

Social worker: Jennifer Rosemarie
Leveridge

Registration number: SW82639

Fitness to Practise Final Hearing

Dates of hearing: 29 April to 2 May 2024

Hearing venue: Remote hearing

Hearing outcome: Conditions of practice order – 18 months

Interim order: Interim conditions of practice order – 18 months

Introduction and attendees:

1. This is a hearing of allegations against Ms Jennifer Rosemarie Leveridge, which is held under Part 5 of the Social Workers Regulations 2018 (as amended).
2. Ms Leveridge did not attend and was not represented.
3. Social Work England was represented by Mr Matthew Corrie, Counsel instructed by Capsticks LLP, solicitors to Social Work England.
4. The panel of adjudicators (the “**panel**”) and the other people involved in the conduct and administration of this hearing were as follows:

Adjudicators	Role
Wendy Yeadon	Chair (Lay adjudicator)
Michael Branicki	Social worker adjudicator

Hannah Granger	Hearings Officer
Khadija Rafiq	Hearings Support Officer
Charles Redfearn	Legal Adviser

Service of Notice:

Service documents

5. The documents before the panel included the following:
 - An extract from Social Work England’s register (the “**Register**”) showing the email address for Ms Leveridge which was held by Social Work England and which would have been provided by Ms Leveridge.
 - A copy of the notice of this final hearing dated 20 March 2023 (the “**Notice**”), which stated that it was to be sent by email and special delivery and was addressed to Ms Leveridge at her email and postal addresses as they appear on the Register.
 - A statement of case, setting out Social Work England’s case against Ms Leveridge (the “**Statement of Case**”).
 - A copy of a covering email dated 20 March 2023 and sent to Ms Leveridge at her email address as it appears on the Register. The covering email specified various attachments, including a “Notice of Hearing Letter” and a “Statement of Case”.
 - A copy of a signed Statement of Service which was made on 9 April 2024 by the employee of Capsticks LLP who had sent the covering email. The Statement of Service stated that, on 20 March 2024, that employee had “instructed Docucentre” to send the Notice and its enclosures by special delivery and email to Ms Leveridge at her email and postal addresses as they appear on the Register. (However, the covering email indicated that it had been sent by the employee of Capsticks LLP who had made the Statement of Service rather than by “Docucentre”.)

- A copy of a Royal Mail tracking slip bearing a tracking number and stating, “Your item was delivered on 21-03-24” and that the item was signed for by “LEVERIDGE”.

Submissions on service

6. Mr Corrie, on behalf of Social Work England, referred the panel to the Notice and pointed out that it gave the date and place of this hearing and was accompanied by a statement of case. He added that the Notice stated that was to be served by email special delivery and that the email and postal addresses for Ms Leveridge which appeared on the Notice were those which appeared in Ms Leveridge’s entry in the Register, as evidenced by the extract contained in the service bundle.
7. Mr Corrie informed the panel that the date of Notice was 20 March 2024 and that this was 40 days before the first day of this hearing, thus satisfying the requirement in Social Work England’s Fitness to Practise Rules (the “FTP Rules”) for Ms Leveridge to be given no less than 28 days’ notice of this hearing.
8. Mr Corrie submitted that service of the Notice was proved by the statement of service and the Royal Mail delivery slip contained in the service bundle and by the fact that Ms Leveridge had responded to the Notice in her letter of 28 March 2024 and by completing and submitting the forms which were enclosed with the notice.

Legal advice on service

9. The panel accepted the advice of the Legal Adviser in relation to service of notice. The Legal Adviser advised that:
 - notices of final hearings must contain the information required by paragraph 10(2) of Schedule 2 to the Social Workers Regulations 2018 and rule 15 of the FTP Rules;
 - notices of final hearings must be sent by one or more of the mandatory means of service set out in rule 44(a) of the FTP Rules;
 - pursuant to rule 14(a) of the FTP Rules Ms Leveridge had to be given at least 28 days’ notice of this hearing;
 - if service was proved, rule 45 of the FTP Rules required the panel to treat the copy of the Notice sent by email as being received on the day on which it was sent and to treat the copy of the Notice sent by next day delivery service on the day after it was sent; and
 - any of the documents specified in rule 44(b) of the FTP Rules could be relied on as conclusive proof of service but this rule did not preclude the panel from relying on other evidence of service.

Panel’s decision on service

10. With regard to the contents of the Notice and its enclosures, the panel noted that:

- The Notice satisfied the requirements of paragraph 10(4) of Schedule 2 to the Social Worker's Regulations 2018 in that it (i) notified Ms Leveridge of the date and time of this hearing and that it would take place remotely; (ii) invited her to make written submissions; and (iii) informed her that she could attend the hearing, be represented at it, make oral submissions and call witnesses.
 - The Notice satisfied the requirements of rule 15(b) of the FTP Rules in that its enclosures (and the attachments to the covering email) included the Statement of Case.
 - The Statement of Case also satisfied the requirements of rule 15(b) as it set out those matters that are agreed between the parties, those matters that are not agreed, and the basis for alleging Ms Leveridge's impairment of fitness to practise.
11. The panel noted from the Notice, its covering email, the extract from the Register and the Statement of Service that, when sending the notice, Social Work England had used two of the mandatory means of service specified in rule 44(a) of the FTP Rules, namely, sending the Notice by email and by special delivery to email and postal addresses provided by Ms Leveridge, being those appearing on Ms Leveridge's entry in the Register.
12. With regard to proof that the Notice had been served on Ms Leveridge:
- The panel noted that Ms Leveridge had completed and returned certain of the forms which accompanied the Notice and had responded to the Notice in her letter to Social Work England's solicitors of 28 March 2024, which indicated that she had received the Notice and its enclosures.
 - The panel considered that service of the copy of the Notice sent by email had been conclusively proved by the Statement of Service, which, as required by rule 44(b)(iii) of the FTP Rules, had been made by the sender of the covering email and its attachments (which included the Notice).
 - On the basis of the Statement of Service and the Royal Mail delivery slip the panel was also content that Ms Leveridge had been served with the copy of the Notice sent by special delivery.
13. Given the provisions of rule 45 of the FTP Rules regarding the dates on which service should be treated as having occurred, the panel was satisfied that Ms Leveridge had been given at least 28 days' notice of this hearing, as required by rule 14(a) of the FTP Rules.
14. Accordingly, the panel concluded that Ms Leveridge had been served with notice of this hearing in accordance with the FTP Rules and the Social Workers Regulations 2018.

Proceeding in the absence of Ms Leveridge:

Submissions on behalf of Social Work England

15. Mr Corrie referred the panel to rule 43 of the FTP Rules and to the letter dated 28 March 2024 from Ms Leveridge to Social Work England's solicitors, Capsticks LLP. In this letter Ms Leveridge confirmed (i) that she had received Capsticks LLP's letter of 20 March 2024 (which was the notice of this hearing), (ii) that she would not be attending this hearing and (iii) that she had no submissions other than those in that letter and in her earlier letter of 2 October 2023.
16. Mr Corrie then submitted that, in the circumstances, it was fair to proceed with this hearing in Ms Leveridge's absence for the following reasons:
 - As service of the Notice had been proved, Ms Leveridge had been made aware of this hearing and given an opportunity to attend it.
 - It was clear from Ms Leveridge's correspondence that she was aware of this hearing and had decided not to attend it.
 - It therefore appeared that Ms Leveridge had voluntarily absented herself from this hearing and that an adjournment would not secure her attendance.
 - As the allegations against Ms Leveridge dated from 2019, it was in the public interest for this hearing to proceed.

Legal advice on proceeding in absence

17. The panel heard and accepted the advice of the Legal Adviser in relation to proceeding in Ms Leveridge's absence.
18. That advice included reference to rule 43 of the FTP Rules, Social Work England's guidance entitled 'Service of Notices and Proceeding in the Absence of the Social Worker' and the cases of *R v Jones [2003] UKPC 1* and *General Medical Council v Adeogba [2016] EWCA Civ 162*.
19. The panel noted from that advice that:
 - Under rule 43 of the FTP Rules, where a social worker does not attend a hearing and is not represented, the panel has a discretion to proceed with that hearing in the absence of the social worker provided that it is satisfied that the social worker has been served with notice of that hearing.
 - The discretion to proceed in the absence of the social worker should be exercised with great caution and with close regard to the fairness of the proceedings. Fairness to the registrant is of prime importance, but fairness to Social Work England and the public must also be taken into account.
 - The panel had therefore to balance the interests of Ms Leveridge in being able to present her case against the interests of Social Work England and the public in an expeditious disposal of the allegations against Ms Leveridge.

- As far as fairness to Ms Leveridge is concerned, the panel should not proceed with this final hearing if it has evidence that the social worker is involuntarily absent, for example through illness or incapacity. The panel could take account of any communication from Ms Leveridge indicating that she was content for proceedings to take place in her absence. The question of whether an adjournment would secure Ms Leveridge's attendance was also relevant.
- In considering fairness to Social Work England and the public, the panel should bear in mind Social Work England's overarching objective of protection of the public.
- The court in General Medical Council v Adeogba had concluded that, "*where there is good reason not to proceed, the case should be adjourned; where there is not, however, it is only right that it should proceed*".
- If the hearing proceeds in the absence of Ms Leveridge, the panel, the case presenter and the Legal Adviser should ensure that they explore any weaknesses in Social Work England's case and identify any points which may be of assistance to Ms Leveridge but that duty did not require the panel to cross-examine witnesses in the same way that a litigant or their representative would do.

Panel's decision on proceeding in absence

20. The panel considered that its discretion to proceed in Ms Leveridge's absence under rule 43 of the FTP Rules had been engaged as (a) Ms Leveridge was not present or represented at this hearing and (b) the panel had concluded that notice of this hearing had been served on her in accordance with FTP Rules.
21. The panel noted that:
 - The Notice advised Ms Leveridge that it was in her interests to attend this hearing in order to present her case and warned her that, if she failed to attend this hearing, it could proceed in her absence.
 - Ms Leveridge had submitted a Hearing Participation Form, which she had completed, signed and dated 28 March 2024. On that form, Ms Leveridge had ticked a box to indicate that she would not be attending this hearing, that she would be providing written submissions and that she understood that this hearing could proceed in her absence.
 - Ms Leveridge had provided written submissions in a letter dated 28 March 2024, which cross-referred to submissions made in an earlier letter dated 2 October 2023. That letter had been accompanied by a completed Response Form, in which Ms Leveridge admitted all of the allegations against her. Ms Leveridge had also signed Statement of Agreed Facts dated 28 March 2024, which reaffirmed her admission of those allegations.
 - There was no indication that Ms Leveridge was involuntarily absent due to illness or for any other reason. She had not requested that this hearing be adjourned, nor had

she indicated that she might be willing and able to participate in a final hearing at a later date.

22. In the circumstances, the panel concluded that:

- Ms Leveridge was aware of this hearing but had clearly stated her intention not to attend it and had provided written submissions.
- She was not involuntarily absent but had voluntarily absented herself from this hearing and adjournment would not secure her attendance.
- In the circumstances, the balance of fairness lay in this hearing proceeding in Ms Leveridge's absence.

Allegations and background:

Allegations

23. The allegations against Ms Leveridge (the “**Allegations**”) were as follows:

Whilst registered as a social worker between around March and December 2019:

1) You failed to provide adequate supervision and/or oversight to Person A in that:

a. You did not carry out regular formal supervision as required by the Trafford Supervision Policy; and/or

b. You failed to:

i. ensure that Person A arranged a sufficient number of core group meetings between around March and October 2019 in relation to Child 1; and/or

ii. take any adequate action in response to the number of no access visits attempted to Child 1 and/or their family between March and October 2019; and/or

iii. between around March and November 2019 ensure that a Section 47 of the Children Act 1989 enquiry was initiated in respect of Child 1 when it was indicated to do so; and/or

iv. in around April 2019 ensure an adequate assessment was carried out in relation to Child 2 being returned from care to home; and/or

v. between around 28 May and 11 June 2019 ensure that a strategy meeting took place within a timely fashion in respect of Child 2; and/or

vi. on or around 17 June 2019 ensure a Section 47 of the Children Act 1989 enquiry was initiated in respect of Child 2 when it was indicated to do so; and/or

vii. between around July 2019 and October 2019 ensure that Child 3's care plan was updated; and/or

viii. ensure that an adequate assessment was carried out into the suitability of Child 3 being placed at their paternal grandfather's home from around 17 September 2019; and/or

ix. take any adequate action in response to the number of no access visits attempted to Child 4 and/or their family between around March and October 2019; and/or

x. between around 17 June 2019 and 30 October ensure a Section 47 enquiry of the Children Act 1989 enquiry was completed in respect of Child 2 when it was indicated to do so.

2) Between 29 August 2019 and around December 2019 you failed to provide adequate supervision and/or oversight of Person B in that you did not carry out formal supervision every month as required by the Trafford Supervision Policy.

The matters outlined at (1) and/or (2) amount to the statutory ground of misconduct.

By reason of misconduct, your fitness to practise as a social worker is impaired.

Admissions and findings of fact:

24. Ms Leveridge's bundle of documents contained, among other things:
 - An undated and unsigned Response Form, which appeared to have been completed by Ms Leveridge and sent to Social Work England's solicitors with her letter of 2 October 2023, which referred to that form as being enclosed. In that form Ms Leveridge admitted Allegation 1(a), Allegation 1(b) in all of its particulars and Allegation 2.
 - A Statement of Agreed Facts, signed by Ms Leveridge and dated 28 March 2024, in which Ms Leveridge admitted the Allegations in their entirety and agrees the facts stated in them which are set out in the statement under the heading "Agreed Facts".
25. On the basis of the admissions in those documents and rule 32c(i)(aa) of the FTP Rules, Mr Corrie invited the panel to find all of the Allegations proved.
26. The Legal Adviser advised the panel that:
 - Rule 32c(i)(aa) of the FTP Rules states "*where facts have been admitted by the social worker, the adjudicators ... shall find those facts proved*".
 - Therefore, unless there was anything in the material before it (in particular, in the written submissions provided by Ms Leveridge for this hearing) which caused the panel to consider that her admissions in the Response Form and the Statement of Agreed Facts were equivocal or, for some other reason, should not be relied on, rule 32(c)(i)(aa) required the panel to find the Allegations proved.

27. Having considered the Response Form and the Statement of Agreed Facts and the written submissions and representations provided Ms Leveridge, the panel was satisfied that her admission of the Allegations in the Response Form and the Statement of Agreed Facts was unequivocal and could be relied upon.
28. **Accordingly, as required by rule 32c(i)(aa) of the FTP Rules, the panel found Allegations 1(a), 1(b) and 2 proved in their entirety.**

Background and evidence:

Overview

29. Ms Leveridge worked for Trafford Council (the “**Council**”) from December 1989 until being suspended on 9 December 2019 and subsequently dismissed in May 2020 after the outcome of a disciplinary investigation. During the period covered by the Allegations, Ms Leveridge was employed by the Council as the Service Manager for the North Area of Trafford. In that role, she was responsible for managing two Team Leaders, each of whom managed a team of six social workers. She also managed and supervised the manager of the Frontline Model Team, who, in turn managed a team of three trainee social workers. Ms Leveridge was managed by Person C, who, between 8 October 2019 and 11 October 2021, was the Strategic Lead for the First Response Team and for the North Area and West Area teams in Trafford.
30. Allegation 1 relates to Ms Leveridge’s supervision and oversight of Person A, who was a social worker working in one of the North Area teams. Person A should have been supervised by her Team Leader. However, the Team Leader for her team left their job in March 2019 and Ms Leveridge assumed responsibility for supervising Person A until Person B, as the new Team Leader for Person A’s team, assumed responsibility for supervising Person A on 29 August 2019.
31. Allegation 2 relates to Ms Leveridge’s supervision of Person B, who became the Team Leader for the North Area team on 29 August 2019. Prior to that appointment, Person B had worked for the Council as a Senior Practitioner in the South Area team since 2016.
32. In November 2019, as a result of reports from Ms Leveridge and others as to the quality of Person A’s work, Person C, in conjunction with Person B, performed an audit of the sixteen cases held by Person A. This audit led to an investigation, which focused on the four most serious cases and revealed a number of concerns, including concerns about Ms Leveridge’s supervision of Person A and oversight of Person A’s work. The four cases in question were those of Child 1, Child 2, Child 3 and Child 4. The investigation led the Council to refer Ms Leveridge to the Health and Care Professions Council (the “**HCPC**”), Social Work England’s predecessor as regulator of social workers in England. This referral led to the present proceedings against Ms Leveridge and the formulation of the Allegations.

Evidence before the panel

33. At each stage of this hearing the panel had before it Social Work England's Statement of Case as well as substantive witness statements, and accompanying exhibits, from Person B and Person C, who were witnesses for Social Work England.
34. Person C made two witness statements. Her first statement largely related to the deficiencies in Ms Leveridge's supervision of Person A. Her second statement provided more detail in relation to the particulars of Allegation 1(b) and on the cases of the children mentioned in those particulars. Person C's witness statements were accompanied by extensive and detailed exhibits, which included the Council's policies on supervision and dealing with safeguarding cases as well as the case notes for Child 1, Child 2, Child 3 and Child 4.
35. In addition, the panel had Ms Leveridge's letters of 2 October 2023 and 20 March 2024 containing her submissions in relation to the Allegations as well as other documents including several reflective pieces produced by Ms Leveridge and a fourteen-page document containing Ms Leveridge's responses to concerns about her raised by the Council. These responses covered many of the issues to which the Allegations relate, including her supervision and oversight of Person A in relation to the cases of Child 1, Child 2, Child 3 and Child 4.

Allegation 1(a)

36. Allegation 1(a) concerned Ms Leveridge's failure, between around March and December 2019, to carry out regular formal supervision with Person A as required by the Council's Supervision Policy.
37. The Council's Supervision Policy required that, for experienced social workers, such as Person A, formal supervision should occur monthly. However, the records produced by Person C showed recorded formal supervision as occurring only on 30 April and 14 June 2019, whereas Ms Leveridge had assumed responsibility for providing supervision to Person A from March to October 2019.
38. As far as the content of supervision was concerned, the Council's Supervision Policy stated, *"The frequency for discussion and review of all cases for children, young people or foster carers should be at least three monthly as a minimum or more frequent if 8 required due to the particular circumstances for example it is good practice cases on child protection will be discussed 4 weekly, however a child in need case may only need to be reviewed every 3 months ..."*. However, case record showed that:
 - Child 1's case had been discussed in informal supervision on 20 March 2019 only;
 - Child 2's case had been discussed in formal or informal supervision on 18 April, 30 April and 24 October 2019;

- Child 3's case had been discussed in formal or informal supervision on 10 May, 24 July, 17 September and 21 October 2019; and
- Ms Leveridge had not provided any supervision to Person A in respect of Child 4's case. Child 4's case had been the subject of supervision on one occasion but by a different social worker.

39. Ms Leveridge had always maintained that, despite a lack of formal supervision, she had provided daily informal supervision to Person A. She also stated that it was difficult to provide formal supervision to Person A because she would frequently absent herself at short notice. This was confirmed by Person B, who, in her witness statement, said *"I could not engage [Person A] in supervision to deal with the cases more robustly. I found it difficult to engage in cases with [Person A] because [Person A] would cancel any planned discussions due to feeling unwell of having to attend to her children."*

Allegation 1(b)

Particulars relating to Child 1

40. Particulars (i), (ii) and (iii) of Allegation 1(b) related to Child 1.
41. Child 1 was two years old and on a child protection plan (a "CPP") arising from concerns about neglect and domestic abuse.
42. Particular 1(b)(i) was that Ms Leveridge failed to ensure that Person A arranged a sufficient number of core group meetings between around March and October 2019 in relation to Child 1. In the Council's Social Work Practice Standards, the section on working with children subject to a CPP requires a core group meeting within 10 days of a children protection conference and then every four to six weeks thereafter. However, the case records for Child 1 show that core group meetings only took place on 4 March, 15 April, 20 May, 2 October and 13 November 2019. In her witness statement, Person C stated that the Council's systems would have alerted Ms Leveridge whenever a core group meeting was overdue.
43. Particular 1(b)(ii) was that Ms Leveridge did not take any adequate action in response to the number of no access visits attempted to Child 1 and/or their family between March and October 2019. The case notes for Child 1 showed that there were no-access visits on 30 April, 3 May, 7 May, 22 May, 24 June, 8 July, 29 October and 30 October 2019. It did not appear from the case notes that Ms Leveridge took any action in relation to these no-access visits even though the information about them would have been available to Ms Leveridge on the Council's systems.
44. Particular 1(b)(iii) was that, between around March and November 2019, Ms Leveridge did not ensure that an enquiry under s.47 of the Children Act 1989 was initiated in respect of Child 1 when it was indicated to do so. The case records for Child 1 show that they sustained marks of injury on 12 March, 20 March, 13 May and 8 July 2019. In her witness statement, Person C referred to the government publication 'Working Together to Safeguard Children

(July 18)' which states *"under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or is likely to suffer significant harm it has a duty to make such enquiries as it considers necessary to decide to take any action to safeguard or promote the child's welfare"*. Although explanations were given for those injuries, their frequency indicated a lack of parental supervision. Social Work England maintains that Ms Leveridge ought to have picked up on this in her supervision and oversight of SB's cases but that she failed to do so.

Particulars relating to Child 2

45. Particulars (iv), (v) and (vi) of Allegation 1(b) related to Child 2.
46. Child 2 was a teenager who was on a CPP and had previously been in care due to physical abuse but had been returned home.
47. Particular 1(b)(iv) was that, in around April 2019, Ms Leveridge failed to ensure an adequate assessment was carried out in relation to Child 2 being returned from care to home. The case notes for Child 2 record that that, on 23 April 2019, Child 2 returned home and her status was changed to 'no longer being a Looked After Child'. A case note made by Person A on the same date states, *"after discussions with Jennifer Leveridge and confirmation that there is nothing in place to prevent Child 2 from returning home, confirmed with parents that Child 2 can go home today"*. Person C stated in her evidence that, if there is a significant event in relation to a Looked After Child, such as being returned home, an assessment should be made and recorded on the system and the assessment should cover risk, planning and what can be put in place to make the return successful. There was no such assessment on the system, even though Ms Leveridge had discussed Child 2's return with Person A. Person C also stated that, without such an assessment, Ms Leveridge could not have known whether Child 2 would have been safe at home.
48. Particular 1(b)(v) was that, between around 28 May and 11 June 2019, Ms Leveridge failed to ensure that a strategy meeting took place within a timely fashion in respect of Child 2. Case records for Child 2 show that:
 - On 26 May 2019, Child 2 was admitted to hospital as a result of an intentional overdose of various substances.
 - Person A and the Council were aware of this incident and that another social worker sought to arrange a strategy meeting but apparently without success.
 - On 6 June 2019, at a legal meeting chaired by Ms Leveridge, it was agreed that a strategy meeting should be arranged in order to put in place a safety plan and identify the risk and protective factors.
 - A strategy meeting took place on 11 June 2019.
49. The Council's investigation into the cases of Child1, Child 2, Child 3 and Child 4 found that the strategy meeting should have taken place within 24 hours of the decision to hold it.
50. Particular 1(b)(vi) was that, on or around 17 June 2019, Ms Leveridge failed to ensure a Section 47 of the Children Act 1989 enquiry was initiated in respect of Child 2 when it was

indicated to do so. A case note dated 17 June 2019 records that Child 2 reported that, during an argument, her father had put his hands around her throat and strangled her for around 3 seconds. In a note of a telephone call with Person A on the same day, Child 2 is recorded as saying she did not feel safe at home. A further case note shows that this was discussed with Ms Leveridge during supervision on 18 June 2019. However, there is no record of a s.47 enquiry being initiated as a result of this incident.

Particulars relating to Child 3

51. Particulars (vii) and (viii) of Allegation 1(b) related to Child 3.
52. Child 3 was a newborn who had been on a CPP since birth and later became a looked after child.
53. Particular 1(b)(vii) was that, between around July 2019 and October 2019, Ms Leveridge failed to ensure that Child 3's care plan was updated. The 'Children in Care' section of the Council's Practice Standards requires a care plan to be updated within 10 days of a placement. Child 3 was placed with his grandfather on 17 September 2019. However, when the audit of Person A's case took place in November 2019 the care plan had not been updated. Person C, in her witness statement, said that Ms Leveridge would have known of this omission as she would have received a notification from the system when pieces of Person A's work were out of date.
54. Particular 1(b)(viii) was that Ms Leveridge failed to ensure that an adequate assessment was carried out into the suitability of Child 3 being placed at their paternal grandfather's home from around 17 September 2019. Case notes for Child 3 show that:
 - On 3 September 2019 there was a legal meeting, where it was decided that Child 3's parents would be able to take Child 3 home.
 - On 10 September 2019 a placement was agreed with the mother who lived with the grandfather and that, should this fail, an alternative would be with an aunt.
 - Ms Leveridge was aware of this plan by 12 September 2019.
 - The placement took place on 17 September 2019 and in a supervision session of the same date between Ms Leveridge and Person A, it was agreed that an assessment was to be completed.
55. In her witness statement, Person C stated that:
 - Child 3's grandfather had been to a Multi-Agency Risk Assessment Conference (a "**MARAC**"), which is a high-risk domestic abuse forum, for strangling his wife and all of his children had been in care.
 - Ms Leveridge had signed off Child 3's placement without properly considering the case. In particular, there is no mention in the case notes of any consideration of the grandfather's history.
 - Police checks should have been conducted before Child 3 was placed at the grandfather's house.

Particulars relating to Child 4

56. Particulars (ix) and (x) of Allegation 1(b) related to Child 4.
57. Child 4 was a young person with learning disabilities with a history of neglect, physical chastisement and parental difficulty with prioritising needs.
58. Particular 1(b)(ix) was that, Ms Leveridge failed to take any adequate action in response to the number of no access visits attempted to Child 4 and/or their family between around March and October 2019. The Council's Practice Standards require that a child in need should be visited at least every six weeks. The case notes for Child 4 showed that no-access visits occurred on 2 May, 15 May, 16 May, 28 May, 4 June, 12 June, 25 July 2019. In her witness statement, Person C stated that, in such circumstances, it is good practice to set up a core group meeting and that Ms Leveridge should have suggested what to do next or arranged a child protection conference but Child 4's case was not discussed by Ms Leveridge and Person A and no action was taken.
59. Particular 1(b)(x) was that, between around 17 June 2019 and 30 October, Ms Leveridge failed to ensure a Section 47 enquiry of the Children Act 1989 enquiry was completed in respect of Child 2 when it was indicated to do so. Child 4's case notes showed that:
 - On 17 June 2019, Child 4's school contacted Person A and reported that Child 4 had informed the school that he had been assaulted by his father, who had whipped his back with a belt. The school also reported that there were marks to Child 4's back and arm.
 - Ms Leveridge was aware of this and that this report generated home visits and discussions with the police and other professionals and that a medical examination had been sought.
 - The s.47 process was not adequately followed as demonstrated by a case note made by Person B on 30 October 2019, which states "*Complete S47/Strategy meeting from June 2019 to ensure this is accurately reflected on the forms. Currently there is no information around nonaccidental injury.*"
60. In her witness statement, Person C stated that the absence of a completed s.47 document would have been notified to Ms Leveridge in the data which she received each day. Person A also said that Ms Leveridge should have sought managerial and legal advice and told Person A to complete that document and come to a decision.

Allegation 2

61. Allegation 2 concerned Ms Leveridge's failure, between 29 August and December 2019, to carry out formal monthly supervision with Person B as required by the Council's Supervision Policy.
62. The Council's Supervision Policy required that, for managers, such as Person B, formal supervision should occur every four weeks, whereas, in her witness statement, Person B said that she only had one formal supervision session with Ms Leveridge and this simply involved discussion about the concerns that had arisen in relation to Person A's cases.

However, Person B accepted that she had regular case discussions with Ms Leveridge when they were both in the office. She added that *“There could however have been an offer of more frequent supervision on the basis that I was new to a team leader position, however this was not offered and I did not seek it.”*

Finding and reasons on grounds:

Submissions on grounds on behalf of Social Work England

63. After reminding the panel that Ms Leveridge had admitted all of the Allegation, Mr Corrie referred the panel to the description of misconduct given in *Roylance v General Medical Council (No 2) [2000] 1 AC 311*.
64. As the Allegations related to the time when social workers in England were regulated by the HCPC, Mr Corrie also referred the panel to those of the HCPC’s Standards of Conduct, Performance and Ethics (2016) which Social Work England considered to be engaged in the present instance. Those standards were:
- Standard 2.5: *You must work in partnership with colleagues, sharing your skills, knowledge and experience where appropriate, for the benefit of service users and carers.*
- Standard 2.6: *You must share relevant information, where appropriate, with colleagues involved in the care, treatment or other services provided to a service user.*
- Standard 4.1: *You must only delegate work to someone who has the knowledge, skills and experience to carry it out safely and effectively.*
- Standard 4.2: *You must continue to provide appropriate supervision and support to those you delegate work to.*
- Standard 6.1: *You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible.*
- Standard 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.*
- Standard 7.3: *You must take appropriate action if you have concerns about the safety or well-being of children or vulnerable adults.*
- Standard 7.6: *You must acknowledge and act on concerns raised to you, investigating, escalating or dealing with those concerns where it is appropriate for you to do so.*
65. In relation to Allegation 1(a), Mr Corrie referred the panel to the requirement for monthly supervision in the Council’s Supervision Policy and to the records which showed that Ms Leveridge had only had two formal supervision sessions with Person A between March and October 2019 and that her supervision in relation to the cases of Child 1, Child 2, Child 3 and Child 4 had been inadequate. He then submitted that proper and effective supervision is

key to good and safe social work practice as it enabled the supervisor to assess the current risk on the supervisee's cases, ascertain whether those cases are being satisfactorily progressed by the supervisee and to provide direction. He added that, for those reasons, a failure to provide formal supervision in accordance with the Council's policy represented a serious failure on the part of Ms Leveridge.

66. In relation to Allegation 1(b), Mr Corrie, referring to the evidence underlying each particular of Allegation 1(b), as described above, submitted that Ms Leveridge had either failed to act on the 'red flags' which had appeared on the cases of Child 1, Child 2, Child 3 and Child 4 or to ensure that agreed or required actions were taken and s.47 enquiries completed. He added that, although there was no evidence of any of those children suffering harm as a result of her lack of oversight of Person A, they were nevertheless very vulnerable and the Council had a statutory duty to protect them but Ms Leveridge's lack of oversight had put them at risk of harm.
67. In relation to Allegation 2, Mr Corrie referred the panel to the statement in Person B's witness statement that she could not recall having ongoing formal supervision from Ms Leveridge and that she had one formal supervision meeting with Ms Leveridge but this was a discussion about Person A. In terms of the effect of the lack of formal supervision on Person B, Mr Corrie reminded the panel that Person B was new to the Team Leader role and referred it to passages in her witness statement which read:

"A monthly supervision with [Ms Leveridge] dedicated to my supervision of the North Area team would have helped. Being a Team Manager means that I am responsible for social workers and it made me feel slightly uneasy by not having supervision with [Ms Leveridge]. On reflection I would have preferred to have formal supervision and support from [Ms Leveridge]. I had no feedback from [Ms Leveridge] on how I was managing or what I could have done differently.... On reflection I feel that I could have been provided with more opportunities to reflect and discuss the demands of the team. I would have been grateful for more feedback that could have helped aid my personal and professional development."

68. In addition to Social Work England's submissions on misconduct, Mr Corrie also referred the panel to the representations made by Ms Leveridge, namely, that:
- she had too many staff reporting to her and a lack of direction from management;
 - she had a high caseload; and
 - she struggled with workplace stress and anxiety including threats and racist comments made towards her.

Legal Advice on Grounds

69. The panel heard and accepted the Legal Adviser's advice on misconduct. The panel understood from that advice that:

- Whether facts proved or admitted amount to misconduct is a matter of judgment for the panel rather than a matter of proof. [*Council for the Regulation of Health Care Professionals v GMC and Biswas* [2006] EWHC 464] However, it is important to distinguish between facts which have a bearing on misconduct and those which are mitigation or relevant impairment or sanction. [*R (Campbell) v General Medical Council* [2005] 1 WLR 3488 CA]
- Misconduct is, in essence, a serious departure from the standards of conduct expected of social workers as professionals and what would be proper in the circumstances of the case. [*Roylance v General Medical Council (No.2)* [2000] 1AC]
- Whether a breach of professional rules should be treated as professional misconduct depended on whether it would be regarded as serious and reprehensible by competent and responsible [registrants] and on the degree of culpability. [*Solicitors Regulatory Authority v Day & Ors* [2018] EWHC 2726 (Admin), referring with approval to the Scottish case of *Sharp v Law Society of Scotland* [1984] SC 129]
- There is a high threshold of gravity for misconduct. Behaviour which is trivial, inconsequential, a mere temporary lapse or something otherwise excusable or forgivable does not constitute misconduct. [*Khan v Bar Standards Board* [2018] EWHC 2184(Admin)]
- The purpose of the fitness to practise process is not to punish social workers for mistakes. [*Meadow v General Medical Council* [2006] EWCA Civ 1390, [2007] QB 462 and paragraph 8 of Social Work England's Impairment and Sanctions Guidance.]
- The fact that a minor mistake can have serious consequences does not convert negligence into gross negligence amounting to misconduct. It is important to consider the nature of the omission and how the mistake occurred. [*Hindmarsh v Nursing and Midwifery Council* [2016] EWHC 2233 (Admin)]
- Behaviour caused by factors beyond a registrant's control is not reprehensible, morally culpable or disgraceful and did not reach the threshold for a finding of serious misconduct. [*Howd v Bar Standards Board* [2017] EWHC 210 (Admin)]
- Mere negligence does not constitute misconduct but, depending on the circumstances, negligent acts or omissions which are particularly serious, or negligence or incompetence of a high degree, may amount to misconduct. A single negligent act or omission is less likely to cross the threshold of misconduct than multiple acts or omissions. Nevertheless, and depending on the circumstances, a single negligent act or omission, if particularly grave, could be characterised as misconduct. [*R (Calhaem) v General Medical Council* [2007] EWHC 2606]

70. The panel also noted from the Legal Adviser's advice that, according to the case of *Vranicki v Architects Registration Board* [2007] EWHC 506 (Admin), where a head of charge is supported

by several particulars, the panel should consider whether those particulars which have been admitted or found proved together establish that the charge constitute misconduct.

Panel's decision on Grounds

Allegation 1(a)

71. In relation to Allegation 1(a), the panel considered that providing only two formal supervision sessions to Person A between March and October 2019 when the Council Supervision Policy required that formal supervision should occur on a monthly basis was a breach of Standard 4.2 of the HCPC's Standards of Conduct, Performance and Ethics (2016) (*"You must continue to provide appropriate supervision and support to those you delegate work to"*) which was sufficiently serious to amount to misconduct. The panel also noted that both the formal and informal supervision which Ms Leveridge provided to Person A did not appear to involve sufficiently frequent discussion of the cases of Child1, Child 2, Child 3 and Child 4.
72. In arriving at that decision, the panel took the view that a significant breach of a manager's duty to provide adequate formal supervision was a serious matter. The panel considered that the fundamental role of a manager is to supervise and, in the case of social work managers, to provide adequate formal supervision to each social worker in their team. Formal supervision had not only to be regular but also to cover personal development as well as case work. Formal supervision of case work is required so as to enable the manager to have adequate oversight of the supervisee's case load, to ensure that cases are progressing, to become aware of issues and risks on individual cases and to give appropriate direction. Lack of supervision can result, not only in drift and delay on cases but in service users being placed at risk of harm, or suffering actual harm, as a result of the manager not becoming aware of issues soon enough or not giving timely directions. In Ms Leveridge's case this was even more important and the cases for which she was responsible related to vulnerable children.
73. The panel noted that Ms Leveridge had provided regular informal supervision and support to Person A but it did not consider that this was an adequate substitute for regular and comprehensive formal supervision. Moreover, as stated above, Ms Leveridge's informal supervision with Person A did not appear to involve sufficiently frequent discussion of the cases of Child1, Child 2, Child 3 and Child 4.

Allegation 1(b)

74. The panel considered that the failures in oversight on the part of Ms Leveridge described in the particulars of Allegation 1(b) not only represented a breach of Standard 4.6 of the HCPC's Standards of Conduct, Performance and Ethics (2016) but also of Standard 6.1 (*"You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible"*) and Standard 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"*). In some of those instances, Ms Leveridge was actually aware of potential risks to the child concerned. In other cases, according to the evidence of

Person C, the Council's systems would have alerted Ms Leveridge to Person A's failure to take the relevant action or Ms Leveridge would have been aware of that failure had she exercised adequate supervision and oversight. In either situation, Ms Leveridge did not ensure that Person A took appropriate and/or sufficiently prompt action to address that risk.

75. Bearing in mind the decisions in *Vranicki v Architects Registration Board* and *R (Calhaem) v General Medical Council*, the panel considered that those breaches together were sufficiently serious to amount to misconduct. In this regard, the panel noted that the failures of oversight set out in Allegation 1(b) were numerous, covered a period of ten months, related to the cases of four vulnerable children and represented basic failures in oversight and supervision.

Allegation 2

76. In relation to Allegation 2, the panel considered that providing only one formal supervision session to Person B between 29 August and December 2019 when the Council Supervision Policy required that formal supervision should occur every four weeks was a breach of Standard 4.2 of the HCPC's Standards of Conduct, Performance and Ethics (2016) which was sufficiently serious to amount to misconduct. In arriving at that decision, the panel took the view that a significant breach of a manager's duty to provide adequate formal supervision was a serious matter for the reasons given in relation to Allegation 1(a). Similarly, the panel did not consider that Ms Leveridge's almost daily conversations and informal supervision sessions with Person B were an adequate substitute for regular and comprehensive formal supervision.

Contextual factors

77. When making the above findings regarding misconduct the panel took account of the various contextual factors revealed by Ms Leveridge's written submissions and her earlier comments on the concerns raised by the Council as well as the evidence produced by Social Work England. Those factors included:
- The difficulty of providing supervision to Person A due to her frequent cancellation of meetings at short notice, as mentioned by both Ms Leveridge and Person B.
 - Ms Leveridge being responsible for supervising all social workers due to the loss of a Team Leader.
 - Ms Leveridge having responsibility for three teams holding a total of around 250 cases between them. (Indeed, Person B had stated that "*The North Area team at the Council was infamous for being the busiest team within children's social care and we dealt with the most complex cases.*").
 - Ms Leveridge having to perform several other managerial duties including budgeting and taking forward various projects.

- Ms Leveridge having complained that she struggled with workplace stress, had had threats and racist comments made towards her and lacked direction from management.

78. Whilst recognising the difficulties posed by those circumstances, the panel did not consider that they excused Ms Leveridge's failure to provide formal supervision to Person A and Person B and to have adequate oversight over Person A. As a manager of three social work teams, oversight of her teams' cases was her primary role as this concerned the safeguarding of the vulnerable service users who were the subjects of those cases and whose welfare was the responsibility of her teams. It seemed to the panel that Ms Leveridge had failed to recognise both the inaction of Person A and her own lack of control over the risk related to Person A's caseload. The panel considered that this was reflected in the paragraph in Ms Leveridge's letter of 2 October 2023, which read, *"The time out that I have taken from my career over the past four years has led me to reflect on how the pressures of my role as manager caused me to become burnt out, which I do not believe was possible for me to appreciate at the material time. I believe that consistently working in a crisis situation, without having the opportunity to consider the impact of that pressure upon me, resulted in me becoming over-consumed by the environment. The pressure to move from one case/decision to the next at speed resulted in supervisions/discussions taking place without sufficient formality, which in turn resulted in the loss of information, and insufficient decision tracking."*

Finding and reasons on current impairment:

Social Work England's submissions on impairment

79. Mr Corrie opened his submissions on impairment by referring the panel to Social Work England's Impairment and Sanctions Guidance and to the test for impairment set out by the court in Council for Healthcare Regulatory Excellence v Nursing and Midwifery Council and Grant [2011] EWHC 927 (Admin), as quoted in the Statement of Case.
80. With regard to the personal component of impairment:
- Mr Corrie confirmed that Social Work England conceded that Ms Leveridge's misconduct was remediable and that there were no deep-seated attitudinal problems underlying her failures of supervision and oversight.
 - Mr Corrie also conceded that Ms Leveridge had shown some insight by her early acknowledgement of failings in her practice, her more recent admission of the Allegations and her acceptance that her failings amounted to misconduct and that her fitness to practice was impaired. He added that Ms Leveridge had also acknowledged the need for adequate supervision in line with applicable supervision policies and that she had failed to provide this in the case of Person A. He also accepted that Ms Leveridge had engaged in reflection and, in this regard, he referred to the passage from her letter of 2 October 2023 quoted in paragraph 78 above. However, Mr Corrie then submitted

that, although this represented a start, Ms Leveridge had yet to develop full insight and, in particular, to remedy her misconduct so as to avoid any risk of its being repeated.

- Referring the panel to its views on the risk posed by Ms Leveridge's failings in supervision and oversight as set out in paragraph 72 above, Mr Corrie then submitted that there was no evidence to show that those failings had been remedied. He added that, in particular, there was no evidence of her having completed the training required for her continuing professional development, no evidence that her learning from her failings had been embedded into her practice and no evidence of how she worked in practice.
- Mr Corrie then submitted that, in the circumstances, although, in future, Ms Leveridge might develop full insight into, and remedy, her misconduct, she had not done yet and therefore her fitness to practice was currently impaired in terms of the personal component of impairment.

81. With regard to the public component of impairment:

- Mr Corrie cited Cohen v General Medical Council, Silber J stated that "[a]ny approach to the issue of whether a doctor's fitness to practise should be regarded as 'impaired' must take account of 'the need to protect the individual patient, and the collective need to maintain confidence [in the] profession as well as declaring and upholding proper standards of conduct and behaviour of the public in their doctors and that public interest includes amongst other things the protection of patients, maintenance of public confidence ...'"
- Mr Corrie then submitted that, taking account of all the circumstances, including, not only Ms Leveridge's lack of remediation but also the adverse circumstances set out in paragraph 77 above, a finding of impairment is also required in order to maintain public confidence and proper professional standards, given the gravity of Ms Leveridge's misconduct, the risks which it posed to service users and the seriousness of her breach of professional standards.

Ms Leveridge's submissions on impairment

82. Ms Leveridge's letter to Social Work England's solicitors of 2 October 2023 included the following submissions:

Throughout these proceedings I have sought to cooperate fully with the action being taken against me, to comply with all conditions imposed upon me, and to act with honesty and integrity.

As I have stated throughout these proceedings, it was only ever my wish and objective to provide good quality, reflective supervision, so as to aid and guide the personal and professional development of the members of staff for whom I was responsible and accountable. It was never my intention to fail in this objective or to do anything which could be perceived as putting children at potential risk of further harm by professional standards."

I take my profession seriously, both as a social worker and as a manager. It is my understanding that it is [in] the capacity of a manager, rather than as a practising social worker myself, that my fitness to practice has been challenged. ... I understand and respect the need for structured supervision procedures and to keep on top of the continuous evolution of these procedures, in order to ensure manager oversight, appropriate escalation/de-escalation, and tracked decision making/risk management, so as to provide a safe and professional environment for staff and for the wider community.

The time out that I have taken from my career over the past four years has led me to reflect on how the pressures of my role as manager caused me to become burnt out, which I do not believe was possible for me to appreciate at the material time. I believe that consistently working in a crisis situation, without having the opportunity to consider the impact of that pressure upon me, resulted in me becoming over-consumed by the environment. The pressure to move from one case/decision to the next at speed resulted in supervisions/discussions taking place without sufficient formality, which in turn resulted in the loss of information, and insufficient decision tracking.

With the benefit of hindsight, I acknowledge that giving priority to SMART/clear planning and structure may have lessened the impact of this, allowing me to devote adequate time to formalised/structured supervision. Unfortunately, the pressures of the role were such that it was not possible for me to get adequate time away from the environment to approach this with sufficient objectivity and clarity at the material time. Indeed, it is only with the break from frontline practice that these proceedings have caused me to take, that I have appreciated the extent of the pressure I was under. In the fray, I did not realise the impact that my role was having on my health; the enforced break has, I believe, saved my life.

The Panel ... should be aware, however, that so great is my anxiety and fear of doing anything that could cause me to be considered as a person of risk to children, that I now suffer panic attacks, and find it difficult to have contact with family and friends' children. This is further exacerbated by your client's assessment of me as a risk to both the public and to those for whom I had a responsibility which, in short, I perceive as a vote of no confidence in my ability to resume work in my profession. This reflects the seriousness with which I take the criticisms and allegations that have been made against me.

83. In the same letter, Ms Leveridge also stated that, since ceasing to work for the Council, she had not sought any form of employment, as a social worker but that she had, however, maintained her registration “by updating my training/registration formalities as required”.. She also confirmed her willingness to comply with any conditions of practice and that she would “work these conditions into a SMART personal development plan which would also factor in the high levels of anxiety which the subject events have caused”. However, she

appreciated that, as she had not been working as a social worker under conditions of practice, her ability to comply with any such conditions could not be assessed. She then added, “Accordingly, I am unsure how I can provide the evidence which Social Work England submits is missing in order for the Panel to be satisfied that there is no real risk of future repetition ...”

84. Ms Leveridge’s letter to Social Work England’s solicitors of 28 March 2023 included the following additional submissions:

... I continue to reflect on, and to acknowledge, the requirement for a senior member of staff in a position such as mine to follow formally the Local Authority’s supervision/safeguarding policy; to provide assigned staff with regular formal supervision, which is recorded and accessible; to provide clear, strategic, robust and structured robust [sic] case planning supervision with the allocated case worker; and to ensure that the reviews were chaired and recorded, and held in a timely fashion, in accordance with policy guidelines.

I would like to reiterate that my failure to record formal supervision was never intended to harm or bring the authority or the profession into question, or indeed to lead to my own integrity being questioned. However, as more fully set out in my letter of 2 October 2023, I continue to acknowledge that I was suffering from the pressure of work, anxiety and stress which impacted my own emotional wellbeing and judgement. It continues to cause me considerable stress, anxiety and sadness that Social Work England has assessed me as a risk to the public. It was never my intention to place the authority, Social Work England or, above all, any member of the public at risk. It is for this reason that I fully comply with these proceedings and intend to submit to the panel’s adjudication.

85. Ms Leveridge had also provided reflective pieces on 27 July and 5 October 2022, in which she acknowledged a lack of evidence of formal supervision and her failure to provide adequate supervision and its potential effects on service users. She also described in detail how she would work differently in the future to avoid her failings being repeated.

Legal Advice on Impairment

86. The panel heard and accepted the advice of the Legal Adviser on impairment. That advice included reference to Social Work England’s Impairment and Sanctions Guidance as well as the following points:
- The existence of impairment is a matter for the panel’s own independent judgment or assessment and, in considering whether Ms Leveridge’s fitness to practise was impaired, the panel should take account of Social Work England’s Impairment and Sanctions Guidance.
 - According to the Impairment and Sanctions Guidance, a social worker is fit to practise when they have the skills, knowledge, character and health to practise their profession

safely and effectively without restriction. If a panel decides that a social worker's fitness to practise is impaired, this means that it has serious concerns about the social worker's ability to practise safely, effectively, or professionally.

- As stated in Meadow v General Medical Council [2006] EWCA Civ 1390, the purpose of fitness to practise proceedings is not to punish the practitioner for past misdoings but to protect the public against the acts and omissions of those who are not fit to practise. The court in Cohen v General Medical Council [2008] EWHC 581 (Admin) said that there must always be situations in which a panel can properly conclude that the act of misconduct was an isolated error on the part of a practitioner and that the chance of its being repeated in the future is so remote that their fitness to practise has not been impaired.
- Protection of the public, as defined in s.37 of the Children and Social Work Act 2017, comprises protecting, promoting and maintaining the health, safety and well-being of the public, promoting and maintaining public confidence in social workers and promoting and maintaining proper professional standards for social workers. The panel should consider whether a finding of impairment is required for any or all of those three purposes.
- The test for impairment, as set out by the court in Council for Health and Regulatory Excellence v Nursing and Midwifery Council and Grant [2011] EWHC 927 (Admin), is whether the panel's finding of misconduct in respect of Ms Leveridge indicated that her fitness to practise was impaired in the sense that she had in the past and/or was liable in the future (a) to put service users at unwarranted risk of harm; (b) to bring the social work profession into disrepute; (c) to breach one of the fundamental tenets of that profession; and/or (d) to act dishonestly.
- As stated in Cohen v General Medical Council [2008] EWHC 581 (Admin), at the impairment stage the tribunal should take account of evidence and submissions that the conduct (a) is easily remediable, (b) has already been remedied and (c) is highly unlikely to be repeated.
- When assessing impairment, the panel should consider the extent to which the social worker's conduct gave rise to harm or a risk of harm and the likelihood of that conduct being repeated. Assessment of the risk of repetition involves consideration of (i) the social worker's previous history, (ii) their conduct since the concerns about their practice arose and (iii) the extent to which they have developed insight into their misconduct and taken steps to remedy any failings on their part which led to that misconduct.

Panel's decision on Impairment

87. Having found that Ms Leveridge's conduct, as described in the Allegations, amounted to misconduct, the panel then considered whether her fitness to practise was currently impaired by reason of that misconduct.

88. The panel first considered whether Ms Leveridge's fitness to practise was currently impaired in terms of the need to protect the health, safety and well-being of the public. For that purpose, the panel considered, firstly, whether Ms Leveridge's misconduct had caused any harm to the public or given rise to a risk of such harm being caused and, secondly, the likelihood of her misconduct being repeated.
89. With regard to the first of those matters, the panel noted that there was no evidence that Ms Leveridge's misconduct had led to any actual harm to service users. However, the panel considered that Ms Leveridge's misconduct had nevertheless exposed the service users concerned to a risk of harm. This was for the reasons given by the panel in paragraph 72 above, namely, *"Lack of supervision can result, not only in drift and delay on cases but in service users being placed at risk of harm, or suffering actual harm, as a result of the manager not becoming aware of issues soon enough or not giving timely directions"*. The panel therefore concluded that Ms Leveridge's misconduct had posed a risk to the health, safety or well-being of the public.
90. The panel then considered whether there was a risk of Ms Leveridge's misconduct being repeated. In doing so, the panel considered Ms Leveridge's past history and her conduct since the events to which the Allegations relate and the extent to which she had developed insight into, and remedied, her misconduct.
91. With regard to Ms Leveridge's past history and conduct since 2019:
- Ms Leveridge had no criminal convictions or any previous regulatory findings against her; and
 - as she did not appear to have worked as a social worker since her contract with the Council was terminated in 2020, there was no evidence of her misconduct having been repeated.
92. With regard to Ms Leveridge's insight into her misconduct, the panel was satisfied that Ms Leveridge had developed abundant insight into her misconduct and its causes and into what she should do to avoid its being repeated in the future. In arriving at that conclusion, the panel relied, in particular, on Ms Leveridge's extensive and detailed written submissions and reflective pieces, which the panel thought provided a considered reflection on past events. In them she offered a practical plan of action for moving forward and managing the stress which she had previously experienced in the workplace and rebuilding her confidence as a practitioner. The panel also took account of Ms Leveridge's admission of the Allegations; her high level of engagement with the fitness to practice process; her expressions of remorse for her misconduct and her recognition of its potential effects on service users, colleagues, the social work profession and her employer; and her stated commitment to social work.
93. With regard to remediation, the panel considered that, given its nature and apparent causes, Ms Leveridge's misconduct was remediable with appropriate training and supervised practice as a manager and supervisor. However, the panel did not consider that there was sufficient evidence before it to support a conclusion that the failings in her practice which had led to the panel's finding of misconduct had been remedied. In particular, apart from

the absence of any evidence of the training which she had undertaken, as Mr Leveridge had not returned to social work since leaving her post at the Council in 2020, the panel had no evidence of her performance in a social worker role over a sustained period of time. In the circumstances, although Ms Leveridge had put forward a plan for remedying the failings in her practice and addressing their causes, she had yet to demonstrate that that plan worked in practice. Indeed, Ms Leveridge had herself acknowledged this situation in her letter of 2 October 2023, when she stated that, as she had not been working as a social worker, she was “... unsure how I can provide the evidence which Social Work England submits is missing in order for the Panel to be satisfied that there is no real risk of future repetition ...”.

94. Given the lack of any evidence of remediation, and given that Ms Leveridge’s misconduct had persisted over a period of several months, the panel concluded that, notwithstanding her insight into her misconduct, there was a material risk of that misconduct being repeated, should she return to social work as a manager or in some other pressurised role.
95. Given the panel’s conclusions regarding the risk which Ms Leveridge’s misconduct posed to the health, safety and well-being of service users and the risk of that misconduct being repeated, **the panel found that Ms Leveridge’ fitness to practise was currently impaired in terms of the need to protect the health, safety and well-being of the public.**
96. With regard to the public component of impairment:
 - Given that Ms Leveridge’s misconduct occurred in a safeguarding context and given her lack of remediation and the possible consequences for service users of her inadequate oversight and supervision (as outlined in paragraph 72 above), the panel considered that informed and reasonable members of the public who were aware of the circumstances of the present case would be very concerned, if they were to learn that she was free to return practice without restriction. **The panel therefore found that Ms Leveridge’ fitness to practise was currently impaired in that such a finding was required in order to maintain public confidence in social workers in England.**
 - Similarly, given the nature and context of Ms Leveridge’s misconduct, its possible consequences for service users and her lack of remediation, the panel considered that professional standards for social workers would be compromised, if Ms Leveridge were free to return to practice without restriction. **The panel therefore found that Ms Leveridge’ fitness to practise is currently impaired in that such a finding was required in order to maintain proper professional standards for social workers in England.**

Decision and reasons on sanction:

Submissions on Sanction

97. Mr Corrie, of behalf of Social Work England, referred the panel to Social Work England’s Guidance on Impairment and Sanction (the “**Guidance**”), Social Work England’s overarching

objective of protection of the public and the principles behind sanction, as set out in the Guidance.

98. Mr Corrie submitted that, in the present case, the following were aggravating factors:

- Ms Leveridge's failures to provide adequate supervision and oversight involved two social workers, affected the cases of four children and occurred over a prolonged period of time.
- Those failures related to basic and fundamental aspects of social work and gave rise to a risk of harm to service users.
- Although Ms Leveridge had developed good insight into her misconduct, she had failed to provide any evidence of its being remedied.

99. Mr Corrie submitted that the following were mitigating factors:

- Ms Leveridge had a long career as a social worker and had no previous fitness to practice findings against her.
- Ms Leveridge had fully engaged with the fitness to practice process, made an early acknowledgement of failings in her practice and had subsequently admitted all of the Allegations in full.
- During the period to which the Allegations relate, there were certain systemic issues within the workplace which created pressures for Ms Leveridge, including the number of cases held by the teams for which Ms Leveridge was responsible and the lack of a Team Leader which led to her having to provide formal supervision to the social workers in those teams.
- Ms Leveridge had developed significant insight into her misconduct and had identified what she would do differently in order to avoid her misconduct being repeated.
- Ms Leveridge had referred to certain health issues which may have had a bearing on her performance at the time to which the Allegations relate.

100. Mr Corrie then submitted that taking no further action, giving advice or making a warning order would not be appropriate given that the panel had found that Ms Leveridge's misconduct represented a current risk to the public and had not been remedied.

101. With regard to the possibility of making a conditions of practice order, Mr Corrie referred the panel to paragraph 114 of the Guidance, which sets out the five circumstances which should be present before such an order may be appropriate. With regard to three of those circumstances, Mr Corrie pointed out that Ms Leveridge had expressed her willingness to comply with conditions of practice and that the panel had concluded that she had demonstrated insight and that her conduct was remediable. With regard to the two remaining circumstances, Mr Corrie produced draft conditions of practice proposed by Social Work England and submitted that they were appropriate, proportionate, and workable and would be sufficient to manage any risk of Ms Leveridge's misconduct being repeated.

102. With regard to the conditions of practice proposed by Social Work England, Mr Corrie pointed out that they required Mr Leveridge to be supervised; to undertake training on supervision; to produce a reflective piece on supervision; and to undertake audits to demonstrate her compliance with her employer's formal supervision policy. He also explained that the proposed conditions did not contain a prohibition on Ms Leveridge working in a supervisory role as this would be disproportionately onerous in Ms Leveridge's case because (i) given her seniority and experience, any role she applied for would most likely involve an element of supervision and (ii) the service users would be adequately protected from a recurrence of her previous failing in oversight and supervision by the conditions of practice and, in particular, by Ms Leveridge's work being overseen by her workplace supervisor.
103. Turning to the possibility of a suspension order, Mr Corrie submitted that, if the panel considered that the risk to service users posed by the possibility of Ms Leveridge's misconduct being repeated could be adequately managed by conditions of practice, a suspension order would disproportionate.

Legal Advice on Sanction

104. The panel heard and accepted the advice of the Legal Adviser on sanction, in which he referred the panel to the section on sanction in Social Work England's Impairment and Sanctions Guidance.
105. The Legal Adviser advised that:
- Pursuant to paragraphs 12(3) and 13 of Schedule 2 to the Social Worker's Regulations 2018, as the panel had found that Ms Leveridge's fitness to practise was impaired by reason of her misconduct, it could (a) take no further action; (b) give advice; (c) make a warning order; (d) make a conditions of practice order; (e) make a suspension order; or (f) make an order removing Ms Leveridge from the Register.
 - A conditions of practice order or a suspension order could be of up to three years' duration.
 - Pursuant to rule 48 of Social Work England's Fitness to Practise Rules, adjudicators, when giving advice or a warning, must specify that the advice or warning will stay on the social worker's entry in the Register for a period of one, three or five years.
106. The Legal Adviser mentioned the following points of principle:
- The purpose of sanction is not to punish the social worker but to protect the health, safety and well-being of the public and to maintain public confidence in social workers and proper professional standards.
 - The sanction imposed should be proportionate in that it should be the minimum necessary for those purposes.
 - The consequences of a sanction for a social worker's personal circumstances should not usually affect the assessment of the appropriate and proportionate sanction.

107. The Legal Adviser's advice on each of the measures available to the panel included the following points:

- Taking no further action is likely to be exceptional and would be in cases where the finding of impairment itself is enough to protect the public and the wider public interest.
- Advice and warnings do not directly restrict practice and are therefore not appropriate where there is a current risk to the public.
- Conditions of practice are most commonly applied in cases of lack of competence or ill health. They are less likely to be appropriate in cases of character, attitude or behavioural failings and may also not be appropriate in cases raising wider public interest issues.
- Conditions of practice may be appropriate if (i) the social worker has demonstrated insight; (ii) the failure or deficiency in their practice is remediable; (iii) appropriate, proportionate, achievable and workable conditions can be put in place; (iv) the panel is confident that the social worker can, and will, comply with the conditions and that their compliance can be monitored; and (v) the social worker does not pose a risk of harm to the public by being in restricted practice.
- Suspension is appropriate where no workable conditions can be formulated but where the case falls short of requiring removal from the Register.
- Suspension may be appropriate if the concerns represent a serious breach of the professional standards but the social worker has demonstrated some insight; and there is evidence to suggest they are willing and able to remedy their failings.
- Suspension is likely to be unsuitable where the social worker has not demonstrated any insight and remediation and there is limited evidence to suggest they are willing, or able, to remedy their failings.
- A removal order must be made where the panel concludes that no other outcome would be enough to protect the health, safety and well-being of the public and maintain public confidence and professional standards. A removal order may be appropriate where the social worker is unwilling and/or unable to remediate. (For example, where there is clear evidence that they do not wish to practise as a social worker in the future.)

Panel's decision on Sanction

108. In determining the appropriate sanction, the panel first considered the aggravating and mitigating factors of the present case. In terms of both aggravating and mitigating factors, the panel agreed with those suggested by Mr Corrie, as set out in paragraphs 98 and 99 above. In addition, in terms of mitigating factors, the panel took account of all of the circumstances which it had mentioned in paragraph 77 above when considering misconduct.

109. The panel then considered each measure available to it in turn.

110. The panel did not consider that taking no further action, giving advice or making a warning order would be appropriate as it had found that Ms Leveridge represented a risk to the health safety and well-being of service users and those measures would not restrict her practice. The panel also considered that, in the circumstances of the present case, those measures would not be sufficient to maintain public confidence or proper professional standards.
111. With regard to a conditions of practice order, the panel considered that the present case satisfied all of the criteria in paragraph 114 of the Guidance (which sets out the circumstances in which such an order may be appropriate). Specifically:
- The panel had, at the impairment stage, found that Ms Leveridge had developed and demonstrated a high level of insight.
 - Likewise, it had already determined that the failings in her practice which had led to its findings of misconduct and impairment were capable of being remedied.
 - Having reviewed the draft conditions suggested by Social Work England and considered the matter generally, the panel was satisfied that appropriate, proportionate and workable conditions could be put in place, which would be sufficient to protect the health, safety and well-being of the public and to maintain public confidence and proper professional standards.
 - Given Ms Leveridge's high level of insight and engagement with the fitness to practice process, and given that, in her submissions, she had expressed her willingness to work within conditions, the panel was confident the social worker could and would comply with any conditions which it might impose.
 - The panel was satisfied that Ms Leveridge would not pose a risk of harm to the public by being in restricted practice given the insight which she had developed into her misconduct and her engagement with the fitness to practice process and provided that the conditions of practice required appropriate supervision and reporting.
112. Given the above conclusions, the panel considered that, in line with paragraph 141 of the Guidance, it would be in the public interest for Ms Leveridge, as a trained, skilled and experienced social worker, to return to practice, especially as she had indicated her willingness to work under conditions of practice. The panel therefore considered that, in the circumstances of the present case, a suspension order would be counter-productive and disproportionate and that a conditions of practice order was the appropriate and proportionate final order.
113. In terms of the conditions themselves, the panel was satisfied with those proposed by Social Work England but with the following changes:
- Whilst the panel agreed that it was essential that Ms Leveridge should be subject to regular supervision and reporting, it considered that, to make them more workable,

the conditions should allow the supervisor to be the same person as the reporter and provide for reports to be provided at four-monthly intervals rather than quarterly.

- As Ms Leveridge had not worked as a social worker for four years, the panel considered that the personal development plan which she was to produce in conjunction with her supervisor should be of a more general nature, although, given the panel's findings, it should include her supervision of other members of staff or social work students.
- As Ms Leveridge had already provided two reflective pieces as well as the reflections in her written submissions, and as these covered the issue of supervision, the panel did not consider that a further reflective piece was required.
- As the issues of Ms Leveridge's continuing professional development and her supervision of others would be covered in her personal development plan and discussed and monitored in her meetings with her supervisor, the panel did not consider that it was necessary for the conditions to include specific requirements for those matters.
- The panel considered that not including specific requirements regarding reflective pieces, continuing professional development and auditing of compliance with supervision policy would make the conditions more workable without reducing their effectiveness.

114. The panel also considered that including in the conditions a prohibition on Ms Leveridge working in a supervisory role would be disproportionately onerous for Ms Leveridge for the reasons given by Mr Corrie and set out in paragraph 102 above.

115. In terms of duration, the panel considered that a conditions of practice order of 18 months duration would afford Ms Leveridge sufficient time make a secure return to social work and demonstrate that she has remedied the failings in her practice which led to the panel's finding of misconduct. At the same time, it would not be so long as to be unduly onerous.

116. **FINAL ORDER: that, for a period of 18 months, Ms Leveridge should comply with the following conditions of practice:**

1. You must notify Social Work England within 7 days of any professional appointment you accept or are currently undertaking and provide the contact details of your employer, agency or any organisation with which you have a contract or arrangement to provide social work services, whether paid or voluntary.
2. You must allow Social Work England to exchange information with your employer, agency or any organisation with which you have a contract or arrangement to provide social work or educational services, and any reporter or workplace supervisor referred to in these conditions.

3. At any time you are providing social work services, which require you to be registered with Social Work England:
 - a. You must agree to the appointment of a reporter nominated by your employer and approved by Social Work England. The reporter must be on Social Work England's register.
 - b. You must not start or continue to work until these arrangements have been approved by Social Work England.
4. You must provide reports from your reporter to Social Work England every 4 months and Social Work England will make these reports available to any workplace supervisor referred to in these conditions on request.
5. You must inform Social Work England within 7 days of receiving notice of any formal disciplinary proceedings taken against you from the date these conditions take effect.
6. You must inform Social Work England within 7 days of receiving notice of any investigations or complaints made against you from the date these conditions take effect.
7. You must inform Social Work England if you apply for social work employment / self-employment (paid or voluntary) outside England within 7 days of the date of application.
8. You must inform Social Work England if you are registered or subsequently apply for registration with any other UK regulator, overseas regulator or relevant authority within 7 days of the date of application for future registration or 7 days from the date these conditions take effect for existing registration.
9. At any time you are employed, or providing social work services, which require you to be registered with Social Work England:
 - a. You must place yourself and remain under the supervision of a workplace supervisor nominated by your employer and agreed by Social Work England. The workplace supervisor must be on Social Work England's register and may be the same person as your reporter.
 - b. You must not start or continue to work until these arrangements have been approved by Social Work England.
10. You must provide reports from your workplace supervisor to Social Work England every 4 months and at least 7 days prior to any review and Social Work England will make these reports available to any reporter referred to in these conditions on request.
11. You must work with your workplace supervisor to formulate a personal development plan, which should include your compliance with the formal process of supervising other members of staff or social work students.

12. You must provide a written copy of these conditions, within 7 days from the date these conditions take effect (or at the time of the application, where you apply to any prospective employer or any locum, agency or out of hours service) to the following parties confirming that your registration is subject to the conditions listed at (1) to (11) above:

- a. any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary;**
- b. any locum, agency or out of hours service you are registered with or apply to be registered with in order to secure employment or contracts to undertake social work services whether paid or voluntary;**
- c. any prospective employer who would be employing or contracting with you to undertake social work services whether paid or voluntary;**
- d. any organisation, agency or employer where you are using your social work qualification/knowledge/skills in a non-qualified social work role, whether paid or voluntary.**

You must forward written evidence of your compliance with this condition to Social Work England within 14 days from the date these conditions take effect.

13. You must permit Social Work England to disclose the conditions, (1) to (12), to any person requesting information about your registration status.

Things which may assist the review panel

117. The panel considered that the panel which reviews the final conditions of practice order would be assisted by Ms Leveridge providing:

- evidence of any training which she has undertaken, in particular in the areas of her practice to which the panel's findings of misconduct relate, both since leaving her employment at the Council and since this hearing; and
- references and testimonials as to Ms Leveridge's character and abilities and about her efforts to address the failings in her practice which were identified in this hearing.

118. In line with the Guidance, in any references and testimonials which Ms Leveridge may provide, the authors should:

- state how they know Ms Leveridge and how long they have known her; and
- confirm their knowledge and awareness of the present fitness to practice proceedings against Ms Leveridge and the findings and outcome of this hearing.

Interim order

119. Mr Corrie, on behalf of Social Work England, made an application for an interim conditions of practice order to cover the period during which Ms Leveridge may make an appeal against the final conditions of practice order and the period required for any such appeal to be concluded.
120. As the panel had decided that a final conditions of practice order was necessary to protect the health, safety and well-being of the public and to maintain public confidence and proper professional standards, it likewise decided that an interim conditions of practice order was necessary for the same reasons. It also decided that the interim conditions of practice order should run for a period of 18 months, as this should be sufficient to cover the making and conclusion of any appeal.
121. **INTERIM ORDER:** that, for a period of 18 months, Ms Leveridge should comply with the following conditions of practice:
 1. You must notify Social Work England within 7 days of any professional appointment you accept or are currently undertaking and provide the contact details of your employer, agency or any organisation with which you have a contract or arrangement to provide social work services, whether paid or voluntary.
 2. You must allow Social Work England to exchange information with your employer, agency or any organisation with which you have a contract or arrangement to provide social work or educational services, and any reporter or workplace supervisor referred to in these conditions.
 3. At any time you are providing social work services, which require you to be registered with Social Work England:
 - a. You must agree to the appointment of a reporter nominated by your employer and approved by Social Work England. The reporter must be on Social Work England's register.
 - b. You must not start or continue to work until these arrangements have been approved by Social Work England.
 4. You must provide reports from your reporter to Social Work England every 4 months and Social Work England will make these reports available to any workplace supervisor referred to in these conditions on request.
 5. You must inform Social Work England within 7 days of receiving notice of any formal disciplinary proceedings taken against you from the date these conditions take effect.
 6. You must inform Social Work England within 7 days of receiving notice of any investigations or complaints made against you from the date these conditions take effect.

- 7. You must inform Social Work England if you apply for social work employment / self-employment (paid or voluntary) outside England within 7 days of the date of application.**
- 8. You must inform Social Work England if you are registered or subsequently apply for registration with any other UK regulator, overseas regulator or relevant authority within 7 days of the date of application for future registration or 7 days from the date these conditions take effect for existing registration.**
- 9. At any time you are employed, or providing social work services, which require you to be registered with Social Work England:**
 - a. You must place yourself and remain under the supervision of a workplace supervisor nominated by your employer and agreed by Social Work England. The workplace supervisor must be on Social Work England's register and may be the same person as your reporter.**
 - b. You must not start or continue to work until these arrangements have been approved by Social Work England.**
- 10. You must provide reports from your workplace supervisor to Social Work England every 4 months and at least 7 days prior to any review and Social Work England will make these reports available to any reporter referred to in these conditions on request.**
- 11. You must work with your workplace supervisor to formulate a personal development plan, which should include your compliance with the formal process of supervising other members of staff or social work students.**
- 12. You must provide a written copy of these conditions, within 7 days from the date these conditions take effect (or at the time of the application, where you apply to any prospective employer or any locum, agency or out of hours service) to the following parties confirming that your registration is subject to the conditions listed at (1) to (11) above:**
 - a. any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary;**
 - b. any locum, agency or out of hours service you are registered with or apply to be registered with in order to secure employment or contracts to undertake social work services whether paid or voluntary (at the time of the application);**
 - c. any prospective employer who would be employing or contracting with you to undertake social work services whether paid or voluntary (at the time of the application);**

- d. any organisation, agency or employer where you are using your social work qualification/knowledge/skills in a non-qualified social work role, whether paid or voluntary.

You must forward written evidence of your compliance with this condition to Social Work England within 14 days from the date these conditions take effect.

- 13. You must permit Social Work England to disclose the conditions, (1) to (12), to any person requesting information about your registration status.**

Right of appeal:

122. Under Paragraph 16(1)(a) of Schedule 2 to the Social Workers Regulations 2018 (the “**Regulations**”), the social worker may appeal to the High Court against:
- a. 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.
 - b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.
123. Under paragraph 16(2) of Schedule 2 to the Regulations an appeal must be filed before the end of the period of 28 days beginning with the day after the day on which the social worker is notified of the decision complained of.
124. Under regulation 9(4) of the Regulations this order may not be recorded until the expiry of the period within which an appeal against the order could be made or, where an appeal against the order has been made, before the appeal is withdrawn or otherwise finally disposed of.
125. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to practise Rules 2019 (as amended).

Review of final orders:

126. Under Paragraph 15(1), 15(2) and 15(3) of Schedule 2 to the Regulations:
- 15(1): The regulator must review a suspension order or a conditions of practice order, before its expiry.

- 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.

The Professional Standards Authority:

127. 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>.