

Social worker: Allan Hall

Registration number: SW26089

Fitness to Practise

Final Hearing

Dates of hearing: 17 to 31 October 2022; 5 to 16 June 2023; 8 to 12 January 2024; 11 to 12 June 2024

Hearing venue: Remote hearing

Hearing outcome:

Allegation found not proved: 1(a) (i); 1(a) (ii); 1 (a)(ii)(b); 1(b)(i); 1(b)(ii); 1(b)(iii); 1(b)(iv); 1(b)(v); 1(b)(vi); 1(b)(vii); 1(b)(viii); 1(b)(ix); 1(b)(x); 1(b)(xi); 1(b)(xii); 2 (a)(i); 2(a)(ii)(a); 2(a)(ii)(b); 2(a)(ii)(c); 2 (a)(iii)(a); 2(a)(iii)(b); 2(a)(iii)(c); 2(b)(ii) (a); 2(b)(ii)(b); 3; 5(a); 5(c); 5(g); 6(b)

Allegation found proved: 2 (b) (i) (a); 2 (b) (i) (b); 5 (b); 5 (d); 5 (e); 5 (f); 6 (a); 6 (c); 7; 8 (a); 8 (b); 8 (c)

Misconduct and impairment found

Sanction: Suspension order of 12 months, with an interim suspension order of 18 months

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) (“the regulations”).
2. Mr Hall attended and was not represented.
3. Social Work England was represented by Ms Ferrario, case presenter, and Mr Harris, case presenter, instructed by Capsticks LLP.

Adjudicators	Role
Alexander Coleman	Chair
Jasmine Nembhard-Francis; Charlotte Scott	Social worker adjudicator
Cherrylene Henry-Leach	Lay adjudicator

Paul Harris; Hannah Granger	Hearings officer
Wallis Crump; Kathryn Tinsley	Hearings support officer
Charlotte Mitchell-Dunn	Legal adviser

Preliminary matters:

Private

4. Mr Hall made an application for the entirety of the hearing to be dealt with in private.
5. [PRIVATE]
6. [PRIVATE]
7. Ms Ferrario on behalf of Social Work England opposed the application, she argued that while Social Work England [PRIVATE].
 1. Ms Ferrario noted the lack of medical evidence to support Mr Hall’s application and relied on the authority of Miller v General Medical Council [2013] EWHC 1934 (Admin). Ms Ferrario summarised her position as follows “we have no objection to those parts of the hearing that refer to Mr Hall’s physical and mental health being heard in private (and this Panel will be experienced to know that that can be done as and when it arises) but that the remainder of the hearing ought quite properly to be held in public.
 8. The panel heard legal advice in respect of Rule 37 and 38(a) and (b) of the Fitness to practise Rule 2019 (as amended) (the Rules) and in respect of the open justice principle. The panel were reminded that conducting proceedings entirely in private is regarded as an exception, and the Panel should always consider whether it is feasible to conduct only part of the hearing in private first.
 9. The panel determined that it should hold parts of the hearing that relate to Mr Hall’s health in private. The panel determined that there were no compelling reasons advanced such that the entirety of the hearing ought to be held in private. The panel noted the open justice principle and the requirement for hearings to be held in public save for the exceptions set

out in Rule 38(a) and (b). The panel determined that holding parts of the hearing in private was proportionate in the circumstances.

Allegations:

(1) Between November 2017 and 1 April 2019 whilst working for Coventry City Council as a registered social worker you subjected colleagues to,

(a) Verbal abuse in that you;

(i) Regularly shouted and/or swore at Colleague B during the period November 2018 to February 2019 including;

a. meeting targets for payment by result claims.

b. that she read a report over the telephone to you.

(ii) Regularly shouted at Colleague D and Colleague H, both Team Managers in an aggressive manner about work that needed to be done.

(b) Controlling and/or bullying type behaviour in that you;

(i) Insisted on a regular basis that Colleague B work in your office rather than in the open plan office and/or that she sit in close proximity to you on those occasions.

(ii) Told Colleague B on more than once occasion to stay behind after a meeting.

(iii) Told Colleague B on more than one occasion not to speak to colleagues or other managers about work without you knowing.

(iv) Belittled Colleague B during conversations around staffing decisions on more than one occasion.

(v) On more than one occasion during meetings with other colleagues said to Colleague B 'come and sit next to me.'

(vi) On one occasion slammed the door shut to prevent Colleague B from leaving the room.

(vii) Regularly spoke to Colleague B in a manner that you knew or ought to have known would make her feel undermined and destroy her confidence including telling her that colleagues had been questioning her competence and that she should not make unilateral decisions.

(viii) Grabbed a notebook from Colleague B in which she was making notes and threw it on the floor saying that you would decide the content of her supervision record.

(ix) On a date between the 14 and 22 November 2018 you stated that Colleague E should not cry when speaking to you and would not give her an opportunity to speak.

(x) On a date or dates between September 2018 and 23 January 2019 you called Colleague E into the staff kitchen and told her that she needed to get her work done, there was no need for her to involve the union, that she was still on probation and to be mindful of that or words to that effect.

(xi) On or around 7 December 2018 you said to Colleague E, words to the effect of, that she could not leave work until she had completed a student's work.

(xii) Told Colleague E, when she said to you in December 2018 or January 2019 that she was going to leave the Council, that she should not speak to anyone in the team about anything and that she 'needed to handle herself' or words to that effect.

(2) During the period November 2017 and 1 April 2019 whilst working for Coventry City Council as a registered social worker you subjected colleagues to;

(a) Touching in that you,

(i) Pulled Colleague B's chair closer to yours on more than once occasion when she was working in your office at the meeting table such that physical contact was made between the two of you.

(ii) on the first day that you meet Colleague B, during a pub lunch;

a) Pulled Colleague B's chair close to you

b) Put your arm around her

c) Placed your hand on Colleague B's hand on the table

(iii) Often stroked the hands and or arms of female colleagues whilst at work, including;

a. Colleague I

b. Colleague J

c. Colleague C

(b) Personal and inappropriate comments on their physical appearance in that you,

(i) Said to Colleague B on more than one occasion words to the effect of;

a) 'oh you look the part today.'

b) 'she's looking good today' or words to that effect

(ii) Said to Colleague G words to the effect of;

a. 'you have a small back but you've got it where it matters'

b. 'I hope you're not doing what I think you're doing?'

(3) Your conduct at Allegation 2 (a) and 2 (b)(ii)(a) above was sexually motivated.

(5) Whilst working as a registered social worker and Operational Lead for your team for Coventry City Council December 2017 – April 2019 you failed to make and/or record decisions in a timely manner in that you,

(a) On or around 12 September 2018 failed to prepare a care plan, record a placement or a report for an initial looked after child review for Child 1.

(b) On or around 20 November 2018 and thereafter did not do the voice of child dip sample as required by an audit.

(c) On or around 29 November 2018 and thereafter, failed to follow through on a decision in the case of Service User 3.

(d) On or around 29 November 2018 and thereafter, failed to provide a briefing to your supervisor relating to the case of Service User 4.

(e) On or around 29 November 2018 failed to arrive at a timely decision as to what you thought should happen to Service User 5.

(f) On or about the 31 January 2019 and thereafter, failed to make a timely decision to report Child 2 as missing and/or escalate the case of Child 2 as a missing child to your line manager.

(g) During the period January 2018 to October 2019 you failed to sign off on cases in a timely manner requiring your review and signature to initiate court proceedings causing unnecessary delays.

(6) On 16 March 2020 whilst working as an Independent Reviewing Officer for Gloucestershire County Council you used discriminatory and inappropriate language in relation to a young person's gender identity before, and/or during and/or after a looked after child review meeting, in that you,

(a) Did not use the young person's preferred name.

(b) Expressed your personal belief that 'Jesus or God would not agree with it' or words to that effect.

(c) Made reference to your own church condemning transgender people as 'sinful.'

(7) Failed to provide Social Work England with your current and former employer details as requested on 15 June 2020.

(8) Between 3 March 2020 and 3 April 2020 your record keeping was inadequate in that you;

(a) Failed to record the minutes and decisions taken during three child review meetings that you chaired during the week of 3 – 10 March 2020 within the statutory timescale or at all.

(b) Failed to record the decisions taken for six out of seven child review meetings that you chaired during the week of 19 – 26 March 2020 within the statutory timescale.

(c) Failed to record the decisions taken for five child review meetings that you chaired during the week 27 March – 3 April 2020 within the statutory timescale.

Your actions in relation to paragraphs (1) to (8) amount to misconduct.

Your fitness to practise is impaired by reason of your misconduct.

Background

10. Between November 2017 – 1 April 2019, Mr Hall was employed as one of four Operational Leads that oversaw social work teams and early help family hubs in the Children's help and protection Service at Coventry County Council (the Council).
11. Mr Hall resigned from his position at Coventry County Council on 1 April 2019. On the 22 June 2019, the Health and Care Professions Council ("HCPC") received a referral regarding the Social Worker, from Colleague A at Coventry County Council.
12. Mr Hall was employed by Gloucestershire County Council for one month from 3 March 2020 as an Independent Reviewing Officer ('IRO).
13. On the 15 May 2020, Social Work England received a referral regarding the Social Worker from Gloucestershire County Council (Gloucestershire).
14. The first referral relates to allegations 1 – 5.
15. The second referral relates to allegations 6 – 8.

Summary of evidence:

16. Social Work England called nine witnesses to give evidence:
 - (a) Colleague A: A registered social worker and the Social Worker's line manager whilst he worked at Coventry City Council.
 - (b) Colleague B: Early Help Manager at Coventry City Council having worked for the Council in a number of roles since 2008.
 - (c) Colleague C: A senior social worker, has worked for Coventry County Council since 1992. Her line manager during 2017 – 2019 was Colleague D and the Social Worker was her Operational Lead.
 - (d) Colleague D: A registered social worker since 2010 and worked for Coventry County Council as a Team Manager from January 2018 – October 2019. The Social Worker was his direct line manager.

- (e) Colleague E: A registered social worker since 2014 beginning her career as a social worker at Coventry County Council where she worked until April 2019. From September 2018 she worked as a Senior Practitioner and the Social Worker was her Operational Lead.
- (f) Colleague F: In March 2020 she was the Independent Reviewing Officers Team Manager at Gloucestershire County Council. Colleague F was the Social Worker's line manager him for the four weeks that he worked for Gloucestershire County Council.
- (g) Witness A: Is a foster carer working with Five Rivers and has been fostering children for approximately ten years.
- (h) CT: Investigator at Social Work England.
- (i) Colleague G: Technical Team Leader at Coventry City Council at the time of the allegations.

(The witnesses were called out of order to accommodate scheduling issues. The order below represents the order witnesses were called in)

Colleague A

A summary of Colleague A's evidence:

- 17. Colleague A confirmed the content of her witness statement. No further questions were asked in examination in chief.
- 18. Mr Hall asked questions of Colleague A. Colleague A confirmed that she met Mr Hall when she attended her interview prior to commencing her job at Coventry. She confirmed she did not observe Mr Hall being angry, shouting or screaming at staff. She confirmed that she did not see Mr Hall behave in a sexualised manner towards staff. She was asked about tension between the managers and Mr Hall and confirmed "there were some issues with some of the managers and Mr Hall I think there were elements where Mr Hall struggled with some of them". She confirmed that no staff up to that point had raised any concerns with her.
- 19. Colleague A was asked about the handover from JB and the fact that she heavily relied upon it. She was asked when the handover took place. She stated *"it was before I started in Coventry, and I went over to Coventry because I knew JB was leaving prior to my starting so I went over to Coventry more as an introduction. I met with JB on that day, but I don't remember the date and JB gave me a handover, a brief handover of all operational leads and some of her issues and things that she had found with them". In relation to her reliance on the handover she stated "I definitely didn't heavily rely on it. I had to appreciate that JB had a view and a position as a previous line manager, and I took that but actually JB left. P was another strategic manager, that was then picked up and Mr Hall's line management prior to my starting and on my starting it felt like, and I had discussions with Mr Hall around this, he*

talked about his probationary period with JB. I felt actually it was an opportunity for us to draw a line under what had happened, start afresh. I managed then, I manage now in a way of you know as I find and support in that way. I heard what had been said but I definitely didn't heavily rely on it when I started my role in Coventry."

20. Colleague A was asked to recall a performance meeting in August 2018 where the teams met with directors and talked about issues in the team. Colleague A was asked to recall if she was aware of the report for the meeting being written collectively by team managers of the West area and Colleague B being the lead in writing the report. Colleague A confirmed she was. Colleague A was asked if any concerns were raised about Mr Hall's management style in the meeting and Colleague A recalls the concerns were not individual. She stated *"because this was a service led review, so this was about specific practice so assessments, timescales, that sort of thing. It would not have been appropriate to have looked at individual performance within that meeting because it was an open meeting."*
21. It was put to Colleague A issues stemmed from the team managers, and Colleague A's view was that Mr Hall was ultimately responsible, as he was overseeing their work. Colleague A agreed there were some responsibilities that would have sat with some of the managers, but she stated as a strategic senior manager Mr Hall would have been ultimately responsible for those areas. Colleague A agreed that Mr Hall had regular performance meetings with his managers. Colleague A accepted that the West Area was a busier area, and the team were doing lots of stuff or waiting on stuff to try and address this. Colleague A was asked about other areas being asked to take on the work of the West area and she was unable to recall this.
22. It was put to Colleague A that Mr Hall was involved in the Troubled Families' work and that Mr Hall had raised with Colleague A and a previous manager that he felt that it should be a city-wide project and should be run not by an Early Help Manager, but by a Project Manager. It was put to Colleague A that Mr Hall was able to get Colleague B access to regular project management support and increased staff for counting of the performance by results. Colleague A agreed and stated she was aware there were a number of challenges around the Troubled Families, and part of trying to help with some of the West and some the workload of Mr Hall was moving Troubled Families to another operational lead. Colleague A agreed the move was delayed. She stated *"we would have moved that a lot sooner, but Mr Hall did not want it to be moved. Mr Hall had, and this is where I really tried to support, Mr Hall had a feeling of failure so there were elements that he did not want additional support going into the West; he didn't want operational leads going into support and we would have moved Troubled Families sooner. We also offered if Mr Hall wanted to go to a less busy area but again, he did not want to do that. We had some vacancies and some movements with other operational leads and that is why the Troubled Families was delayed."*
23. [PRIVATE]
24. Colleague A was asked whether Mr Hall commented on being overworked in supervision and responded that there was always an element of how busy it was but that was raised by

every operational lead, as well, so everyone in supervision would talk about how busy they were.

25. It was put to Colleague A whether in respect of Troubled Families Mr Hall had to make a case for that extra funding to be agreed, and the other Assistant Director was therefore overseeing the work and was quite challenging about Colleague B's involvement. Colleague A was not able to recall the specifics of this.
26. [PRIVATE]
 2. Colleague A stated "Some concerns had been raised around Mr Hall's behaviour. This had come out in an exit interview via workforce development *by a member of the team and we raised that at that point.*" It was put to Colleague A [sic] that most of the concerns raised were raised [PRIVATE]".
 3. Colleague A described that a couple of the managers had raised concerns around Mr Hall's approach, and not necessarily feeling as supported as they should be. This included shouting. She stated they described it as "*not sort of knowing what approach they would have until Mr Hall is walking down the corridor coming into work* to know what sort of mood Mr Hall was in at that point
 4. In re-examination Ms Ferrario confirmed with Colleague A that her evidence was that she recalls before Mr Hall [PRIVATE], there was a meeting with him and other managers. She confirms this is correct. Colleague A is asked about what the set-up was on a day-to-day basis and where she was work-wise and where Mr Hall was. She confirmed she was mainly based in Broadgate House which is in the centre of Coventry. Mr Hall was in the West area. Colleague A accepted visiting Mr Hall's office from time to time, not as frequently as she would have liked, but on a relatively regular basis. Colleague A confirms these were pre-arranged visits.
27. Colleague A is asked about the support plan and the fact that Mr Hall did not sign it, Colleague A confirmed Mr Hall agreed to work to it, but he would not sign it.
28. In response to the panel's questions Colleague A she did not have any information on Mr Hall's performance between November 2017 to November 2018, she noted a probationary meeting that raised some concerns. She stated, "*Mr Hall rightly mentioned his probation wasn't extended but it does raise some concerns around performance previously*". Colleague A acknowledge his work was to a standard to pass probation. Colleague A confirmed the support portfolio was very similar across the strategic leads.
29. [PRIVATE]
30. In re-examination Colleague A was asked if Mr Hall accessed support and Colleague A confirmed there was no evidence that Mr Hall was taking it on because she did not see any change. It was further put to Colleague A that there was a supervision notes demonstrating the performance issues with Colleague B and a discussion of moving Troubled Families to V [another employee at the Council]. Colleague A responded "*if it's written down that happened*".

Colleague B

31. Colleague B confirmed the content of her witness statement was true and accurate.
5. Colleague B agreed that she was an experienced manager in Coventry City Council with good working relationships with senior managers in Children's Services and she was given the role of Troubled Families' coordinator. Colleague B confirmed how the role was created, and she explained it was decided it would be helpful to have somebody working full-time focusing on the programme, and she was asked if she would be prepared to do that.
6. Colleague B was asked whether she recalled Mr Hall raising any concerns about her taking on the role. Colleague B states she recalls Mr Hall being cross about not being informed about the role. It was put to Colleague B that Mr Hall was saying *"this was a massive project and ideally should be managed by a project management team across the whole of the Children's Services"*. Colleague B recalled this. It was put to Colleague B that Mr Hall worked hard alongside herself to obtain extra funding for the input of a project management support team. Colleague B did not recall this. It was put to Colleague B that Mr Hall had a lot of respect for Colleague B's expertise and confided in her about the challenges that he faced. Colleague B confirmed she believe that this changed over time but in the beginning definitely that was the case.
32. It was put to Colleague B that Mr Hall confided in her about feeling overworked. Colleague B confirmed she did not recall the detail as described but she recalls that Mr Hall would regularly say that there was too much work. In respect of their relationship Colleague B stated *"I had a difficult relationship, but my observations were that some of the behaviours that I struggled with were behaviours that I saw with other people. Certainly, my experience is that things worsened from that period of time."*
33. Colleague B was asked whether she recalled assisting in the production of a report for a performance review, in November 2018, and she stated she did not recall being part of that, but she may well have done. It was put to Colleague B that there was another manager, P, who had close scrutiny of the Troubled Families' Team, she confirmed she was aware of this, and she further confirmed that she raised this with Mr Hall regularly. Colleague B was asked if she recalled feeling let down by Mr Hall for his handling of these matters. Colleague B stated *"I recall conversations about challenges and how that was dealt with by Mr Hall, but I don't recall the detail."* Colleague B confirmed *"I also recall that there were many times where information was requested by P and because Mr Hall insisted on seeing things before, they were sent to P that that often meant the deadline wasn't met."*
34. Colleague B was asked to recall whether she was asked to produce a very detailed action plan for herself and the Troubled Families' Team. Colleague B stated *"Yes, and I also recall several times when that was written you requested changes to it on several occasions often changing your mind about what you wanted in it...it caused me immense stress because I worked on it into the evening many times, over the weekends, and each time I sent it to Mr Hall there was a delay in him looking at it and then when he did he asked for something different."*

35. Mr Hall stated he had no further questions for Colleague B. The panel asked Colleague B to describe supervision with Mr Hall. She stated in the whole time that she was managed by Mr Hall she thought she only had one supervision that was recorded. She stated there wasn't a record of those meetings and they weren't necessarily framed as supervision.
36. Colleague B was subsequently recalled to give evidence. In cross examination she was asked how long she had worked for Coventry, and she confirmed 18 years. She confirmed that she knew that Coventry had a grievance procedure. Colleague B stated there were things that she found strange about the relationship with Mr Hall and that there were some difficulties right from the first day. When questioned why she took nearly 18 months to raise her concerns Colleague B stated *"because the relationship was very up and down. There were times when things were okay"* Colleague B stated that as a result of the way Mr Hall behaved towards her over time, she lost confidence and that affected the way she behaved and also the way she felt about things. She stated the behaviour of Mr Hall was inconsistent.
37. Colleague B stated *"I had never met a manager who behaved the way that Mr Hall behaved towards me and quite frankly during that time particularly in the beginning, I was trying to get my head round how to work with this person. You know upon reflection I would be the first to say I should have done something sooner but also as I say my confidence became affected by things; my self-esteem was affected. I didn't follow the grievance process and upon reflection possibly that is something I wished I had have done earlier."* Colleague B stated *"what I would say is that on many occasions when those things happened, I did make some comments to say, or took some physical action to remove myself because I did feel uncomfortable."*
38. Colleague B was asked whether she knew that Mr Hall had asked her colleague take over her role. Colleague B confirmed she knew there were some discussions, but she wasn't sure of the formality. She stated it wasn't a great time. She stated that was the point that the relationship became much worse. She stated when Mr Hall was on leave, she discovered he had instigated the "take-over" himself. Colleague B was taken to a supervision note showing there had been a suggestion that Mr Hall swap Colleague B for another member of the team. Colleague B responded *"during my absence from work the strategic lead indicated that any decisions about who led on the programme were Mr Hall's, so I guess my only comment is that that is reflected in the supervision note. The issue that I had isn't about the decision that was made it is more about how that was presented by Mr Hall in a way that led me to feel that my individual performance was being questioned and that he and others were questioning my performance."*
39. Colleague B was asked about the grievance process, and she stated *"I didn't formally put in a grievance. I raised concerns [PRIVATE] with Colleague A, but I didn't formally do that through a grievance process."* It was put to Colleague B that the reason why she put together her concerns drawing attention to anomalies about presentation and about proximity was because she was angry. Colleague B responded *"so first of all in terms of the action plan I just want to reiterate again that it wasn't an action plan for me personally as part of a capability or disciplinary process it was an action plan for the work, so it was a work action plan of what needed to be done by several people and lots of people were*

involved in order to try and drive up the targets. I have no issue with having an action plan. What I did take issue with is the fact that you were unclear on your instructions on what you wanted to go into that plan and changed that several times. I also throughout the process, as we came towards this hearing, provided information from colleagues who worked with me on that plan that backed that information up to say that you regularly changed what you wanted to go into the plan”.

40. Colleague B further stated *“My concerns that I raised were about the impact of the behaviours over a prolonged period of time starting from Day 1 that were inconsistent that led me to [PRIVATE]. The reason I raised those concerns was because I didn’t want anyone else to have to experience that”.*
41. It was put to Colleague B that the relationship with Mr Hall was a very positive one and that he quite often saw Colleague B as a key support and they worked very closely together, meetings together and had some successes with Troubled Families, but that things deteriorated once the social worker was not protecting Colleague B from the strong emails that she had from P, the senior manager. Colleague B responded *“The whole of how I ended up feeling and [PRIVATE] was to do with the relationship that I had with Mr Hall and his behaviours and many of the things I outlined in my statement about how that relationship and how his behaviours impacted on me in a significant way with some very specific incidents that were recalled when I wrote the witness statement.”*
42. In re-examination it was put to Colleague B that it had been suggested that she fabricated her complaint. Colleague B responded *“absolutely not”.* [PRIVATE], she was asked why she did not raise it with Colleague A or anyone else before she got to that point. Colleague B responded *“I think it is fair to say that over a period of time I became more and more affected [PRIVATE]. Reflection is an easy thing to do but I don’t think I had realised quite how much things were affecting me. I was nervous about raising things. [PRIVATE], my confidence was completely shattered. Mr Hall had said things to me over a period of time that really made me question my professional reputation. I think, you know in hindsight maybe I should have raised things sooner, but I just didn’t do it and it was only during the time when I kind of got to the point where I just couldn’t take any more and I couldn’t come into work. A colleague of mine had spoken to Colleague A about [PRIVATE] and kind of opened the door for me really to contact her, which I did, because [PRIVATE]”.*
43. Colleague B was asked by the panel what she would expect if she were underperforming, i.e. how she would expect that to be addressed with her. She states *“I would have expected that there would be an informal capability plan, that I would be made very aware that that was the process that I was being supported in. The capability process is a supportive one. If there was something along a disciplinary process, then it would be a different process that I would expect to follow but part of that capability process would be that there would be a personal informal plan where I would be set targets and also be clear on what support I would have in order to meet those targets”.*
44. Colleague B was asked about the fact that she had said there were times where she took steps to remove herself from the proximity of Mr Hall, she was asked to describe this.

Colleague B stated *"so I would physically try to pull my chair away from Mr Hall because there were occasions where he would pull the chair towards him, or I would physically move my chair away from him. Also, I would try to, when I didn't feel it was necessary work in a different office and space from him. You know if he was making physical contact with me, I would just sort of pull myself away, so he wasn't able to do that."*

45. Colleague B was asked what the behaviour of Mr Hall was like when he was ok. Colleague B stated *"people often described Mr Hall as a "character" so at no point were there ever times where I felt that he was, he was the same as anybody else. Everybody is unique but he was perhaps more unique than other people. He could use humour to try and engage with people. He would do that. Those times when it was more on a level, he would be less angry, less raising his voice, well not raising his voice more able to listen, that kind of thing."* Colleague B was asked whether she was able to tell other colleagues what she was experiencing and she stated, *"I did speak to many of my colleagues and also many of my colleagues observed how the behaviours were impacting on me over time"*. Colleague B stated *"they did say to me that I ought to raise things formally but as I said earlier, you know upon reflection they were probably right but at the time and the way that I was feeling about things I didn't have the emotional strength to do that."*

Colleague C

46. Colleague C confirmed that the content of her witness statements was true and accurate. She confirmed she contacted Colleague A after Mr Hall [PRIVATE]. She explained [PRIVATE] there were a few comments and a few discussions with other social workers. Colleague C stated they were directed to talk to their managers and were asked to raise concerns and issues with Colleague A.
47. In cross examination Colleague C was asked about her contact with Mr Hall. Colleague C responded that Mr Hall was the operational lead for her team. [PRIVATE].
48. [PRIVATE]
49. Colleague C confirmed that it was the department and not Mr Hall that she was annoyed with. Colleague C said Mr Hall was very supportive of sorting the matter out.
50. Colleague C stated that she had concerns about Mr Hall being "touchy-feely". Colleague C was asked if she sat Mr Hall down to discuss these concerns, she stated she didn't consider this apart from in respect of one incident. Colleague C stated *"I didn't raise the issues because Mr Hall was my operational lead, so two seniors above me, and I didn't know how to approach somebody to say I'm worried about these things"* Colleague C stated she spoke to her line manager. She stated the advice was to encourage the people it was happening to, to speak up. Colleague C acknowledged that she had been on training around the grievance procedure, however despite this she raised a concern when Mr Hall had [PRIVATE]. Colleague C stated *"the environment in which we worked in was a much safer environment in order to be able to share those concerns because, at the time, whilst we had Mr Hall working for the West Children's Area Team, it was like living in a domestic abuse relationship; you know, we did not know one day from the next about whether he would*

come in angry or whether he'd come in happy or what would be happening. And, actually, for me as a senior practitioner, it's very scary and to then challenge your senior lead is equally fright – a frightening experience”.

51. [PRIVATE]
52. It was put to Colleague C that if the matters described happened, she should have raised them. Colleague C stated she raised the particularly the incident with Ms N directly, she stated *“Mr Hall smiled and was saying, oh, it never happened, it never happened, running up the corridor with hands behind their back going, “No touching, no touching”, as if it was some kind of joke and it’s no joke.”* It was put to Colleague C that she had ample opportunity to raise her concerns and Colleague C responded that she was *“very scared to speak out”*. It was put to Colleague C that she found Mr Hall very supportive, and this was not symptomatic of a domestic violence situation. Colleague C denied this and responded, *“there was times when it was the honeymoon period when things were nice and then things were not nice and things were nice, so we went round in the circle.”*
53. In re-examination Colleague C confirmed she had not fabricated her account.
54. Colleague C was asked questions by the panel, she was asked whether it was her evidence that she was aware of the grievance policy and the need to raise things at the lowest possible level, but she had elected not to do so. Colleague C confirmed she didn't elect she stated she was scared. Colleague C was asked whether Coventry was a safe place to work, and she confirmed it was. Colleague C was asked whether she was aware of the whistleblowing policy, and she confirmed she was. She was asked why it wasn't used, and Colleague C confirmed she encouraged colleagues to speak out. It was put to Colleague C that she had described the relationship with Mr Hall as domestic abuse but still didn't use the whistleblowing policy. Colleague C was asked about who else felt there was a domestic abuse relationship, and she said, *“some social workers and managers”*. Colleague C was unable to confirm who these social workers were or recall when conversations with them took place. She was asked whether the conversations took place in the office. Colleague C stated *“I can't remember exactly, but I know we had those conversations. So, I can't remember because I used to talk to JW quite a number of times, so I don't know whether it was – whether we'd been on the phone or whether it was in the office”*.
55. Colleague C was asked to describe what she meant by domestic abuse. She stated *“Well, it's like being in a scary situation. So one minute like you have the honeymoon period where things are nice and you know that the person is going to be – or people, you know, are going to be really nice, and they're going to be friendly and talk to you nicely and you're going to have a laugh and it's all going to be, look, you know, nice, and then, of course, then when it comes into the kind of as you're entering the next phase it is like your - you're looking at the tension building phase, so you're looking at the tension building like we're walking on egg shells”*.
56. When asked to reconcile how Coventry was a safe place to work but she was scared, Colleague C stated *“It was a safe place to work. It was a safe place to work and then that was the scary time and then it's back to being a safe place to work.”*

57. In re-examination following the panels questions, Colleague C was asked what she would do in hindsight. Colleague C reiterated that she was scared and stated, *"in future, I am ...going to make it my thing to... if anything's wrong, I will speak out because I know that it's wrong what's been happening."*
58. In further cross examination following the panels questions, Colleague C was asked to describe what walking on eggshells looked like. She stated *"so you go to work and you try and do your work and you're just getting – trying to get – go day by day and, when you're walking on egg shells, it's like you're just trying to get through the day in order then to go home at the end of the day so that you've done your work and you just get everything – try and get everything done without kind of coming to the attention of the person who is stomping around."*
59. Colleague C described times when Mr Hall was likeable and supportive. She was asked to describe the balance between scary times and likable and supportive times. Colleague C stated *"You couldn't have it in a five-day period because you could have a period of where we would have some nice times, so we could have a week where it was the honeymoon, the kind of honeymoon nice times and then there could be weeks where it wasn't."*

Colleague D

60. Colleague D was called to give evidence. He confirmed that his statement was accurate and true.
61. Colleague D was asked how long he had been a social worker and he confirmed under 2 years. He confirmed Colleague A had asked him to provide a witness statement. Colleague D was asked about the concerns regarding Mr Hall. Colleague D stated *"mainly progress things. I think sometimes the atmosphere when, like I said when the incident which again I think I've also mentioned when I wasn't in the office but there were concerns, I think that you'd been heard shouting at Colleague H and that a number of staff members mentioned that to me."* Colleague D mentioned that Colleague G had told him that she'd been scratching a leg and Mr Hall allegedly said that it sounded like she was scratching her crotch. Colleague D was asked about any other persons raising sexualised behaviour. Colleague D stated *"There was – oh, I've forgotten – not about sexualised behaviour. I think inappropriate hugging was raised – I think you hugged a social worker or got told – it wasn't felt to be sexual, but they found it inappropriate. I've forgotten her surname. That was, yes, so it was one of the social workers – and again, I don't really kind of want to name her without having to - so I'm going to be naming her – but there was one other social worker in my team who raised that. And then there was the incident with RK where – like I said, it wasn't sexualised, it was just a bit odd and crossed boundaries is what I mentioned in my statement where she was – it was very early on, I'd just started. If you remember, there'd been the restructure, a lot of workers had handed in their notice before they'd even joined the team and we were talking about a case handover and you started asking her not to go, you may not remember this, and then in the midst of this you kind of took her hand, you were kind of holding on to her hand like this and we were both a bit taken aback. And I regret afterwards, I feel I properly made light of it slightly, but I regret kind of not saying*

anything at the time. But afterwards she – you know, she kind of commented on it and said, you know, what on earth was that all about. She said, “I was looking at him when he had taken hold of my hand, thinking is this all right”. And then she said, “I looked at your face”, and implying that I looked shocked and said, “I could see from your face it pretty obviously wasn’t okay”. But I should have challenged you or said something at the time or she should have said something, but I think we were both a bit shocked. So that wasn’t – wasn’t directly sexualised. It was more sort of inappropriately crossing boundaries. That’s probably the best way I can describe it, actually.”

62. Colleague D confirmed he was aware of the grievance procedure. Colleague D confirmed that he didn’t make any formal complaints at the time, although he was finding things difficult. Colleague D confirmed that Mr Hall was in the office most of the time, roughly 4 days a week. Colleague D described the atmosphere in the workplace and noted that there was significant work pressure. Colleague D stated *“I think there were a couple of times early on in my tenure as manager where you raised your voice to me, and I responded in kind... After that, I would say, generally speaking, I didn’t – or I tried not to respond in kind but there were points where you would definitely raise your voice and, yes, be quite loud, use quite negative language. Anyway, you know, it wasn’t just, it wasn’t very constructive discussions, and they were, yes, it would involve shouting and being told to shut up.”*
63. Colleague D confirmed that he was challenged about performance by Mr Hall. Colleague D stated, *“the nature of the challenge was that’s where, you know, you could get quite vocal, you know you would be getting like, “Aren’t you ashamed, aren’t you ashamed of this”, you know, “Aren’t you ashamed you’re putting this out there”, yes, and sort of phrases along those lines. It was not – it was not often – again, it varied, you know, like I think I’ve been – I hope I’ve been fair and said sometimes you could be supportive but often it would just be this very negative and I’d be sitting there saying, “Right, I’m doing this, I’ve done that, I’ve done the other”, and yo–’d just, you know – or you’d try and put a reason for why it had been particularly difficult that week or that month and it would be, “No, shut up, you need to do better or else.”*
64. Colleague D was asked about a birthday party for Mr Hall and Colleague D confirmed *“It was quite positive at that point, yes, that was a pleasant afternoon from what I can remember.”* Colleague D was asked about the nature of the challenges with Mr Hall he confirmed *“You know, we were under a lot of pressure, things were not always perfect, I’m not presenting myself as some super social worker that always ticks every box and is beyond challenge or beyond question. I think it was the nature of the challenge that was the issue. In terms of the language used, the raised voice that kind of thing, that was more of an issue, I think, than the fact I was being challenged. And the difficulty in putting an alternative opposing point of view across without being kind of shouted down or told to shut up, basically.”*
65. It was put to Colleague D that Mr Hall was being pushed and he was pushing Colleague D, and sometimes this got very frustrating for Colleague D. Colleague D responded *“Yes, I mean, it’s a tough job. There’s a lot of pressure. You know, I’m not denying that”.*

66. Colleague D was asked whether voices were raised on both sides. He stated *"A couple of times very early on after which I didn't raise my voice in response, in my memory. You may disagree with me and be able to raise other incidents. I can remember a couple early on and then after that I wouldn't raise my voice, even at the point I felt you were raising your voice to me"*.
67. Colleague D was asked why he didn't raise the behaviour he described as inappropriate with Mr Hall and Colleague D stated, *"you know, the people actually affected by it didn't want anything mentioned further, so – you know, and if they'd come to me and said: I've been quite upset by this, can you go and have a word, I would happily have done so"*.
68. It was put to Colleague D there were a number of occasions where there were briefing reports, performance reports and case transfers that Mr Hall had to repeatedly chase Colleague D for. Colleague D stated *"I don't think that's a fair categorisation honestly and I've tried to be fair throughout. I do vaguely – I do remember like early briefing report, I'd sent one in, and you did send me back a format saying this is how it should be set out and that's what I used from there forward. But then I did use that from there forward. I don't remember having to be repeatedly chased for briefing reports at all. Maybe sometimes performance reports, but not often"*
69. Colleague D confirmed the incidents he witnessed were not serious enough to be reported or to make a complaint. Colleague D accepted his memory was a little hazy.
70. In re-examination, Colleague D was asked if he stopped sharing a different view to Mr Hall after the early confrontations and he confirmed he did. Colleague D was asked about the working relationship between himself and Mr Hall and stated *"I've tried to be fair to Mr Hall, there were other points where, you know, we would work much better together, so it wasn't – consist of every single time we had an interaction, but at the point where we'd hit a point of conflict I would back down because it wasn't worth, you know, I would – and – or else I would take kind of Mr Hall speaking to me in a way that I wouldn't normally expect in the workplace and I wouldn't rise to it in a way that, you know, because it would lead to a shouting match."*
71. Colleague D went on to state *"No, no, that was definitely a very different experience. You know, like I said, it's a challenging workplace. You do expect a degree of challenge, but I think the language, I mean it was never threatening, I want to be fair, but it was quite derogatory."*
72. Colleague D was asked whether he considered raising a complaint and stated *"Yes, I mean, I think – naturally, I'm not somebody – you know, I'm not particularly comfortable in the situation, I didn't want to – you know, I kind of just wanted to focus on getting my job done. But the – it was an ongoing, I think an ongoing issue amongst the management team of how – how we deal with Allan, basically. And so when discussions were – there were discussions if someone needs to say something, those discussions went on and I think, and you know Mr Hall's point about hazy memory so I'm being quite honest, I think one of the other managers and a couple of social workers had gone to Colleague A at the point we had our first sort of informal discussion of the issues in t-e team and the issues with Allan's sort of management,*

and said, you know, would you support me in going and having that conversation and I said, yes, because I felt there were issues to raise and at that point we weren't – I felt uncomfortable, but we weren't looking so much to kind of get Allan sacked, it was more to say, look, you know, this working situation isn't working"

73. Colleague D was asked questions by the panel. Colleague D described the culture of the office *"Like I said, under a lot of pressure. I think it could be quite chaotic at times. Yes, we were all struggling, it could be quite negative, and I think we were all trying to find a way through the amount of work but, yes, I do think – yes, it was – there was not – there was not – we did not feel particularly able to go to Allan to address a lot of these issues. Sometimes we could, sometimes we couldn't. Like I said, it was a mixed bag and I'm trying to be as fair as I can in what I say. But, yes, definitely quite chaotic."* Colleague D stated, *"there were some good days, but overall, there was a sense of struggling"*.
74. Colleague D described the culture and explained the struggles in staffing and pressure of the work environment. Colleague D was asked if there was anything he heard that he felt needed to be whistle-blown. Colleague D stated there was nothing apart from what he heard had been said to Colleague G.
75. Colleague D stated to the panel that he expected to be challenged at work but wouldn't expect someone's voice to be raised to be him and wouldn't expect someone to be saying *"You should be mortified, you should be ashamed"*,
76. Colleague D was asked about another witness describing the relationship as a domestic abuse type relationship to this Colleague D stated *"I've not heard it put like that. With the benefit of hindsight, potentially I could see how someone might feel like that"*.

Colleague E

77. Colleague E confirmed that content of her witness statement was accurate and true.
78. Colleague E confirmed in cross examination that she interviewed for the role of senior practitioner in August 2018. Colleague E confirmed there was a high case load and there was lot of work to do because there was a lot of cases allocated to social workers at that time and so there was a pressure. Colleague E described that she felt her line manager Colleague U was unkind. She stated she felt Mr Hall and Colleague U were critical of her performance. Colleague E also confirmed that there were times when she felt Mr Hall was supportive, but at the same time she also felt that she was not allowed to talk about the option of other roles with anybody else and she didn't really understand that.
79. Colleague E stated she was aware that Colleague U had certain expectations of her, and she was being asked to step up and prove herself. It was put to Colleague E that Mr Hall was working with Colleague U to try to improve things and Colleague E stated *"I felt as though the conversations with you and Colleague U were not supportive and I think in my statement I've said, you know, at times I did feel bullied within the workplace because it generally felt like both of you were critical of my performance and the work that I was doing and I didn't feel that there was being support offered. It was more like, you know, "You haven't put these*

core group minutes on, when are you going to do it? This CNF assessment hasn't been done. You're not going home until it's done". But there wasn't any kind of steps put in place to say, okay, how can we support Colleague E to work towards meeting these goals".

80. Colleague E agreed that when she put her notice in Mr Hall tried to offer you other options. It was put to Colleague E that Mr Hall had heard her share this with the team and had said that she should not have. Colleague E responded *"I recall speaking to one member of my team about it and I think that was just, I suppose, as a professional – it was a professional relationship but, like I say, I worked in the team for a long time, so I did, I thought that I was just having a confidential conversation within the team room about the fact that I may have other options within the organisation to work."*
81. In respect of Colleague E discussion with her union it was put to Colleague E that Mr Hall hoped that he could find a way of resolving the situation for Colleague E without the involvement of the union. Colleague E responded *"I think at the time it felt to me that the option of speaking to the union was important for me at that time because I felt like I needed support, but then obviously when I raised the fact that I wanted to seek support from the union I think you know you saying, "No, you don't need to do that", just made me feel again that, you know, I don't know, that I wasn't allowed to – well, I almost felt like I wasn't allowed to or I wasn't – it wasn't okay for me to seek that support, if that makes sense"*
82. It was put to Colleague E that it was a very sensitive situation and Mr Hall hoped that he could find a way without undermining the manager to support Colleague E to remain in the team. To this Colleague E responded, *"I did not feel that there was support put in place for me"*.
83. It was put to Colleague E that Mr Hall was always making comments about workers being smart and dressing professionally. To this Colleague E stated *"my view was that it was – the comment was being made and it was being compared to my performance in the workplace. So, it was a comment about my appearance. It was about – you know, I think something along the lines of, you know, "Look at you, Colleague E, you look" – "look at how you're dressed, look at your make-up, you look like a professional, but your work needs to reflect the same"*.
84. At the conclusion of Colleague E's cross examination Mr Hall stated *"Mr Hall wanted you to succeed but had to work alongside the team manager to achieve that and, unfortunately, that was – he was unable to achieve that and, obviously, he left the job. So, all I can do is apologise and say I'm sorry."*
85. Colleague E was asked about the culture of her team. Colleague E stated she felt her team were generally supportive, she confirmed that the workplace was very pressured. She described a shift in matters and becoming concerned about making any comments that Colleague U or Mr Hall would say were inappropriate. She described keeping to herself. Colleague E describe a difficult working relationship with her line manager and feeling that her line manager Colleague U was very critical.

86. Colleague E was asked if she was able to discuss her concerns about Mr Hall in supervision. She said she never discussed Mr Hall and because of her working relationship with Colleague U it was difficult to have those types of discussion.
87. Colleague E confirmed she was aware of the whistleblowing policy. Colleague E stated *"I sought advice from the union, and I started to raise those concerns because I felt that things were not right and that something needed to happen. I then even was supposed to have a meeting with DHM, who was the principal social worker at the time. However, he said he was going to meet with me and then he didn't."*
88. Colleague E confirmed that she did not feel like she had much support. In respect of her grievance, she confirmed she put this in following a conversation with Colleague A. Colleague A supported her through the grievance process, however a number of months passed, and nothing was really happening, so she ended up not pursuing matters on the advice of her union.
89. Colleague E was asked about her understanding with regard to confidentiality in relation to HR matters. Colleague E stated *"I think my understanding at the time of my own personal situation was that when I spoke with my colleague about possibly moving to another role, I was asking partly for advice in terms of, you know, I'm really conflicted about what to do because I was in the Council for a long time and I was kind of saying, you know, 'What should I do, should I just take my leave as I've handed in my notice or do you think I should maybe look at another option within the Council?' So that was kind of the – why I had that discussion in the first place. So, I didn't feel I was breaking confidentiality because I was talking about myself and trying to maybe, I suppose, get some support around my decision-making of whether to look for another role within the Council."*

Colleague F

90. Colleague F confirmed that her statement was true and accurate.
91. Colleague F confirmed she had been a social worker since 2005 and had 9 years' experience, as a manager. Her role was team manager. She explained she interviewed Mr Hall with CM, another team manager. Colleague F confirmed at interview she decided to give Mr Hall the job. Colleague F confirmed that Gloucestershire had previous experience of team managers moving into the Independent Reviewing Officer role (IRO) and they felt that Mr Hall, with some additional support at the beginning of the contract, could transfer his experience and his skills into the new role.
92. Colleague F was asked what she understood to be a good induction and she stated *"Mr Hall had the opportunity to undertake the Liquid logic training so he could access the electronic recording system for children's social care within Gloucester. He had an opportunity to meet other IROs. He was provided with the documents that he needed to be aware of and the expectations of the role and also, he was provided with shadowing opportunities so that he could observe and discuss and have the opportunity to speak with experienced independent reviewing officers within the team as to what the expectations were and how the role was undertaken in Gloucester. That was put in place for Mr Hall on the first week. Also, I was*

available to speak to Mr Hall and for Mr Hall to ask any questions of the me, as well as Mr Hall having access to the administrators within the team and also the other people within the office."

93. Colleague F was asked if Mr Hall had a 12-month contract and she stated, *"I'm not sure why this is actually relevant to today's hearing, but he – all of the agency posts are offered initially on a three-month basis and then, after that, they're extended depending on whether the role can be met."*
94. It was put to Colleague F that Mr Hall was under the assumption that the contract was 12 months. Colleague F confirmed that contracts are extended and can go longer than 12 months. Colleague F was asked about the induction period, and she stated this was specific to the individual. She stated, *"I have evidence of other IRO's that had transferred from other roles and within, probably within four weeks of them coming into the role they were able to perform the day-to-day basic tasks of the role."*
95. Colleague F was asked how many reviews Mr Hall would be expected to chair in that period and she responded *"Well, again, unfortunately, Mr Hall didn't actually manage to chair any meetings on his own within that four week period and other agency staff that had come into post, they would undertake their week induction, they'd have ongoing support and access to the duty IRO and the team manager, but they would be able to hit the ground running and actually chair those meetings. And the priority would be the children and young people that we were working with rather than the career and professional development of the agency staff coming in. So, although training and support is put in place for all staff as part of a learning culture, I think we have to be mindful that, as well as supporting new staff coming in, we still have to provide the service. So, in the very short period of time, unfortunately, within the first week, there was concerns raised by another IRO as to whether Mr Hall was the right person or had those transferable skills to be able to undertake the task, which is why Mr Hall was then only allocated three meetings to chair on week 2 and those meetings, which co-chaired with a permanent member of staff and, unfortunately, Mr Hall was given 37 hours to chair three approximately one hour meetings"*
96. Colleague F identified that concerns were raised in respect of Mr Hall in the first week. It was put to Colleague F that in hindsight it would have been wiser to have given Mr Hall some more observations. To this Colleague F stated *"with the benefit of hindsight I should have given Mr Hall his notice at the end of week 1. But because I wanted to support Mr Hall into a new role and Mr Hall reassured me that he took on board and had reflected on the feedback that he'd got"*.
97. It was put to Colleague F that the induction should have been a dynamic process. Colleague F responded *"I think that there was a gap between what Mr Hall said that he was able to do and the actual physical evidence of the work that Mr Hall completed. Unfortunately, at the interview, Mr Hall indicated that he had the skills that he could transfer. Mr Hall was very eloquent, charming, he reassured my thinking that could he hit the ground running, could he undertake the tasks and be part of a team of IROs on a journey of improvement and Mr Hall reassured me by saying that he was able to transfer those skills that he had undertaken in*

his social work practice in other roles into this role. And I was prepared, as was the fellow team manager was prepared to support him to do that. Unfortunately, in the time that Mr Hall was in Gloucester, he was unable to undertake the role and I don't know what the barriers were in him doing that because as a professional it's the professional's responsibility as well as the team manager's responsibility to highlight if someone is struggling with the role".

98. Colleague F was reminded that she needs to answer the questions asked. She was asked the question again and responded *"over a period of five days, a whole working week, Mr Hall was allocated that he would co-chair three reviews, that is a very low amount of work for somebody to be allocated. There are actually ten slots where reviews can take place in a normal working week, but I'd only put forward three and they were to be co-chaired, and they were co-chaired with the duty IROs and that's what happened on week 2. So, I think we need to agree to differ that Mr Hall's recollection is very different to mine."*
99. It was put to Colleague F that in the first week when she was giving feedback Colleague F told Mr Hall *"Oh, you are quite a large character, maybe you need to tone it down"*. Colleague F agreed that Mr Hall was asked to listen more.
100. It was put to Colleague F that in week 3 Mr Hall was expected to complete 3 Child in Need reviews and then despite struggling was expected to complete 6 reviews. To this Colleague F responded *"Well, what actually happened, Mr Hall said that he was able, he'd actually recorded them via a Word document and, unfortunately, Mr Hall will say that the work was completed but then not provide any evidence of the work being completed. And, as I said before, the Independent Reviewing Officer role is modelling good practice and coaching less experienced staff and it's quite unusual that they would say that they'd completed a piece of work if they hadn't actually done it. But asked to forward perhaps his work recorded on the work – on a Word document, Mr Hall was unable to do that but insisted that he had actually done it. The difficulty when working with Mr Hall is he would say one thing but there was no evidence that that had actually happened"*.
101. It was put to Colleague F that she should have had a formal supervision with Mr Hall on the second week to try and unpick what his difficulties were and record a clear action plan. To this Colleague F stated *"I think Mr Hall has to have responsibility that if he felt that he was struggling to chair and record three meetings in the 37 hours he was being paid while being supported by another worker that he needed to take response – professional responsibility for that and come to the team manager and explain that perhaps he'd been – there was a gap between what he had promised at interview and what he was able to undertake"*.
102. It was put to Colleague F that she decided within the first week of Mr Hall working at Gloucestershire that she wanted Mr Hall to go and so she loaded him up with work and created a fait accompli. To this Colleague F stated, *"I disagree because what motivation would I have to set someone up to fail."* Colleague F stated *"There was no piling of the work. Mr Hall was doing considerably less than any other staff within the team. He was given additional support throughout the time. There was no piling on of work. It was just that Mr Hall had perhaps been overoptimistic in what transferable skills he had"*.

103. It was put to Colleague F that Mr Hall told her that his difficulties were that he had made some notes but kept getting locked out of the system, and this difficulty was compounded by the fact that there was a national lockdown, and Mr Hall was worried about his family and working remotely. Colleague F disagreed that Mr Hall was working remotely for the first few weeks. She was asked about supervisions and stated it was not her recollection that they started to undertake supervision remotely at that time.
104. Colleague F was asked about the time given to Mr Hall to write up review letters and outcome letters. Colleague F stated *“Unfortunately, there was such a big gap. There was no – there was no evidence he’d recorded any work, zero. So it wasn’t that Mr Hall had actually recorded part of what was agreed in supervision or that he’d even sent examples or even that he’d contacted me to say, ‘I’ve written this up, can you read it through, Colleague F’. At the point of supervision, there was only one set of outcomes that had been written up since he started in post and then it was – an action plan was agreed in supervision that he would write up the outcomes, i.e., the actions that were the recommendations from the meeting. So not a full set of minutes, just what was agreed by when so it could be just set tasks that were agreed from the meeting and that he would complete those by a set day.”*
105. Colleague F was taken to a document in respect of supervision which stated that this took place over the phone, to this she stated *“it was not recorded how the supervision had taken place. It could have taken place by telephone; it could have been numerous different ways, but the supervision took place. I was in the office. You were claiming for accommodation in Gloucester. I don’t see why it is relevant.”*
106. Colleague F confirmed that she was available in person to meet with Mr Hall. Colleague F was asked about being an experienced manager and she set out that she had already provided details of her experience. It was put to Colleague F that when she had supervision with Mr Hall on 25 March and she suggested to him that he needed to do his write-ups she gave a 3-day deadline. She was asked if she considered any other timeframes. Colleague F stated *“The supervision notes are as an attachment to my statement, and it outlines very clearly what the expectations of what work needed to be completed. It is my recollection on reading through the notes that were written at the time that it was agreed that the outcomes from the meetings would be written up. I think I need to make clear that it is the expectations for all social work qualified staff to record their work, so this was not something that was being asked of Mr Hall differently than other social workers who were employed as independent reviewing officers. Mr Hall was just being asked to record his work in line with what was expected within the timescale that was put forward and is put forward not by me and not by Gloucester but is put forward as being a timescale that is expected right across the country.”*
107. It was put to Colleague F that Mr Hall suggested another date for completion of the work, Colleague F stated *“What was agreed as being reasonable is outlined within the attached supervision notes that he was asked to record his work as expected and, unfortunately, by the day that he was asked to do that, none of the work was recorded, zero, so it was not that any attempt had been made and, at that point, it was clear that, unfortunately, no matter how I tried to communicate that there was an expectation that, as an independent reviewing*

officer, you had to record your work, Mr Hall clearly had made no progress to record his work and that continued until after the last day of his notice period. None of his work was recorded between the 27th and the 3rd, no work, zero, and then there were the repeated discussions after that where I was just asking for the equipment to be returned because Mr Hall did not accept that his notice had been given”.

108. Colleague F is asked about the 3 April 2020 and 14 outstanding pieces of work. She was asked whether she accepted in an email that Mr Hall had completed the work on 3 April 2020 as she provides feedback that the work in general was ok. To this Colleague F states *“not all of the 14 sets of minutes or letters to children were completed and there is evidence of that on the Liquid logic system where I had to send out letters”.*
109. Colleague F disagreed that all the work was up to date. Colleague F stated, *“My comments would be that Mr Hall did send an email to say that all the work had been done and that he would like to be able to continue working in Gloucester and I responded with the feedback in respect of the minutes that had been completed, but not all of the minutes had been completed.”*
110. Colleague F confirmed that the end of Mr Hall’s placement was 3 April 2020. It was put to Colleague F that there were anomalies around Mr Hall’s end of placement. To this Colleague F responded *“I think that Mr Hall was under the impression that when he had not completed any work between the notice being given and the 3rd, that would just mean that he could continue working there and continue working there. The issues that were raised by myself was that you ended your post on the 8th when you returned the equipment and, on the 6th, you said you had completed all the work but that was not the case. So, either way, you left the post after dropping the equipment off on the 8th, your notice was given on the 27th, you left the post with work outstanding, and I tried everything I could to try and support you to complete that work.”*
111. It was put to Colleague F that all the outstanding work was completed by 6 April 2020. Colleague F disputed this. Colleague F is asked about the timeframe for a LAC review and stated *“The maximum timeframe would be five days for them to be put onto the system. For an Independent Reviewing Officer that had no other work to do other than to record those outcomes, it would be an expectation that it would be done straight after the meeting and that was what the majority of the Independent Reviewing Officers would do in Gloucester. So, the maximum time would be five days, so at the point that we have got to of the notice being given, several of the outcomes had gone out of timescale but, in view of the fact that, once we had got to the 27th, Mr Hall had no other work to do other than to record the outcomes and minutes, there would be an expectation that there was some evidence of some work being recorded. It is very difficult to say when someone has only been in post for such a short period of time that nothing was out of timescales. Two-and-a-half years later there are still seven sets of minutes that were never recorded. I think they have gone out of timescale.”*
112. Colleague F was asked about the timeframe for minutes/letters of review, and she stated the timeframe was 15 days.

113. It was put to Colleague F that the statutory due date for one case was the 7 May 2020. Mr Hall had left Gloucestershire and so was not responsible for that date not being met. Colleague F disagreed and stated Mr Hall had two days to record the meeting prior to departing. Colleague F stated, *“The reason why 15 days are given is because you would be chairing other meetings and undertaking other tasks as part of an ongoing caseload but, as Mr Hall was actually leaving, that would not be the case.”*
114. It was put to Colleague F that she was hostile to Mr Hall, and she stated *“In response to that, I think that the email you displayed earlier on today where I gave feedback about your work showed that, actually, I was very courteous to Mr Hall. I found Mr Hall quite difficult when you challenged him, quite simply because he was very skilled at being avoidant, not responding, not responding to emails, not responding to calls, disappearing, not being where he should have been, not returning his equipment. It got to the stage where, actually, I had to say that if you did not return the equipment, I would contact the police. I had never been in this position before and the reason why I made the referral to Social Work England was that it was such an unusual situation to be in when someone was so hostile.”*
115. It was put to Colleague F that a review was done on the 25 March 2020, the outcomes were completed by Mr Hall and the review minutes were not due for another 15 days. Colleague F stated *“As I keep repeating, the outcomes were completed. It does not say the date on this screenshot as to when the outcomes were completed. The screenshots were taken to evidence that the minutes were not completed before you left.”*
116. It was put to Colleague F that a longer period of induction was expected by Mr Hall. Colleague F disagreed with this. It was put to Colleague F that the reviews conducted by Mr Hall were complex, to this Colleague F responded *“My response to that is that all children that were allocated to the team have individual circumstances and, as an experienced social worker and independent reviewing officer, with the correct preparation and communication and with the peer support of the team, no, it would not be difficult because there would be the experience. The difficulty was that Mr Hall was not honest about how much experience he actually had and, when that was challenged, Mr Hall then became quite hostile and difficult to work with and because Mr Hall found it quite difficult to undertake the task, it was quite clear that he could not continue in post.”*
117. Colleague F was asked about what attempts she made to build a positive relationship with Mr Hall. She stated *“I was available to support Mr Hall and to answer any questions he had from day one. I was there on a daily basis. I caught up with him face-to-face informally at the end of week one and week two; we had formal supervision in week three; he was provided with examples of good practice; he was provided with an electronic folder or printed-out folder of the forms, how to do things; he was given unlimited access to duty IROs and also the business manager who was in the office each day and was there to support in respect of any difficulties with Liquid logic and where you could find things and who different people were; he was provided with this information printed off; and I was available to him.”*
118. Colleague F was asked questions about whether or not it was good practice for her line manager to requested that Mr Hall speak to Colleague F, when he was seeking to raise

matter with Colleague F's line manager. Colleague F responded that this was something that ought to be raised with her line manager.

119. Colleague F was asked about a "learning circle" in respect of the complaint made against Mr Hall. Colleague F explained that it would be used as a learning opportunity if a formal complaint was not made, so that they could look at how things could be dealt with differently in the future.
120. It was put to Colleague F that Mr Hall was not given the opportunity to respond to the complaint and further that Colleague F obstructed Mr Hall from speaking to her line manager. To this Colleague F accepted Mr Hall's views were not taken as he had left Gloucestershire, she disputed that she prevented her line manager from speaking to Mr Hall.
121. [PRIVATE]
122. [PRIVATE]
123. It was put to Colleague F that she was not supportive of Mr Hall and had a rigid approach to her treatment of him. Colleague F disagreed with this.
124. In re-examination Colleague F was asked what it was about Mr Hall that led her to give the evidence that, with the benefit of hindsight, she should have given him his notice at the end of week one. Colleague F stated *"I think that I should have listened to the other independent reviewing officers within the team rather than just listening to Mr Hall. I should have trusted the other members of staff who had raised that they did not think that he would be able to transfer his skills. He had an opportunity to observe, meaning not contribute but sit and watch, other independent reviewing officers chair children's meetings which were the children's meetings, not the independent reviewing officers' meetings, so he had an opportunity to observe how the other independent reviewing officers interacted with the children, how they recorded their work and what the process was, and he was given several reviews just to observe so that he could learn and take on board the experience of the independent reviewing officers he was observing so that he got an idea. Unfortunately, Mr Hall would then want to be part of the meeting, perhaps passing comments or his own views within those meetings, and I thought that by meeting Mr Hall and highlighting this to him, that actually he was meant to be observing the meetings and his views were not needed within those meetings, he would take that on board, reflect on that, learn, and move forward. Unfortunately, that is not what happened."*
125. Colleague F was asked whether despite this she gave Mr Hall an opportunity to be allocated reviews and Colleague F confirmed that she did.
126. In response to panel question Colleague F confirmed her understanding of how people present in interviews and confirmed that interviews were an opportunity to show case knowledge and skills. Colleague F was asked about the induction process, and she confirmed that if a person did not have the requisite skills they would not be selected for the job. Colleague F was asked about the confusion around Mr Hall's last working day. Colleague F

stated, “the day that the laptop was handed over was the 8 April 2020 but the last actual working day, it was my understanding, was the 3 April 2020.”

127. Colleague F was asked to describe what she meant when she called Mr Hall hostile. She stated *“Don’t get me wrong, Mr Hall was very charming at interview and at times when we had conversations, but if he was challenged that something had not been recorded or done, it was almost as if I had not said it. He would ignore what I had said as if he had not been asked to do something. It would be as if he would completely ignore or not respond or not answer calls or respond to the emails. When I spoke to him on the telephone, he would say ... It was quite difficult really because I felt as if I tried everything I could to support him, but it was as if he just could not accept that the decision that he was leaving had been made. So, he would carry on as if he was going to still be coming in to work after the time that we said he would not be coming in to work anymore and because he subsequently recorded some of his work, he just carried on as if to say, “I’ve done some work now” and almost going like a step too far where he was begging me to stay, “Please, let me stay; how am I going to find another job in lockdown?” etc. whereas I have been in the position where I have had to give staff notice before and what generally happens it that we work together to get a positive ending and then I can put on the reference that all work was completed and the person was moving on to another role. In this instance, it was as if he would not accept what I had said. It was as if I had not said it at all and that is what the difficulty was. Part of that was that he then wanted to re-negotiate coming back and it not ending. It was like it was a negotiation and not a decision that had already been made”*.
128. Colleague F was asked about the allowances made for Mr Hall around the Covid 19 lockdown. She stated *“I don’t have that information. He was asked the same questions as everybody else and that would have been on that spreadsheet and on the risk assessment undertaken on him. The risk assessment would not have been made at interview, but it would have been made once we were required to undertake those risk assessments. I don’t know the exact date of that. I don’t know whether it was just before the full lockdown or whether it was on those weeks that ran up to it. The agency staff had to have the same risk assessments as what the permanent staff had.”* Colleague F acknowledged that wellbeing wasn’t discussed in supervision with Mr Hall.
129. Colleague F was asked when Mr Hall was paid until and Colleague F confirmed she wasn’t privy to the information, but it could have been up to 7 April 2020. Colleague F was asked if Mr Hall was offered a 12 month contract and Colleague F stated *“For all agency staff, myself included, the first contract that they are offered it actually says that it starts as a three-month contract with a possibility to be extended for up to 12 months and what can happen and has happened for me in Gloucester, in Sunderland and in lots of other authorities, is that that is how you start and then it ends up being just a rolling update until the funding is stopped”*. Colleague F was asked if Mr Hall could have believed it was a 12-month contract and Colleague F stated *“It was never a 12-month contract is what I would say. It was never a 12-month contract because the 12-month contracts that are offered to members of staff as like a fixed-term contract, they are paid a lot less money”*. Colleague F was asked about the diversity in her team, and she confirmed that the team was very diverse. Colleague F stated

with regards to stress in the team *“I think the actual people within the team, as in the majority of independent reviewing officer teams and social work teams, were very supportive of each other. They had a large amount of skills. Yes, it was a busy service but the team in place were very on board and enthusiastic about wanting to make positive changes and provide the best service they could for children”*.

130. Colleague F was asked what dramatically changed her opinion in a 5-day period between a good interview and in hindsight wishing to terminate Mr Hall’s contract in week 1. Colleague F stated *“It was just the feedback that was given by an experienced IRO within the team that had been employed in that role I think probably ten years and really knew Gloucester who had come to me and shared privately in his own supervision that he did not think the gap between being an IRO and the ability to not give your own view on everything, there was such a big gap, and I personally felt at that time that that was perhaps a bit harsh because it was this man’s first week in post but, like I say, it came to fruition and the IRO within the team was right that Mr Hall did struggle to keep working within the IRO role and I think until you have actually worked in that role it can be difficult to understand.”*

Witness A

131. Witness A confirmed the content of her witness statement was true and accurate.
132. Witness A confirmed she had been a foster carer since May 2012. Witness A confirmed that the child’s social worker asked her to bring the complaint forward and she sent an email to the social work manager.
133. Witness A was asked about a conversation before the Looked After Child (LAC) review with her husband. Witness A did not recall this. Witness A was asked if she recalled her husband saying that he had real problems dealing with the young person’s situation and that he had some difficulties using the correct name. Witness A stated *“As we have gone through the journey with the young person, we have all had difficulties but never once has it been because we don’t believe in him or support his transition. He came to us as an eight-year-old girl, [K], and we continued to accidentally call him [K] sometimes and often still do, but it was never because we did not support him with it or not wanted to be on the journey with him.”*
134. Witness A did not recall that before the LAC review meeting her husband had said that things were very rocky and that there was some intervention from Children’s Services to maintain the placement.
135. It was put to Witness A that Mr Hall had said gender reassignment was historically quite rare and is now more commonplace. To this Witness A responded that she recalled him saying that. It was put to Witness A that the conversation moved to churches and different people having different views. Witness A stated that she recalled that. Witness A was asked if she was concerned that the things Mr Hall was saying about churches were Mr Hall’s views. Witness A agreed this is how she saw it. Witness A stated *“You only talked about a religious person’s views. It was not a handful of different views; it was just coming from a church-goer’s view. That is what I would add to that”*.

136. Mr Hall stated in response *"Mr Hall would like to say that that was not his view and what he was trying to do, maybe in hindsight very clumsily, was to suggest that lots of people have difficulty with situations like that and he was attempting to kind of break the ice but, in hindsight, very clumsily and he would apologise."*
137. In respect of the comment *"Jesus would not love the young person"* Witness A was asked to clarify that. Witness A stated, *"I remember writing at the time that you mentioned, not once but twice, that A would be condemned as transgender, that the church sees them as sinful, as per my statement."* Witness A stated, *"I just recall 'transgenders are sinful'. That is the wording."*
138. Witness A was asked about Mr Hall calling the young person the wrong name on a couple of occasions. To this Witness A stated, *"What I can recall is you congratulating yourself on calling him the right name during the time you spent on the telephone with him"*.
139. Witness A confirmed that this occurred after the young person had left the conversation. Witness A confirmed the young person felt positive in the experience.
140. Witness A was asked questions by the panel. She confirmed that she did not know if she was present when a conversation occurred with Mr Hall and her husband. Witness A confirmed she had a discussion with the social work in the case straight after the meeting, as both were concerned about Mr Hall's behaviour. Witness A described it as *"inappropriate on a few occasions in the meeting"*.
141. Witness A confirmed she was sharing a concern. She stated, *"certainly there was no intent to take it any further really other than I felt that it was inappropriate and some more understanding of A's situation would be needed next time"*. Witness A confirmed she didn't question why Social Work England were involved in the case. Witness A confirmed that she has never raised a concern before.
142. When asked about her concerns Witness A stated, *"My concerns weren't about him stumbling over pronouns, it was more the derogatory comments about his religious beliefs and what the church thought of transgender"*.

Colleague G

143. Colleague G was called to give evidence. She confirmed that the content of her witness statement was true and accurate.
144. When asked to describe their working relationship Colleague G stated *"It was a working relationship. I worked – he told me what I needed to do. I would do what was asked of me."* Colleague G then described the relationship as a good relationship. Colleague G agreed that there were barriers that she faced in respect of career progression and Mr Hall was supportive.
145. It was put to Colleague G that she could not remember the date of the incident, she agreed. It was put that she had thought Mr Hall said private parts, she agreed. Mr Hall asked where

this came in and witness Colleague G stated *"I was scratching my leg...just by my knee, Mr Hall then said "I hope you're not doing what I think you're doing" and I was absolutely shocked, gobsmacked and disgusted, and then I knew what he meant and I said "What, what, what?" and then I think Mr Hall used those words "private parts" and it was then scratching my leg again and again to show him that the noise is coming from the tights."*

146. It was put to Colleague G that it was difficult to believe that Mr Hall would make such comments. Colleague G confirmed the comments were made. Colleague G was asked about how her complaint came to be made and she stated *"All I heard was that quite a few people had raised a few issues. I was not aware what those issues were."* Colleague G stated she picked up on these things by hearing things that had gone on.
147. Colleague G was questioned about the alleged comment *"You have a small back, but you've got it where it matters"* she was asked whether the comment was made randomly, she confirmed it was. Colleague G then stated on a previous occasion Mr Hall had referred to [PRIVATE]. Colleague G also recalled Mr Hall mentioning knowing a lot about women and knowing her dress size. Mr Hall questioned Colleague G as to why none of these matters were within her statement. Colleague G stated, *"I've never spoke to you at any point and said, "Can you refrain from making comments like this?" but I now realise as well all I did was come to work to do my job. I did not do anything wrong. I was coming to work to do my job, and then I'd get comments like that, and I never said to you, "Oh Mr Hall, can you stop making these comments", which I never said. I wish if I had said that and if they had continued then I would of taken it further but I never said that, what I did was I put those comments away, I put them – and I tried not to think about them because I still had to work with you and have a working relationship with you and we had – we had to go to each other quite a bit, as you know, throughout the years that you were working there, and to be able to do that I just – it was easier for me at the time just to put it away and just thought about it, didn't do anything about it; this was my job; this was my livelihood. I've got kids, I've got a husband, mortgage, those were my priorities, so I just put it away and I didn't – and then all of a sudden, the box opened up."*
148. Colleague G was challenged about the comments being made and she stated *"Mr Hall actually thought that I was scratching my private parts. I was really, really embarrassed that he thought that I was scratching my private parts in a meeting, so – no-one has ever said that to me. I was absolutely gobsmacked. All I did was come to work; I got a comment like that, and it was not – if I had said to you at the time, we would have had to go through this, which I did not want to go through and now I am having to go through it anyway"*.
149. Colleague G confirmed that she was aware of the complaint's procedure. Colleague G was challenged, it was put to her that if the comments actually occurred Colleague G would have raised this with a senior manager. Colleague G stated *"Well Mr Hall had made those comments. There is no way I would be accusing someone of making those comments if they hadn't made those comments. Mr Hall made me feel very, very small when he made those comments. He made me feel like – I can't even explain how he made me feel. I was absolutely devastated [by] those comments, especially when the first comment was made,*

and, again, as I've said, there's a procedure, I know there's a procedure, but I did not want everyone knowing that you accused me of scratching my private parts in a meeting."

150. Colleague G was asked questions by the panel. Colleague G confirmed that the office was a safe place, and she was aware of the whistleblowing policy. Colleague G was asked whether she felt she could have used that policy. Colleague G stated *"To tell you the truth at the time, as I've said, when these incidents happened it was the shock of it originally. It's the shock that "Oh my God, I've just been said that", It's the embarrassment of it. It was all those feelings that I had, and I'd come to work to do my work. I really, really enjoyed my job. I'd been there ... I knew it inside out, yeah, so that was my role, and when those comments – I've never had anything like this in my 18 years that I've been working, it was only this one time, these few times with Alan Hall, you know, when they did – it didn't just come into my mind actually, you know, "I'm gonna" you know, "report this". It was more the embarrassment.*
151. Colleague G confirmed she did not discuss the matter with her line manager. Colleague G stated *"It was, as I've said quite a few times, when that happened it was the shock and the embarrassment of it. It wasn't something at that time that I felt that I could discuss."*
152. Colleague G was asked about Mr Hall's approach to her. Colleague G stated *"We'd go into the meeting, we'd have the meeting, you know, he would tell me that – you know, sometimes we would, he would tell me about [PRIVATE] and that's when I would speak about family".* Colleague G was asked about hearing things in the office. Colleague G stated *"All I knew is that, you know, a few people had raised that – a few things, something about perform – I don't know if it was – something about performance or something along those sort of lines, and that's when I realised, that's when I said what happened with me, and that was the first time I was actually able to speak about it because it wasn't just gonna be me, it happened to quite a few people so I knew it wasn't just going to be his word against mine on this, so, you know, it did feel like, you know, I can actually say something now. I felt okay."*
153. Colleague G confirmed she did not know what had been raised, she stated she heard his name and knew something had gone on. Colleague G stated *"[Colleague C] was the one – I could tell by her – I could tell that something had gone on. I knew – I heard Mr Hall's name being mentioned and there were quite a few people talking – I don't know what was said at the time – and that's when I went to [Colleague C] and said, "This is what's happened with me."* Colleague G confirmed that she didn't know Colleague C had spoken to Colleague A at this stage. She explained that she had probably given consent for Colleague C to disclose matters to Colleague A. Colleague G noted the referral of matters to Social Work England came out of the blue and she had not spoken to Colleague A or Colleague C about these matters.

CT

154. CT was called to give evidence. He confirmed that the content of his witness statement was true and accurate.

155. CT was asked whether it was usual for Social Workers to respond to investigators through documents rather than having a conversation. CT responded that Social Work England are happy to speak to people on the phone but also happy to communicate by email. It was put to CT that Mr Hall wrote to him and said he had a good reason for not sending forward his CV and work details. It was put to him Mr Hall had said he didn't want to send the information because he felt it was against his human rights. CT confirmed this. CT stated, *"Mr Hall gave a rationale for his decision in those emails, so I didn't feel the need to explore that further"*.
156. Mr Hall asked if that was the case why his response now formed part of the allegations and CT responded, *"As it relates to the hearing, in Investigations we don't set the final regulatory concerns"*.
157. CT could not recall if he added a regulatory concern himself or his lead investigator added a regulatory concern relating to the disclosure of employment details for the case examiners.

Evidence of Mr Hall

158. Mr Hall chose not to give evidence under oath, and therefore be subjected to cross examination. He agreed he would provide submissions to the panel.

159. The transcript of the hearing records Mr Hall's submission as follows:

"It is my submission that both these complaints made by two different authorities were unfair because the local authorities hadn't followed their own procedures in terms of following up and doing some investigations about the concerns, and giving Mr Hall an opportunity to put his side of the complaint and then following that process, them doing their own analysis about whether they needed to take any further steps; rather than that they decided to not follow their procedures and just send the complaints through to Social Work England."

[PRIVATE]

It is my submission that a number of the complainants actually have worked for Coventry for a number of years, some of them over ten, some of 18 years, and over that period they have built up established relationships with colleagues and senior managers. Mr Hall had only worked there for 16 months and had been placed in quite a challenging position in terms of his workload.

Some of the arguments that have been made suggest that Mr Hall was in a position of power, and that's the reason why these people say they felt intimidated by him and did not make complaints in line with procedures, and some of them even go back to the first day they met Mr Hall.

It is my submission that that is totally untrue and that these staff – a number of them were privileged by their years of service and professional relationships with senior

managers and that if Mr Hall had treated them in the way that has been alleged they would definitely have challenged Mr Hall and made complaints to their line managers or even higher, and because of their standing in the authority they would have been believed.

It is my submission that no serious complaints were made about Mr Hall whilst he was in the workplace and while the manager was saying she had issues around his performance but that the complaints were made after Mr Hall [PRIVATE].

[PRIVATE].

I submit that the allegations that have been put forward have been courted by Colleague A, who was Mr Hall's line manager from June 2018 to when he left in May, and that she had gone into the office on a number of occasions and spoken to staff and said to them – which, you know, generally a manager might well do, may say “Were there any concerns while Mr Hall was working here?” but I put it in my submission that she listened to the concerns and skilfully put them together in a manner to discredit and embarrass Mr Hall and disempower him and to make comments that have been alleged, or behaviours that have been alleged on Mr Hall to put them into a sexualised structure so that they would have a massive impact on discredit and distressing Mr Hall.

I submit that because the complainants were experienced, a number of them with 18 years' experience, and because they were privileged by the fact that they had been working for Coventry City Council for a long period of time they did behave unprofessionally and given their length of experience and time served with Coventry and their relationships with colleagues and senior managers would have felt empowered if these concerns had been raised 16 months from the first time they met Mr Hall, they would have challenged

Mr Hall and they would have raised the issues with line managers in line with procedures, and maybe Mr Hall would have had an opportunity to have a 360 to see what people's views were about him, and to either make some key decisions or see how it could be addressed.

I submit that it would be difficult for Mr Hall to execute the authority that he had been ascribed by his operational lead role in the West area because of the privilege of some of the colleagues, some of them are white. I am sure people are aware of white privilege, that, even then, you have got a black manager in the position of authority, if people have their relationships, their linkages with white people, particularly in Coventry who were the main leaders in that area, that actually that puts them in a strong position and actually worked to disable a black manager who would only be able to exert authority in a role if they were able to complete that role successfully. As has been said, I put it to you that as has been said about Mr Hall in some of the quite inconsistent evidence that Mr

Hall could be charming, and he could be supportive. Those are the skills and techniques that a black manager would need to exercise in the position that Mr Hall found himself.

Mr Hall came to Coventry and did quite a good interview and was placed in the West area team with lots of challenges. He was asked to oversee some innovation projects around different ways of working; working with service users, empowering them, doing direct work that was set out by some innovation projects. He was asked to oversee troubled families which needed policy and procedures re-writing and questionnaires. He was also asked to support Colleague B with troubled families, which was a massive source of political embarrassment for Coventry because the work that they were supposed to be evidencing that they were doing with early help, for years and years and years they had been given millions of pounds by the government and they had not evidenced, not even 5 per cent of the work that they had been paid for, so that was a massive piece of work. A little bit later on, around June time, June, July, August time, the manager of the East who also had quite high referral rates and was responsible for the city-wide children with disabilities team which involved chairing regular panel for funding had some health issues and Mr Hall was also asked to cover that team which meant that Mr Hall, along with management meetings, along with dip sampling, along with lots of other things that operational leads have to do, also preparing for inspection actually did not spend a lot of time in the office and was only mainly in the office maybe one/two days a week, particularly around performance meetings, supervisions and management meetings. When Mr Hall arrived in November, and I put it in my submissions that he was told by the staff team members, by some of the performance people that actually Coventry had reorganised itself so there were four areas: there was the West, which Mr Hall was responsible for, there was the East, there was the South and there was Central and it was suggested by some of these performance analysts that the census information that Coventry used was not correct and that meant that the boundaries drawn up for those areas, which consisted of a number of area teams with a number of team managers and an early help manager and sometimes the early help manager had two sites to supply the work for the areas, that was incorrect and that the pressures were mainly on the West and the East.

I submit that Mr Hall as a new manager and not wanting to be overworked did put that to his first line manager, who was JB, she was a strategic lead, and that's not what Coventry wanted to hear. What Coventry wanted to hear was solutions. "What ideas have you got, Alan, to do this? What ideas have you got to do that?" In a number of management meetings Alan talked about rejigging boundaries and looking at certain areas where they could move over to central, and those ideas were not accepted. The focus then was on Mr Hall, about his interactions with his peers and his interactions with staff and because Mr Hall felt that things had been shared out disproportionately the focus was on Mr Hall saying "Yes, we have to do this, you know, I've been directed by a senior manager. We have to do this". So, if you looked at the action plan which Mr Hall

wrote himself the focus was about him taking responsibility and him owning decisions rather than saying senior managers had said he needed to do that.

Because Mr Hall challenged what he saw as an unfair system he was under some scrutiny around his probation period. He had worked with JB and, you know, tried to improve on those areas so he managed to pass his probation in May 2018. Colleague A became Mr Hall's manager in around June 2018. She also made lots of promises about extra teams and rejigging boundaries to address the pressures that Mr Hall's team faced.

In the management meetings Mr Hall did talk about ideas of redistributing work, particularly if they were quite heavily hit on the West, about rejigging boundaries, about having extra teams and on some occasions where the West was heavily hit some managers from south and central did take some cases and it was also agreed that because some of the managers were quite new, Colleague D particularly was his first ... Another manager called J it was one of his, I think his second role. There were suggestions about having performance meetings where the other operational lead would come over and sit with the managers and go through their caseload and talk about whether, should they have accepted this referral, could this case close? Could this case be worked elsewhere? Obviously, the West managers weren't very enamoured with that, so Mr Hall tried to keep those to a minimum.

In November there was a number – all the areas met with the strategic leads of which Colleague A was one and the director and performance analyst, and they did a performance report which Colleague B, who makes complaints about Mr Hall and having a difficult work experience with Mr Hall, was a key part of supporting Mr Hall with the team, put that report together, and the team went to this meeting. Obviously, by this point Mr Hall had been there some 12 months actually because it was November, he arrived in November 2017, and the managers and Mr Hall were at this point quite unhappy about the fact that on some weeks, because they had four teams, and they would have a rota and teams would spend a week on duty. They could receive up to 60 referrals their self and potentially might receive 12 (sic).

This was evidenced particularly well in Colleague U's evidence. Colleague A was unhappy in that meeting and felt that people were blaming her for the difficulties and felt that the meeting was about problem solving. There was a marked change in Colleague A's attitude to Mr Hall which was clearly observed by the managers from the team, and they would clearly observe this when issues came to her attention, whether she was copied into an email because it was said Mr Hall, the manager, hadn't done something. Mr Hall was clear that the pressure was now on, and that people needed to perform, and people needed to take responsibility for what they were doing.

There was another meeting held, obviously since November, it was September and I think it was end of December. There was talk to Mr Hall by Colleague A about an action plan.

Mr Hall wasn't happy about that but said he would work with it, but he didn't want to sign it, and that was put in place, I think he went abroad in December and came back in January and that was put in place.

There was a meeting in February with the team managers and the – by that time there was a lady called V who was covering the early help team, Colleague B, and they were the four managers. This was an opportunity to have a focused discussion about any of the issues.

It is my submission that the issues were focused around throughput and performance. Mr Hall doesn't recall people talking about shouting but people were talking about Mr Hall, you know, being pointy (sic), being challenging, asking for things to be done when their concerns were about the pressures on the team. They also raised the fact that.

Mr Hall wasn't in the office a lot, and that there were some hiccups regarding some legal paperwork or some sign-offs. Mr Hall explained that he was travelling around covering different areas and going to different meetings and sitting on Children with Disabilities panels. Sometimes when people sent him an email he would read it – he might not even get a chance to read it until the evening and then he needed to have a conversation because things might not be right; there may have been financial implications which he would need to get approval from his line manager and so he suggested that people not just send in information but actually be prepared to send an invite for a telephone conversation to discuss issues. So, I put it to you that that point, yes, people were raising concerns but not concerns that Colleague A was jumping up and down about or the manager was jumping up and down about or where she felt, if she said the action plan was an informal process where she felt she needed to take it into a formal process.

[PRIVATE]

[PRIVATE] the concerns came through and one of the key concerns that came through initially was that Mr Hall had been working for a period of time while he was unregistered, but Mr Hall did send an email through to the union which clearly explained that they had asked Mr Hall, with all the pressure he was under, to do a detailed piece of ongoing work and development, a big, massive document which I can send through if people want to see it, which clearly broke down the pressure of work he was under and that they had given him an extended period of time and that what they had done was an error: that he had come home on the Friday and found a letter saying he had been de-registered and it was a mistake and that he contacted them and within a couple of days they put him back on the register. He had sent that through. To Mr Hall's disappointment it's only recently Mr Hall put that in his review, two sets of responses what had happened and it's only recently that C believed (sic) and Social Work England have decided that he had no case to answer. Mr Hall would – it is my submission that Mr Hall has been

consistent all the way through the two and a half years, however long the period this has been going on, I think it is from June – the first one – June 2019. We are now in October 2022, so we are talking well over three years, so Mr Hall, as he had been consistent in his responses about it was a mistake: just contact the HCPC, they'll have a reference: they'll have the portfolio, you know, the fact that they registered, put him back on within a couple of days it was a mistake, but, yes, that was still left on the concerns and allegations and when I was going through trying to make some notes I noticed it was still on there, but I didn't deal with that one. So, Mr Hall resigned.

During the evidence of Colleague A, I submit that although she wrote in her evidence a series of things which Mr Hall hadn't done, Mr Hall tried to explain through cross-examination a lot of these things were managers' responsibilities and, you know, they were under pressure. They were saying to him, "Come on, Alan, you haven't done anything about the volume of work" and Mr Hall in meetings would say "Listen", you know, "it is what it is.

We are in this position. There were still talks about us having two more teams but obviously there were resource implications and that's possibly where people felt that they were being told to shut up. I think through the cross-examination quite often people said things in their statements and when they were cross-examined it wasn't that Mr Hall actually said it, it was how they interpreted the interaction with Mr Hall; how they felt he was treating them because of the pressures he was under.

I am not going to go through all the – because we'll be here forever if I go through all of them – I am not going to go through all of the allegations made by Colleague A but obviously they were focusing around reports, around audits, around signing things off, around reports that should have gone to managers, senior managers, around learning events and ... Mr Hall does accept that because of the pressure of work that some of his work wasn't done in a timely manner but most of his work was done, as he also showed in cross-examination of the Gloucestershire work, and the work did get done eventually because he would go back to the managers and he would push and challenge, sometimes, you know, the managers would get annoyed. As Colleague U explained again when he was cross-examined that it wasn't that Mr Hall was shouting at him, it was that Mr Hall was pointy and was challenging and was demanding for work to be done and on a number of occasions both voices were raised.

In hindsight, in my submissions I put it to you that Mr Hall realises that he as the senior manager should not have allowed things to become heated and should have given the manager a break or taken a break himself and should have been mindful whether anybody was listening and how that might make them feel and the manager that he was talking to.

It was not Mr Hall's intention for people to feel intimidated or anxious or worried, and Mr Hall doesn't accept that that was his approach.

I put it to you submissions that because of the situation that Mr Hall was in, because he was a black manager, because, you know, Colleague D had been there nine/ten years, Colleague C had been there 15 years, Colleague K had been there 18 years, you know, Mr Hall had to work hard to try and be amenable and to try and be supportive because these people had primacy and had been there much longer than he was and he would have to work hard to try to maintain positive relationships. In a number of the cross-examinations, particularly of Colleague C, even of Colleague B, of Colleague D, they did say there were periods when things were fine; he was always pleasant and he helpful.

It is my submission that on the occasions where Mr Hall was challenging it was because he was under pressure and if an email went up to Colleague A she would come down, even if she. Was just copied in she would come down very hard on Mr Hall and Mr Hall would have conversations with the managers and ... Because Mr Hall was quite approachable. The managers would push back, and Mr Hall would also push back and on occasion there would be raised voices again, so, you know, I would challenge in my submissions that there was shouting and screaming and bullying as people have suggested in their evidence.

Actually, when cross-examined you can see there have been some alterations in what people have said and they made comments like "Oh", they thought sometimes Mr Hall's behaviour was strange or they thought he was loud. They accept that, you know, there were raised voices so that's the situation.

I would submit that Colleague A's management of Mr Hall was poor, inconsistent: [PRIVATE].

She did not put things in place to assist with the massive issue of the volume of work that was coming into the West area and also the volume of work that Mr Hall had and that he continued to be overworked right up until February/March time and when in cross-examination that was put to the senior manager who was suggesting that because of delays and certain things not being done in a timely manner there was impact on service users and impact on managers.

I make it my submission that when Mr Hall put it to her and said to her "Well, clearly you were saying there were ongoing concerns from November, December, January so that you put an action plan in place, isn't a technique for an experienced manager to look at reducing responsibility to give a manager an opportunity to improve their performance?" and her response was "Oh, Mr Hall had a failure phobia and he didn't want anything taken away from him" so that was rather incongruent considering the level of concern that then came after Mr Hall [Private] and couldn't work so it is my submission that

Colleague A gathered complaints and that the complaints were skilfully put together and structured in a way to make Mr Hall be presented as bullying, as controlling, as making inappropriate comments for sexual mitigation which in my submissions I refute and deny.

In my submissions I say that Mr Hall accepts that he did struggle with his work and because of the volume of the work in both localities, this is the irony, in both localities and having to cover the Children's Disability Team and troubled(?) families, that would cover private fostering, having to cover the two innovations projects because the other manager was off somewhere round, I think it was July/August, October, round about that time, so he had to cover all of that work and he felt overworked. Also, his work was being scrutinised by Colleague A and if anything came though, if there was one of the managers, J, had difficulty with an IRO so the IRO met with – well, sent him a Notice of Concern and then if he didn't respond to it within a certain day would escalate to Mr Hall. Mr Hall was trying to meet with the manager to resolve it and then it went up to Colleague A, so that was the situation where again there was a heated conversation with Mr Hall and J which Colleague C said she overheard and saw J come out looking unhappy.

Again, Mr Hall believed that he had a good relationship with J. J was a gentleman who was non-white who only had one team manager experience and he was being given another opportunity, and, yes, Mr Hall did have challenging discussions with J. J hasn't made any complaints and I think that that discussion was raised by one of the managers in the February meeting, J wasn't there. He heard about it and said "Well, I didn't raise any concerns" and he hasn't raised any concerns, but obviously in hindsight, again, Mr Hall has reflected that as a senior manager he should not have allowed the conversations he did and obviously there was an impact on others, and he should have taken a break and tried to have that discussion with J.

So, essentially, Mr Hall does not accept that allegation made by Colleague A and feels that he was set up, was scapegoated, was in a situation that he couldn't win, was unsupported and [PRIVATE].

Yes, he said this on the two times that he responded that he felt that he was transferring down the pressures he had received from his line manager and that had created alienation of some of the managers in the team, and also the big picture about just redressing the imbalance in resources and the impact on the workforce. People can't imagine what it must be like for a manager who has got seven or eight social workers to go into a whole week of duty and pick up 60 cases. People cannot imagine what the impact of that is and that did lead to a high turnover of social workers and so on occasions Mr Hall – misunderstood (sic), Mr Hall might shake somebody's hand and say, "Please don't leave", you know, "is there anything else we can do?" Try and have an exit discussion with the worker which [Colleague D] said he thought was strange, but, again, there was no push-back to me about it wasn't marked as a particular concern. She has

put it in as a concern now because of the way that Colleague A has gathered the information, to try and keep workers there because, actually, you know, to deal with the volume of work you do need to have consistent staff who have got knowledge of the area and build a strong relation in the team so the work can get addressed appropriately.

If we move on to Colleague B's concerns, there are a number of concerns. Again, it is my submission that this is a very experienced manager who had been working for Coventry for a number of years in the late teens who had strong relationships with colleagues and senior managers; had a strong relation with JB. She just went out and had a coffee with JB and JB gave her one of the most explosive challenging roles in the whole of the city, which is managing troubled families: no discussion with Mr Hall and yet Mr Hall was then asked to support her with that.

It is my submission that Colleague B was a very experienced manager and that Mr Hall relied on her almost as his deputy and that she was very supportive. She says that her relationship with Mr Hall had always been challenging but it got worse towards the end. She had not shared that with Mr Hall. She had very good relationships with the directors. The director would ring her and speak to her about being – speak to her in corridors. She had a very good relationship with JB who was her strategic lead. She had been a manager for a number of years and was a confident manager. When Colleague A wanted to challenge Mr Hall in supervision she'd say "Oh, you went to a meeting in London and the people there thought Colleague B was your manager". Of course, Mr Hall would have explained that, clearly, this manager was an experienced manager but obviously is a black person and quite often when Mr Hall would go to meetings people might be surprised that he is her manager, and that wasn't necessarily because he presented himself inappropriately or the difficulties around his performance.

It is my submission that JB moved on because of the way that she wanted the information to be gathered around troubled families, which she wanted the work to be focused around early health hubs and Mr Hall had said to her on a number of occasions that that wasn't going to work if we're millions and millions of pounds in deficit because we can't evidence the work we've been done (sic), that it needs to be a whole team approach and when the troubled families team started to dig and started to put the pressure on and started to have – and this – some quite controlling meetings with myself and with Colleague B, that's when JB moved on, and that's when we managed to devise a city-wide approach with documents gathering evidence and there was ongoing training. We got – and Mr Hall had to negotiate very, very strongly with Colleague A to get additional analyst people who would analyse the forms to check that they met the criteria that we could claim for a particular piece of work with a family and some of the dynamics weren't just about a piece of work being done but that we could evidence change.

Mr Hall's view – and Mr Hall always said this, and it is now through the concerns he is now aware that Colleague B felt undermined, but Mr Hall felt that this needed some input from project managers who were able to come to senior meetings and support myself and Colleague B and also challenge the director and other managers to take responsibility. Obviously, that sounds as though that has taken shape and it should never have been Colleague B's responsibility to have had such massive responsibility on her as an early help manager who would then sometimes be challenging operational leads, qualified social workers about why their teams had not turned in the work. Part of the motivation for Colleague B – this is my submission – to make these allegations – is that there was another strategic lead called P who was (Private) who had obviously been doing lots of performance work and was very pointed, very, very pointed. If she had arranged a meeting with you at 10 o'clock you couldn't turn up at 10.15. If she had arranged for you to send her a report you couldn't send it to her late, and so she sent a number of pointed emails to Colleague B and Colleague B asked me whether she had complained to the director about it and asked me whether I would go and speak to P. I kept on saying to her, "Well, we can't because she is the strategic lead and she is the one who is trying to drive up performance and she is going to be provocative and she is going to be challenging".

There were, particularly around December and January time where there were – because we would be gathering data every month and they would be quality assured by Colleague B's team and then they would be put through as claims against money that had already been given by the government, and P would, you know, was in the November time and December time was quite challenging of Colleague B's manager of that team and suggested to Mr Hall that he change her for her colleague V who was a lower level worker than her who had been stepped up to take on her troubled families team manager role.

In hindsight, Mr Hall thinks that could have been managed better but obviously he was under pressure. It was also evidenced in cross-examination of Colleague B and a supervision note was shown that actually Colleague A was fully aware of the decision to change their ... It was actually put in the supervision note that Mr Hall should progress that to address performance issues. Colleague A in her evidence, it is my submission, was very clear that Mr Hall – it was within Mr Hall's gift and actually he should have progressed that even if V didn't want to do the role. [PRIVATE]...and obviously it was her view that Mr Hall was not supportive and that he undermined (sic) her and then obviously she would hold him responsible, so it is my submission that it is because in her view Mr Hall wasn't supportive and she analysed the whole process Mr Hall had gone to her colleague, who didn't turn it down and embarrassed and undermined her by saying she wasn't up to it. P wanted to action plan so obviously if a manager wants to action plan, I would suggest to the manager that they write it themselves because they are in a better position into be clear what the performance issues are and the things that they

can improve on quickly. Unfortunately for Colleague B, because it was expected through Mr Hall to ensure that V took that role and she didn't want to take it, the action plan was quite stringent, and the action plan went to P on a number of occasions. Colleague B says no, it was Mr Hall; it was because he was disorganised and he, you know, he kept swapping it and changing it but that wasn't the case. It was because P, who was the senior manager who had worked in lots of local authorities looking at it because she wanted things to improve.

It is my submission, as I have said before – I don't want to repeat myself – that Colleague B is a very experienced manager; knows the standards of policies and procedures and was so angry with Mr Hall, so annoyed with him that she went back to the very first day he met her and anything that Mr Hall did or said or may have said or may not have said she tried to put that in a complaint and Colleague A with her, in my submission, tried to turn that into oppressive, controlling, sexualised, again bullying. It's my submission that in cross examination that Colleague B was not credible in terms of why she says she lacked confidence and wasn't able to challenge Mr Hall and wasn't able to make a complaint. It is my submission that, you know, you do have to listen to people. When people say things to you have to listen and you have to accept a 360 and in hindsight I can see that she may have had some difficulties with Mr Hall but those weren't raised significantly, but obviously towards the end things were particularly difficult, but it is my submission that with her knowledge, skills and experience and links to senior managers that if she had put a complaint in then it would have been taken seriously, as this one was taken seriously. If she had been more professional and raised it with Mr Hall himself, raised it with Colleague A, who says that she only came to the office pre-planned – she did come into the office and there were many opportunities to speak to her and raise concerns. She came to a number of management meetings; a number of team meetings with the team and there were plenty of opportunities if these concerns were current at those times for these concerns to be raised.

As I say, it is my submission that the concerns have been framed in a particular way to cause Mr Hall the highest degree of discreditation (sic) and stress and anxiety. I don't accept the allegations that Colleague B makes I don't accept that she felt disempowered by Mr Hall. I offered – on occasion Mr Hall would go out with her and people would assume she was his manager, so ...

I am quite concerned also that a manager of that experience with that level of contact and relationship with senior managers would allow anybody, as she presents Mr Hall to be, to go and behave like that for a prolonged period of time without being dealt with, so it is for that reason why it is my submission that her – and my submission that that could be seen in her evidence that she wasn't credible and that she would not accept any of the behaviours that she suggests that Mr Hall said to her and Mr Hall was an approachable person and she quite often spoken about her family and her interests. Mr Hall may have

on one or two occasions spoken to her after hours on the phone but that didn't happen on a prolonged period, and [he] didn't shout down the phone at her. He may have wanted to check something out with her because there was an earlier meeting. Mr Hall, up until these allegations had a great degree of respect for Colleague B and did find it challenging to be asking her to be doing an action plan and did find it challenging to be offering her role to other people but it is my submission that Mr Hall was under a lot of pressure and P wasn't just the senior manager she was a performance improver and she was also mentoring Mr Hall as well and trying to support him.

The comments about shouting; comments about bullying; comments about boundaries, sticking too close, you know, Mr Hall had his office and nine times out of ten she would sit on a desk that was across the way and Mr Hall would sit on a round table. On some occasions they would sit opposite each other and if she felt that her space had been encroached on, I don't accept that she would not have raised that with Mr Hall.

Some comments about Mr Hall talking about reputation. Mr Hall did explain to team managers that he came from local authorities where comments were made about social workers not being appropriately dressed and they had too much make-up on or if they were in jeans. It was part of his expectations when dealing with his managers and his senior practitioners for them to be appropriately dressed and Mr Hall frequently came into the office, he always had a suit and tie on, a three-piece suit. If people were going to call, go to a serious meeting if they looked smart, he would make a comment and he would make those both to males and females and there were no sexual connotations in his mind, and I believe that Colleague D did talk about Mr Hall and that he made a comment, but he didn't see it as a serious concern.

He may have thought on some occasions that it might have been strange, but he didn't see it as inappropriate and didn't raise any concerns. So, it is my submission that when people make allegations about you as a human being and as a person you have got to take that onboard. Even if you deny the allegations that people are making it is possible that you may have sat in a position that may have made that person feel uncomfortable but unless they say to you, unless you get some feedback about it you can't necessarily take that onboard but I have listened to lots of the allegations that people have made and it is my submission that Mr Hall has taken those onboard even though he denies that he behaved in that way, it wasn't his intention to make people feel uncomfortable, to make people feel bullied or intimidated. If people are making those comments, then Mr Hall would need to check himself and see if there is any scope into reviewing his behaviour, his actions. Mr Hall does believe that self-reflection is an important part of anybody's professional role.

Although I don't accept the allegations because of the way that they are framed, with intent to bully and control and sexualise connotations, Mr Hall had no intention of making people feel uncomfortable presenting sexualised behaviour to people to get

personal gratification or to create a relationship with that individual so that is denied. Mr Hall does not accept, and believes and hopes that the panel could see that in the evidence that the evidence wasn't credible and that this is an experienced manager with lots of contact(?) with senior managers and has behaved appropriately and that these allegations have not actually happened, and if she had felt the way she said she felt actually the departmental procedure would have been put into action and she would have been believed.

I am going to Colleague C's allegation. It is my submission that her allegations are quite disturbing considering the fact she is a first-tier manager as a practitioner and my experience of her was that she was quite approachable to staff members. She makes these allegations and akin them to the domestic violence situations and makes allegations such as Mr Hall targeting younger females. I think, based on the fact that she had been in the department for I think she said 17 years and is actually supervising staff, for her to say she has observed such behaviours and not followed procedures and escalated them and used the whistleblowing or complaints or grievance procedure, for her to say that she spoke to Colleague G, who alleges sexualised allegations, and as a first line manager she should have spoken to HR because she has a responsibility even if Colleague G didn't want to make a formal complaint, she would have responsibility to speak to HR or her line manager. She says she spoke to her line manager but in cross-examination Colleague D did not confirm that, so it is quite concerning that she makes these allegations and says that she had conversation with less experienced staff. I think it is a massive faux pas in her profession as a senior practitioner that she didn't progress the concern herself and only waited until Colleague A was going around after Mr Hall [PRIVATE].

Actually, when I recall her statement, there's a little coy (sic) where she's almost chasing Colleague A and saying, "Oh are you still looking for concerns about Mr Hall?" In her evidence as she was cross-examined and challenged about, you know, what she was saying and the gravity of what she was saying she then tried to soften it and say "Oh it wasn't always bad. Sometimes it was fine. Sometimes Mr Hall was fine. Sometimes he was supportive", and I think I – I think Mr Hall – or in cross-examination Mr Hall reminded both Colleague C and Colleague D about a birthday party in April 2018 that the whole team put on for Mr Hall and reminded them of how that was a positive experience, and actually this person was stomping through the office and making people feel uncomfortable and not understanding boundaries and shouting and screaming at people and inappropriately touching them; he wouldn't have done that. I've worked with people who I've not liked, and I've not gone to their – if they had a birthday party I wouldn't have gone. I wouldn't have been a hypocrite. I wouldn't have said anything positive about them, but this lady had these serious concerns, and she was at the birthday party, so it is my submission that her evidence was unclear, ambiguous, very concerning about how she handled the so-called allegations.

It is also my submission that Colleague C, in my, in Mr Hall's experience, has not always been the most honest person and maybe the motivation for her dislike of Mr Hall may have motivated some of the level and the animosity that, it is my submission, was presented in the allegations. Obviously, when she was challenged, she pulled back.
[PRIVATE].

[PRIVATE]

It is my submission that I am very concerned about the way that she presented her evidence and the way she presented the allegation that when she was challenged she took a number of steps back and it is my submission that with her, I think she said 16/17 years of working in Coventry and Mr Hall on a number of occasions had asked her to step up to be a deputy team manager. She didn't want to do that: from what I gather now she's almost doing it by de facto because she is supervising several staff.

So, it is my submission that if this was true, if these allegations were true that she would have followed procedures; she would have whistle-blown; she would have taken it out of MK's hands and passed it upwards.

There is a question mark, I wouldn't say she is an out and out liar but in cross-examination Colleague D was asked whether any of the staff had raised any concerns about sexualised behaviour in cross-examine and he said "no", so it is my submission that Colleague C's evidence is concerning in terms and what she says and her lack of action and that her lack of action is not credible considering she was talking about the welfare of a young female in the team.

Going on to Colleague D. It is my submission that in his cross-examination Colleague D said that he did have some challenges with Mr Hall, and he did say initially there would be situations where he and Mr Hall would have a heated conversation. Initially in his evidence he talked about Mr Hall shouting, but actually when he was challenged, he then started talking about Mr Hall being loud. He then talked about Mr Hall would raise his voice and he would raise it back, so I would say that his evidence also lacks some credibility.

I would say that Colleague D also talked about having worked in Coventry for several years and I would say that as a white male that he would be what some people say "privileged" and I would say there was some evidence of that because Mr Hall was a black manager and struggled almost from day one with the pressure of work, that although Mr Hall was actually on the interview panel with Colleague D, Colleague D did not readily accept challenge from Mr Hall and Mr Hall was challenging because [his] performance wasn't done, or because he was on duty and he had left some things in the tray which Colleague C says she heard him challenging Colleague D about. He would push back so that would lead to discussion and on occasion things might become heated

in the terms that voices might be raised, but Mr Hall does not accept that he tried to intimidate Colleague D and when he was cross-examined, he said he didn't feel intimidated. He didn't even feel that the situation was that serious to even put a formal complaint in on any occasion, although in his evidence he said he felt intimidated and he felt that he was being belittled, but when it was put in cross-examination he actually to his credit tried to present, as he said on a number of occasions, he tried to present a fair picture and he was very instrumental in actually evidencing the background, the context of the challenges that Mr Hall faced as the operational lead and the challenges that he and the other team managers faced to do with volume of work and address it. He did acknowledge that initially there were some issues about performance. There were some issues about getting reports to senior managers; getting briefings. There was a couple of his cases where there were learning sessions where we had to invite all key professionals, including IROs. I had to chair it. Minutes had to be taken and the findings of those learning events had to be shared with senior managers and on a couple of occasions he had cases to be covered where things had gone wrong and there had to be learning sessions(?) and because of the pressure of work and because he as a new manager he had to be chased and obviously, you know, he talked about how he felt.

Although it is my submission that it was not my intention for him to feel uncomfortable or undermined (sic), but, as I say, he was a new manager and as he said himself, he would push back. He said that as things went on, he did that less and I would confirm that. As things went on, he did pick up and he did work a lot more effectively. Initially when he came there was a real meltdown in terms of the situation, there was some challenging staff who put him under pressure and he and I had to have meetings. Maybe these are the cases where he said Mr Hall said, "Well, you know, we need to take a step back; take a deep breath; think about how we can deal with the situation." So, he was balanced to some degree in his evidence, but I do think, in my submissions, that there were challenging times. Mr Hall had to take some responsibility and say "Yes, in hindsight it wasn't appropriate for there to be raised voices" and as the senior manager he should have been the one to have taken a step back and create some space and then try and see if he could have a positive conversation. But I put it to the panel in my submissions that he is a confident young man who wanted to argue the toss and sometimes as a manager you do need to let people argue the toss and you need to say to them "Okay, well you've made your point. This isn't my folder. We'll do it your way this time and if it doesn't work out then we will do it my way". I put it to the panel that there were those discussions and things did improve but I think the impact of the pressure that he was under as an inexperienced manager took its toll and eventually I think he left after Mr Hall left, where they did get another manager in and they did bring an extra team in and that still didn't seem to resolve the issue, but he decided he wanted to be an IRO.

It is my submission in cross-examination Colleague D did accept it wasn't just Mr Hall raising his voice, that it was him also and that there were points of challenge around assessments, around briefings to senior managers, around learning events and it is my submission that those situations did decrease. He also suggested that he thought Mr Hall could have been more organised and more helpful. Well, I am sure those were conversations I had with him as well, so I don't accept that – it is my submission that Mr Hall doesn't accept that he behaved unprofessionally or that he would try to be intimidating or belittling to Colleague D but there were challenging discussions. He was a new manager. He was on a learning curve, and it is my submission that at the end of the evidence that Colleague D did his best to present what he thought was a balanced presentation situation. I move on to Colleague E. This is an interesting complaint because ideally (sic) the complaint wasn't really about Mr Hall. The complaint was about the line manager, Colleague U, and it is my submissions that Mr Hall was in a difficult position in this particular scenario because was quite an organised, focused manager who – if people look at the preambles she says Mr Hall did raise his voice but he didn't raise it at her and that Mr Hall actually thought she was his star because she got her work done; she was confident; she emptied her tray; she did her supervision; she moved things along and actually he used to give her stuff to do to assist the less experienced managers. She is not here so obviously this complaint has been given to Mr Hall and it is my submission that what Colleague E was presenting – Mr Hall made a comment about trying to be positive again, in hindsight maybe it was a bit convince – tried to be positive about, you know, that she met the criteria as far as she was concerned as a first tier manager, she dressed appropriately, she had the right outlook but obviously her manager was challenging her performance and she needed to work with this manager to demonstrate that she could do the job. Now the challenge, in my submission the challenge for this worker is she was recruited by another manager and that manager's approach was different and she was having a much more positive experience.

In my submission Mr Hall did challenge her manager and did try, when he saw her in passing, to be positive, but obviously her feeling is that when she met with Mr Hall and her manager that she felt that the engagement was negative, and so Mr Hall apologised.

She spoke about the union in cross-examination and Mr Hall talked a little bit about the difficulties that Coventry had had with the unions and felt that his view was that she had the potential to be a good worker and that's why he offered her another team, but obviously when she discussed that with the team the manager came back to Mr Hall and said to Mr Hall "Oh, you know, what you making those suggestions for?" It did cause some difficulties. Obviously, [PRIVATE], she put a grievance in another example of Coventry not following procedures and leaving it to Social Work England to do something. That could have been done by another manager because her complaint wasn't necessarily fully about Mr Hall, it was about how she was treated and that she felt there was a shift in her progress as a senior practitioner because she had a change of

manager. In cross-examination Mr Hall apologised to her and said if he had known things were going to turn out so badly [PRIVATE] that he wouldn't be able to support her move into another team with a manager who probably will still have the same expectations but may have a different approach and that would have been a better outcome.

It is my submission that this is another example of where Coventry has not followed its procedures and has not dealt with a complaint appropriately and, yes, every opportunity to misconstrue anything that Mr Hall said to the manager has been used and put in evidence, but it is my submission that those issues were cleared up in submissions (sic) and Mr Hall's apology was accepted.

Moving on to Colleague F. Well, this is a very sad scenario. Mr Hall was clear in his information that he sent on two separate occasions to Social Work England that his manager's style and approach was unhelpful; that she set him up to fail; that she may even have been racist because it is my submission that he had – and she begrudgingly in cross-examination admitted that actually Mr Hall was charming; Mr Hall did do a good interview; Mr Hall did have relevant experience; Mr Hall did give a number of examples of whether he was chairing meetings or whether he was doing direct work through the managers or social workers with young people who had difficulty and how he had used not review meetings but review-type meetings to try and get the best out of the young people. It is my submission that it was the other manager who took the lead in the interview, and it was the other manager who wanted to give Mr Hall a chance, and Mr Hall didn't even leave the office before they offered him the job. That was a mistake. If they made the offer that quickly and without any deliberation maybe he shouldn't take it, but he didn't even leave the office. Within five or ten minutes of having done the interview they were offering him the job. That manager left and it is my submission that based on her presentation, her evidence that she was a rigid manager, all she was interested in was that she was working with failing authority and that ... Sorry, someone's knocked the door... That she was with a failing authority and her focus was on people hitting the ground and just doing the job with the least amount of input.

It is my submission that she presented that approach in very long cross-examination. It is my submission that having gone through the fact that there was a brief period in the first week of three cases being observed where the duty IRO would chair, and Mr Hall was there. It is my submission that actually on a couple of those the duty manager – some of them were permanent and knew that Mr Hall was a locum and actually asked him to chair the meetings. They knew he was a team manager; they knew he had been Head of Service; they knew he had been a service manager. They asked him to chair because they were very busy so it is my submission that when she said Mr Hall, she had some feedback from black members – and that was quite incongruous because first of all she was talking about feedback in review he kept putting his point across, but then she talked

about being noisy in the office and about raising issues in the office, then she talked about support she gave Mr Hall, which on cross-examination was non-existent, then she talked about Mr Hall being loud and saying that he was a bit of a character. Mr Hall put that to her initially and she denied it and then later on she came out with it, "Oh, he's a bit of a character; he's a bit loud. He'd be making comments in the office", you know, and I put it to you in my submissions that in the first week she called Mr Hall to one side and basically said he was a character; he was a big character and he needed to make himself quieter, and, "Yes, he came across from being a Head of Service and a team manager and a service manager but he wasn't that here", and, "Yes, his focus was always about chain of command, procedures, you know, had things been properly signed off by the team manager who was the driver of the case but that wasn't anything to worry about here.

[PRIVATE]. It basically gave Mr Hall a message that, you know, "This is how it is done here". That was definitely her approach; "This is how it is done here". Her manager did what she said. She didn't even want to accept that she was the one that refused to give Mr Hall a month's pay for his accommodation because he had to give notice to the landlord, so very kindly the panel accepted that paperwork to show that she was the driving force; she was the one who made decisions about whether or not Mr Hall was leaving. Actually, she kept on saying over and over and over that Mr Hall was leaving on the 3rd when she knew she had authorised payment till the 7th and that the things were returned on the 8th. She kept on going on about the work that Mr Hall hadn't done, and it is my submission that Mr Hall had to go through each piece of work one by one to show her that actually Mr Hall had done all the work that he could have done and the work she was talking about was outside the timeframe, so Mr Hall wasn't there. All of those cases on there where she is saying work wasn't done and they had to write to family members, the timeframe for Mr Hall, considering the trauma he had gone through with her, had not come for him to do that piece of work.

The first week Mr Hall went out on his observations; the second week, after he had been traumatised by her behaviour – and he thought she was quite aggressive and spoke to his agency and wanted to leave but they told him, "You're not to, it's a 12-month contract", you know, "It's only the first week, you need to knuckle in (sic)." She then gave Mr Hall three cases in the second week. It is my submission that by the third week we were in lockdown, and this is why there was no face-to-face supervision. I think there was only one face-to-face. We were in lockdown and at that point she was clear to Mr Hall that they had made a mistake; they were going to be lockdown for a while, they had made a mistake and actually Mr Hall didn't have the experience to do the work and she thought they had made a mistake. But despite that conversation it is my submission that she still then gave Mr Hall a further seven cases and said there was no recording. If she had checked she would have seen that there were attempts to do the recording because if you open the work in the work chain and then when you try to type it all in and you hit

the button, if it doesn't save it, it throws you out, so she could have gone and seen that there was a number of documents that had been opened, whether they were outcomes or whether they were actually the review letter document where Mr Hall had been thrown out.

My submission is that Mr Hall did try to speak to her, but she was very tunnel vision, and she then had a supervision with Mr Hall because she was planning to get rid of him, and then she gave him a ridiculous timeframe. He must have had about, I don't know, 10/11 documents to do and she said, "I want it in two days". Mr Hall was clear with her, "It can't be done, you know, you're being unfair", and it wasn't done on the 27th so I think it was the 27th she was talking about giving notice. Mr Hall worked over the weekend and by the 6th all the work had been done that was outstanding at that particular moment in time. It is a dynamic process because by this week you have done what is outstanding and by next week you could be behind again. It is a number thing, numbers. Machines count in days, so the work had been done and she sent positive feedback. If Mr Hall was in a situation where he was hopefully looking at a 12 month contract somewhere with something that takes him out the heat; where he is working with young people and working with foster carers and whatever, somewhere he can learn a new skill, he is going to be keen, even if he is struggling initially he is going to be keen to find – maintain that role and so he sent letters and emails to her saying he had done the work and she sent positive feedback and even suggested that "Here's some advice for going forward".

It is my submission that she was ambiguous both in her evidence and both in her mannerisms and the way she managed, and that Mr Hall hoped that because he had done all the work that he might be able to see if he could extend his stay. I think if you read the emails, when she sent that response she was almost having a think, and in one of the emails she said, "Well let's have a discussion: let's have an end discussion or a discussion about the way forward", but then when she got the concerns through that was it; the placement was ended and she actually put it in one of the emails that "because we've had a complaint" and she said, I put it to you in my submissions that in her evidence and in the statement she just had a little brief tick-box conversation with Mr Hall because he was gone as far as she was concerned and she even said it wasn't a formal complaint with a discussion between managers about performance. When Mr Hall challenged her about good practice and about endings and about exit meetings she said, "Oh yes, I think that will be a good idea actually, but it's not something we do. He was already leaving, and I could have had this discussion with him, but I didn't because he was already leaving".

I think, in my submissions, it was quite interesting that when we spoke to the foster-carer she was very balanced, and although the manager was clearly saying "Mr Hall said this" and "This was his viewpoint and this was his value base" and blah, blah, blah, in cross

examination the foster-carer was prepared to listen to Mr Hall and accept that she didn't hear the conversation with her husband. Obviously, she didn't want to say bad things about her husband who particularly struggled with the transformation of this young person. Mr Hall, when he was having that discussion before, and Mr Hall's view is that the review actions start properly when the young person is in the meeting. Obviously they were saying it was a review because obviously when you're talking before you gather information you are talking about what's been ticked, whatever, that was the – they saw that as being part of the review, but, you know, when it was put to her she admitted that she hadn't heard all the conversation and she was prepared to accept that Mr Hall had been clumsy and because they didn't know him she admitted that she assumed that that was his comment because he talked about churches and the churches' view and that she thought that was his view, but then when he apologised and said it wasn't she accepted the apology. She accepted the apology as though she expected the complaint to be investigated because she also said in her cross-examination that as far as she was concerned, she had made a formal complaint because the manager asked her to give some feedback and yet she had had no feedback from this manager.

The manager's presentation in the cross-examination and in the emails was very clear that she had a rigid management structure; she had no patience and no time for Mr Hall. She didn't even meet with him face-to-face when she had these issues and she admitted why, she said she was under pressure about performance figures from her manager, and that she wanted him gone. She even let it slip that actually she wanted him gone from the first week and it is my submission that the only reason why they took on Mr Hall is because they could not get an IRO and the only reason why she didn't get rid of Mr Hall on the first week was because they couldn't get IRO and because – but by the third week we were in lockdown.

This authority had lots of backlogs of review minutes and outcomes and I put it to you that when Mr Hall spoke to some of the other IROs they were saying, "Well that's the problem? We're all behind. Why is she gunning for you? We're all behind and that's she's also a bit of a character" as would have been observed during the cross-examination.

It is my submission that her poor management style; her rigidity; her lack of ability to supervise and to dig down into what's happening, the fact that she just wanted – her focus was just getting the work done; getting things put on the system. She wasn't even talking about quality. She just wanted the boxes ticked, and she didn't dig down and she wasn't interested in Mr Hall and his difficulties, and she set him unrealistic timeframes and she didn't ... You know, the other IROs were very busy. They were doing lots of reviews. They didn't have time to be sitting there with Mr Hall going through difficulties and going through liquid logic. That should have been something she could have done, or she could have asked one of the admin workers to support Mr Hall with that, but, you know, she was rushing ahead to get rid of Mr Hall and overloaded him and then she only

had that supervision because she needed the evidence, evidence of where she was going and the timeframe of two days to fix two weeks' backlog was unrealistic.

It is also my submission that she had very limited – well, she projected as though she had very limited understanding of policies and procedures, particularly about whistleblowing, particularly about if a worker had concerns about the manager and the fact that she – maybe her manager was afraid of her, but in fact the manager should have responded himself because in my submission Mr Hall rang the manager on a number of occasions and left a message and it was all in those emails if you want to go back and check, and that she was the one that came back and said, “My manager’s not speaking to you” and after she had decided what was going to be paid, she then said, “Oh, by the way, Mr Hall, your emails are now blocked”, so that is the nature of this individual and Mr Hall put that in the two responses that he made to Social Work England and he felt that he wasn’t listened to by them as he never expected this one to even go as far as it went because he thought he would be listened to. He made attempts to complain to the manager but that was shut down.

In cross-examination we saw she had an opportunity there to support Mr Hall with a learning circle. She said she talked about the particular methodology. She didn’t put into action any circumstances, and that was about working with people; understanding their levels; understanding what their learning needs were; working with them; supporting them, evidencing that she supported them. She couldn’t even meet with Mr Hall face-to-face to talk about the issues, so it is my submission that she was a poor manager; she was very mechanical. She had no intention of keeping Mr Hall on and Mr Hall asked too many questions. He asked questions about management responsibility and had things been cleared by the managers.

I put it to you, in my submission, those are the issues. It wasn’t about Mr Hall going into review and putting his own points across, it was about Mr Hall in the team room and asking questions. She didn’t want that, so in dealing with Colleague F and her complaints it is my view that Mr Hall did struggle; did ask for help. He didn’t get it. She continued to pile the work on. She continued to set unrealistic timeframes because in her view this is what we are going to do when we hit the ground running. Mr Hall has been misled by the other manager who left that he was going to be given instruction and he was set up to fail, and it is my submission as well that this manager had no respect for policies and procedures and did not give Mr Hall room to speak to her manager to relate the concern and did not give Mr Hall an opportunity to grow in the role. Mr Hall wanted to stay in that role, and so he worked overnight, and he got the work done and she gave him misleading feedback again, so obviously when the complaint came through it was game over for Mr Hall.

It is also my submission that if she had followed procedure, if she had behaved as a manager should behave when they get a complaint, whether she called it formal until it

had gone through the complaints department or not, it's still a complaint, and even if the work – it is my submission that even if the worker's leaving because it is your view that they cannot turn the work over quickly enough be frank and honest with them about that, but if there is a question asked about their value base or something they've said you still have that meeting with them and give them the feedback and give them an opportunity to apologise to the foster-carer if they want to, if they feel they have been misunderstood.

It is my summation that a manager, who was a poor manager, set Mr Hall up to fail and she didn't give him a chance and that her approach – very concerning actually if Mr Hall was that kind of person. Maybe he should have put in a complaint about her and the complaints she made that, "Yes, Mr Hall did fall behind" and Mr Hall has accepted that and does accept that really it is his responsibility to try and ensure that work is recorded but it is my summation for you that he did raise the issue with her, and he was trying his best. He spoke to her over the phone and said, you know, "I typed it straight in and then it disappeared when I hit the button, so now I put it on a Word document, and I'm trying to chop and paste it as I got in". She did ask for him to send the Word document and Mr Hall said, "Well, what's the point in me sending you the Word document? I'm trying to get it on the system".

Mr Hall doesn't accept her complaints; he does accept that he struggled but as far as Mr Hall is concerned he was treated unfairly and he did everything in his power to get the work up-to-date and acknowledges it is important that case recordings are done within 24 hours if you can, definitely within timeframes within the 15 days suggested by the IRO but if this manager had followed procedures and actually tried to work with Mr Hall maybe. Mr Hall could have continued to work there and outcomes (sic).

Moving on to the foster-carers. Colleague F. In cross-examination she admitted that she didn't hear the conversation that had prompted Mr Hall to try and talk about the fact that it was something that he hadn't seen a lot of and that it wasn't that common to start with, but it is something now that is increasing. She even said in her cross-examination that even now both of them sometimes call the young person by the wrong name, but obviously it's not their intention and they work hard to try and call the young person by their right name.

Actually, when cross-examined she was asked, contrary to what Colleague F said, that Mr Hall on a couple of occasions called the young person by their wrong name and she said "He didn't, he didn't call him by the wrong name on any occasion" but she did say he was quite pleased about that.

On cross-examination she did say that it was her view because he had repeated comments about the church and sinful – views about sinfulness that she thought it was his view because she didn't know him but she was broadminded enough to accept that

he was trying to make a point to her husband that things were difficult and there were lots of views out there but people had to work together to make sure young people had a good outcome. She accepted that there was some attempt by Mr Hall, and she accepted his apology.

She also confirmed in her cross-examination that she hadn't had a response back and that she was aware that Social Work England were dealing with it. It is my submission that the interaction that Mr Hall had in cross she should have been allowed that opportunity to talk to the foster-carer and the social worker and the manager about what he was trying to do and obviously if the foster-carer had accepted it maybe the manager might have accepted it, and then maybe there would have been no need to go to Social Work England with that but obviously the manager said the issue for her was about the recording.

It is my submission that Mr Hall was not treated fairly. He was not given an opportunity to grow himself in this role. He does accept that the case recording. The work was just piled on and he did have to work extra hours to get it done, and she did confirm in cross-examination that it was to an okay standard, and that was evidenced – it was evidenced by email that she had said that because up to that point, you know, he had done no work whatsoever. He had done absolutely no work whatsoever. Everything he had done hadn't been recorded and it was only through going through them line by line to see Mr Hall's name that he had done the outcome and that actually the letter review meeting letter to the young person for the same thing was not due, so her presentation, her evidence compared to the statement, it is my submission that her complaint is not credible and that she had created a self-fulfilling prophecy for Mr Hall and her management style and approach and lack of procedures didn't help. It is my submission Mr Hall would have been grateful for the opportunity to apologise and to reassure her that that was not his view. This is a consistent point that Mr Hall has made in his written summation to Social Work England.

Moving on to Colleague G's allegations. She makes two allegations. I will talk about these. The one she focused on was "Are you doing what I think you are?" and then she said, "He made a comment about private parts" and she said that she was embarrassed and didn't feel able to challenge him about it or to make a complaint. In cross-examine I think that is incongruent because she actually said that she actually scratched her leg again and showed it to him to say she wasn't scratching her private parts, and that was an opportunity for her to say to Mr Hall, "I find your comments offensive" and she didn't – well, she didn't because it is my summation that it didn't happen. She later on says that she was going through the door, having had one of her regular meetings with Mr Hall and he said to her "You've got a small back, but you've got it where it matters". She said she laughed it off.

That particular one did not feature in her cross-examination. She tried to add something about she was having a conversation about [PRIVATE]. In my summation that didn't happen. What did happen is that there were regular meetings about performance; there were regular meetings about how performance should be presented and about her involvement in that process. There were regular meetings about her frustration about being in the department for 18/19 years and being stuck as an office manager; wanting to branch out into other areas. There were discussions about racism as an Asian maybe.

Mr Hall even helped her with applications, actually proof-read her applications and helped her put those out. She talked about her son and her husband. [PRIVATE]. It is my submission that it's highly, highly unlikely that Mr Hall would have said anything to her that she wouldn't have felt confident and able to challenge and it is my submission that as a black person herself, having spoken to Mr Hall about the challenges that she faced to get promotion, that if Mr Hall was saying things that were inappropriate she'd call him up and said to him, "Mr Hall, what are you doing? You've worked hard to get to this position, what are you doing? I hope you're not speaking to other colleagues like that", you know, "You're going to get yourself into trouble." So, it is my submission that her evidence was incongruous, incorrect, totally incorrect and that she was – she was a powerful person in that office, and she even said herself in her evidence that she got on with everybody. She had been in that office for 17/18 years and she was a mature lady, and she had a pleasant way about her, and everybody got on with her.

It is my submission that if Mr Hall had said anything inappropriate to her, she would have challenged it. She would have had the confidence to challenge it. She would have had the confidence to raise the issue through the procedures if she wanted to. It is very hard for me to say this, which is why I didn't ask her any questions that obviously women who are saying that they are being spoken to inappropriately by men, you don't want to put that person under pressure. You don't want to call them a liar, but in this circumstance, if you think back to her evidence that she said she heard people talking but she didn't know when they were talking; she didn't know what they were talking about, but she knew it wasn't good and she felt this was her opportunity where she would be believed to come out with these comments about Mr Hall. I mean, that was horrible; that was horrible that she said she had gone through this difficult experience that she was embarrassed about, and she was waiting until she was hearing non-descript allegations about Mr Hall, but she felt that they were serious and other people had been experiencing things about Mr Hall, but she didn't know what they were, and this was her opportunity to put her penn'orth in. I thought that was quite concerning, her evidence. I didn't feel able to ask any further questions because I was absolutely horrified and couldn't understand why on earth this lady would be making allegations about me, horrible allegations. I could ask her a question and say "Well, she'd recently got promoted to a role around the time she was doing the statement".

I don't know what happened to that, but it is my submission that she is not telling the truth; that her evidence is uneven and incongruous because she's talking about scratching her leg and Mr Hall making an inappropriate comment, but then she asserts herself she wasn't scratching herself inappropriately. In different cultures, in different cultures a woman scratching herself in front of a man, as she said, the man asked her the question, it would be seen as disrespectful, but it is my submission to you that it did not happen. I would not have spoken to her like that. She was somebody who I saw on a regular basis and in my mind was somebody who was open and was comfortable in Mr Hall's presence and he worked reasonably well with her. I cannot understand how she could have made those allegations. I am absolutely horrified, and I deny them. They are not true. I would not have made those comments to her and all Mr Hall did was to her was supportive and [she] appreciated the support he gave her, and I am absolutely horrified and cannot understand why she is so malicious as to say that I said things that I didn't say and then to await an opportunity to disclose something that she said was so dear and so embarrassing to her to get the best effect to bring Mr Hall down. It is my submission that it is a malicious allegation, and it was said to bring Mr Hall down. If she was an experienced office manager hearing her colleagues talking about a manager being inappropriate that she would have the confidence knowing that she had been working for the department that long and that she would be believed so it is my summation that her allegations are totally false.

I just want to move on – and Mr Hall was fully aware that she was a married woman. She was aware that Mr Hall had a partner, and [PRIVATE] and Mr Hall was not trying to get any sexual gratification by making comments that he did not make, and Mr Hall was not trying to pursue a relationship with [her].

The final one is No. 7 where it says, "Failed to provide Social Work England with your current and former employers' details." Now, CT, who was the investigator, gave some evidence on 25th. Mr Hall asked him initially the question "Why was it Mr Hall was just sent documents and wasn't given an opportunity to have a conversation with the investigator?" and he said, which Mr Hall did find quite surprising, that it was down to the social worker to make contact with the investigator and say anything they wanted to say and that normally they use that document. For me that was quite alien, and Mr Hall was waiting, in my submission Mr Hall was waiting for the investigator to have a conversation with him so he could put his side of the argument. It is Mr Hall's view, it is my submission that it is Mr Hall's view that actually when he was later on asked to be giving CVs, and his understanding was he was being asked to tell him, the investigator, every place he had worked, by this point I think it had been going on a while, Mr Hall was very defensive. Mr Hall read the document, so the document said that "you must give this information unless you have got a good reason" and when Mr Hall spoke to CT about it, CT said, well, as far as he was concerned Mr Hall gave a reason and he wasn't the one who wrote it in the document as an allegation. I nearly fell off my chair. It is my

submission that in hindsight Mr Hall made a mistake. Having gone through this traumatic experience he now has a better view of the regulator's role, and he should have given the information required in a timely manner and he is sorry about that. It will never happen again.

Mr Hall was horrified when Mr Hall saw that that information was put down as a concern and he said to the investigator "Don't you" – you know, he said in cross – well, in cross – "Didn't you think it would have been helpful to ring Mr Hall and have a conversation with him about it, telling him he was making a mistake, that he should have sent it off?" He said in cross-examination that actually he thought Mr Hall had given what Mr Hall thought was a reasonable response and he didn't feel there was any further action required and that he wasn't the one who actually made the final list of concerns. I have come to the end of my summations now but what I would like to say to the panel is I would like to thank you for your patience. I've not been in a position to fund an advocate and on two occasions where I did fund an advocate for legal advice and representation they weren't even listened to when they came to Social Work England, and it cost me a fortune. I am only doing a manual job now so I didn't have the finances to pay someone to represent me so thank you for your patience, but Mr Hall's view is as he has put in the document two times that he has been treated unfairly; that he would not treat people in the way that has been presented; that it is not believable and it is not credible that people with the length of stay in Coventry, with the knowledge and experience they have got and the links they have got with senior managers would allow themselves to be treated that way by somebody who was struggling – I had only been there 16 months; who was from a different ethnic origin; who had no support in that organisation; who had very little power. People try and talk about power because you have got a title, well I'm letting you know as a black manager, unless you are delivering, unless you are able to do a good job, unless you are able to support people you have no power, and this is a prime example of that.

When Mr Hall left having, you know, burnt himself out literally, the manager did her checks and asked the questions and people came out with these allegations. Did she say to them "Why have you left it so long?" Did she ask them, "Why did you feel unable to do that?" I put it to you in my submissions that that wasn't the case. She was looking for a scapegoat. She was angry with Mr Hall because he had come up with the solutions and he had embarrassed her in the meeting in November and she was gunning for him and putting him under pressure, and I put it to you in my summation again that if Mr Hall had been performing as badly as she says he was by the managers she would have removed his responsibilities much sooner than March and she wouldn't have been in an informal process, she would have been in a formal process sooner; and that Mr Hall has been treated unfairly and has been overworked and is horrified about the allegations being made. He has learned from it; has done lots of reading about checking boundaries; about being clear about your personal space; about being clear about trying to make sure your

supervision is done in a timely way and properly recorded; about also giving people the opportunity to say to them in the supervision and getting them to sign at the bottom of it, "Do you have any concerns? Is there anything you are worried about? If you've got any concerns, you don't have to speak to me about it, but you can speak to my line manager" and getting them to sign that off to see that they have had an opportunity to raise concerns in a timely way. I think if I am given the opportunity in social work, I will do that in every supervision. I will be very, very clear about my expectations. I've got an expectation document that I use with managers and social workers, I would use that to be very clear about what my expectations are about supervision, about getting work done, about problem solving if things don't go well and I will be making sure that that is signed by myself and that that is signed by them. If there were any tensions and dilemmas, I would be talking to them about, "Let's have a three-way supervision with my line manager so we can clear the air." I would never ever be in a position where people are saying they've got concerns about me and feel disempowered and unable to raise those concerns and feel disempowered and unable to use the right policies and procedures.

I am telling the panel that this experience has been a lifechanging experience, and I have said over and over and over at all of their hearings, and I have tried to evidence them what I've read, what I've learned, what I'd do differently, and they said "Oh, it's not a factfinder. You can't work you can't do this: you can't do that but it's not a factfinder" so I am saying to the panel that I think I have been set up by Coventry. I think it has been unfair. It's unconceivable that people of that stature and that experience could be intimidated by me, a person who was struggling all the time through that process and weren't able – and were talking in corridors, were talking to each other and weren't able to follow the policies and procedures and it is my submission that these allegations came up and were coaxed by the senior manager Colleague A and presented to undermine me and to blame me for any failings in that area.

I also say that I had differences with the manager in Gloucestershire and that her performance as a manager was very poor and that she made things escalate and didn't support me. I worked hard and tried to get the cases up to date. It was evidenced that I may have asked professionals' questions that they weren't happy with in the team room, and I may have made some inappropriate comments if they didn't know me and thought it was my point of view. I did try and put that right in cross-examination. I've learned from that, and this kind of thing will never happen again."

Finding and reasons on facts:

160. The panel accepted the advice from the legal adviser, which included the following:

- a. It is for Social Work England to prove the allegations on the balance of probabilities. The panel were informed of the authority of *re H (Minors) (Sexual Abuse: Standard of Proof)* [1996] AC 563 and *Sait v GMC* [2018] EWHC 3160 (Admin).
- b. All the evidence should be considered before making findings of credibility, and when making such findings, the panel should not rely exclusively on demeanour; *Suddock v NMC* [2015] EWHC (Admin) 3612 and *R(Dutta) v GMC* [2020] 1974 (Admin)
- c. Hearsay evidence must be treated with caution and consideration given to its admissibility and then the weight, if any, that can be afforded to it;
- d. The panel were informed of the approach taken in *Basson v GMC* [2018] EWHC 505 (Admin) and *Arun v General Medical Council* [2014] EWHC 873 in respect of allegations of sexual motivation.
- e. Mr Hall is of good character and the panel may take this evidence into account on the question of propensity, i.e., whether it is likely that he would have acted as alleged in the circumstances;
- f. The panel were informed of the authority of *Kuzmin v GMC* [2019] EWCA 2129 (Admin) in respect of drawing an adverse inference from a failure to give evidence.

161. The panel considered the question of whether it ought to draw an adverse inference from Mr Hall's failure to give evidence under oath. The panel noted that Mr Hall was representing himself in what is a significantly factually complex matter. The panel noted Mr Hall's reasons for not wishing to give evidence under oath and considered that he had provided a sufficient reason for not giving evidence under oath. Further, the panel noted that Mr Hall provided extensive submissions to the panel in respect of the allegations. As such, the Panel decided it would not be fair in the circumstances of this case to draw an adverse inference from Mr Hall's failure to give evidence under oath.

162. The panel dealt with each allegation separately.

(1) Between November 2017 and 1 April 2019 whilst working for Coventry City Council as a registered social worker you subjected colleagues to,

(a) Verbal abuse in that you;

(i) Regularly shouted and/or swore at Colleague B during the period November 2018 to February 2019 including;

a. meeting targets for payment by result claims.

163. The panel considered the evidence of Colleague B carefully. The panel noted that Colleague B was unable to provide within her witness statement specific dates in respect of when she asserts Mr Hall shouted and/or swore at her.

164. In respect of the elements of Colleague B's witness statement, which address meeting targets for payment by result claims, there is no evidence within Colleague B's witness statement to suggest Mr Hall swore at Colleague B about such matters. This issue was not

explored with Colleague B in examination in chief or cross-examination. Based on the evidence before it the panel concluded that Mr Hall did not swear at Colleague B in respect of meeting targets for payments by results claims.

165. The panel went on to consider whether Mr Hall regularly shouted at Colleague B. The panel noted that Colleague B provided no specific detail in respect to what if anything was shouted at her by Mr Hall, and it was unclear from her oral evidence what the details were of Mr Hall's alleged shouting.
166. The panel noted that there were no contemporaneous documents or records to support the evidence of Colleague B, such as issues raised in supervision sessions or with more senior members of staff. The panel considered that Colleague B was a senior member of staff and had worked at the council for over 18 years. The panel considered that if shouting had occurred to the extent alleged, this would have been something that Colleague B would have reported contemporaneously.
167. Given Colleague B's standing within the council the panel were not satisfied with the explanation offered by Colleague B as to why she did not report matters, namely not having the emotional strength.
168. The panel had regard to the fact that it was clear from the exhibited supervision records that Mr Hall was required to challenge Colleague B in respect of her performance, and it was evident from those supervision records that Mr Hall's line manager was also questioning the performance of Colleague B. The panel noted from the references provided on behalf of Mr Hall that he is perceived as an individual who sets high standards. Further, the panel noted that the local authority required improvement and there was significant pressure in respect of the troubled families programme. The panel considered that the necessary process of challenge conducted by Mr Hall may have created a perception in Colleague B that she was being shouted at. However, the panel concluded that there was no independent evidence to support this contention.
169. The panel were mindful that the burden of proving the factual particulars lies with Social Work England, and the panel determined that it was not satisfied that Social Work England had discharged its burden of proof. The panel was not satisfied on the evidence before it that Mr Hall regularly shouted and/or swore at Colleague B including in respect of meeting targets for payment by result claims.
170. The panel therefore find paragraph 1 (a) (i) (a) not proved.

b. that she read a report over the telephone to you.

171. The panel determined that Social Work England had not discharged its burden in respect of this allegation. While it was raised by Social Work England that Colleague B was not challenged in cross examination with respect to this allegation, the panel noted that Mr Hall represented himself in these proceedings, which have been factually complex, and as such the panel considered his failure to put his case in respect of this specific issue ought not to be held against him.

172. The panel noted that there were no contemporaneous documents or records to support the evidence of Colleague B. The panel noted that Colleague B stated in evidence that her husband overheard the conversation, however the panel has not received any evidence from Colleague B's husband to support the allegation.
173. Within Colleague B's witness statement she is unable to recall the date she alleges the conversation occurred and she states, "I cannot remember exactly what his words were, but he did use the word "fuck". The panel consider that Colleague B's evidence was ambiguous in respect of whether swearing was used generally or towards Colleague B.
174. The panel considered that Colleague B was a senior member of staff and had worked at the council for over 18 years. The panel considered that if shouting had occurred to the extent alleged, this would have been something that Colleague B would have reported contemporaneously.
175. Given Colleague B's standing within the council the panel were not satisfied with the explanation offered by Colleague B as to why she did not report matters contemporaneously.
176. The panel therefore find paragraph 1 (a) (i) (b) not proved.

(ii) Regularly shouted at Colleague D and Colleague H, both Team Managers in an aggressive manner about work that needed to be done.

177. The panel noted that it did not receive a statement or oral evidence from Colleague H.
178. The panel considered that without a statement or oral evidence from Colleague H it could not conclude that Mr Hall regularly shouted at Colleague H in an aggressive manner about work that needed to be done. The panel noted that Social Work England rely upon hearsay evidence in respect of this specific part of the allegation. The panel determined that this hearsay evidence would be sole and decisive evidence in respect of the aspects of the allegation relating to Colleague H. The panel therefore considered that it would not be fair to rely on such evidence.
179. The panel noted that Colleague C provides limited direct evidence in respect of Colleague H being shouted at in an aggressive manner. The panel noted she stated in her witness statement "I cannot say what the exact words were. It was the shouting that made him sound controlling". It was evident from her witness statement that she was not in the same room as Colleague H and Mr Hall when the alleged incidents occurred, and she could not be clear what the alleged shouting was in relation to.
180. On this basis the panel concluded that Social Work England had not discharged its burden in respect of aspects of the allegation relating Colleague H.
181. The panel therefore went on to consider the evidence of Colleague D. In respect of Colleague D the panel noted that he accepted in cross examination that he would also raise his voice to Mr Hall in the early stages of their confrontations.

182. The panel noted that Colleague D was not specific in his evidence about the occasions he was allegedly shouted at, or the words that were used, save for a single occasion where he stated that words “You should be mortified, you should be ashamed” were used. The panel noted that Colleague D did not provide any evidence in respect of Mr Hall being aggressive and did not refer to his behaviour as such in oral evidence. The panel considered Colleague D’s evidence was based upon generalised comments about Mr Hall shouting.
183. The panel considered that there is documentary evidence supporting the fact that Mr Hall was required to challenge Colleague D on his performance and again the panel considered that this may have created a perception in Colleague D that she was being shouted at.
184. The panel considered that if the aggressive shouting had occurred to the extent alleged, Colleague D would have contemporaneously reported it. The panel were not satisfied with his explanation that he was not particularly comfortable in the situation, and just wanted to focus on getting his job done, given the conduct alleged.
185. The panel also considered that if such conduct had occurred regularly in the work environment it would have been witnessed by senior managers and contemporaneously reported.
186. The panel were mindful that the burden of proving the factual particular lies with Social Work England, and the panel determined that it was not satisfied that Social Work England had discharged its burden of proof in respect of Mr Hall regularly shouting at Colleague D and Colleague H in an aggressive manner.
187. The panel therefore find paragraph 1 (a) (ii) not proved.

(b) Controlling and/or bullying type behaviour in that you;

(i) Insisted on a regular basis that Colleague B work in your office rather than in the open plan office and/or that she sit in close proximity to you on those occasions.

188. The panel considered that the words controlling and bullying ought to be given their ordinary dictionary meaning.
189. The panel considered with care the evidence of Colleague B.
190. The panel noted the evidence of a number of witnesses that the council was a highly pressurised environment, and that improvement was required. The panel further noted the concerns in respect of the troubled families programme, and the evidence in respect of the requirement that Mr Hall challenge Colleague B due to her performance issues.
191. The panel noted the close working relationship of Colleague B and Mr Hall and her acknowledgement that in the beginning of their working relationship Mr Hall confided in her.
192. The panel concluded that given the backdrop of these issues it would not be unreasonable to expect Mr Hall to ask that Colleague B work in his office rather than the open plan office.

The panel considered that there was no clear evidence in respect of how Mr Hall was alleged to have insisted on Colleague B working in his office.

193. On this basis, the panel concluded that it was unable to find that Mr Hall was controlling and bullying in this regard.
194. In respect of Mr Hall sitting in close proximity to Colleague B, the panel noted that there was no detailed or specific evidence provided from Colleague B as to why Mr Hall's conduct amounted to controlling or bullying behaviour. Further, the panel noted that Colleague B was not able to recall any specific date or details in respect of when it was alleged Mr Hall sat in close proximity to her.
195. The panel considered that Colleague B was a senior member of staff and had worked at the council for over 18 years. The panel considered that if Mr Hall was sitting in close proximity to Colleague B in a controlling or bullying manner to the extent alleged, this would have been something that Colleague B would have reported contemporaneously. Given Colleague B's standing within the council the panel were not satisfied with the explanation offered by Colleague B as to why she did not report matters.
196. The panel were mindful that the burden of proving the factual particular lies with Social Work England, and the panel determined that it was not satisfied that Social Work England had discharged its burden of proof in respect of paragraph 1 (b) (i).
197. The panel therefore find paragraph 1 (b) (i) not proved.

(ii) Told Colleague B on more than once occasion to stay behind after a meeting.

198. As set out above the panel noted that the council was a highly pressurised environment, in which improvements were required. The panel noted the concerns in respect of the troubled families programme, and the evidence in respect of the requirement that Mr Hall challenge Colleague B due to her performance issues.
199. The panel concluded that given the backdrop of these issues it would not be unreasonable to expect Mr Hall to ask Colleague B to stay behind after meetings.
200. While Colleague B described the behaviour of Mr Hall as controlling in this regard, the panel considered that she did not explain with any clarity why this was the case, nor in her evidence was it addressed what, if anything, was discussed or occurred when she did stay behind after a meeting.
201. The panel considered that there was no evidence before it to suggest that the behaviour of Mr Hall was bullying in this regard, and this was not suggested by Colleague B in her evidence.
202. Further, the panel noted its previous conclusion in respect of Colleague B seniority and the lack of contemporaneous reporting of the alleged incidents.

203. In the absence of an explanation as to why asking Colleague B to stay behind after a meeting was controlling and/or bullying the panel considered that it was not satisfied that Social Work England had discharged its burden of proof in respect of paragraph 1 (b) (ii).
204. The panel therefore find paragraph 1 (b) (ii) not proved.

(iii) Told Colleague B on more than one occasion not to speak to colleagues or other managers about work without you knowing.

205. The panel concluded that it would not be unreasonable for Mr Hall to ask that Colleague B not speak to colleagues or managers about work without him knowing. On the basis that Mr Hall was supervising Colleague B.
206. The panel noted that there was no evidence before it that Mr Hall prevented Colleague B from speaking to colleagues or other managers whatsoever, rather the evidence related to him wanting to be informed.
207. The panel noted the evidence it heard in the case and concluded that it was clear that there was a gossip culture within the work environment. Further, the panel noted that Mr Hall was working in a highly pressurised environment, with a high workload and there were concerns around the troubled families programme.
208. The panel considered that there was insufficient evidence to support that Mr Hall's actions amounted to controlling or bullying behaviour, and further noted its previous conclusions in respect of Colleague B's seniority and ability to report matters. The panel concluded that if Mr Hall was behaving in a controlling and/or bullying manner as alleged this would have been contemporaneously reported by Colleague B.
209. The panel therefore concluded that it was not satisfied that Social Work England had discharged its burden of proof in respect of paragraph 1 (b) (iii).
210. The panel therefore find paragraph 1 (b) (iii) not proved.

(iv) Belittled Colleague B during conversations around staffing decisions on more than one occasion.

211. While the panel noted emails sent by other members of staff in respect of Colleague B which could have been considered belittling, the panel considered that there was insufficient evidence that Mr Hall belittled Colleague B during conversations around staffing decisions, and that such behaviour amounted to either controlling or bullying behaviour.
212. The panel noted that Colleague B's witness statement makes no specific reference to her feeling belittled by Mr Hall, further this area was not explored with her during her oral testimony.

213. The panel considered that there was no documentary evidence to support the fact that Mr Hall belittled Colleague B during conversations around staffing decisions.
214. As such the panel concluded that it was not satisfied that Social Work England had discharged its burden of proof in respect of paragraph 1 (b) (iv).
215. The panel therefore find paragraph 1 (b) (iv) not proved.

(v) On more than one occasion during meetings with other colleagues said to Colleague B ‘come and sit next to me.’

216. The panel considered that it was likely that Mr Hall may have said come and sit next to me during a meeting, however given the working relationship between Colleague B and Mr Hall the panel did not consider this to be an unusual request.
217. The panel noted that there was insufficient evidence that the request by Mr Hall was either controlling or bullying. Further, the panel noted that this conduct occurred in meetings attended by other colleagues and there was no supporting evidence from other colleagues in respect of the matters alleged by Colleague B. The panel considered that if Mr Hall had acted in the manner alleged Colleague B’s colleagues would have noted and/ or reported such conduct.
218. The panel noted its previous conclusions in respect of Colleague B’s seniority and ability to report matters. The panel concluded that if Mr Hall was behaving in the manner alleged this would have been contemporaneously reported by Colleague B.
219. For those reasons, the panel concluded that it was not satisfied that Social Work England had discharged its burden in respect of paragraph 1 (b) (v).
220. The panel therefore find paragraph 1 (b) (v) not proved.

(vi) On one occasion slammed the door shut to prevent Colleague B from leaving the room.

221. The panel considered Colleague B’s witness statement in respect of this alleged incident. The panel noted that the witness statement states in respect of the entire allegation the following *“The Social Worker slammed a door shut to stop me from leaving a room when I wanted to. This happened on one occasion and there were no witnesses.”*
222. Colleague B was not invited by Social Work England to elaborate on this incident in her oral evidence. The panel noted that there were no details provided by Colleague B in respect of when or where the alleged incident occurred, the reason for the incident, why there were no witnesses or any details in relation to the specific nature of the alleged incident.
223. The panel considered that there was no evidence to suggest that the slamming of the door was bullying or controlling, and Colleague B describes the behaviour within her witness

statement as “alarming” and “odd” but does not provide evidence that the behaviour is either controlling or bullying.

- 224. The panel further noted its previous conclusion in respect of Colleague B seniority and the lack of contemporaneous reporting of incidents.
- 225. The panel concluded that it was not satisfied that Social Work England had discharged its burden of proof in respect of paragraph 1 (b) (vi).
- 226. The panel therefore find paragraph 1 (b) (vi) not proved.

(vii) Regularly spoke to Colleague B in a manner that you knew or ought to have known would make her feel undermined and destroy her confidence including telling her that colleagues had been questioning her competence and that she should not make unilateral decisions.

- 227. The panel noted its previous conclusions in respect of the working relationship between Mr Hall and Colleague B and the requirement that Mr Hall challenge Colleague B due to her performance issues.
- 228. The panel gave weight to the supervision notes that set out that Mr Hall’s line manager had concerns about Colleague B’s competence and had suggested replacing her with another colleague.
- 229. The panel considered that it may have been the case that Mr Hall told Colleague B that colleagues had been questioning her competence and that she should not make unilateral decisions, as this was documented in the evidence as accurate.
- 230. The panel went on to consider whether Mr Hall spoke to Colleague B in a manner that he knew or ought to have known would make her feel undermined and destroy her confidence.
- 231. The panel considered the evidence in relation to Colleague B and Mr Hall’s close working relationship and the evidence of Colleague B as to what things were like when matters were good between herself and Mr Hall. The panel considered that there was insufficient evidence to support the conclusion that Mr Hall spoke to Colleague B in a manner that he knew or ought to have known would make her feel undermined and destroy her confidence.
- 232. The panel noted the lack of evidence from other colleagues in respect of Mr Hall’s behaviour towards Colleague B. The panel considered that if Mr Hall was knowingly speaking to Colleague B in a manner that made her feel undermined and destroyed her confidence this would have been observed by other colleagues, given the working environment.
- 233. The panel considered its previous conclusions that the necessary process of challenging Colleague B’s work which was conducted by Mr Hall may have created a perception in Colleague B that she was undermined. However, the panel concluded that there was no independent evidence to support that Mr Hall behaved in a way that he knew or ought to have known would undermine Colleague B.

234. The panel considered its previous conclusions in respect of Colleague B being a senior member of staff and having worked at the council for over 18 years. The panel considered that if, Mr Hall was undermining Colleague B to the extent alleged this would have been something that Colleague B would have reported contemporaneously.
235. Given Colleague B's standing within the council, the panel were not satisfied with the explanation offered by Colleague B as to why she did not report matters contemporaneously, namely not having the emotional strength. The panel considered that Colleague B was aware of the relevant whistleblowing procedures and could have used these procedures to have made a confidential report of her concerns.
236. For the reasons set out above, the panel concluded that it was not satisfied that Social Work England had discharged its burden in respect of paragraph 1 (b) (vii).
237. The panel therefore find paragraph 1 (b) (vii) not proved.

(viii) Grabbed a notebook from Colleague B in which she was making notes and threw it on the floor saying that you would decide the content of her supervision record.

238. The panel considered the evidence of Colleague B in respect of Mr Hall grabbing her notebook and throwing it on the floor. The panel noted that Colleague B stated within her witness statement the following *"Around December 2018, I said to him that I would start making notes during meetings. The Social Worker grabbed the notebook off of me and he threw it next to me on the floor, I did not try to pick it up and I never got the notebook back. This notebook contains (sic) a list of things that I was not happy with. He said that what would go in my supervision record was to be decided by him, however I have never received any written supervision notes during the time of being line managed by the social worker."*
239. The panel compared this to the oral evidence of Colleague B in which in answers to the panel's questions Colleague B stated the whole time that she was managed by Mr Hall she thought she only had one supervision that was recorded. She stated there wasn't a record of their meetings and they weren't necessarily framed as supervision.
240. The panel considered that Colleague B had not provided a date in which the incident had taken place or an explanation as to why the notebook she stated she was collating issues about Mr Hall within was not retrieved by her.
241. The panel considered that there was a distinct lack of detail in respect of Colleague B's account about the notebook and given her comments about the number of supervision sessions undertaken with Mr Hall the panel could not reconcile this with her not being able to identify the date the alleged incident occurred.
242. The panel considered its previous conclusions in respect of Colleague B being a senior member of staff and having worked at the council for over 18 years. The panel considered that if Mr Hall had behaved in such a manner, this would have been something that Colleague B would have reported contemporaneously. Further, Colleague B was aware of

the whistleblowing procedures and provided no explanation as to why she chose not to engage these procedures.

- 243. The panel considered that if the notebook was being used to record issues about Mr Hall, given the sensitive nature of the notes contained within it, Colleague B would have taken steps to retrieve it. The panel found Colleague B's evidence in this regard to be inconsistent.
- 244. The panel were mindful that the burden of proving the factual particular lies with Social Work England, and the panel determined that it was not satisfied that Social Work England had discharged its burden of proof in respect of Mr Hall grabbing a notebook from Colleague B and throwing it on the floor, in a controlling or bullying manner.
- 245. The panel therefore find paragraph 1 (b) (viii) not proved.

(ix) On a date between the 14 and 22 November 2018 you stated that Colleague E should not cry when speaking to you and would not give her an opportunity to speak.

- 246. The panel considered the evidence of Colleague E carefully. The panel noted Colleague E's witness statement which states *"Between 14 November—22 November 2018 the Social Worker called me into his office and told me not to cry whilst talking to him. I cannot remember what the conversation was about at the time."* Further, it states *"The Social Worker said that I should not have been talking about this to my team but at the time I felt like they were not letting me talk to anyone and if I did, they would say I was being unprofessional."*
- 247. The panel noted that Colleague E does not make any reference to Mr Hall being controlling in her statement. Further, in respect of bullying she states, *"I felt bullied at the time by my line manager, and I felt there was no support and as the Social Worker was her line manager I felt as though I could not go to anyone for help regarding this matter."* The panel considered that within Colleague E's witness statement she did not in fact allege Mr Hall was controlling or bullying towards her.
- 248. Further, the panel consider that this issue was not expanded upon in Colleague E's oral testimony. Colleague E did not offer a further explanation as to why Mr Hall's behaviour amounted to controlling or bullying behaviour.
- 249. The panel noted the evidence of Colleague E that in respect of Mr Hall that there were times when she felt Mr Hall was supportive. Colleague E noted that she felt that she was not allowed to talk about the option of other roles with anybody else, and she didn't understand why this was the case.
- 250. In respect of feeling bullied the panel noted Colleague E stated she *"felt as though the conversations with (Mr Hall) and Colleague U were not supportive. She stated, "I think in my statement I've said, you know, at times I did feel bullied within the workplace because it generally felt like both of you were critical of my performance."*

251. The panel noted that Colleague E statement does not in fact accuse Mr Hall of bullying and no explanation was provided as to why Colleague E now considered that Mr Hall behaved in a bullying manner.
252. The panel considered whether what Colleague E had reported could amount to controlling or bullying behaviour. The panel noted the culture within the council and noted that it was clear that Colleague E was unhappy within her role. The panel considered that it was not an unreasonable request of Mr Hall in the circumstances to ask Colleague E not to speak to other members of the team about her options outside of the council, given the issues this may raise within the remaining team.
253. In respect of Colleague E being asked not to cry the panel considered that there was insufficient detail provided by Colleague E in respect of the context of this conversation. Colleague E was unable to recall what the conversation was about. The panel therefore considered that there was insufficient evidence to conclude that Mr Hall telling Colleague E not to cry amounted to either controlling or bullying behaviour.
254. The panel were mindful that the burden of proving the factual particular lies with Social Work England, and the panel determined that it was not satisfied that Social Work England had discharged its burden of proof.
255. The panel therefore find paragraph 1 (b) (ix) not proved.

(x) On a date or dates between September 2018 and 23 January 2019 you called Colleague E into the staff kitchen and told her that she needed to get her work done, there was no need for her to involve the union, that she was still on probation and to be mindful of that or words to that effect.

256. The panel noted Mr Hall's apology to Colleague E in that he stated he wanted Colleague E to succeed but had to work alongside the team manager to achieve that and, unfortunately, he was unable to achieve it.
257. The panel considered that the discussion between Colleague E and Mr Hall was likely to have taken place and that while the staff kitchen was not an appropriate venue for such conversations, the panel considered that the conversation was not controlling or bullying as alleged.
258. The panel considered that it was clear that performance issues which were being raised with Colleague E and her line manager had raised concerns about her work. The panel noted that Mr Hall was required to support both Colleague E and his line manager in that regard. The panel considered in the circumstances it was not unreasonable for Mr Hall to raise with Colleague E that she needed to get her work done and be mindful of the fact that she was on probation.
259. In respect of Mr Hall telling Colleague E that there was no need for Colleague E to involve the union, having heard all the evidence the panel considered that this was Mr Hall's

misguided attempt at trying to keep Colleague E with the council. The panel considered that in the context of the circumstances within the council at the relevant time that this was not controlling or bullying behaviour.

260. The panel were mindful that the burden of proving the factual particular lies with Social Work England, and the panel determined that it was not satisfied that Social Work England had discharged its burden of proof.

261. The panel therefore find paragraph 1 (b) (x) not proved.

(xi) On or around 7 December 2018 you said to Colleague E, words to the effect of, that she could not leave work until she had completed a student's work.

262. The panel considered Colleague E's evidence with care. The panel noted in Colleague E's witness statement she stated *"I had the responsibility of managing a student. The student just managed to pass her placement and struggled a lot. I raised this with the Social Worker and with my line manager. The student was due to complete an assessment but did not. My line manager and the Social Worker both said that this was unacceptable and told me to complete the assessments myself and said that I was not to go home until I had completed them. The Social Worker said "you're not leaving until you get your work done... did stay behind after working hours and I said that I needed to leave at 18:00 to collect my son from nursery. The Social Worker said that I cannot leave but I did as I needed to pick up my son. I then went home and worked until late in the evening."*

263. The panel considered that there were outstanding concerns in respect of Colleague E's performance and the student managed by Colleague E had failed to conduct an assessment which remained outstanding. The panel noted that Colleague E's line manager gave her the direction to stay behind as well as Mr Hall.

264. The panel considered that whilst being asked to stay behind to complete her students work may have been considered unjust by Colleague E, this did not amount to controlling or bullying behaviour on the part of Mr Hall. The panel note that Colleague E does not refer to the behaviour of Mr Hall as controlling or bullying within her account. Further, if the behaviour was considered to be controlling and/or bullying the panel considered that Colleague E would have contemporaneously reported such behaviour to a senior manager and/or her union.

265. The panel noted that there was no evidence before it to suggest that Colleague E raised a concern in respect of Mr Hall's behaviour at the time, and only subsequently raised concerns when she was aware that other concerns had been raised with Colleague A. The panel considered that this was highly relevant.

266. The panel noted that Colleague E was aware of the council's whistle blowing policy and had been working at the council for a significant period of time. Further, the panel noted that Colleague E was raising concerns with her union at the time of the allegation. The panel

considered that if Mr Hall had behaved in the manner alleged Colleague E would have raised this contemporaneously either through the council or with her union.

267. The panel were mindful that the burden of proving the factual particular lies with Social Work England, and the panel determined that it was not satisfied that Social Work England had discharged its burden.

268. The panel therefore find paragraph 1 (b) (xi) not proved.

(xii) Told Colleague E, when she said to you in December 2018 or January 2019 that she was going to leave the Council, that she should not speak to anyone in the team about anything and that she 'needed to handle herself' or words to that effect.

269. The panel having heard the evidence accepted that it was likely that Mr Hall did tell Colleague E she should not speak to anyone in the team about anything and that she 'needed to handle herself' or words to that effect.

270. The panel noted its previous conclusion in respect of the culture within the council and noted that it was clear that Colleague E had been unhappy within her role. The panel considered that it was not an unreasonable request of Mr Hall in the circumstances to ask Colleague E not to speak to other members of the team about her options outside of the council, given the issues this may raise within the team.

271. The panel again noted that Colleague E did not give evidence that the behaviour of Mr Hall was bullying or controlling in this regard, her evidence was essentially that she could not understand why Mr Hall was taking this approach.

272. The panel noted that there was no evidence before it to suggest that Colleague E raised a concern in respect of Mr Hall's behaviour at the time, and only subsequently raised concerns when she was aware that concerns had been raised with Colleague A.

273. The panel considered that if Mr Hall had behaved in the manner alleged, Colleague E would have raised this contemporaneously either through the council or with her union.

274. The panel were mindful that the burden of proving the factual particular lies with Social Work England, and in all the circumstances the panel determined that it was not satisfied that Social Work England had discharged its burden.

275. The panel therefore find paragraph 1 (b) (xi) not proved.

(2) During the period November 2017 and 1 April 2019 whilst working for Coventry City Council as a registered social worker you subjected colleagues to;

(a) Touching in that you,

(i) Pulled Colleague B's chair closer to yours on more than once occasion when she was working in your office at the meeting table such that physical contact was made between the two of you.

276. The panel considered the evidence of Colleague B. The panel noted that within Colleague B's witness statement states *"We were sat close together side by side as we were working on our laptops. The Social Worker would pull my chair in closer to his so physical contact was made. It felt at the time that my personal space was being invaded upon. I never saw him do this to other people."*
277. Within Colleague B's oral evidence she stated, *"so I would physically try to pull my chair away from Mr Hall because there were occasions where he would pull the chair towards him, or I would physically move my chair away from him."*
278. The panel considered that Colleague B was vague in regard to the incidents which allegedly took place in the office. The panel noted that there were no details provided about the circumstances of Mr Hall moving her chair. Further, the panel were not provided with any details by Colleague B in relation to the timeframe in which these incidents occurred or why there were no witnesses to this conduct.
279. The panel noted that Mr Hall is of good character and took this into consideration when determining whether he had the propensity to behave as alleged.
280. Further, the panel considered that if Mr Hall had behaved in such a manner, this would have been something that Colleague B would have reported contemporaneously. The panel noted its previous conclusions in respect of Colleague B's senior position and standing within the council.
281. The panel were not satisfied with the explanation offered by Colleague B as to why she did not report matters contemporaneously, namely not having the emotional strength. The panel consider that if Mr Hall subjected Colleague B to inappropriate touching this would have been something which she would have reported at the time that it occurred and would not have allowed it to have continued over multiple occasions without it being addressed.
282. Further, the panel noted the moving of Colleague B's chair occurred is alleged to have occurred in the office environment and there is no explanation before the panel as to why such touching would not have been witnessed or reported by other colleagues.
283. Given the lack of detail with regard to the alleged incidents the panel were not satisfied that Social Work England had discharged its burden in respect of this allegation.
284. The panel therefore find paragraph 2 (a) (i) not proved.

(ii) on the first day that you meet Colleague B, during a pub lunch;

a) Pulled Colleague B's chair close to you.

285. The panel considered the evidence of Colleague B. The panel noted that within Colleague B's witness statement she states *"On the first day we met, the Social Worker and I went to the pub for lunch at his suggestion during a break as we were spending the whole day together. We drove in our own separate cars to the pub. When we were sitting down, he pulled my chair closer to him and put his arm around me. The Social Worker was sat to the right of me. He put one arm around me pulling me towards him during a conversation, where he was referring to the staffing situation regarding me being shafted. I pulled away and moved my chair back. He would also try and hold my hand when it was on the table. This happened quite a few times on this occasion. When the Social Worker tried to do this, I pulled my hand back."*
286. The panel considered that Colleague B alleges that she was subjected to touching by Mr Hall on the first day they met. The panel considered the fact that at the relevant time Mr Hall would have been new to the council and the role, while Colleague B was an established employee of the council.
287. The panel considered that if Mr Hall had behaved in such a manner, this would have been something that Colleague B would have reported contemporaneously. The panel noted its previous conclusions in respect of Colleague B's position and standing within the council. The panel noted that as an established employee there was no explanation provided by Colleague B as to why she felt she was unable to report matters which were alleged to have occurred when Mr Hall was relatively new to his role.
288. The panel were not satisfied with the explanation offered by Colleague B as to why she did not report matters contemporaneously. This incident occurred when Colleague B first met Mr Hall and was an established employee at the council.
289. The panel consider that if Mr Hall had subjected Colleague B to touching of the kind alleged, this would have been something which she would have reported and would not have waited until she was approached by Colleague A some years later.
290. The panel considered that there was no independent evidence to support Colleague B's account and further considered that Mr Hall was of good character, which was relevant to the issue of his propensity to behave in the manner alleged.
291. In all the circumstances, the panel were not satisfied that Social Work England had discharged its burden of proof in respect of this allegation.
292. The panel therefore find paragraph 2 (a) (ii) (a) not proved.

b) Put your arm around her.

293. For similar reasons to those set out above the panel were not satisfied to the requisite standard that Mr Hall subjected Colleague B to touching namely putting his arm around her.
294. The panel considered that if Mr Hall had behaved in such a manner, this would have been something that Colleague B would have reported contemporaneously. The panel noted its

previous conclusions in respect of Colleague B's senior position and standing within the council. The panel noted that as an established employee there was no explanation provided by Colleague B as to why she felt she was unable to report matters which were alleged to have occurred when Mr Hall was relatively new to his role.

295. As set previously the panel were not satisfied with the explanation offered by Colleague B as to why she did not report matters contemporaneously. The panel consider that if Mr Hall subjected Colleague B to touching of this kind this would have been something which she would have reported and would not have waited until she was approached by Colleague A some years later.
296. In all the circumstances the panel were not satisfied that Social Work England had discharged its burden in respect of this allegation.
297. The panel therefore find paragraph 2 (a) (ii) (b) not proved.

c) Placed your hand on Colleague B's hand on the table.

298. For similar reasons to those set out above the panel were not satisfied to the requisite standard that Mr Hall subjected Colleague B to touching namely putting his hand on Colleague B's hand on the table.
299. Again, the panel considered that if Mr Hall had behaved in such a manner, this would have been something that Colleague B would have reported contemporaneously. The panel noted its previous conclusions in respect of Colleague B's senior position and standing within the council. The panel noted that as an established employee there was no explanation provided by Colleague B as to why she felt she was unable to report matters which were alleged to have occurred when Mr Hall was relatively new to his role.
300. The panel were not satisfied with the explanation offered by Colleague B as to why she did not report matters contemporaneously. The panel consider that if Mr Hall subjected Colleague B to touching of this kind this would have been something which she would have reported and would not have waited until she was approached by Colleague A some years later.
301. In all the circumstances the panel were not satisfied that Social Work England had discharged its burden in respect of this allegation.
302. The panel therefore find paragraph 2 (a) (ii) (c) not proved.

(iii) Often stroked the hands and or arms of female colleagues whilst at work, including;

a. Colleague I

303. The panel noted that it did not receive a statement or oral evidence from Colleague I.

304. The panel consider that without a statement or oral evidence from Colleague I it could not conclude that Mr Hall stroked the hands and or arms of Colleague I.
305. The panel reviewed the evidence of Colleague C. The panel noted that Colleague C provided hearsay evidence which, if admitted, would be the sole and decisive evidence in respect of this particular allegation. The panel noted that Colleague C states that she was told about an incident by both Colleague I and SP, and therefore the evidence in part is multiple hearsay. The panel considered whether it would be fair in the circumstance to admit the hearsay evidence of Colleague C.
306. The panel considered that no sufficient reasons have been provided by Social Work England as to why Colleague I was not in attendance and the panel noted the evidence is challenged by Mr Hall.
307. The panel noted that this allegation is serious. Further, the panel considered that no information has been provided in respect of securing the attendance of Colleague I. There has also been no hearsay application made by Social Work England. Considering the issue of fairness, the panel concluded that it would be unfair to admit Colleague C's hearsay evidence.
308. As such, the panel were not satisfied that Social Work England had discharged its burden in respect of this allegation.
309. The panel therefore find paragraph 2 (a) (iii) (a) not proved.

b. Colleague J

310. The panel noted that it did not receive a statement or oral evidence from Colleague J.
311. The panel consider that without a statement or oral evidence from Colleague J it could not conclude that Mr Hall stroked the hands and or arms of Colleague J.
312. The panel reviewed the evidence of Colleague C. The panel noted that Colleague C provides hearsay evidence which if admitted would be the sole and decisive evidence in respect of this particular allegation.
313. The panel considered whether it would be fair in the circumstances to admit the hearsay evidence of Colleague C. The panel considered that no sufficient reasons have been provided by Social Work England as to why Colleague J was not in attendance and the evidence is challenged by Mr Hall. The panel noted that this allegation is serious, and no information has been provided in respect of the issues in securing the attendance of Colleague J to give evidence. Further, no hearsay application has been made by Social Work England. Considering the issue of fairness, the panel considered that it would be unfair to admit Colleague C's hearsay evidence.
314. As such the panel were not satisfied that Social Work England had discharged its burden of proof in respect of this allegation.

315. The panel therefore find paragraph 2 (a) (iii) (b) not proved.

c. Colleague C

316. The panel considered with care the evidence of Colleague C. The panel noted within Colleague C's witness statement she states as follows *"I do not remember the exact date but on one occasion the Social Worker was talking to me about work over my desk. He did not sit down he remained standing, I had my pen in my right hand, and I was writing something, and the Social Worker, put his hand on my hand and stroked my hand, it was a light stroke on my hand. He was not looking at anything in particular, but just stroked my hand. I just moved my hand and did not say anything. The Social Worker carried on talking about the work that I was completing for him. He then left the room. He would often do this to younger females. I saw this on one occasion as mentioned above and heard about it from a number of other colleagues."*

317. The panel noted that Colleague C was unable to recall the date of the alleged incident or the specific details in respect of who would have been present in the office at the relevant time and why this incident was not witnessed by others.

318. The panel considered that it was clear from Colleague C's evidence that there were concerns raised with Colleague C [PRIVATE]. The panel considered that these issues may have influenced Colleague C's decision to make a complaint against Mr Hall in the circumstances.

319. The panel considered that Colleague C had not reported the allegation contemporaneously, and it was not until Colleague C was aware that there were concerns raised in respect of Mr Hall that Colleague C raised her complaint.

320. Given the lack of detail provided by Colleague C in respect of the incident, the lack of independent evidence to confirm the incident and the lack of contemporaneous reporting the panel concluded that it was not satisfied that Social Work England had discharged its burden of proof in respect of this allegation.

321. The panel therefore find paragraph 2 (a) (iii) (c) not proved.

(b) Personal and inappropriate comments on their physical appearance in that you,

(i) Said to Colleague B on more than one occasion words to the effect of;

a) 'Oh, you look the part today.'

322. In respect of this allegation the panel noted that the yardstick of appropriateness is to be measured by whether or not the conduct crossed professional boundaries and/or was

suitable in view of Mr Hall's position as a line manager. In respect of the word personal the panel gave this word its ordinary dictionary definition.

323. The panel considered with care the evidence of Colleague B. The panel noted that Colleague B states within her witness statement the following; "He would comment on clothes that I wore, saying "oh you look the part today". I felt embarrassed and would want to quickly change the subject. I cannot remember the exact date when this was said to me. The Social Worker has never made comments like this about anyone else to me."
324. The panel noted the evidence of Mr Hall that he would comment on the appearance of members of the team about them looking smart and him expecting high standards in this regard, this evidence was also confirmed by other witnesses called on behalf of Social Work England, namely Colleague G and Colleague D.
325. The panel considered that it was more likely than not the Mr Hall did say "oh you look the part today" to Colleague B.
326. The panel then went on to consider whether the comment was personal or inappropriate. The panel considered that the comment was not a valid compliment pertaining to Colleague B's work. The comment related to her physical appearance and the panel therefore considered that the comment was personal in nature.
327. In respect of whether or not the comment was inappropriate, the panel considered the potential impact of such comments in the workplace and noted that there was no legitimate purpose in Mr Hall making this comment. The panel considered that Mr Hall was Colleague B's line manager and in the even in the context of Mr Hall expecting high standard of staff, the panel considered it was not a suitable comment to make.
328. The panel therefore find paragraph 2 (b) (i) (a) proved.

b) 'she's looking good today' or words to that effect.

329. Again, in respect of this allegation the panel noted that the yardstick of appropriateness is to be measured by whether or not the conduct crossed professional boundaries and/or was suitable in view of Mr Hall's position as a line manager. In respect of the word personal the panel gave this word its ordinary dictionary definition.
330. The panel considered with care the evidence of Colleague B. The panel noted that Colleague B states within her witness statement the following; "*On one occasion, I cannot remember the exact date, the Social Worker made a comment on what I wore in front of two male colleagues, one of who I managed, and I felt embarrassed by this. He turned to the male colleagues and said, "she's looking good today". The male colleagues looked embarrassed by this comment. On another occasion, after a challenging meeting with the Ministry for Housing Community and Local Government "the Ministry" where the Social Worker left me to do much of the reporting, the only feedback I received from him was "you look smart today". I was also informed on another occasion by a team manager that the Social Worker had said to them "if you want to get on in life you have to dress smart".*

331. The panel noted the evidence of Mr Hall that he would comment on the appearance of members of the team about them looking smart and him expecting high standards in this regard, this evidence was also confirmed by other witnesses called on behalf of Social Work England, namely Colleague G and Colleague D.
332. The panel considered that it was more likely than not the Mr Hall did say “she’s looking good today” to Colleague B.
333. The panel then went on to consider whether the comment was personal or inappropriate. Again, the panel considered that this comment was not a valid compliment pertaining to Colleague B’s work. The comment also related to her physical appearance and the panel therefore considered that the comment was personal in nature.
334. In respect of whether or not the comment was inappropriate, the panel considered the potential impact of such comments in the workplace and noted that there was no legitimate purpose of Mr Hall making such a comment. The panel considered that Mr Hall was Colleague B’s line manager, and even in the context of Mr Hall expecting high standards of staff, it was not a suitable comment to make.
335. The panel therefore find paragraph 2 (b) (i) (b) proved.

(ii) Said to Colleague G words to the effect of;

a. ‘You have a small back, but you’ve got it where it matters’.

336. In respect of this allegation the panel noted that the yardstick of appropriateness is to be measured by whether or not the conduct crossed professional boundaries and/or was suitable in view of Mr Hall’s position as a line manager. In respect of the word personal the panel gave this word its ordinary dictionary definition. The panel considered that, if proved, the comment would be considered both personal and inappropriate, given its connotations.
337. The panel considered the evidence of Colleague G with care. The panel noted that Colleague G had not provided a timeframe as to when the alleged comment was made by Mr Hall or provided any specific details about the context of the comment. Colleague G confirmed in her oral evidence that the comment was made “randomly”. Within her evidence Colleague G stated on a previous occasion Mr Hall had referred to her [PRIVATE]. Colleague G also recalled Mr Hall mentioning knowing a lot about women and knowing her dress size.
338. Colleague G was asked why she never raised these issues prior to giving evidence at the hearing and she stated, *“I’ve never spoke to you at any point and said, “Can you refrain from making comments like this?” but I now realise as well all I did was come to work to do my job. I did not do anything wrong. I was coming to work to do my job, and then I’d get comments like that, and I never said to you, “Oh Mr Hall, can you stop making these comments”, which I never said. I wish if I had said that and if they had continued then I would of taken it further but I never said that what I did was I put those comments away”.*

339. The panel considered the explanation provided by Colleague G. The panel noted that Colleague G had reported the comments which now form the subject of the allegation. Therefore, the panel did not accept her explanation for not including the further allegation she made in her oral evidence within her witness statement.
340. The panel noted that Colleague G was an established member of staff and was aware of the council's whistleblowing policy and despite this did not report this allegation contemporaneously. The panel noted her evidence that it did not come into her mind to report matters. The panel also noted that Colleague G did not raise matters with her line manager despite agreeing that the council was a safe environment to work in.
341. The panel were unconvinced by Colleague G's evidence that she was unaware of the concerns raised about Mr Hall and noted that Colleague G only chose to raise this concern when she was aware that others had raised concerns with Colleague A.
342. The panel considered that the allegations are serious, and the panel noted that Mr Hall was of good character and weighed this in the balance in assessing his propensity to act as alleged. The panel noted the authorities outlined in respect of the burden of proof, for example, the guidance given by Lord Nicholls in *re H (Minors) (Sexual Abuse: Standard of Proof)* [1996] AC 563 and considered that they were not satisfied that Social Work England had discharged its burden in respect of this allegation. The panel determined that it could not conclude that it was more likely than not that the comment was made on the evidence before it.
343. The panel therefore find paragraph 2 (b) (ii) (a) not proved.

b. 'I hope you're not doing what I think you're doing?'

344. In respect of this allegation the panel noted that the yardstick of appropriateness is to be measured by whether or not the conduct crossed professional boundaries and/or was suitable in view of Mr Hall's position as line manager. In respect of the word personal the panel gave this word its ordinary dictionary definition. The panel considered that, if proved, the comment would be considered both personal and inappropriate, given its connotations.
345. The panel consider the evidence of Colleague G carefully. The panel noted that Colleague G stated within her witness statement *"I cannot remember the exact date however I remember that it was during a 1-2-1 meeting with Mr Hall I was going through performance management with Mr Hall during this meeting. I was wearing tights, and I scratched my leg which made a sound. Mr Hall then said, "I hope you're not doing what I think you're doing". I believe he may have used the words "private parts" which then made me feel extremely embarrassed. I immediately began to justify and explain myself and said that I was scratching my leg. I also scratched my leg again to show that the sound was from my tights. I then just continued with the meeting and left the room when it was over. I did not inform anyone of this as I was very embarrassed. I do feel that I could have acted more strongly and responded by saying that his comment was inappropriate however as I was too embarrassed, I did not say anything. Mr Hall was in senior management, and I did not know*

who else I could have approached to report the matter. I did not tell anyone for a while until other people within the team had started reporting that they had experienced similar situations with Mr Hall. At this point I then told Colleague C of this incident as I realised it was not just me who had experienced this. Colleague C then reported this to Colleague A."

346. The panel noted the inconsistencies between Colleague G's witness statement in which she states, "she was aware that others were reporting similar situations with Mr Hall", compared to her oral testimony in which she stated she was unaware of the concerns raised about Mr Hall.
347. The panel noted that Colleague G had not provided any specific timeframe as to when the alleged comment was made by Mr Hall, despite explaining in her evidence the shock and embarrassment this incident caused.
348. The panel considered that Colleague G was an established member of staff and was aware of the council's whistleblowing policy and despite this she did not report this allegation contemporaneously. The panel also noted that Colleague G did not raise matters with her line manager, despite agreeing that the council was a safe environment to work in.
349. In Colleague G's evidence she stated she did not report the matter due to embarrassment and a fear of not being believed. However, the panel noted in her account in evidence, she stated she was unaware of the concerns raised against Mr Hall, at the time of her reporting this allegation. The panel concluded that it was unclear from Colleague G's evidence therefore, what changed in respect of her embarrassment and caused her to report this matter. The panel concluded that Colleague G must have been aware of the allegations raised against Mr Hall as evidence in her witness statement.
350. The panel noted that Colleague D provided evidence in respect of being aware of the complaint raised by Colleague G, however it was unclear from Colleague D's evidence when he became aware of the allegation. The panel noted that Colleague G did not provide any evidence to suggest that she had confided in Colleague D prior to reporting the allegations and therefore the panel consider that it was likely that Colleague D was informed of the allegation after Colleague G made her complaint. The panel therefore concluded that there was no independent evidence to support the complaint made by Colleague G.
351. The panel considered that this allegation is serious, and the panel noted that Mr Hall was of good character and weighed this in the balance in assessing his propensity to act as alleged. The panel noted the authorities outlined in respect of the burden of proof and considered that they were not satisfied that Social Work England had discharged its burden in respect of this allegation. The panel determined that it could not conclude that it was more likely than not that the comment was made on the evidence before it.
352. The panel therefore find paragraph 2 (b) (ii) (b) not proved.

(3) Your conduct at Allegation 2 (a) and 2 (b)(ii)(a) above was sexually motivated.

353. On the basis that the panel have found allegations 2 (a) and 2 (ii)(a) not proved, it follows that allegation 3 is found not proved.

(5) Whilst working as a registered social worker and Operational Lead for your team for Coventry City Council December 2017 – April 2019 you failed to make and/or record decisions in a timely manner in that you,

(a) On or around 12 September 2018 failed to prepare a care plan, record a placement or a report for an initial looked after child review for Child 1.

354. The panel considered the evidence of Colleague A in respect of this allegation. Within her witness statement Colleague A confirmed as follows *“On 5 October 2018, NB, an independent reviewing officer sent an email to myself in relation to an alert which was escalated to the Social Worker on 12 September 2018 but was not picked up by the Social Worker. The escalation was in relation to the system and around tasks not being actioned. There was also no care plan, placement, or report for initial looked after child review for Child 1. Although it was not necessarily the Social Worker’s fault, it was escalated to him as the Operational Lead and he would have been accountable for everything that went on in his team, so if someone had not been progressing a child’s plan then the Social Worker is responsible for it.”*
355. The panel noted that the allegation states Mr Hall failed to prepare a care plan, record a placement or a report for an initial LAC review for Child 1. The panel noted however it was clear from the evidence of Colleague A that it was not Mr Hall’s role to prepare a care plan, record a placement or a report for an initial LAC review.
356. The panel noted that Colleague A stated that if someone had not been progressing a child’s plan then Mr Hall is responsible for it as the Operational Lead. However, the panel considered that this was the case with all persons in a position of authority over the individual who had not performed the role.
357. The panel considered that there was insufficient evidence to establish that Mr Hall was responsible for preparing the care plan, recording the placement, or creating a report for an initial LAC review for Child 1. The panel considered that Mr Hall has a responsibility to manage the individual who had failed to complete the task, however this did not extend to Mr Hall completing the task himself.
358. The panel concluded that it was not satisfied that Social Work England had discharged its burden of proof in respect of this allegation.
359. The panel therefore find paragraph 5 (a) not proved.

(b) On or around 20 November 2018 and thereafter did not do the voice of child dip sample as required by an audit.

360. The panel considered the evidence of Colleague A in respect of this allegation. Within her witness statement Colleague A confirmed as follows *“On 20 November 2018, I sent an email to the Social Worker... advising him of the outstanding work that he needed to complete. The Social Worker did not do the voice of child dip sample. This is an audit around how the voice of the child is captured in social work practice and was part of the overall quarterly auditing. This would not have put the child at risk but would have impacted on the improvement journey regarding practice being as good as we wanted it to be.”*
361. The panel noted that Mr Hall stated the following in respect of dip tests *“ A little bit later on, around June time, June, July, August time, the manager of the East who also had quite high referral rates and was responsible for the city-wide children with disabilities team which involved chairing regular panel for funding had some health issues and Mr Hall was also asked to cover that team which meant that Mr Hall, along with management meetings, along with dip sampling, along with lots of other things that operational leads have to do, also preparing for inspection actually did not spend a lot of time in the office and was only mainly in the office maybe one/two days a week, particularly around performance meetings, supervisions and management meetings.”*
362. The panel noted the documentary evidence provided by Colleague A which sets out contemporaneous supervision notes demonstrating that the voice of child dip sample, as required by an audit, was outstanding. The panel was therefore satisfied in the circumstances that Social Work England had discharged its burden in respect of this allegation.
363. The panel therefore find paragraph 5 (b) proved.

(c) On or around 29 November 2018 and thereafter, failed to follow through on a decision in the case of Service User 3.

364. The panel considered the evidence of Colleague A in respect of this allegation. Within her witness statement Colleague A confirmed as follows *“On 29 November 2018, a supervision session took place where it was identified things were not being done by the Social Worker. The record refers to the case of Service User 3. Service User 3 did not meet the threshold for a social care intervention, so our response by putting it through referral was disproportionate. The Social Worker and JS (Team Manager) felt that the case should be pushed back to MASH rather than be dealt with by the team. Whilst the Social Worker and JS disagreed with the threshold, they still carried out an assessment rather than returning the case back to MASH. The Social Worker did not follow his initial recommendation. This is an example of the Social Worker not showing the assertiveness to manage a challenge.”*
365. The case of service user 3 was not explored in the examination in chief of Colleague A. The only evidence in respect of service user 3 is therefore that which is set out in Colleague A's statement.

366. The panel considered that the criticism made of Mr Hall by Colleague A was that he was not showing the assertiveness to manage a challenge and he did not follow his own initial recommendation. The panel noted that this was distinctly different from a failure to follow through on a decision as alleged.
367. The panel considered that there was insufficient evidence to establish that Mr Hall failed to follow through on a decision, rather the evidence suggests he chose not to follow his own initial recommendation. Further, the panel considered it was unclear from the evidence of Colleague A what, if any, impact resulted from Mr Hall not following his own initial recommendation.
368. The panel concluded that it was not satisfied that Social Work England had discharged its burden of proof in respect of this allegation.
369. The panel therefore find paragraph 5 (c) not proved.

(d) On or around 29 November 2018 and thereafter, failed to provide a briefing to your supervisor relating to the case of Service User 4.

370. The panel considered the evidence of Colleague A in respect of this allegation. Within her witness statement Colleague A confirms as follows: *"The other case mentioned in the supervision note dated 29 November 2018 is Service user 4, where I was waiting to find out what happened on the case. There was a breach of a High Court order. I asked the Social Worker for a briefing for it, and I did not get it. This was a case in the Social Worker's service that he was responsible for."*
371. The panel noted the documentary evidence provided by Colleague A which shows a contemporaneous supervision note stating as follows *"BREACH OF HIGH COURT ORDER – briefing to Colleague A re what happened here, Colleague A still waiting on this"*.
372. The panel noted that Mr Hall did not dispute within his submissions that this work was outstanding.
373. The panel was satisfied in the circumstances that Social Work England had discharged its burden in respect of this allegation.
374. The panel therefore find paragraph 5 (d) proved.

(e) On or around 29 November 2018 failed to arrive at a timely decision as to what you thought should happen to Service User 5.

375. The panel considered the evidence of Colleague A in respect of this allegation. Within her witness statement Colleague A confirmed as follows: *"In the case of Service User 5 the Social Worker was not providing advice. I was having to chase the Social Worker due to the deadlines. Other people had felt that this child needed to have an "in-house" foster parent that was in our books. The Child's social worker, Team Manager and guardian all approved*

this. I was trying to get the Social Worker to give his view on what should happen to the child and wanted to know what he thought was in the best interest of the child. However, the Social Worker could not give me this.”

376. The panel noted the documentary evidence provided by Colleague A which shows a contemporaneous supervision note stating as follows *“Service User 5-wanting to bring in house... external placement is close to school – [Private]yrs.... Given notice on this placement... without approval from SW/TM and Guardian who all disagree with the plan... Allan could not articulate fully why she shouldn’t move, he can’t articulate what SW thinks, what TM thinks but not able to offer a view himself – an (sic) no one can give anything re impact... I would support not moving Service User 5 if they can evidence why this is not in her best interest – but I have not seen this....”*
377. The panel noted that Mr Hall did not dispute within his submissions that this work was outstanding.
378. The panel was satisfied in the circumstances that Social Work England had discharged its burden of proof in respect of this allegation.
379. The panel therefore find paragraph 5 (e) proved.

(f) On or about the 31 January 2019 and thereafter, failed to make a timely decision to report Child 2 as missing and/or escalate the case of Child 2 as a missing child to your line manager.

380. The panel considered the evidence of Colleague A in respect of this allegation.
381. Within her witness statement Colleague A confirmed as follows: *“An example of where the concerns regarding the Social Worker’s conduct came to light was in a case involving a missing child (“Child 2”). The case is referred to in supervision records dated 31 January 2019, 15 February 2019 and 6 March 2019. Child 1 was missing for about 4-5 months, and it was not escalated to the “Missing Protocol”. The missing protocol covers a few things. If a child is missing 3 times in 90 days, we have to hold a strategy discussion we can use publicity, social media however, Child 2 was missing for a long period, and it should have been on everyone’s radar. In this case we would have published Child 2 missing at 2 weeks in normal circumstances, any child missing over 2-3 days would be escalated to me, Mr G or even Ofsted as well as the police. The Social Worker was aware of the Protocol and the need to escalate the situation. Child 2 was then found in a drug den during a drug raid. The Social Worker had not reported Child 2 missing, or escalated to myself as expected, it is arguable that the child might have been found sooner if the right protocols has been followed. The case holding Social Worker should have escalated the concern to their line manager and the line manager would then have escalated it to the Social Worker who should have then escalated it to me however, the Social Worker did not action the escalation. This child was missing for a considerable amount of time before I knew about it and the child was left at risk. I became aware of this in January 2019 and then challenged the police to find out what*

it is that they were doing to escalate this. I asked the Social Worker to draft a learning review on this case and the deadline for this was due on 1 February 2019. The supervision record dated 15 February 2019 and 6 March 2019 demonstrates that I had still not received this, but it was noted that the Social Worker was distracted by another case in Court, which was an appropriate type of distraction. The Social Worker did not provide a response when questioned about the delay for the learning review on Child 2. His usual response to such questions was that he was going to “get it done” and that it was “nearly done”. The learning review was booked in for 15 March 2019. This needs to be booked so that you have a team of managers and social workers who would break the case down and learn from it and see what went wrong. The delays would not have been recorded on the Child 2’s case notes as when the Social Worker completed task the delay would have been overridden. On 8th March 2019, the Social Worker completed the work involving Child 2 and he was back on track.”

382. In respect of Child 2 Mr Hall stated in his submission as follows: *“Yes, I was aware of that one. The child had been missing. It’s the team manager’s responsibility to share that with me. If they don’t share it with me and it comes up later on then I have to say that it wasn’t shared with me, and I did have that conversation with her about that.”*
383. The panel noted the documentary evidence provided by Colleague A which shows a contemporaneous supervision note stating as follows; *“missing for period of time 4-5 months which was not escalated and senior managers were not aware – Colleague B was aware and agreed he had not escalated – need to understand why as this is very concerning, this YP was found in a drug den during a raid... – Colleague B review the case and doing a briefing for Colleague A due to 1/02 agreed to extend as CB needs to be included from a missing perspective – still not yet received needed today”*.
384. Having reviewed the contemporaneous documentation the panel concluded that it was more likely than not that Mr Hall was aware that Child 2 was missing and failed to make a timely decision to report Child 2 as missing and/or escalate the case of Child 2 to his line manager.
385. The panel was satisfied in the circumstances that Social Work England had discharged its burden of proof in respect of this allegation.
386. The panel therefore find paragraph 5 (f) proved.

(g) During the period January 2018 to October 2019 you failed to sign off on cases in a timely manner requiring your review and signature to initiate court proceedings causing unnecessary delays.

387. The panel considered the evidence of Colleague A in respect of this allegation. Within her witness statement Colleague A confirmed as follows: *“As a manager, the Social Worker struggled when we needed to get him to sign off Court work. He was disorganised and things could be delayed for anything from a few days to weeks. For instance, this could be initiating*

proceedings to arrange for a child to be removed from their parent's care or progressing part of a court case. Statements or care plans would need to be signed off by the Social Worker for Court. There were delays because the Social Worker would not sign it off despite having chased him for weeks."

388. Within his submissions Mr Hall responded to this allegation as follows *"Yeah, we spoke about that in the management meeting that managers would send me stuff through and because I was under scrutiny, I couldn't just sign them off, sometimes I had to say to them "These changes are required", so people would just be sending like 30 emails. I didn't have an email box for approvals. I'd read them at night because I'd be busy all the day chairing meetings or whatever, and then I'd come back to them and say, "We need to have a face-to-face about this", so if things aren't signed off for me it's meaningful delay."*
389. The panel noted that there was no contemporaneous documentary evidence to support the assertion by Colleague A that Mr Hall failed to sign off on cases in a timely manner requiring your review and signature to initiate court proceedings causing unnecessary delays. The panel noted that the evidence provided by Colleague A did not stipulate a particular case in which this occurred. In the absence of specific dates and case examples the panel was not satisfied in the circumstances that Social Work England had discharged its burden of proof in respect of this allegation.
390. The panel therefore find paragraph 5 (g) not proved.

(6) On 16 March 2020 whilst working as an Independent Reviewing Officer for Gloucestershire County Council you used discriminatory and inappropriate language in relation to a young person's gender identity before, and/or during and/or after a looked after child review meeting, in that you,
(a) Did not use the young person's preferred name.

391. The panel considered the evidence of Witness A in respect of this allegation. The panel noted Witness A's evidence as follows *"Furthermore, when the Social Worker spoke to the young person on the phone, when the call ended, he congratulated himself in remembering to call the young person by the correct name. When we spoke to the young person on the phone, the Social Worker did call the young person by the correct name. However, before we placed the call, the Social Worker called the young person by the wrong name."*
392. The panel also considered the relatively contemporaneous email authored by Witness A in which she states, *"he later congratulated himself on getting through the whole conversation without calling the young person him or her."*
393. The panel noted the submissions of Mr Hall that the young person's foster carers occasionally used the wrong name for the young person.
394. The panel concluded in the circumstances, given the contemporaneous complaint that Mr Hall congratulated himself on getting through the whole conversation without calling the

young person the wrong name, it was more likely than not that he had failed to use the young person's preferred name before a LAC review meeting.

- 395. The panel considered that if Mr Hall had used the correct name throughout and or before the meeting, he would not have needed to congratulate himself for getting matters correct when speaking to the young person.
- 396. The panel was satisfied in the circumstances that Social Work England had discharged its burden of proof in respect of this allegation.
- 397. The panel therefore find paragraph 6 (a) proved.

(b) Expressed your personal belief that 'Jesus or God would not agree with it' or words to that effect.

- 398. The panel considered the evidence of Witness A in respect of this allegation. The panel noted Witness A's evidence as follows *"The Social Worker kept saying he was a member of the church and that it was sinful to be transgender. He repeated this multiple times. The Social Worker did make other comments about his church. However, I am unable to remember exactly what was said. He was very opinionated and open in the meeting about the young person's gender."*
- 399. The panel noted the exhibited email of LR who was not called to give evidence stated as follows *"Allan was talking about it being a changing world and that Jesus/god would not agree with it."*
- 400. The panel noted that Witness A was asked in cross examination whether she recalled the words Jesus or God being used and she stated as follows *"I remember writing at the time that you mentioned, not once but twice, that A would be condemned as transgender, that the church sees them as sinful, as per my statement."* Witness A stated, *"I just recall 'transgenders are sinful'. That is the wording."*
- 401. The panel considered that Witness A was in the position to provide the best evidence in respect of the words used by Mr Hall as she made the complaint, as such the panel considered that Social Work England had not discharged its burden of proof in respect of this allegation and the use of the words 'Jesus or God would not agree with it'.
- 402. The panel therefore find paragraph 6 (b) not proved.

(c) Made reference to your own church condemning transgender people as 'sinful.'

- 403. The panel considered the evidence of Witness A in respect of this allegation. The panel noted Witness A's evidence as follows *"The Social Worker kept saying he was a member of the church and that it was sinful to be transgender. He repeated this multiple times. The Social Worker did make other comments about his church. However, I am unable to remember exactly what was said."*

404. The panel noted the relatively contemporaneous email sent by Witness A to PR in respect of her complaint which stated as follows “He also mentioned several times that he belonged to a church that condemned transgenders as sinful.”
405. The panel considered that Witness A gave clear and compelling evidence on what she had heard Mr Hall say. The panel relied on the relatively contemporaneous complaint that was made by Witness A and noted that the evidence she gave was consistent with the statement that she had provided.
406. The panel considered in all the circumstances that it was more likely than not that Mr Hall did make reference to his own church condemning transgender people as ‘sinful.’
407. The panel therefore find paragraph 6 (c) proved.

(7) Failed to provide Social Work England with your current and former employer details as requested on 15 June 2020.

408. The panel considered the evidence of CT in respect of this allegation. The panel noted that CT had provided a witness statement confirming that on 15 June 2020 he wrote to Mr Hall informing him of the concerns that were raised in relation to his practice. On 3 July 2020 Mr Hall responded to his letter saying that he had difficulties with his laptop and was unable to respond to CT’s query regarding his current employment details. CT then wrote back to Mr Hall on 20 July 2020 asking for his current employment details. On 20 July 2020 Mr Hall wrote back to CT and CT confirms that Mr Hall did not provide his employment details.
409. The panel noted Mr Hall’s evidence that he felt he was being targeted and it looked as though Social Work England wanted to go through every single employer that he has worked with. Mr Hall said it was against his human rights, and he responded appropriately as far as he was concerned to the complaint, and he didn’t think it needed to go any further.
410. The panel noted that within Mr Hall’s submissions, as set out above, Mr Hall acknowledges that he failed to provide Social Work England with his current and former employer details as requested.
411. On the basis of the evidence of CT and the admissions of Mr Hall, the panel were satisfied that Social Work England had discharged its burden of proof in respect of this allegation.
412. The panel therefore find paragraph 7 proved.

(8) Between 3 March 2020 and 3 April 2020 your record keeping was inadequate in that you;

(a) Failed to record the minutes and decisions taken during three child review meetings that you chaired during the week of 3 – 10 March 2020 within the statutory timescale or at all.

413. This allegation was admitted by Mr Hall. The panel therefore took that admission into account in its determination of this allegation.

- 414. The panel noted the evidence of Colleague F and the various exhibits presented to the panel in respect of the work completed by Mr Hall during the relevant period.
- 415. The panel considered that the evidence demonstrated that Mr Hall failed to record the minutes and decisions taken during three child review meetings that he chaired during the week of 3 – 10 March 2020 within the statutory timescale.
- 416. The panel noted Mr Hall's submissions with regard to the reasons for his failure to the complete the work within the timescales, including the difficulties he was having with the computer systems, the impact of the national lockdown on his work, and the fact that he was working in an unsupportive environment.
- 417. The panel was satisfied in the circumstances that Social Work England had discharged its burden of proof in respect of this allegation.
- 418. The panel therefore find paragraph 8 (a) proved.

(b) Failed to record the decisions taken for six out of seven child review meetings that you chaired during the week of 19 – 26 March 2020 within the statutory timescale.

- 419. This allegation was admitted by Mr Hall. The panel therefore took that admission into account in its determination of this allegation.
- 420. The panel noted the evidence of Colleague F and the various exhibits presented to the panel in respect of the work completed by Mr Hall during the relevant period.
- 421. The panel considered that the evidence demonstrated that Mr Hall failed to record the decisions taken for six out of seven child review meetings that you chaired during the week of 19 – 26 March 2020 within the statutory timescale.
- 422. Again, the panel noted Mr Hall's submissions with regard to the reasons for his failure to the complete the work within the timescales including the difficulties he was having with the computer systems, the impact of the national lockdown on his work, and the fact that he was working in an unsupportive environment.
- 423. The panel was satisfied in the circumstances that Social Work England had discharged its burden of proof in respect of this allegation.
- 424. The panel therefore find paragraph 8 (b) proved.

(c) Failed to record the decisions taken for five child review meetings that you chaired during the week 27 March – 3 April 2020 within the statutory timescale.

- 425. The panel noted the evidence of Colleague F and the various exhibits presented to the panel in respect of the work completed by Mr Hall during the relevant period.

426. The panel considered that the evidence demonstrated that Mr Hall had failed to record the decisions taken for five child review meetings that he chaired during the week 27 March – 3 April 2020 within the statutory timescale.
427. Again, the panel noted Mr Hall's submissions with regard to the reasons for his failure to complete the work.
428. The panel was satisfied in the circumstances that Social Work England had discharged its burden of proof in respect of this allegation.
429. The panel therefore find paragraph 8 (c) proved.

Submissions on misconduct:

Social Work England

430. Ms Ferrario on behalf of Social Work England set out in detail the background of the allegations found proved by the panel. Ms Ferrario noted the test for misconduct and submitted that Mr Hall's conduct had breached the following standards:

Factual Allegation 2

HCPC Standards of conduct, performance and ethics (2016)

6.1 You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible.

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

HCPC Standards of proficiency – Social Workers in England (2017)

3.1 Understand the need to maintain high standards of personal and professional conduct.

3.4 be able to establish and maintain personal and professional boundaries.

6.1 Be able to work with others to promote social justice, equality and inclusion.

8.1 Be able to use interpersonal skills and appropriate forms of verbal and non-verbal communication with service users, carers and others.

9.1 Understand the need to build and sustain professional relationships with service users, carers and colleagues as both an autonomous practitioner and collaboratively with others.

Factual Allegation 5

HCPC Standards of conduct, performance and ethics (2016)

6.1 You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible.

7.1 You must report any concerns about the safety or well-being of service users promptly and appropriately.

7.3 You must take appropriate action if you have concerns about the safety or well-being of children or vulnerable adults.

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.

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

10.2 You must complete all records promptly and as soon as possible after providing care, treatment or other services. HCPC Standards of proficiency – Social Workers in England (2017)

4.1 Be able to assess a situation, determine the nature and severity of the problem and call upon the required knowledge and experience to deal with it.

4.2 Be able to initiate resolution of issues and be able to exercise personal initiative.

4.4 Be able to make informed judgements on complex issues using the information available.

8.2 Be able to demonstrate effective and appropriate skills in communicating advice, instruction, information and professional opinion to colleagues, service users and carers.

10.1 Be able to keep accurate, comprehensive and comprehensible records in accordance with applicable legislation, protocols and guidelines.

10.2 Recognise the need to manage records and all other information in accordance with applicable legislation, protocols and guidelines.

Factual Allegation 6

Social Work England Professional Standards (2019)

1.1 Value each person as an individual recognising their strengths and abilities.

1.2 Respect and promote the human rights, views, wishes and feelings of the people I work with balancing rights and risks and enabling access to advice, advocacy, support and services.

1.5 Recognise differences across diverse communities and challenge the impact of disadvantage and discrimination on people and their families and communities.

1.6 Promote social justice, helping to confront and resolve issues of inequality and inclusion.

2.2 Respect and maintain people's dignity and privacy.

2.4 Practise in ways that demonstrate empathy, perseverance, authority, professional confidence and capability, working with people to enable full participation in discussions and decision making.

5.1 I will not abuse, neglect, discriminate, exploit or harm anyone or condone this by others.

5.2 I will not behave in a way that would bring into question my suitability to work as a social worker while at work or outside of work.

Factual Allegation 7

Social Work England Professional Standards (2019)

2.1 Be open, honest, reliable and fair.

Factual Allegation 8

Social Work England Professional Standards (2019)

3.11 Maintain clear, accurate, legible and up to date records documenting how I arrive at my decisions.

5.2 I will not behave in a way that would bring into question my suitability to work as a social worker while at work or outside of work.

431. Ms Ferrario on behalf of Social Work England submitted that the misconduct in this case should be considered both in isolation and cumulatively. She stated the panel should decide whether Mr Hall has conducted himself in a manner that is incompatible with his professional standards. She noted the misconduct occurred in a variety of ways and over a lengthy period of time.
432. In respect of allegations 2 (b) (i) (a) and (b) Ms Ferrario submitted that this amounted to inappropriate comments towards a "less senior female" member of the team, she noted that people should feel safe in their workplace and referred to Colleague B's evidence that she felt embarrassed.
433. In respect of allegation 5 (b) (d) and (e), Ms Ferrario submitted that a failure to carry out basic tasks may in isolation be viewed as a breach of professional standards but fall below the threshold of misconduct. She stated however that Social Work England's position was that Mr Hall was a senior practitioner and was very aware that making and recording decisions was a fundamental part of his role. She stated Mr Hall should have been leading

by example. Ms Ferrario noted that carrying out assessments, reviewing processes and recording outcomes is key to delivering a safe and effective practise and Mr Hall had not provided any good reason as to why as a senior social worker he failed in this regard. She stated the panel was invited to consider the totality of Mr Hall's conduct and submitted that the threshold of misconduct has been reached.

434. In respect of allegation 5(f) Ms Ferrario noted that Child 2 had been missing for 4-5 months and she emphasised that the failure to escalate the case was serious. She noted the evidence that the Child may have been located sooner had the escalation of the case taken place in a more timely fashion.
435. In respect of allegation 6(a) and (c) Ms Ferrario submitted that the professional standards for a social worker enforce a positive requirement that a social worker should support inclusion and challenge discrimination. She stated Mr Hall's actions demonstrated that he had positively discriminated against the young person, that he was supposed to be supporting. Ms Ferrario noted that he did this in the presence of another social worker and the foster carer, both of whom raised complaints about his behaviour.
436. In respect of allegation 7 Ms Ferrario submitted that Mr Hall deliberately withheld information that he was lawfully required to provide to his regulator. She submitted that he did not provide any cogent reason for this. Ms Ferrario submitted that it is extremely important that members of the profession co-operate, she stated the actions of Mr Hall should be viewed very seriously.
437. In respect of allegation 8 (a) (b) and (c), Ms Ferrario submitted that the failures on their own might fall short of misconduct, but she submitted the threshold for misconduct had been reached, because Mr Hall was a senior practitioner at the time, and he should have been aware that making and recording decisions is fundamental to a social workers role. Ms Ferrario submitted that Mr Hall should have been leading by example, but instead he failed to record decisions in a timely manner.
438. Ms Ferrario submitted that Mr Hall had departed from good professional practice. She further submitted that Mr Hall's conduct was sufficiently serious to amount to misconduct. Ms Ferrario submitted that the conduct fell far short of the required standards of behaviour. She submitted Mr Hall's conduct represented a significant departure from the professional standards to be expected of a social worker and noted that he had significant experience. She stated this was an aggravating feature.

Mr Hall

439. Mr Hall addressed the panel in respect of each individual allegation found proved. In respect of allegation 2(b) (i) (a) and (b) he asked the panel to consider the allegations in context and noted that he sets high standards in respect of personal presentation in the workplace. He acknowledged that the panel had found his comments to be of a personal nature and "not legitimate". Mr Hall stated he expected the same personal presentation standards of members of his team and stated that he expected male managers should wear a jacket and

tie and female managers should wear a suit. He stated his comment was not meant to cause offence. He noted he had difficulties in his relationship with AH towards the end of his time at Coventry. He noted he accepted the Panel's ruling, and that the comment was inappropriate. He stated he was sorry and would not repeat his behaviour. He stated he would now avoid making any comments about any members or colleagues' personal presentation and that this would avoid any embarrassment or discomfort. He noted that concerns were not raised by AH in supervision. He submitted that the behaviour was not serious enough to meet the threshold of misconduct. He stated that whilst his conduct was inappropriate, he had not intended to cause AH embarrassment.

440. In respect of allegation 5(b) (d) and (e), Mr Hall asked the panel to take into consideration the context of the allegations. He submitted he had a high workload and a number of pressures at work. He noted a number of projects that he was involved in and noted that he had responsibilities chairing panels, which meant he was out of the office a lot. He stated that he accepted the findings of fact the panel had made and acknowledged that he did not complete the dip sample. He noted the pressure of work meant that he did not complete the work in a timely manner as required. He noted the evidence of Colleague A and stated that "although she said that she was concerned about Mr Hall's workload she did not consider reducing it". Mr Hall accepted he had overall responsibility for completing work in a timely manner. He submitted that given the context outlined, the proved allegations did not amount to serious misconduct.
441. In respect of allegation 5(f) he submitted that he had monthly supervisions with staff and weekly performance meetings, and within every performance report there was a section for information to be completed in respect of missing children, which managers should fill in and discuss. He acknowledged that the case "slipped through the net" and that although staff were responsible for informing him of matters, the task was not managed efficiently. He requested that the panel consider the context of the allegation, and reiterated the pressures faced by him. He submitted the allegation did not however meet the threshold for misconduct, because it was not an intentional omission or action by him and there were systems in place and alerts for missing persons. He noted the Operational Lead and service managers also missed this issue. He submitted that the child was with their parents during the time that they were missing and argued that there needed to be corporate responsibility for the failure to report a child missing.
442. In respect of allegation 6 (a) and (c) Mr Hall stated that he accepted the panel's findings. He noted the IRO role was new to him. He stated in hindsight he accepts he needed more time to adjust having moved roles. He stated it was not his desire to use the incorrect name and understood that the foster carers, also had difficulties in using the correct name to empower that young person on their journey. Mr Hall stated he felt unsupported by Colleague F. He stated he was very sorry for what had been said. Mr Hall submitted however that his actions were unintentional and that they do not meet the threshold for misconduct.
443. In respect of allegation 6(c) Mr Hall stated he accepts the panels' findings and he had reflected over a long period about the inappropriateness of his comment. He stated he was

sorry about the comments, that they were misplaced, and he understood how people could perceive the comments. He stated he had attended a number of churches and had not necessarily agreed with comments that people have made. He stated the comments were obviously inappropriate and should not have been said. He stated however that the threshold for misconduct had not been met, as they were not intentional comments.

444. In respect of allegation 7, Mr Hall acknowledged that he made an error in terms of not giving the regulator all the information they required. He stated that when Social Work England's witness was cross examined on this issue he "accepted that Mr Hall had a point" and did not progress the matter further. Mr Hall submitted that his conduct was not sufficiently serious to amount to misconduct as his actions were "out of fear and lack of understanding". He stated his actions were not deliberate.
445. In respect of allegation 8 (a), (b) and (c) Mr Hall accepted that he should have recorded the decisions in a timely manner. He asked the panel to consider the context of the allegation and the difficulties he faced with Colleague F.
446. Mr Hall stated, "he accept(s) the fact that as a person with his level of experience he should have reflected, particularly when he was having difficulties with Colleague F, about his future in this role". He noted the difficulties caused by the Covid 19 lockdown. Mr Hall acknowledged that it was important that cases were recorded in a timely manner. He submitted his conduct was not intentional and that the allegations were not sufficiently serious to amount to misconduct.
447. Mr Hall made submissions to the panel in respect of his current circumstances.

Finding and reasons on grounds

448. The panel considered all the evidence and the submissions. The panel accepted the advice of the legal adviser and was aware that:
- a. The overriding objective of Social Work England is to protect the public, which includes maintaining public confidence in social workers and maintaining professional standards of social workers.
 - b. Whether the facts found amount to misconduct is a matter for the panel's independent judgement.
 - c. There is no statutory definition of misconduct, but the panel had regard to the guidance given in *Roylance v GMC (No2)* [2001] 1 AC 311:
'Misconduct is a word of general effect, involving some act or omission which falls short of what would be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinarily required to be followed by a... practitioner in the particular circumstances'.

- d. The conduct must be serious and the adjective "serious" must be given its proper weight, and in other contexts there has been references to conduct which would be regarded as deplorable by fellow practitioners falling well below the required standards. (Nandi v GMC [2004] EWHC 2317).

449. The panel concluded that the proved facts of the allegation amounted to breaches of the following standards;

Factual Allegation 2

HCPC Standards of conduct, performance and ethics (2016)

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

HCPC Standards of proficiency – Social Workers in England (2017)

3.1 Understand the need to maintain high standards of personal and professional conduct.

6.1 be able to establish and maintain personal and professional boundaries.

8.1 Be able to use interpersonal skills and appropriate forms of verbal and non verbal communication with service users, carers and others.

9.1 Understand the need to build and sustain professional relationships with service users, carers and colleagues as both an autonomous practitioner and collaboratively with others.

Factual Allegation 5

HCPC Standards of conduct, performance and ethics (2016)

6.1 You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible.

7.1 You must report any concerns about the safety or well-being of service users promptly and appropriately.

7.3 You must take appropriate action if you have concerns about the safety or well-being of children or vulnerable adults.

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.

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

10.2 You must complete all records promptly and as soon as possible after providing care, treatment or other services.

HCPC Standards of proficiency – Social Workers in England (2017)

4.1 Be able to assess a situation, determine the nature and severity of the problem and call upon the required knowledge and experience to deal with it.

4.2 Be able to initiate resolution of issues and be able to exercise personal initiative.

4.4 Be able to make informed judgements on complex issues using the information available.

8.2 Be able to demonstrate effective and appropriate skills in communicating advice, instruction, information and professional opinion to colleagues, service users and carers.

10.1 Be able to keep accurate, comprehensive and comprehensible records in accordance with applicable legislation, protocols and guidelines.

10.2 Recognise the need to manage records and all other information in accordance with applicable legislation, protocols and guidelines.

Factual Allegation 6

Social Work England Professional Standards (2019)

1.1 Value each person as an individual recognising their strengths and abilities.

1.2 Respect and promote the human rights, views, wishes and feelings of the people I work with balancing rights and risks and enabling access to advice, advocacy, support and services.

1.5 Recognise differences across diverse communities and challenge the impact of disadvantage and discrimination on people and their families and communities.

1.6 Promote social justice, helping to confront and resolve issues of inequality and inclusion.

2.2 Respect and maintain people's dignity and privacy.

2.4 Practise in ways that demonstrate empathy, perseverance, authority, professional confidence and capability, working with people to enable full participation in discussions and decision making.

5.1 I will not abuse, neglect, discriminate, exploit or harm anyone or condone this by others.

5.2 I will not behave in a way that would bring into question my suitability to work as a social worker while at work or outside of work.

Factual Allegation 7

Social Work England Professional Standards (2019)

6.7 Cooperate with any investigations by my employer, Social Work England, or another agency, into my fitness to practise or the fitness to practise of others.

Factual Allegation 8

Social Work England Professional Standards (2019)

3.11 Maintain clear, accurate, legible and up to date records documenting how I arrive at my decisions.

5.3 I will not behave in a way that would bring into question my suitability to work as a social worker while at work or outside of work.

450. In respect of the allegations found proved the panel determined that Mr Hall's actions in respect of allegations 5(e), 5 (f), 6(c), 7 and 8(a)-(c) amounted to misconduct. The panel concluded that Mr Hall was a social worker with significant experience, who held a senior managerial position. He failed to conduct himself in a manner that would justify the public's trust and confidence and in doing so breached a number of the fundamental tenets of the social work profession.
451. The panel considered each paragraph of the allegation separately. In respect of paragraph 2 (b) (i) (a) of the allegation the panel noted its previous conclusions that Mr Hall's comment 'oh you look the part today' was inappropriate. The panel considered that there was no legitimate purpose for this unsuitable comment. While the panel considered that use of the comment breached 9.1 of the HCPC standards of conduct performance and ethics (2016) and 3.1, 6.1, 8.1 and 9.1 of the HCPC standards of proficiency – Social Workers in England (2017). The panel were not satisfied that the use of the comment amounted to serious misconduct.
452. The panel considered the context behind the comment and the fact that it had heard evidence that Mr Hall prided himself on his personal appearance and expected high standards of his team. The panel noted that while the comment was unsuitable, it was not said with any ulterior motive. The panel noted that the comment caused embarrassment to Colleague B but was unaware of any further impact of the comment. The panel concluded

that while the comment was inappropriate, in the context that it was said, the conduct of Mr Hall was not sufficiently serious to amount to misconduct.

453. In respect of paragraph 2 (b) (i) (b) the panel reminded itself of its conclusions that there was no legitimate purpose for the unsuitable comment 'she's looking good today' or words to that effect. However, given the context of the comment and the limited impact caused by it, the panel considered that the comment while inappropriate did not meet the threshold to amount to misconduct.
454. In respect of allegation 5 (b) the panel considered its conclusions that the dip sampling had not been conducted in a timely manner. The panel noted that Mr Hall was a senior social worker and as such he would have been aware of his responsibilities. The panel considered the evidence it heard in respect of the impact of not completing the work on time. This evidence was that the failure to complete the work in a timely manner would not have put the child at risk. However, it would have impacted on the improvement journey, regarding practice being as good as possible. The panel concluded that the failure in respect of not completing work in a timely manner breached 6.1 and 9.1 of the HCPC standards of conduct performance and ethics (2016) and 10.1 and 10.2 of the HCPC standards of proficiency – Social Workers in England (2017). of the standards. However, given the pressured environment Mr Hall was working in and the limited impact of the conduct, the panel considered that the threshold for a finding of misconduct had not been reached.
455. The panel considered allegation 5 (d) and noted that given Mr Hall's senior position he would have been aware that it was his responsibility to provide a briefing to his manager. In respect of this allegation the panel noted that a high court order had been breached by the council, however, this would not have been the individual responsibility of Mr Hall. The panel considered the evidence it had heard in respect of the work pressures that Mr Hall was under, and how busy the service was. Although the conduct of Mr Hall breached 6.1 and 9.1 of the HCPC standards of conduct performance and ethics (2016) and 4.1, 4.2 and 8.2 of the HCPC standards of proficiency – Social Workers in England (2017). Given the pressured environment Mr Hall was working in and the limited impact of Mr Hall's failure to brief his supervisor, the panel considered that the threshold for a finding of misconduct had not been reached.
456. In respect of allegation 5 (e) the panel considered its conclusions that Mr Hall, as a senior social worker, had failed to arrive at a timely decision as to what he thought should happen to Service User 5. The panel considered that such conduct could have had a detrimental impact upon the service user, as it may have delayed the service users' foster placement. While the panel acknowledge the work pressures suffered by Mr Hall, the panel considered that the potential impact of Mr Hall's conduct was serious and that as such the threshold in respect of misconduct had been reached. In failing to arrive at a decision in a timely manner Mr Hall breached 6.1, 7.1, 7.3, 7.6, 9.1, and 10.2 of the HCPC standards of conduct performance and ethics (2016) and 4.1, 4.2, 4.4, 8.2, 10.1 and 10.2 of the HCPC standards of proficiency – Social Workers in England (2017).

457. The panel considered allegation 5(f) and noted its conclusions that Mr Hall failed to make a timely decision to report Child 2 as missing and/or escalate the case of Child 2 as a missing child to his line manager. The panel noted the evidence that Child 2 was missing for a long period of time. Child 2 was then found in a drug den during a drug raid. The panel considered that as a senior social worker Mr Hall was aware of the Protocol and the need to escalate the situation. The panel considered that the child may have been found sooner if the right protocols had been followed. The panel concluded in the conduct of Mr Hall could have placed Child 2 at further risk of harm. The conduct breached 6.1, 7.1, 7.3, 7.6, 9.1, and 10.2 of the HCPC standards of conduct performance and ethics (2016) and 4.1, 4.2, 4.4, 8.2, 10.1 and 10.2 of the HCPC standards of proficiency – Social Workers in England (2017). In all the circumstance the panel considered the failure to escalate to be serious and as such the panel concluded that the actions of Mr Hall amount to misconduct.
458. In respect of allegation 6 (a) the panel noted its findings that Mr Hall did not use the young person's preferred name. The panel considered this in the context of the fact that the foster carers for the young person had admitted that they on occasion had used the incorrect pronoun. The panel noted that although Mr Hall's conduct in congratulating himself on using the correct pronoun was inappropriate, and in breach of 1.5, 1.6 and 2.2 of the Social Work England Professional Standards (2019), the conduct of Mr Hall was not sufficiently serious to amount to misconduct.
459. In respect of allegation 6 (c) the panel noted its conclusion in respect of Mr Hall making reference to his own church condemning transgender people as 'sinful.' The panel considered the actions of Mr Hall in this regard breached 1.1, 1.2, 1.5, 1.6, 2.2, 2.4, 5.1 and 5.4 of the Social Work England Professional Standards (2019). The panel considered the actions of Mr Hall amount to a serious departure from the standards expected of a social worker. The panel considered that had Mr Hall had any concerns about how to approach the gender identity conversations, he could have raised this within his supervision. The panel noted that the comment demonstrated a lack of judgment on Mr Hall's part, and had it been heard by the young person it could have had a significant detrimental impact. In all the circumstances the panel considered that the actions of Mr Hall amounted to misconduct.
460. The panel considered allegation 7 and noted its conclusions that Mr Hall failed to provide Social Work England with his current and former employer details as requested. The panel considered that Mr Hall's reasoning for the failure to provide information was without merit. Further, the panel noted the importance of Social Worker's acting in an open and transparent manner in respect of their regulator. The panel considered Mr Hall's actions amount to a breach of 6.7 of the Social Work England Professional Standards (2019). Social Workers are required to engage with their regulator and as such the panel concluded that Mr Hall's failure amounted to a significant departure from the requisite standards and was serious misconduct.
461. In respect of allegation 8, the panel considered allegation 8 (a), (b) and (c) together on the basis that the allegations all relate to inadequate record keeping in the same period of time. The panel considered that Mr Hall's conduct amount to a breach of 3.11 and 5.3 of the Social

Work England Professional Standards (2019). While the panel noted the difficulties Mr Hall had with Colleague F, the computer systems and the disruption caused by the Covid 19 pandemic, the panel considered that the scale of the record keeping failures, given Mr Hall's limited workload at the relevant time, was sufficiently serious to amount to misconduct.

462. While the panel considered that the allegations alone may not individually amount to misconduct, the panel considered that cumulatively allegations 8 (a), (b) and (c) were sufficiently serious to amount to misconduct. The panel noted that the failure to record decisions may have had a detrimental outcome on the children concerned. The panel considered the scale of the failure to record was significant. Mr Hall was a senior social worker and would have been aware of the need to record decisions in a timely manner. Further, the panel noted that Mr Hall had a limited workload at the relevant time and sufficient opportunity to catch up on the work, which was not achieved.
463. The panel noted that the allegations found proved demonstrated a pattern of failing to adhere to professional standards. However, the nature of these failures was disparate, and the panel decided it could not make a determination of cumulative misconduct.
464. The panel therefore determined that the proved facts within allegations 5(e), 5 (f), 6(c), 7 and 8(a)-(c) amounted to misconduct.

Application to introduce new evidence:

465. Ms Ferrario on behalf of Social Work England made an application to adduce new evidence. Ms Ferrario set out within a skeleton argument on behalf of Social Work England that Social Work England were seeking to admit two letters received from [PRIVATE]. One of the letters was addressed to Social Work England and the other letters was addressed to Mr. Hall himself. Ms Ferrario noted that Social Work England received a letter from [PRIVATE].
466. [PRIVATE]
467. Mr Hall did not object to the application made by Social Work England to introduce the new evidence.
468. The Legal Advisor provided advice to the panel in respect of Rule 32(a) of Social Work England Fitness to Practise Rules 2019 as amended. The Legal Adviser noted that Rule 32(b)(viii) sets out that adjudicators or regulators may admit evidence where they consider it to be fair to do so whether or not such evidence would be admissible before courts.
469. The panel retired to consider their decision. The panel noted that Mr Hall did not object to the application made on behalf of Social Work England to introduce the new evidence. The panel considered that the new information was relevant to the hearing. As such, in all the circumstances, the panel consider it to be fair that the evidence should be admitted.

Submissions on impairment:

470. The below is a summary of the submission made by each party.

471. Ms Ferrario referred the panel to the relevant section of the statement of case prepared on behalf of Social Work England. Ms Ferrario submitted that it was Social Work England's submission that Mr Hall was currently impaired.
472. Ms Ferrario outlined the relevant case law in respect of impairment and referred the panel to the Impairment and Sanctions Guidance.
473. Ms Ferrario submitted that Mr Hall had shown a lack of insight into his own conduct and greater risk of repetition because he had failed to fully understand what they have done wrong and why it was wrong.
474. Ms Ferrario noted that Mr Hall has produced a number of testimonials but noted that the testimonials did not tell the panel whether or not the individuals providing them were aware of the concerns that have been raised.
475. Ms Ferrario noted that Mr Hall has had the factual outcome since June 2023 and noted that 7 months had past and he had not provided cogent evidence in relation to reflective pieces, remedial steps or any criteria associated with current impairment.
476. Ms Ferrario noted that Mr Hall was asking the panel to rely upon a reflective statement made in June 2020, despite the fact that he had made a number of admissions within that statement which he subsequently retracted during the hearing process. Ms Ferrario invited the panel to question the reliability of the reflections.
477. Ms Ferrario submitted that that there has been no evidence provided by Mr. Hall that he has reflected, that he has read the Impairment and Sanctions Guidance or that he has taken full responsibility for his actions such that he can remediate his conduct. Ms Ferrario therefore submitted that Mr Hall could not persuade the panel that there is no risk of repetition.
478. In respect of the public component Ms Ferrario noted that an informed and reasonable member of the public would be shocked or surprised if a finding of impairment were not made.
479. Mr Hall noted that the character references he had provided were key to his case. He noted that he had further character references to provide to the panel and requested a short adjournment to produce these. Social Work England did not object to the introduction of the further character references as such the references were put before the panel.
480. Mr Hall noted that the hearing was about his character. Mr Hall noted the content of the references and noted that he had been unable to undertake any work in Social Work. Mr Hall referred to his work as a recovery driver and noted the transferable skills that he used during this role. He noted that the role involved building rapport and calming people. Mr Hall provided examples of times that he had assisted people during his role and referred to the references he had provided in this regard.
481. Mr Hall noted that character was an indicator of past and future behaviour. He submitted he was not impaired and there was a low risk of repetition of the same conduct. Mr Hall noted that he had apologised in relation to the case of Colleague B.

482. In respect of his character, he stated *"It is my submission to the Panel that Mr. Hall's experience in Coventry and Gloucestershire were for him shameful, painful aberrations and he has been embarrassed and found it hard to believe that his performance was as poor as it was. However, Mr. Hall tried to demonstrate to the Panel the context of that situation and I think if we go back to the evidence of Colleague A, who was a senior manager, the comments she made about performance --maybe Mr. Hall should have made a referral to Social Work England about her because the comments she makes are in my submission very concerning that you have got a senior manager who is saying she is talking to a manager who she is on his case about performance... For a manager to say she was working with Mr. Hall and Mr. Hall was afraid of failure and Mr. Hall did not want any changes, so she left it until Mr. Hall [PRIVATE]-- there was a very concerning situation that was raised about a child who had been missing for a period of time."*
483. Mr Hall submitted that the failings found by the panel were about the relationship he had with his managers and the lack of support.
484. Mr Hall noted that the hearings process has been a challenging, traumatic experience for him, and he has "tried to gather himself". He stated he has tried to take on board the concerns that have been raised and reflect.
485. Mr Hall referred to the difficulties he had in both Coventry and Gloucester. He noted he had *"bad managers"*, was over worked and treated inappropriately. He stated *"It is my submission that Mr Hall has done all of that through these proceedings and has used the registration process to demonstrate his ongoing CPD, his ongoing continuing development and has looked at the complaint's procedure, has looked at a framework for working with children and families, has worked at person-centred social work, has looked at professional boundaries... So, it is my submission to the Panel that there is plenty of evidence on the Social Work England website about Mr. Hall's reflections, about his learning, about his increased awareness of the importance of Social Work England to protect the public and to ensure that people are working to the right standards"*.
486. Mr Hall referred to the references provided by [PRIVATE] who were both aware of the allegations. He noted the support he received from his family. Mr Hall noted the effort he had invested in relation to a career in Social Work. He submitted he was not impaired and had committed 30 years to ongoing development.
487. Mr Hall stated *"It is my submission to the panel that the reality of the situation is if you fail, if you fall below a standard, you can talk about mitigation, you can talk about push and pull factors but ultimately you have to look inward and you have to take responsibility. It is my submission to this panel that while I am getting up at 6 o'clock in the morning and jumping in my recovery truck and I could be anywhere in the country, driving for hours to pick people up or one minute you could be picking up somebody in a broken down car on the M1, the next minute you could be going to Croydon to pick up a Range Rover or a BMW or whatever, Mr. Hall has had plenty of time to reflect, plenty of time to stock take, plenty of time to take responsibility, plenty of time to realise that he should not have been in this position."*

Although he may have had gripes and he may have had things that he was not happy about, ultimately he needs to take responsibility for his performance.”

488. Mr Hall stated *“Mr. Hall is not aware of any children’s care plans that have been thrown out or any children who have died or been seriously hurt. He has been made aware about a young person who was somewhere where it was not good for them. If that does not cause somebody who -- we have got evidence here -- is of general good character to reflect and take stock and one to do things to make up for that, then I would be surprised. It is my submission to the panel that that is what Mr. Hall has demonstrated all the way through these proceedings from day one.”*
489. Mr Hall further stated *“It is my submission to the panel that when the panel had deemed possibly calling the young person by their wrong name, making comments about what people in churches would do, the panel deemed that as misconduct, Mr. Hall in his submissions to the panel accepted that and did talk about his attempt to apologise to the foster carer, did talk about how he took it on board, actually talked about if he was ever to be in a situation where there were sensitive issues, about using a script to guide his performance and being aware of how inappropriate that comment was and how it could be misconceived... It is my submission to the panel that Mr. Hall did not just accept that what he did was wrong, did not just accept that it was not his intention, and it could have been misconstrued, but actually it talked about some positive ways to improve and to make sure that inappropriate comments were not made at meetings like this.”*
490. Mr Hall stated that he had reflected and shown that he understood that he was responsible and *“ultimately the responsibility comes down to himself”*.
491. Mr Hall stated in terms of personal impairment he was of previous good history and good character and is aware of the potential harm that could have been caused to the young person and to other young people by his recording not being up to date. Mr Hall stated he has demonstrated complete insight.
492. Mr Hall referred to the CPD he had undertaken around relationship-based practice. He stated *“That looked at the perspective of working with children and families, keeping them central to the work, focusing on their strengths, using different methodologies to work with them, looking at how other partners come together to keep the young person in the family central, and helping them to understand their difficulties and move forward in terms of addressing the problem. Obviously part of that is about professional boundaries and making sure that those are clear so that professionals and a service user are aware of the social worker’s role, they are part of the Local Authority which is a government agency; they are there to address concerns and support needs.”*
493. Mr Hall stated *“It’s my submission to the panel that in terms of the Gloucestershire complaint that Mr Hall has met the test in terms of not posing a risk of further harm, understanding the concerns. There is, in my submission, minimal or no possibility of repetition based on the experiences and the learning that Mr Hall has gone through. Mr Hall has got previous good history of good character and good practice. Mr Hall has demonstrated full insight into the concerns and yes, Mr Hall has focused on trying to present*

the context but has accepted responsibility for his failings and there are testimonials about Mr Hall's previous and ongoing good conduct and good interactions; positive customer service with the public. It is my submission this is very important to be taken seriously by the panel and viewed with as much weight as required to demonstrate whether or not Mr Hall is currently personally impaired"

494. Mr Hall summarised all of his submissions on impairment as follows;

"It's my submission that this process has been a lengthy process, an arduous process for Mr Hall and it's been complicated, and obviously due to financial constraints he has been unable to pay for professional representation. It is my submission to the Panel that he has done his best to represent himself. Initially there was a large amount of allegations which would cause grounds for public impairment to be met. It's my submission to the Panel that a number of those allegations have not been upheld and that only a fraction of the allegations has been upheld and moved on to amount together, and it's suggested that separately they wouldn't have amounted to misconduct but together they have amounted to misconduct.

It is my submission to the Panel that it has been a challenge and there have been grave attacks on his character, but he has worked through this process and has accepted the findings of the Panel and the judgement of the Panel and has demonstrated early on a desire and an attempt to reflect on the concerns presented and tried to find the truth. The search for the truth continued through the proceedings and through cross-examination, and where there were opportunities in terms of remediation Mr Hall did apologise to parties who he believed had possibly been harmed.

It is my submission to the Panel that at the time of these allegations, and at the time of the concerns that it would have been deemed that Mr Hall was impaired in terms of his judgement, in terms of how he presented himself, in terms of the unfortunate comments that were made, in terms of difficulties around managing workload, attending to issues in a timely way, that it is my submission there was no grave harm. Unfortunately, it was a young person that was missing but they were found, and they were found a suitable placement. The young person who was involved in the LAC review didn't hear the comments Mr Hall made to the foster carer, and the recording for the LAC reviews, it's my submission to the Panel that the majority of the recordings were caught up and unfortunately because Mr Hall had to leave that placement the second part of the recordings were unable to be completed.

It's my submission to the Panel at the time it could be defined that Mr Hall was both publicly and personally impaired. It is my submission to the Panel that these concerns arose a long time ago, since then. Mr Hall has worked for a project and for Surrey County Council during the pandemic.

There are in the bundle character references and references that suggest that these failings that Mr Hall had experienced in Coventry and in Gloucestershire were not

repeated. There are on file now character references, some where the references are aware of the concerns and make comments about their shock and horror. There is a commendation on the bundle and numerous positive character references about how Mr Hall is currently presenting himself and how he is trying to find gainful employment that involves service to the public, on occasion placing himself in danger by recovering people from motors and floods.

So in terms of public impairment it is my submission to the Panel that based on Mr Hall's understanding of the concerns, his reflections through these proceedings and also in ongoing CPD, which after this submission Mr Hall will try and find a way of pulling that together for the Panel, and the fact that there has been some considerable passing of time in terms of the concerns it's my submission to the Panel that the threshold for public impairment is not met for Mr Hall currently.

In terms of the public impairment, it's about whether or not Mr Hall currently poses a risk to the public and whether to uphold professional standards it would be correct to find public impairment. I think in my submission the public would be very interested to see this process that Mr Hall has gone through where a large amount of the concerns have not been upheld, but the ones that have been upheld he has taken onboard, he has reflected, he has talked about things that he would do differently, he has talked about planning his work, he has talked about using scripts to ensure that he presented appropriately and he has assured the Panel that these concerns will not be repeated.

In terms of personal impairment, in terms of any harm that may have been caused my submission to the panel is that through the process and through evidence and cross-examination where possible Mr Hall has tried to mitigate any harm by apologising to the foster carer and apologising to any colleagues along the way. Mr Hall does have a previous good history of making a contribution to social work practice, supporting and assisting his colleagues in their personal development, and even currently he is doing so, obviously at a minimal level. It is my submission to the Panel that Mr Hall has demonstrated, and it has been a painful process in my submission, total insight and acceptance of the judgements of the Panel. It is my submission that Mr Hall has made remediation where possible to apologise to the foster carer and any of his colleagues along the way through cross-examination about how they perceived him and also through ongoing personal development which Mr Hall will try to download for the Panel after these submissions. Also, there are commendations from the public who Mr Hall has come into contact with in recent times who have commented on his professionalism, his appropriate presentation, his attention to excellent public service and supporting and helping them to overcoming challenging circumstances and supporting them to have good outcomes from his involvement with them.

It is my submission that Mr Hall has made admissions early on in the process, tried through his responses to acknowledge and understand the concerns that were raised. Yes, Mr Hall has focused on mitigation and about how he felt he had been treated inappropriately and the pressures of work. However, through this process

Mr Hall has talked about methodology, the 5 Whys and has taken full responsibility for his failings and however hard and challenging it is to be told by a panel that your behaviour amounts to misconduct Mr Hall has taken that onboard and given the Panel assurances that that would not be repeated.

We come to testimonials. Now Social Work England's argument is that these testimonials shouldn't be taken seriously because not all the people who have given testimonials have known about the concerns. It is my submission to the Panel that a large amount of the allegations have not been proved and Mr Hall had denied a large amount of the allegations and accepted his failings and the things that he had done wrong and tried to understand those failings and presented mitigation. However, in my submission to the Panel Mr Hall is aware that his behaviour and his performance was below that which would be expected from himself and somebody of his experience and from the social work profession.

Mr Hall did evidence in other roles in these allegations comments from colleagues and references are on record for the Panel to look at to demonstrate that those failings have not been repeated. Also, in the different role that Mr Hall is undertaking he has commendation, he has numerous feedbacks of satisfaction from the public. He has comments about his presentation, about his effectiveness, about his work ethic, and I urge the Panel that the past is a predictor of future behaviour and it's my submission to the Panel that there were particular circumstances in the failures of Mr Hall in Gloucester and Coventry, does not excuse his behaviour but gives some context to the push and pull factors that may have led Mr Hall to behave in the way he did. The majority of Mr Hall's social work practice has been positive, and I would submit exemplary, if you look at his CV, his varied roles, and all of those roles have got references that talk about Mr Hall's good practice and there are character references and references of the two previous roles and the current role. Because of the learning and because of Mr Hall's previous good character and continuing good character, because life throws in my submission curved balls at you and you have to face them head-on and you have to internalise your frailties and your humanity and you have to move on, and it's my submission to the Panel that it is Mr Hall's acceptance of his own humanity and his own frailty that has taken him through this process.

It is my submission that Mr Hall has done his best to demonstrate that he has learnt from his mistakes that he has got measures to put in place to prevent them from reoccurring, that he has been involved in ongoing training, that there is evidence, maybe not in a social work role, of Mr Hall's good character, of his performance, of his willingness to put himself at risk to assist and protect the public and it is my submission that as a consequence of that process that Mr Hall should not be found to be personally impaired."

495. The panel accepted legal advice from the Legal Adviser, which included the following
- a. The Court of Appeal noted in the GMC v Meadows the purpose of fitness to practise procedures is not to punish the practitioner for past misdoings but to

protect the public against acts or omissions of those who are not fit to practise. The panel thus looks forward and not back, however in order to form a view as to the fitness to practise of a person practising today is evidence they will have to take into account the ways in which the person concerned has acted or failed to act in the past.

- b. The test for impairment set out by the court in *Council for Health and Regulatory Excellence v Nursing and Midwifery Council and Grant* [2011] EWHC 927 (Admin) was whether the panel's findings in respect of the practitioner's competence and capability show that the practitioner's fitness to practise is impaired in the sense that they have in the past and/or are liable in the future (a) to put service users at unwarranted risk of harm; (b) to bring the profession into disrepute; (c) to breach one of the fundamental tenets of the profession; (d) to act dishonestly and/or be liable to act dishonestly in the future.
- c. Dame Janet Smith formulated the test for impairment in the Fifth Shipman Report which was relied upon in the case of *Grant*, namely do the findings of fact show that the person's fitness to practise is impaired in the sense that they have in the past acted or are liable in the future to act so as to put service users at unwarranted risk of harm. Have they in the past or are they liable in the future to bring the professional into disrepute or have they in the past breached or are they liable in the future to breach one of the fundamental tenets of the profession. There is a final criteria in relation to the act of dishonesty, but that is not relevant to this particular case.
- d. At the impairment stage the tribunal should take account of evidence and submissions that the conduct (i) is easily remediable, (ii) has already been remedied; and (iii) is highly unlikely to be repeated.
- e. The panel should also consider whether Mr Hall fitness to practise is impaired in the sense that a finding of impairment is required to maintain public confidence or proper professional standards.

Finding and reasons on grounds

- 496. Having determined that the proved facts amount to misconduct, the panel considered whether Mr Hall's fitness to practise is currently impaired.
- 497. The panel had regard to the questions posed by Dame Janet Smith in her fifth Shipman report endorsed in the case of *Council for Healthcare Regulatory Excellence v Nursing and Midwifery Council and Grant* [2011] EWHC 927 Admin. In light of its findings on misconduct the panel concluded that Mr Hall had, in the past:
 - i. acted so as to put service users at unwarranted risk of harm;
 - ii. brought the profession of social work into disrepute;

iii. breached fundamental tenets of the social work profession.

498. The panel considered that Mr Hall's misconduct was capable of remediation. However, Mr Hall has failed to fully acknowledge both the impact or harm that his behaviour had upon service users and the wider public.
499. Despite making lengthy submission before the panel, the panel considered that Mr Hall had failed to appropriately consider the risk of harm posed to service users by the allegations found proved.
500. The panel consider Mr Hall's insight is embryonic and he has not fully acknowledged the extent of his failings.
501. The panel concluded that Mr Hall sought to minimise his role and deflect his responsibilities in relation to the allegations found proved. The panel accepts that Mr Hall perceived there to be inappropriate attitudes displayed towards him, which at times he described as racism. Despite his significant experience in the profession, the panel noted that he failed to raise such issues as and when they occurred.
502. Despite making reference to reflecting upon the allegations, the panel considered Mr Hall has failed to provide tangible evidence of his reflections, which adequately address the risk of repetition. The reflective material Mr Hall relied upon is significantly outdated, dating back to 2020, and fails to correctly acknowledge the panel's findings.
503. Mr Hall, through his submissions, referred to the impact that matters have had upon him. However, whilst Mr Hall has apologised, the panel considered that he has not fully acknowledged the potential harm caused to child service users by his conduct, nor has he sufficiently addressed the panel on steps he would take to prevent such failures re-occurring in the future.
504. While Mr Hall engaged in the hearing process and was able to articulate certain matters that he would approach differently, the panel considered that both his current responses to the allegations found proved, and his past actions, demonstrate a failure to adhere to some professional standards. Further, his responses demonstrate a failure to understand many basic tenets of the Social Work profession.
505. While Mr Hall has shown some remorse for his actions, and referred to his apology, the panel considered that he has failed to demonstrate within his evidence an appropriate level of insight, at this time, into the seriousness of the allegations found proved and the potential risks to service users.
506. While the panel notes that there is potential for remediation in this case, the panel considered that Mr Hall's focus upon the actions of others and failure to understand the significance of his failures to adhere to professional standards, has hindered his ability to remediate fully.
507. Further, the panel concluded that Mr Hall has not sufficiently evidenced remediation, for example a demonstration of efforts on his part to retrain or specifically address the identified failings in his practice. While the panel noted that Mr Hall has engaged in CPD,

the panel considered that the evidence of the CPD he has undertaken to date does not sufficiently address the failings identified. The panel considered that unfortunately the CPD undertaken was more generalised in nature.

508. The panel has information regarding Mr Hall's significant previous work history and is aware of his previous good character, which the panel has taken into account. The panel noted that it had no evidence before it in relation to any further training undertaken by Mr Hall. While the panel understands Mr Hall is currently restricted from working in a social work capacity, the panel considered that this should not have prevented Mr Hall from undertaking meaningful and focused training to address the concerns raised.
509. The panel noted that the majority of the testimonials placed before it, do not acknowledge that the persons providing the testimonial is aware of the current proceedings. As such the panel considered that these testimonials had limited weight. The panel noted that some testimonials were either from family or related to unrelated matters.
510. The panel considered that Mr Hall had not demonstrated sufficient remediation or insight. Mr Hall's conduct placed child service users at risk of harm. His misconduct related to failings in his core obligations as a social worker. The panel considered that Mr Hall's conduct amounted to a breach of a fundamental tenet of the profession. Due to these findings, together with an absence of evidenced remediation and embryonic insight, the panel concluded that there was a risk of repetition of the misconduct.
511. The panel was satisfied that a finding of impaired fitness to practise was necessary to protect the public, particularly service users. Further, the panel considered that reasonable, well informed, members of the public would be concerned about Mr Hall's conduct and the potential consequences of his failings. The panel therefore concluded that a finding of impaired fitness to practise was necessary to maintain and promote public confidence in the social work profession.
512. The panel was satisfied that professional standards would not be promoted and maintained by a finding that Mr Hall's fitness to practise is not currently impaired, particularly considering the panel's assessment of his embryonic insight and limited remediation.
513. The panel therefore concluded that, because of Mr Hall's misconduct, a finding of impaired fitness to practise was necessary to protect the public, promote and maintain public confidence in the social work profession and declare and uphold proper professional standards.
514. [PRIVATE]
515. [PRIVATE]
516. The panel noted the conclusions set out above in respect of risk and noted that Mr Hall has demonstrated a failure to understand many basic tenets of the profession. The panel concluded that this in turn presented a risk of harm to members of the public.
517. The panel considered that a reasonable, well informed, member of the public would be concerned about [PRIVATE]. The panel therefore concluded that a finding of impaired

fitness to practise was necessary to maintain and promote public confidence in the social work profession.

518. Given that Mr Hall is [PRIVATE] and this relates to some of the findings made by the panel, the panel was satisfied that professional standards would not be promoted and maintained by a finding that Mr Hall's fitness to practise in this regard is not currently impaired.
519. In conclusion, for the above reasons the panel consider that Mr Hall's fitness to practise is currently impaired on both the personal element and the wider public interest element.

Submissions on sanction:

520. Mr Harris, on behalf of Social Work England, submitted that, considering the nature of the misconduct, the appropriate sanction was one of suspension. He stated that the length of such a suspension was a matter to be determined by the panel. Mr Harris argued that such a sanction would protect the public and the wider public interest, considering the nature of the misconduct, and the panel's findings in respect of risk of repetition, insight and remediation.
521. Mr Harris highlighted the mitigating factors, namely Mr Hall's good character, positive feedback and the evidence heard about the issues he suffered in the workplace. In respect of the aggravating factors, he stated that Mr Hall's insight was embryonic, and he had failed to demonstrate that Mr Hall had remediated his conduct, despite the passage of time. Mr Harris emphasised that Mr Hall's conduct caused harm to child service users.
522. Mr Harris submitted that it was necessary to impose a sanction that restricted Mr Hall's practice, as nothing else would protect the public. He argued that, considering Mr Hall's [PRIVATE], in light of his embryonic insight, conditions would not be workable and sufficient to protect the public.
523. Mr Harris argued that a suspension order was the most appropriate outcome in this case. He submitted that while the option of removal was open to the panel that it was Social Work England's position that a suspension order was the most proportionate sanction in this case. Mr Harris noted that the length of such an order was a matter for the panel but suggested that a longer period may be required in order for Mr Hall to complete the required reflection on his practice.
524. Mr Hall submitted that he found the findings of the panel very informative and helpful. He stated he accepted the findings and submitted that in this case he had focussed on the volume of allegations, many of which were found not proved, and recognised that in doing that he had failed to adequately take into consideration the allegations found proved, and the impact and harm caused to service users and the social work profession.
525. Mr Hall stated that he accepted the panel's findings and had tried to demonstrate his good character. He noted that he was supporting a trainee social worker who was successful, and he had been sharing what he had learnt from this process with that individual.

526. Mr Hall stated that he accepted the recommendation from Social Work England that a sanction of a period of suspension is required. He accepted that he required a further period of reflection and learning.
527. Mr Hall stated that he would like to “thank the panel for its evaluation of the concerns” and the recommendations made. Mr Hall submitted that the hearings process has been lengthy and submitted that a suspension of 6 months would provide him with sufficient time to reflect on the areas of concern.

Determination and reasons on sanction

528. The panel accepted the advice of the legal adviser, that it must again pursue the overarching objective when exercising its functions. The panel must apply the principle of proportionality, balancing Mr Hall’s interests with the public interest. The purpose of a sanction is not to be punitive, although a sanction imposed may have a punitive effect. The panel noted it should consider the least restrictive sanction first, and only if this does not provide adequate protection of the public, consider more restrictive sanctions as appropriate. The panel had regard to the Social Work England Impairment and Sanctions Guidance, published in December 2022.
529. The panel reminded itself that it had concluded that Mr Hall’s fitness to practise was found to be impaired, due to his misconduct.
530. In relation to mitigating features, the panel noted that Mr Hall has a long and unblemished career and was of good character. The panel also took account that at today’s hearing (12 June 2024) Mr Hall made submissions to the panel which demonstrated his understanding of the panel’s findings and acknowledged his need for reflection upon his practice.
531. In respect of the aggravating features of this case, the panel noted its determination that Mr Hall’s conduct placed child service users at a risk of harm. The panel further noted that Mr Hall had demonstrated only embryonic insight and limited remediation. In respect of allegations 6 (c) the panel considered Mr Hall’s lack of judgment in the comment made and note that this could have been interpreted as Mr Hall imposing his own personal beliefs on others.
532. The panel considered that taking no action, or issuing advice or a warning, would not adequately reflect the serious nature of Mr Hall’s misconduct. These outcomes would not adequately protect the public, as they would not restrict Mr Hall’s practice. The panel has assessed there to be a risk of repetition, and so considered that the public could not currently be adequately protected unless Mr Hall’s practice is restricted.
533. Further, taking no action, or issuing advice or a warning, would not maintain public confidence in the profession or promote proper professional standards, considering the panel’s finding that Mr Hall breached fundamental tenets of the profession and put child service users at a risk of harm.

534. The panel next considered whether a conditions of practice order would be sufficient to protect the public and wider public interest. The panel, however, noted paragraph 114 and 128 of the Impairment and Sanctions Guidance, which states:

114. Conditions of practice may be appropriate in cases where (all of the following):

- *the social worker has demonstrated insight*
- *the failure or deficiency in practice is capable of being remedied*
- *appropriate, proportionate, and workable conditions can be put in place*
- *decision makers are confident the social worker can and will comply with the conditions*
- *the social worker does not pose a risk of harm to the public by being in restricted practice*

535. [PRIVATE]

536. The panel went on to consider making a suspension order. The panel considered paragraphs 137 -138 of the Impairment and Sanctions Guidance, which state as follows:

“137. Suspension may be appropriate where (all of the following):

- *the concerns represent a serious breach of the professional standards*
- *the social worker has demonstrated some insight*
- *there is evidence to suggest the social worker is willing and able to resolve or remediate their failings”*

138. Suspension is likely to be unsuitable in circumstances where (both of the following):

- *the social worker has not demonstrated any insight and remediation*
- *there is limited evidence to suggest they are willing (or able) to resolve or remediate their failings”*

537. The panel noted that all of the conditions set out in paragraph 137 were present. The panel considered that while the concerns represent a serious breach of the professional standards, Mr Hall’s insight was developing and there was evidence that he was willing and able to resolve or remediate his failings.

538. The panel noted that Mr Hall has had a long and unblemished career and the panel considered that Mr Hall ought to be provided an opportunity to remedy his failings and reflect upon his practice.

539. The panel considered paragraph 148 of the SG, which states:

“148. A removal order must be made where the decision makers conclude that no other outcome would be enough to (do one or more of the following):

- *protect the public*
- *maintain confidence in the profession*
- *maintain proper professional standards for social workers in England*

540. The panel considered that a removal order in the present case would not be proportionate. Mr Hall has demonstration of some, albeit emerging, insight and has demonstrated to the panel a willingness to reflect upon his practice.
541. The Panel determined that this was not a case in which no other outcome would be enough to either protect the public, maintain confidence in the profession or maintain proper professional standards for social workers in England.
542. The panel considered that a removal order would remove an experienced practitioner from the workplace, in circumstances where there is clear potential for Mr Hall to remediate the concerns.
543. The panel therefore determined that the most appropriate sanction in this case was a suspension order.
544. Having determined that a suspension order ought to be imposed, the panel went on to consider the length of such an order. The panel concluded that a 12-month order ought to be imposed.
545. The panel noted that 12 months was a sufficient period to mark the seriousness of the concerns, but also would provide Mr Hall with sufficient time to begin the remediation process and develop his insight. The panel therefore considered that 12 months was an appropriate and proportionate length for the suspension order.
546. The panel recognised the impact a 12-month suspension order would have on Mr Hall and took this into account. However, it considered the public interest outweighed Mr Hall's interests. The panel therefore concluded that the only sanction which achieved the aim of public protection in all three limbs was a 12-month suspension order, with no lesser sanction being sufficient.
547. This panel cannot bind a future panel. However, should Mr Hall choose to engage at a future date, a future reviewing panel would expect Mr Hall to attend the review hearing. It would be of assistance to that panel if he was able to provide evidence that he has undertaken steps that would facilitate a safe and effective return to the register without restriction. The panel suggested a further reviewing panel may wish to see the following information:
- i. A reflective piece focusing on his failings found proved preferably using a recognised reflective tool such as Gibbs reflective cycle or an equivalent;
 - ii. Current testimonials and character evidence, which demonstrate that the persons providing such evidence are aware of the concerns found proved;
 - iii. Evidence of learning self-directive or otherwise on a course;
 - iv. Evidence of relevant CPD.

Interim order

548. In light of its findings on sanction, the panel next considered an application by Mr Harris for an interim suspension order to cover the appeal period before the final order becomes effective.
549. Mr Harris submitted that, in view of the panel having made a suspension order, an interim order would be appropriate to protect the public and the wider public interest. He submitted that an interim order was necessary because the panel had suspended Mr Hall, and in the event that there might be an appeal. Due to the time any appeal might take to resolve, Mr Harris submitted that the interim order should be imposed for 18 months.
550. The panel was advised that it had power to make any interim order if it considered this necessary to protect the public, or in the best interests of the social worker. The panel was mindful of its earlier findings. The panel decided that it would be wholly incompatible with those earlier findings to not protect the public with an interim order to cover the appeal period, or the period until any appeal is resolved.
551. The panel was mindful that it could make any interim order. It considered that, in light of its findings, it was necessary to make an interim suspension order. Since any appeal, if made, might take a long time to resolve, the panel decided to make the interim suspension order for 18 months.
552. Accordingly, the panel concluded that an interim suspension order is necessary for the protection of the public. When the appeal period expires, this interim order will come to an end unless an appeal has been filed with the High Court. If there is no appeal, the final order of a suspension order shall take effect when the appeal period expires.
553. The panel were asked to revoke the interim suspension order imposed upon Mr Hall in line with Schedule 2 paragraph 8 of The Social Workers Regulations 2018. The panel were informed by Mr Hall that he wished to waive his right to notice, in order that the order could be revoked at today's hearing. The panel considered that it was not necessary to have two interim orders running concurrently under Schedule 2 paragraph 11 (b) and paragraph 8. As such the panel revoked the order imposed under Schedule 2 paragraph 8 of The Social Workers Regulations 2018.

Right of appeal

554. Under Paragraph 16(1)(a) of Schedule 2 of the regulations, the social worker may appeal to the High Court against the decision of adjudicators:
- 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.

555. Under Paragraph 16(2) of Schedule 2 of 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.
556. 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.
557. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to Practice Rules 2019 (as amended).

Review of final orders:

558. Under Paragraph 15(1), 15(2) and 15(3) of Schedule 2 of 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
559. Under Rule 16(aa) of the rules 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:

560. 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>.

ANNEX 1

Adjournment application

1. On the first day of the re-convened hearing, on 8 January 2024 Mr Hall made an application to adjourn the hearing.
2. On 4 January 2024, Mr Hall was informed by email that Social Work England had received notification that the professional panel member who sat on the original hearings was no longer able to attend the re-convened hearing.
3. Mr Hall provided the panel with a written application dated 8 January 2024 as follows;

“Mr Hall was informed by email by Social Work England on Thursday 4th/01/2024 that one of the Original Panel Members who had been involved in this long protracted and complex case from the beginning, was unable to attend this final hearing date. Today Social Work England say that this is due to personal reasons that the Panel Member had only made Social Work England aware of on Thursday 4th/01/2024. If it is possible, could Social Work England please update the Panel and the Parties regarding what the reasons for the Original Panel Member not being unable to attend this Final Hearing. It is my submission that it is in the interests of a fair hearing for Mr Hall that the Original Panel progress this Final Hearing.

It is my submission that the New Panel Member was only made aware of the need for them to attend this Final Hearing on Thursday 4th/12/2024, that they will have only had a very limited period 1 or 2 days to familiarise themselves with all the evidence in this drawn out and complete case. It is my submission that is a concern that this New Panel Member will only have the documents and transcripts in this case to inform their decision making, as they were not present at each hearing, and was not present while each person gave evidence and were cross examined regarding their evidence.

It is my submission that it is a concern that it was the evidence given and the cross examination of this evidence that led the Original Panel to decide that many of the allegations made were not proved by Social Work England.

It is my submission that it is a concern that has been shared with the Original Panel that the credibility of both the managers that brought these concerns to Social Work England is in doubt, that their following up of the concerns raised did not follow their Departmental Procedures, that they did not deal with the concerns raised in a faire, professional and timely manner. It is my submission that if these concerns been dealt with professionally by these managers, then Social Work England would not have had to be involved in these proceedings. It is my submission that is a concern that the New Panel Member has not witnessed the managers evidence and cross examination and without this Mr Hall cannot receive a fair hearing.

Conclusion

It is my submission that the Original Panel is needed to progress this Final Hearing fairly. It is my submission that to introduce a New Panel Member who is new to this case, who has not had the proper time to prepare for this Final Hearing at this late and key stage in these proceedings, would not be fair, and no disrespect is meant to the New Panel Member, however it is my submission that this action would be prejudicial to the final outcome of this hearing.

As a consequence of the concerns raised above I respectfully ask that this Final Hearing be adjourned until all 3 original Panel Members who have been present throughout the whole of these proceedings, are available to attend this Final Hearing. There are now a few key issues to be dealt with, it is my submission that to bring in a New Panel Member at this late stage of the case, who in my submission has only had 1 or 2 days to familiarise themselves with this case, who has not been involved and observed the evidence given by these two managers and the others, and their cross examination, which led to a large number for the allegations brought to this case by Social Work England to be decided by the Original Panel to be not proved, would appear, unfair, and not giving the appearance of proper justice being served. It is my submission that a brief adjournment the Final Hearing until all the 3 original Panel Members can be present will ensure that Mr Hall receive a fair hearing."

Submissions

Mr Hall

4. Mr Hall provided submissions to the panel in respect of his adjournment application. He submitted that he was emailed on Thursday in the afternoon, and the email suggested that one of the original panel members was unable to attend. He noted that he had no details suggesting when this had happened but had been informed today that he was informed on the same date that Social Work England became aware that the panellist was unavailable. Mr Hall submitted that it was key that the original panel members sit on this case. He stated there had been a number of allegations raised by two key managers, and these were dealt with properly and fairly and found not proved. He stated the original panel found the remaining allegations on the balance of probabilities, and he had further evidence to suggest the allegations were untrue and there was mismanagement by the two managers. Mr Hall was reminded that at this stage the panel would be looking at misconduct and, if required, impairment. He was reminded that the facts stage had concluded.
5. Mr Hall submitted that the new panel member had only been aware of this complex case from Thursday afternoon. He stated it was key that the panel was made up of the members present at the original hearing. He stated that they observed the anomalies in the evidence and had the opportunity to see the witnesses who made the allegations against him. Mr Hall stated he was thankful that the panel went through the evidence and found most of the allegations not proved. He expressed his concern about a new panellist not knowing the history or being present for the cross examination of the witnesses.

6. Mr Hall submitted that he didn't doubt the experience of the new panel member, but he was concerned about getting a "fair trial". He stated that he required continuity in order to achieve justice in the case. He stated it was not in his best interest that a new panel member be "brought on" who did not review the live evidence and cross examination. He requested a brief adjournment.

Social Work England

7. Ms Ferrario on behalf of Social Work England responded to the application she submitted that the panel were experienced and that the overall test was one of procedural fairness. She stated the unfairness to the parties need to be balanced and noted that Mr Hall had made the application to adjourn so the onus was on him to persuade the panel of the unfairness arising from the appointment of a new panel member. Ms Ferrario submitted that the unavailability of the original panel member was an unforeseen circumstance. She argued that the panel must weigh the benefit to the Social worker in granting the adjournment against the public interest in proceeding being dealt with expeditiously.
8. Ms Ferrario submitted that the balance tipped in favour of Social Work England in proceeding with this matter. Ms Ferrario noted the history of the matter and the length of time that has passed. She submitted a new professional member would benefit Mr Hall. She stated the new profession member had little knowledge of the matters found not proved and would have the benefit of a "fresh pair of eyes". Ms Ferrario noted that the factual stage had concluded.
9. In respect of the concerns about the new professional panel member having sufficient time to understand the case, she stated if the new profession panel member had insufficient time that she would have drawn this to parties' attention. Mr Ferrario submitted that there was no procedural unfairness. Mr Ferrario submitted it was in Mr Hall's interest and the public interest to progress the matter.
10. Mr Hall responded to Mr Ferrario's submissions noting that it was not in his best interest and reiterating the points he had raised in respect of fairness.
11. The panel were provided with legal advice. The panel were reminded of the Appointment Rules 2019 (as amended). Rule 14(2) states as follows; Where rule 14(1) applies the hearing may proceed notwithstanding that:
 - (a) any panellists present at the start of the hearing are no longer present; or
 - (b) any panellists present at the continuation of the hearing were not present at the start
12. The panel were provided advice in respect of adjournments in accordance with the Social Work England guidance on postponements and adjournments of fitness to practise hearings. The panel were also given advice in respect of the authority *CPS v Picton [2006] EWHC 1008 3*.

Panel's decision:

13. The panel took into consideration all the material provided to it and noted the history of this matter and the fact that this matter had been relisted on two previous occasions, which was no fault of any party.
14. The panel considered that Rule 14(2) made clear that a hearing may proceed notwithstanding that any panellists present at the start of the hearing are no longer present, or any panellists present at the continuation of the hearing were not present at the start.
15. In respect of the new panellist Ms Scott, the panel noted that Ms Scott had made arrangements with Social Work England prior to the listing of this hearing in order to review all of the material in this case. This included but was not limited to the full transcripts of the hearings and the lengthy written determination. The panel noted that Ms Scott felt that she had been provided with sufficient time to prepare for this matter, and to assimilate the relevant material.
16. The panel noted that it had concluded the facts stage and would no longer be making any further factual determinations. The panel considered that the next stage required an assessment as to whether or not the allegations found proved amounted to misconduct. The panel considered that this was a matter of judgment, as opposed to proof. The panel concluded that Ms Scott as an experienced panellist, who had prepared this matter, was more than capable of assisting in the determination of such matters and was not disadvantaged by virtue of the fact that she was not able to be present for the live evidence in this case.
17. The panel considered whether there was any unfair in the fact that Ms Scott was not present of the evidence of Mr Hall, in respect of any determinations on impairment which may or may not need to be dealt with at a later stage in this hearing. The panel noted that Mr Hall did not in fact give evidence on oath and was not therefore cross examined. As such, the panel considered that there was no unfairness in Ms Scott not being present at the original hearing to hear Mr Hall's evidence. In any event, the panel noted that Ms Scott had the benefit of reading all of the transcripts which recorded his submission in respect of his case.
18. The panel considered the submission made by Mr Hall in respect of consistency. The panel noted that it is desirable to have consistency throughout a hearing but practically this was not always achievable. This is reflected in the existence of Rule 14(2) of the Appointment Rules 2019 (as amended). The panel considered that in all the circumstances and given the stage reached in the hearing, there would be no unfairness caused by a change of the registrant panel member.
19. In determining that the hearing should not be adjourned, the panel balanced the fairness to Mr Hall, with the fairness to Social Work England. The panel considered the public interest and determined in all the circumstances that it would not be fair to adjourn the hearing.
20. The panel considered the length of time that has passed since the allegations arose and determined that an adjournment would have a detrimental impact on Mr Hall. The panel

noted given the complexity of the case, the delay in rescheduling a hearing is very likely to be lengthy. As such, the panel determined that such a delay would impact negatively on both Mr Hall and Social Work England.

21. For all of those reason the panel determined that the hearing should not be adjourned.