

Social worker: Alexandra
Parrington
Registration number: SW91336
Fitness to Practise
Final Order Review Hearing

Date of hearing: 30 July 2024

Hearing venue: Remote hearing

Final order being reviewed: Suspension order
(expiring 10 September 2024)

Hearing Outcome: Impose a new order namely a removal order
with effect from the expiry of the current order

Introduction and attendees:

1. This is the third review of a final suspension order originally imposed for a period of 5 months by a panel of adjudicators on 15 March 2023 and extended for a further 6 months at the first review of the order on 1 August 2023. At the second review on 29 January 2024 the order was extended for a further 6 months from the expiry date of 11 March 2024.
2. Ms Parrington did not attend and was not represented.
3. Social Work England was represented by Mr Carey of counsel instructed by Capsticks LLP.

Adjudicators	Role
Clive Powell	Chair
Warren Dillon	Social worker adjudicator

Hearings team/Legal adviser	Role
Paul Harris	Hearings officer
Heather Hibbins	Hearings support officer
Scott McDonnell	Legal adviser

Service of notice:

4. The panel of adjudicators (the panel) was provided with the previous decision bundle (70 pages) and the service and supplementary bundle (13 pages).
5. The panel was informed by Mr Carey that notice of this hearing was sent to Ms Parrington by email to an address provided by Ms Parrington (namely their registered email address as it appears on the Social Work England Register).
6. Mr Carey submitted that the notice of this hearing had been duly served and also referred the panel to an email from Ms Parrington dated 16 July 2024 in which she stated that she wished to attend the review.
7. The panel of adjudicators had careful regard to the documents contained in the final order review service bundle as follows:
 - A copy of the notice of the final order review hearing dated 1 July 2024 and addressed to Ms Parrington at her home address and email address which she provided to Social Work England;

- An extract from the Social Work England Register as of 1 July 2024 detailing Ms Parrington’s registered home address and email address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 1 July 2024 the writer sent by next day special delivery and email to Ms Parrington at the email address and home address referred to above: notice of hearing and related documents.
8. The panel accepted the advice of the legal adviser in relation to service of notice.
 9. Having had regard to the Social Work England Fitness to practise rules 2019 (as amended) (the Rules) and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Parrington in accordance with Rules 14, 15, 44 and 45.

Proceeding in the absence of the social worker:

10. Although Ms Parrington had indicated that she wished to attend the review she was not present. The panel was informed by the hearings officer that attempts had been made to contact Ms Parrington. She had been telephoned on eight occasions that morning, but it had not been possible to speak to her as her phone went to answer phone.
11. Mr Carey made an application for the hearing to continue in the absence of Ms Parrington. Mr Carey submitted that Ms Parrington was aware of today’s proceedings as evidenced by her email of 16 July 2024.
12. He submitted that notice of this hearing had been duly served, no application for an adjournment had been made by Ms Parrington and as such there was no guarantee that adjourning today’s proceedings would secure her attendance. Mr Carey referred the panel to the history of this matter and previous reviews, which Ms Parrington had failed to attend.
13. Mr Carey submitted that Ms Parrington had shown no real willingness to participate and she had also failed to provide documentation, which had been requested on earlier occasions. Mr Carey submitted that it was in the public interest to proceed today and invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.
14. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to Rule 43 of the Rules and the cases of *R v Jones [2002] UKHL 5*; *General Medical Council v Adeogba [2016] EWCA Civ 162*. The panel also took into account Social Work England guidance ‘Service of notices and proceeding in the absence of the social worker’.
15. The panel considered all of the information before it, together with the submissions made by Mr Carey on behalf of Social Work England. The panel noted that Ms Parrington had been sent notice of today’s hearing and the panel was satisfied that she was aware of today’s hearing.

16. The panel noted Ms Parrington's previous course of conduct whereby she had failed to attend previous reviews. She had been given every opportunity to attend. The panel decided that there was nothing to be gained by delaying proceedings and adjourning this matter.
17. The panel, therefore, concluded that Ms Parrington had chosen voluntarily to absent herself. The panel had no reason to believe that an adjournment would result in Ms Parrington's attendance. The panel determined that Ms Parrington had voluntarily absented herself from these proceedings.
18. Having weighed the interests of Ms Parrington in regard to their attendance at the hearing with those of Social Work England and the public interest in an expeditious disposal of this hearing, the panel determined to proceed in Ms Parrington's absence.

Review of the current order:

19. This final order review hearing is taking place under Paragraph 15(1) of Schedule 2 of The Social Workers Regulations 2018 (as amended) and Social Work England's Fitness to Practise Rules 2019 (as amended).
20. The current order is due to expire at the end of 10 September 2024.

The allegations found proved which resulted in the imposition of the final order were as follows:

(1) ... (Not proved)

(2) Whilst registered as a social worker and working at Waltham Forest Council you:

2.1 On 28 November 2018, told Team Manager B that you were waiting outside the house of Service User A to carry out a home visit when this visit had not been due to take place. (Facts found proved but did not amount to misconduct)

2.2 On 13 May 2019 on or around 11:00, told Team Manager B that you had completed a visit to Service User B when you had not done so.

2.3 ... (Not proved)

(3) ... (Not proved)

(4) Your conduct at 2.2 was dishonest because you knew that you had not met with Service User B when you told Team Manager B that you had.

(5) ... (Not proved)

(6) ... (Not proved)

The matters at 1 to 6 above amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct.

The previous final order review panel 29 January 2024 determined the following with regard to impairment:

21. *“The panel noted that since the imposition of the final suspension order on 15 March 2023, Ms Parrington has not engaged with either of the reviews of the suspension order. Although in correspondence prior to each review she has indicated an intention to provide information, she has ultimately not done so on either occasion.*
22. *Ms Parrington has not provided this panel with any evidence to demonstrate that she has followed the recommendations of the final hearing panel in relation to what may assist this review panel. She has not provided any evidence to demonstrate insight or remediation of her misconduct. She has not provided any evidence of having undertaken training or CPD since the final hearing. She has not provided testimonials from her current, or previous employers attesting to her honesty and integrity.*
23. *The panel was mindful that at a review of a final order, the social worker bears the persuasive burden to satisfy the panel of their current fitness to practise. Ms Parrington has not taken steps to meet this burden. The panel concluded that the position regarding Ms Parrington’s fitness to practise appears to be unchanged since the suspension order was imposed at the final hearing in March 2023.*
24. *Having regard to the above, the panel determined that Ms Parrington has not demonstrated that she has remediated the areas of concern identified in her practice, where dishonesty to her manager was then compounded by pretending that she had left her laptop at the school in the hope of avoiding detection. In the panel’s view, Ms Parrington’s misconduct was serious and involved a breach of a fundamental tenet of the social work profession. Public confidence in social workers relies on their honesty in the way they undertake their professional duties.*
25. *Given the absence of any up to date information from Ms Parrington, the panel concluded that the risk of repetition, should Ms Parrington be permitted to return to unrestricted practice, is unchanged. The panel concluded that a finding of current impairment was required on the personal element of impairment.*
26. *The panel next considered whether a finding of current impairment was also required on the public element of impairment. In so doing, the panel had regard to the following paragraph in the judgment of the case of Council for Healthcare Regulatory Excellence v Nursing and Midwifery Council and Grant [2011] EWHC 927 (Admin):*

“In determining whether a practitioner's fitness to practise is impaired, the panel should generally consider not only whether the practitioner constitutes a present risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.”

27. *In the circumstances of this case, taking into account the serious nature of the concerns, including a finding of dishonesty, the panel was satisfied that a reasonable and informed member of the public would be very concerned if Ms Parrington was allowed to practice unrestricted. To date Ms Parrington has not demonstrated to this panel full insight and remediation which is required along with relevant CPD training in order to enable her to practice safely, unrestricted. The panel considered that to permit Ms Parrington to do so before this was done would undermine confidence in the social work profession and the regulatory process. The panel therefore concluded that a finding of current impairment was also required in respect of the public element of impairment.”*

The previous final order review panel on 29 January 2024 determined the following with regard to sanction:

“No Action

28. *The panel concluded that, in the absence of exceptional circumstances, it would be inappropriate to take no action.*

Advice/ Warning

29. *The panel then considered whether to issue advice or a warning. The panel noted that these sanctions would not restrict Ms Parrington’s ability to practise and were therefore not appropriate as they would fail to adequately protect the public and meet the wider public interest concerns identified by the panel.*

Conditions of Practice Order

30. *The panel went on to consider a conditions of practice order.*

31. *In the panel’s view, although the areas of concern identified in Ms Parrington’s practice remain capable of remediation, they are attitudinal in nature and therefore the panel concluded that it was not possible to formulate workable conditions of practice that would address Ms Parrington’s dishonesty. The panel also took into account that, given Ms Parrington’s lack of engagement with both reviews of the suspension order, it could not have confidence that Ms Parrington would be willing to comply with conditions of practice.*

Suspension Order

32. *The panel noted that rather than proposing a further period of suspension, Social Work England submits that given the current position, the panel should now consider a removal order. The panel therefore considered very carefully whether a further period of suspension would be appropriate, or whether it should consider making a removal order at this point.*

33. *The panel noted the comments of the previous review panel, that although Ms Parrington had not at that time followed the recommendations of the final hearing panel, she had continued to engage with Social Work England and had sought advice in*

respect of what CPD training she should undertake. The previous reviewing panel therefore determined that a further period of suspension would be appropriate and proportionate, as it would afford Ms Parrington further time to demonstrate insight and remediation of her misconduct.

- 34. This panel noted it has no information before it to indicate that Ms Parrington did use the further period of suspension to follow the recommendations of the previous panel. However, this panel was mindful that Ms Parrington has maintained a degree of engagement with Social Work England since the last review. She has indicated an intention to provide information for the review, albeit she did not ultimately do so.*
- 35. The panel took into account that the total period of suspension so far directed has only been 11 months, that the misconduct originally found was considered to be remediable, took place in the context of a previously unblemished social work career. The panel concluded that a further period of suspension will protect the public and allow Ms Parrington a further period of time to engage fully with the review process and to present up to date information to demonstrate that she has remediated her misconduct. The panel decided that a removal order at this time would be disproportionately punitive. It was satisfied that a further period of suspension of six months will appropriately protect the public and the wider public interest.*
- 36. Ms Parrington is reminded that at the next review hearing, it will remain open to that future review panel to make a removal order.*
- 37. The panel determined, whilst it does not seek to bind the next reviewing panel, that panel may be assisted by:*
- Ms Parrington's attendance at the review and/or written submissions from her;*
 - Further reflections from Ms Parrington on her past dishonesty;*
 - References or other material, such as performance reviews from Ms Parrington's places of work, both current and past (and whether or not in a social work role), attesting to her honesty and integrity in the workplace; and*
 - Evidence of CPD to demonstrate that Ms Parrington is up to date with social work practice (given that she has now not worked in a social work role for over two and a half years).*
- 38. The panel's decision is to extend the current suspension order by a further period of 6 months, to take effect upon the expiry of the current order."*

Social Work England submissions:

- 39. The panel heard submissions from Mr Carey as to the background and the previous panel's findings in relation to impairment and sanction. Mr Carey invited the panel to impose a removal order.*

40. Mr Carey referred the panel to the previous two reviewing panels setting recommendations for Ms Parrington to engage with to assist a future reviewing panel, which included her attendance at the review hearing, CPD, references and reflection.
41. Ms Parrington had not attended or provided any evidence of compliance with these recommendations, and accordingly her fitness to practise remains impaired.
42. Mr Carey informed the panel that on 27 September 2023 Ms Parrington made contact with the case review officer. Ms Parrington asserted that she was unaware of the last review and the recommendations as she had not received the notification email.
43. Ms Parrington was informed by the case review officer of the recommendations and that the next review hearing would be 29 January 2024. Ms Parrington expressly acknowledged that hearing date. However she then failed to submit any documents or attend the second review hearing.
44. On 29 January 2024, after the conclusion of the second review hearing, Ms Parrington emailed her case officer in such a way that it appeared she was labouring under the misunderstanding that the hearing was 30 January
45. Ms Parrington was informed of her mistake and told that the Final Suspension Order had been further extended, with materially similar panel recommendations made.
46. Mr Carey informed the panel that the previous two reviewing panels considered imposing a removal order.
47. The first reviewing panel decided to afford Ms Parrington a “final” opportunity to demonstrate an appropriate level of insight and remediation.
48. The second reviewing panel reminded Ms Parrington that, at the next review hearing, it would remain open to that future review panel to make a removal order.
49. Mr Carey submitted that the principal communication from Ms Parrington has been to address that she inadvertently missed her review hearings. She had not submitted a single document relevant to any of the past three panels’ recommendations.
50. Mr Carey submitted that the key observations from previous panels were that Ms Parrington’s misconduct was serious, in particular as it included dishonesty. Mr Carey submitted that Ms Parrington’s conduct was remediable, but despite recommendations and advice Ms Parrington had not address these issues at all.
51. Despite several months passing since the final hearing Ms Parrington had not taken the opportunity to demonstrate remediation.
52. Mr Carey submitted that, in these circumstances, Ms Parrington has shown no reasonable prospect of demonstrating remediation, therefore only a Removal Order is sufficient.

Social worker submissions:

53. Ms Parrington provided no written submissions.

Panel decision and reasons on current impairment:

54. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. It took into account the decision of the previous panels. However, it has exercised its own judgement in relation to the question of current impairment. The panel also took into account Social Work England's 'Impairment and sanctions guidance'.

55. The panel had regard to all of the documentation before it, including the decision and reasons of the previous review panel. The panel also took account of the submissions made by Mr Carey.

56. The panel heard and accepted the advice of the legal adviser. The panel was reminded that a social worker's fitness to practise is impaired if they pose a risk to public safety, or if their conduct or performance undermines the confidence the public is entitled to place in all social workers in England. A social worker's fitness to practise may also be impaired if their actions make it necessary to send a public message about the standards expected of social workers.

57. If the panel decided that Ms Parrington's practice is currently impaired then it should then consider what sanctions are available and refer to Social Work England's "Sanctions Guidance". The panel must start from the least restrictive sanction. Insight and remediation are important factors.

58. The panel first considered whether Ms Parrington's fitness to practise remains impaired.

59. The panel noted that Ms Parrington had failed to provide any evidence of remediation or insight. She had failed to submit any information identified by previous panels to address this despite having ample opportunity to do so.

60. Ms Parrington had not attended the previous review hearings and the panel decided that her conduct throughout had reinforced concerns about her practice, which were very serious and related to honesty and integrity.

61. In light of all of these circumstances the panel concluded that Ms Parrington's fitness to practise is currently impaired.

Decision and reasons:

62. Having found Ms Parrington's fitness to practise is currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel had regard to the submissions made along with all the information and accepted the advice of the legal adviser.

63. The panel considered the submissions made by Mr Carey, on behalf of Social Work England, during which he invited the panel to consider imposing a removal order. The panel also took into account the 'Impairment and sanctions guidance' published by Social Work England.
64. The panel was mindful that the purpose of any sanction is not to punish Ms Parrington, but to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and by upholding proper standards of conduct and behaviour. The panel applied the principle of proportionality by weighing Ms Parrington's interests with the public interest.

No action, advice or warning

65. The panel took account of the Sanctions Guidance and considered the serious findings of fact by the final order panel. The panel decided that taking no further action, providing advice or issuing a warning, would not be appropriate in this case as these sanctions would not restrict Ms Parrington's practice and would therefore not protect the public.

Conditions of Practice Order

66. The panel went on to consider a conditions of practice order. The panel took the view that there are no practical or workable conditions that could be applied noting that Ms Parrington had failed to substantively engage with these proceedings and the panel had no confidence that Ms Parrington would comply with any conditions of practice.

Suspension Order

67. Having determined that a conditions of practice order would not be appropriate, the panel then went on to consider if a suspension order would be the most appropriate sanction
68. The panel noted that Ms Parrington had done nothing to address the concerns and findings against her whilst subject to a suspension order.
69. The panel decided that a further suspension order would not be sufficient to protect the public and the wider public interest, specifically maintaining public confidence in the profession and the regulatory process.

Removal order

70. The panel was satisfied it could consider that a removal order was available to the panel as Ms Parrington's fitness to practise was originally found impaired on the basis of one or more grounds as set out in regulation 25(2)(a), (c), (d), (f) or (g).
71. The panel noted that a removal order is a sanction of last resort where there is no other means of protecting the public or the wider public interest.

72. The panel took the view that a removal order would be appropriate and proportionate because Ms Parrington had failed to demonstrate any insight or remediation over a considerable period of time, failed to attend review hearings and failed to provide information and material that had been identified by previous panels.
73. The panel concluded that Ms Parrington's current impairment and continuing risk to service users and the absence of any meaningful engagement with the fitness to practices process, required that she should be removed from the register to protect the public from harm. The panel decided that Ms Parrington should be removed from the register at the expiry of the current suspension order.
74. In reaching this conclusion the panel balanced the public interest against Ms Parrington's interests. The panel took into account the consequential personal and professional impact a removal order may have upon Ms Parrington, but concluded that these considerations are significantly outweighed by the panel's duty to give priority to public protection and the wider public interest.

Right of appeal:

75. Under Paragraph 16(1)(b) of Schedule 2 of The Social Workers Regulations 2018 (as amended), 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.
76. Under Paragraph 16(2) of Schedule 2 of The Social Workers Regulations 2018 (as amended) 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.
77. Under Paragraph 15(1A) of Schedule 2 of The Social Workers Regulations 2018 (as amended), where a social worker appeals against a decision made under sub-paragraph (1), the decision being appealed takes effect from the date specified in that sub-paragraph notwithstanding any appeal against that decision.
78. This notice is served in accordance with Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended).

Review of final orders:

79. Under regulation 15(1), 15(2) and 15(3) of Schedule 2 of The Social Workers Regulations 2018 (as amended):

- 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).

80. Under Rule 16(aa) of the Fitness to Practise Rules 2019 (as amended), a social worker requesting a review of a final order under paragraph 15 of Schedule 2 must make the request within 28 days of the day on which they are notified of the order.

The Professional Standards Authority

81. Please note that in accordance with section 29 of the National Health Service Reform and Health Care Professions Act 2002, a review 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>