with Service User A. Ms Barnett did not disclose her relationship with Service User A. When first interviewed in an initial investigation she stated that she had a professional relationship with the family. She made admissions only when she was presented with the overwhelming evidence of the WhatsApp messages.
134. Ms Atkin also referred the panel to a message sent by Ms Barnett on 30 November 2019 stating "[t]he only thing the LA know, Alison knows about me seeing your kids outside work fine [sic] was when I took [child] to the chef course. I think that is justifiable in terms of my role. No one absolutely no one knows I've seen them at any other time...I mean no one" and a message on 4 December 2019 when Ms Barnett told Service User A that she had told AG that she had not heard from Service User A since she had been off, and that she (Ms Barnett) had not been in contact with Service User A.
135. In relation to the relevance of Ms Barnett's health condition to the panel's assessment of her culpability, Ms Atkin submitted that the evidence did not demonstrate that Ms Barnett was so unwell that she had no awareness of what she was doing or was unable to recognise that her conduct was wrong. Ms Atkin submitted that the facts admitted and found proved were sufficiently serious to amount to the statutory ground of misconduct. She referred to the submissions set out in Social Work England's statement of case.
136. In her written submissions for the panel Ms Barnett agreed that the facts that she had admitted amounted to misconduct.
137. The panel accepted the advice of the legal adviser. In relation to the statutory ground of adverse health she referred the panel to Social Work England's guidance on health concerns. In relation to misconduct, she referred to the guidance in the case of *Roylance v GMC* that "*misconduct is a word of general effect, involving some act or omission which falls short of what would be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinarily required to be followed by a practitioner in the particular circumstances*".

138. The panel noted that a breach of standards is not conclusive, but may be part of the panel's consideration of the circumstances. It also noted that the 'falling short' must be 'serious' (*Nandi v GMC*).

139. The panel first considered the statutory ground of adverse health and noted Dr Junaid's opinion:

“[PRIVATE]”

140. In the WhatsApp messages there was evidence that Ms Barnett had been slow to recognise the extent to which her health was impacting on her responsibilities as a social worker. In April 2020 Service User A repeatedly expressed her concerns about Ms Barnett's health and wellbeing and there were multiple messages in which she encouraged and then cajoled Ms Barnett to visit her GP. In the panel's judgment Ms Barnett's health condition had the potential to impact on her fitness to practise if it was not managed in a way that protects the public. Therefore, this statutory ground was engaged.

141. The panel next considered the statutory ground of misconduct. The HCPC Standards of Conduct, Performance and Ethics and Social Work England's standards are engaged because the timeframe of the allegation covers July 2019 to April 2020. The panel considered that Ms Barnett's conduct amounted to a breach of the following standards.

HCPC Standards of Conduct, Performance and Ethics:-

- **1. Promote and protect the interests of service users and carers**
 - 1.1 *You must treat service users and carers as individuals, respecting their privacy and dignity;*
 - 1.7 *You must keep your relationships with service users and carers professional.*
- **2. Communicate appropriately and effectively**
 - 2.7 *You must use all forms of communication appropriately and responsibly, including social media and networking websites.*
- **5. Respect confidentiality**
 - 5.1 *You must treat information about service users as confidential*
- **6. Manage risk**
 - 6.1 *You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible*
 - 6.2 *You must not do anything, or allow someone else to do anything, which could put the health or safety of a service user, carer or colleague at unacceptable risk.*

6.3 *You must make changes to how you practise, or stop practising, if your physical or mental health may affect your performance or judgment, or put others at risk for any other reason.*

- **9. Be honest and trustworthy**

9.1 *You must make sure your conduct justifies the public's trust and confidence in you and your profession.*

Social Work England's Professional Standards:-

- *Recognise and use responsibly, the power and authority I have when working with people, ensuring that my interventions are always necessary, the least intrusive, proportionate, and in people's best interests (1.7).*
- *Respect and maintain people's dignity and privacy (2.2).*
- *Maintain professional relationships with people and ensure that they understand the role of a social worker in their lives (2.3)*
- *Treat information about people with sensitivity and handle confidential information in line with the law (2.6).*
- *Recognise where there may be bias in decision making and address issues that arise from ethical dilemmas, conflicting information, or differing professional decisions (3.7).*
- *Not abuse, neglect, discriminate, exploit or harm anyone, or condone this by others (5.1).*
- *Not behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work (5.2).*
- *Not use technology, social media or other forms of electronic communication unlawfully, unethically, or in a way that brings the profession into disrepute (5.6).*

142. The panel considered the background circumstances. Ms Barnett was provided with an appropriate level of management support and guidance. NS met with Ms Barnett in 2018 and 2019 and provided management support and the opportunity for reflective discussions. Ms Barnett was also provided with appropriate management support in relation to her health and informed her GP of this. AG and other team members had concerns that Ms Barnett's [PRIVATE] was impacting on her behaviour in the autumn of 2019. Ms Barnett was encouraged to seek therapeutic support and Ms Barnett took a period of sick leave starting in December 2019.

143. The panel noted Dr Junaid's opinion that it is more likely than not that Ms Barnett's conduct could be linked to her [PRIVATE] that was present at the time of the events. Although the panel accepted that there could be some link, it did not consider that Ms Barnett's health condition substantially reduced her culpability. The panel noted that Ms Barnett was undertaking the demanding role of a social worker for large parts of the time period covered by the allegation. [PRIVATE].

144. The WhatsApp messages, considered as a whole, demonstrated that Ms Barnett was aware of what she was doing. As highlighted by Ms Atkin, there were messages that showed that Ms Barnett was concealing her behaviour because she knew that it was wrong.

145. The panel considered that Ms Barnett's conduct in particular 1 fell far below the standards expected of a registered social worker. Her conduct was an abuse of the trust placed in her to maintain professional boundaries. This is serious for the reasons explained in Social Work England's impairment and sanctions guidance at paragraph 154.

"Social workers hold privileged positions of trust. Their role often requires them to engage with vulnerable people. It is essential to the effective delivery of social work that the public can trust social workers. Any abuse of trust by a social worker is a serious and unacceptable risk in terms of public protection and confidence in the profession."

146. Ms Barnett's conduct was not an unthinking, minor blurring of the boundaries, but a deliberate choice to put her own interests above her professional responsibilities. The conduct was repeated over several months.

147. Ms Barnett's conduct involved an abuse of her power as a social worker in relation to Service User A. Ms Barnett was entirely unable to make objective judgments about Service User A or the welfare of her children and thereby exposed them to the risk of serious harm. Ms Barnett's conduct had a negative impact on Service User A. She felt under pressure to behave in accordance with Ms Barnett's wishes because she did not want her children to be taken away from her.

148. The seriousness of Ms Barnett's conduct is further exacerbated by the fact that it was sexually motivated and intended to put pressure on Service User A to engage in a sexual relationship (particular 2). Paragraph 167-169 of Social Work England's impairment and sanctions guidance highlights the serious nature of these factors.

"Sexual misconduct that involves an abuse of the social worker's professional position is a serious abuse of trust. For example, pursuing a sexual relationship or engaging in sexual conduct (in any form) with someone who uses social work services, their relatives or carers.

People who use social work services are not necessarily always vulnerable. However, there is still an inherent power imbalance in the professional relationship between the service user and the social worker. This power imbalance may continue even after the professional relationship with the individual has ended. This means sexual misconduct with service users, their relatives, or carers will likely undermine public confidence in the profession.

The most serious sexual misconduct in these instances may include, but are not limited to (any of the following):

- *misconduct which took place when the social worker was involved professionally with the person using social work services, their family or carers*
- *evidence that the social worker's professional status was a coercive factor in engaging the relationship and/or sexual conduct*

.....”

149. In the panel's judgment Ms Barnett's conduct in particular 3 was also far below the expected standards for social workers. Service User A already regarded the Council with mistrust and Ms Barnett's criticism of the Council and her colleagues, in strident terms, only served to further reinforce her views and, potentially, her willingness to co-operate with the Council. It was also a serious breach of confidentiality for Ms Barnett to disclose information about her colleagues and other service users with Service User A.
150. In the panel's judgment Ms Barnett's conduct in particular 4 was sufficiently serious to amount to misconduct. Ms Barnett was not engaging in a constructive exercise with Service User A, obtaining relevant information from a service user in a professional context. The assistance was provided by Service User A in a pub, because Ms Barnett was struggling to use the template for the Parenting Assessment.

Finding and reasons on current impairment

151. Ms Atkin submitted that Ms Barnett's fitness to practise is currently impaired on the ground of health and on the ground of misconduct. In relation to the ground of health she submitted that Ms Barnett's fitness to practise is impaired. She submitted that the nature of the health condition, and Ms Barnett's indication that she is unable to recognise when her [PRIVATE] is deteriorating, suggest that there is an ongoing risk of repetition. In relation to misconduct, Ms Atkin submitted that Ms Barnett has not demonstrated genuine insight into her misconduct. She further submitted that Social Work England do not consider that the training that Ms Barnett has undertaken mitigates the risk of repetition because Ms Barnett did not lack an awareness at the time that she should not engage in a personal or sexual relationship with Service User A. Ms Atkin also submitted that a finding of current impairment was required in the wider public interest because the sexual misconduct is fundamentally incompatible with practise as a social worker.
152. In her written submissions Ms Barnett accepted that her fitness to practise was impaired at the time of the events, but she disagrees that her fitness to practise is currently impaired.
153. The panel accepted the advice of the Legal Adviser. It assessed Ms Barnett's fitness to practise at today's date, having regard to the need to protect the public which includes the wider public interest.

154. The panel first considered whether Ms Barnett's fitness to practise is currently impaired on the ground of her health condition. As explained in Social Work England's guidance on health concerns, the key question is the potential risk to public safety. There may be no risk to public safety if the social worker has full insight into their health condition, engages and complies with recommended treatment programmes, and either limits their practise appropriately or stops working when unwell.
155. The panel noted the letter of support for Ms Barnett dated 22 May 2023 from a social worker in New Zealand in which she stated that she believes Ms Barnett is "mindful about the need to maintain good health". The panel attached little weight to this letter for the reasons given below.
156. Ms Barnett declined to participate in a health assessment and chose not to give evidence to the panel. This is of course her right, but this has the consequence that neither Dr Junaid, nor the panel was able to make an assessment of whether Ms Barnett currently has full insight into her health condition. The panel was not able to explore whether Ms Barnett is now able to recognise when her health may be deteriorating or the extent to which she utilises a support network. In the absence of evidence, the panel could not be satisfied that Ms Barnett does not pose a risk to public safety. It therefore decided that Ms Barnett's fitness to practise is impaired on the ground of adverse health.
157. The panel next considered whether Ms Barnett's fitness to practise is currently impaired as a result of her past misconduct. The panel carefully considered Ms Barnett's submissions, her apology to Service User A, her colleagues and the profession, and her recognition that her behaviour was wrong and that she did not follow Social Work England's values and code of conduct. She accepted that if a Social Worker becomes personally involved with a client there is a possibility that real concerns may be missed but in this case she believes that her judgment of the safety of the children was not affected and that she did not consider that she had put the children at risk.
158. The panel was of the view that the insight demonstrated by Ms Barnett was minimal. When interviewed by the Council she had initially maintained that her relationship with Service User A was professional. She had only admitted the personal relationship in the face of the overwhelming evidence of the WhatsApp messages. Although Ms Barnett accepted that there was a power imbalance between herself and Service User A, she had not acknowledged the thread running through the WhatsApp messages of Service User A's fears and concerns about the Council's actions relating to her children and, as a consequence, the coercive power that she exercised. In her most recent submissions Ms Barnett failed to acknowledge, to any extent, that her ability to make objective judgments on the safety of the family was impaired.
159. The panel considered that Ms Barnett's sexual misconduct is an attitudinal issue which is very difficult to remedy. It agreed with the submissions of Social Work England that Ms Barnett's behaviour was deliberate, and that it was not due to a lack of understanding of professional boundaries. Therefore, Ms Barnett's completion of a course on professional boundaries did not mitigate the risk of repetition.

160. In considering the risk of repetition the panel took into account the nature of the misconduct. It was deliberate, sustained over a period of time, and Ms Barnett was concealing it from others. Ms Barnett had demonstrated minimal insight. In the panel's judgment the risk of repetition was high.
161. The panel next considered whether a finding of current impairment is required to maintain public confidence in the profession and to uphold standards for social workers in England. Ms Barnett's conduct was a breach of a fundamental tenet of the profession and it involved sexual misconduct. The sexual misconduct in this case was of a serious nature because it took place while there was a professional relationship between Ms Barnett and Service User A and because Ms Barnett's professional status was a coercive factor. In the panel's judgment such conduct is fundamentally incompatible with practise as a social worker. A finding of current impairment is therefore required in the wider public interest to maintain public confidence in the profession.
162. The panel therefore decided that Ms Barnett's fitness to practise is currently impaired on the ground of misconduct and of adverse health.

Decision on sanction

163. Ms Atkin submitted that the appropriate sanction was a removal order. She referred the panel to paragraphs in Social Work England's impairment and sanctions guidance (SG). She submitted that none of the mitigating features outweigh the gravity of the misconduct, given that it was deliberate, and that over a long period it exposed Service User A and her children to the risk of harm. She submitted that any lesser sanction would be insufficient to protect the public.
164. The panel accepted the advice of the Legal Assessor. Her advice included reference to the case of *Bolton v the Law Society* [1994] 1WLR 512.
165. The primary function of any sanction is to protect the public. This includes protecting the health, safety, and welfare of members of the public, maintaining public trust and confidence in the profession, and maintaining and upholding the required standards for social workers in England. The panel applied the principle of proportionality, balancing Ms Barnett's interests against the need to protect the public and the wider public interest.
166. In its deliberations the panel identified the following aggravating factors:
- the misconduct was deliberate, Ms Barnett was aware that what she was doing was wrong and she concealed her behaviour from her colleagues;
 - the sexual misconduct and breach of professional boundaries was an abuse of trust;
 - the conduct was sustained over a ten month period;
 - the vulnerability of Service User A to coercive behaviour because of her concerns about Council action including the removal of her children;

- the risk of harm to Service User A's four children because Ms Barnett was unable to make objective professional judgments;
- the risk of harm to Ms Barnett's colleagues and reputational risk to the Council;
- minimal insight and remediation.

167. The panel carefully considered the mitigating factors. Ms Atkin confirmed in her submissions that there were no previous regulatory findings against Ms Barnett. The panel also noted that Ms Barnett had suffered bereavements and that there had subsequently been a deterioration in her health. In its decision on misconduct the panel considered the link between Ms Barnett's health and the misconduct, and concluded that despite her ill-health for part of the time period covered by the allegation, Ms Barnett retained an ability to make judgments. Her health did not substantially reduce her culpability. In her early submissions to Social Work England Ms Barnett provided supportive references. The panel considered the references carefully but decided that they carried little weight, when balanced against the gravity of the misconduct. The references date back to 2020 and it was not clear that the referees understood the extent of the allegations against Ms Barnett. The panel also acknowledged Ms Barnett's apology, but it gave this little weight because it had to be considered in the context of Ms Barnett's limited admissions, minimal insight, and her tendency to blame Service User A.
168. The panel considered that any form of sexual misconduct is serious for Social Workers and that the conduct in this case is at the top end of the scale of seriousness because of the aggravating features, the fact that the misconduct took place when Ms Barnett was involved professionally with Service User A, and because Ms Barnett intended to put pressure on Service User A to engage in a sexual relationship.
169. The sanction should be the least restrictive which is sufficient to provide the necessary degree of public protection. The panel therefore considered the sanctions in ascending order of severity.
170. The panel considered the option of taking no action, giving advice, or imposing a warning. These options do not restrict Ms Barnett's registration and therefore would be insufficient to protect the public, given that the panel has concluded that there is a risk of repetition of similar misconduct. These options would also be entirely insufficient to maintain public confidence in the profession and to mark the seriousness of Ms Barnett's departure from the expected professional standards.
171. The panel next considered the option of a conditions of practice order. The panel decided that conditions of practice would be an insufficient sanction to mark the gravity of Ms Barnett's misconduct which involved a sexually motivated conduct and a breach of trust. The panel also considered that conditions of practice would not be appropriate and would be unworkable because the misconduct involves a behavioural and attitudinal failing.
172. The panel next considered the option of a suspension order. The guidance in the SG is that a suspension order may be appropriate where the case falls short of requiring removal from the register.

173. The SG guidance for a removal order is that this sanction *“must be made where the adjudicators conclude that no other outcome would be enough to protect the public, maintain confidence in the profession or maintain proper professional standards for social workers in England”*.
174. The panel also noted the guidance in paragraph 149 of the SG that a removal order may be appropriate in cases involving abuses of position or trust, or sexual misconduct. The panel referred to paragraphs 167-169 of the SG which explains that sexual misconduct with service users will likely undermine public confidence in the profession. In its decision on current impairment the panel referred to paragraph 169 of the SG which highlights sexual misconduct which is considered to be most serious. The SG indicated that a removal order was the appropriate sanction for sexual misconduct which was toward the top end of the scale of seriousness.
175. The panel decided that the mitigating factors carried little weight when balanced against the nature and gravity of Ms Barnett’s misconduct.
176. The panel’s view was that the prospect that Ms Barnett would be willing and able to remediate the misconduct was remote. It would be extremely difficult to remedy the misconduct in this case because it is attitudinal and the most serious aspects have been denied by Ms Barnett. The panel could not envisage how Ms Barnett might be able to remediate her misconduct and persuade a panel that there was not an ongoing risk of repetition.
177. The panel also decided that even if the risk of repetition were low, the misconduct in this case involves such a serious departure from professional standards that it is fundamentally incompatible with registration as a Social Worker in England. In reaching this decision the panel had in mind the nature and gravity of the misconduct as explained in the panel’s decision on misconduct and the panel’s assessment that the conduct is at the high end of the spectrum of gravity of sexual misconduct. A suspension order would not be sufficient to mark the gravity of the misconduct, and it would be insufficient to maintain public confidence in the profession.
178. When it considered the option of a suspension order or the more restrictive option of a removal order the panel recognised that suspension would offer Ms Barnett the prospect of returning to her chosen profession. This may be less detrimental to her financial and reputational interests than a removal order. The panel understood that Ms Barnett may be working in New Zealand, but it had little information about her current circumstances. The panel recognised that the imposition of a sanction which prevents Ms Barnett working as a Social Worker in England may have a negative financial and reputational impact on her.
179. The panel decided that Ms Barnett’s misconduct was so serious that her interests were outweighed by the need to protect the public, which includes maintaining public confidence in the profession.
180. The panel considered that the guidance in the SG for a removal order applied; no outcome other than removal would be sufficient to protect the public, maintain confidence in the

profession and maintain proper professional standards for social workers in England. The sanction of a removal order is the sanction of last resort, but the panel decided that it was the appropriate and proportionate sanction. This sanction sends a clear message to the public and members of the profession that registered social workers must not breach professional boundaries with service users or abuse their professional position by sexual misconduct involving service users. This is conduct which does not justify the trust and confidence that members of the public place in social workers.

Interim order

181. Ms Atkin made an application for an Interim Suspension Order, to cover the appeal period before the Sanction becomes operative and the time that any appeal might take to be concluded.
182. The panel accepted the advice of the legal adviser and considered whether an order was necessary for the protection of the public. It applied the principle of proportionality, balancing Ms Barnett's interests against the need to protect the public.
183. The panel considered whether to impose an interim order. The panel decided that it would be wholly incompatible with its earlier findings and the imposition of a Removal Order to conclude that an Interim Suspension Order was not necessary for the protection of the public, including the wider public interest.
184. The imposition of an interim order may have a detrimental impact on Ms Barnett, but the panel decided that the need to protect the public outweighed her interests. The panel considered the option of imposing interim conditions of practice, but decided that there were no conditions which would address the risk that Ms Barnett might repeat similar misconduct. Accordingly, the panel concluded that an Interim Suspension Order should be imposed on public protection and public interest grounds.
185. The panel decided that it is appropriate that the Interim Suspension Order be imposed for a period of eighteen months to cover the appeal period. When the appeal period expires this Interim Order will come to an end unless there has been an application to appeal. If there is no appeal the Removal Order shall apply when the appeal period expires.

Right of Appeal

186. Under paragraph 16 (1) (a) of schedule 2, part 5 of the Social Workers Regulations 2018, the Social worker may appeal to the High Court against the decision of adjudicators:
 - (i) to make an interim order, other than an interim order made at the same time as a final order under paragraph 11(1)(b),
 - (ii) not to revoke or vary such an order,
 - (iii) to make a final order.

187. Under paragraph 16 (2) schedule 2, part 5 of the Social Workers Regulations 2018 an appeal must be made within 28 days of the day on which the social worker is notified of the decision complained of.
188. Under regulation 9(4), part 3 (Registration of social workers) of the Social Workers Regulations 2018, this order can only be recorded on the register 28 days after the Social Worker was informed of the decision or, if the social worker appeals within 28 days, when that appeal is exhausted.
189. This notice is served in accordance with rules 44 and 45 of the Social Work England Fitness to Practice Rules 2019.

Review of final orders

190. Under paragraph 15 (2) and 15 (3) of schedule 2, part 4 of the Social Workers Regulations 2018:
- 15 (2) – The regulator may review a final order where new evidence relevant to the order has become available after the making of the order, or when requested to do so by the social worker.
 - 15 (3) A request by the social worker under sub-paragraph (2) must be made within such period as the regulator determines in rules made under regulation 25(5), and a final order does not have effect until after the expiry of that period.
191. Under rule 16 (aa) of Social Work England’s fitness to practise rules, a registered social worker requesting a review of a final order under paragraph 15 of Schedule 2 must make the request within 28 days of the day on which they are notified of the order.

The Professional Standards Authority:

192. Please note that in accordance with section 29 of the National Health Service Reform and Health Care Professions Act 2002, a final decision made by Social Work England’s panel of adjudicators can be referred by the Professional Standards Authority (“the PSA”) to the High Court. The PSA can refer this decision to the High Court if it considers that the decision is not sufficient for the protection of the public. Further information about PSA appeals can be found on their website at: <https://www.professionalstandards.org.uk/what-we-do/our-work-with-regulators/decisions-about-practitioners>.