

Social worker: Sarah Castle

Registration number: SW3745

Fitness to Practise

Final Order Review Hearing

Date of Hearing: 02 December 2024

Hearing venue: Remote Hearing

Final order being reviewed: Suspension order – (expiring 13 January 2025)

Hearing outcome: Extend the current suspension order for a further 6 months with effect from the expiry of the current order

Introduction and attendees:

1. This is the fifth review of a final suspension order originally imposed for a period of 6 months by a panel of adjudicators on 22 June 2022.
2. Ms Castle attended the hearing and was not represented.
3. Social Work England was represented by Ms Amy Woolfson, case presenter, instructed by Capsticks LLP.

Adjudicators	Role
Jayne Wheat	Chair
Warren Dillon	Social worker adjudicator

Hearings team/Legal adviser	Role
Poppy Muffett	Hearings officer
Heather Hibbins	Hearings support officer
Rosemary Rollason	Legal adviser

Preliminary matters: Application for part private hearing.

4. Ms Woolfson made an application for the review hearing to take place partly in private. She submitted that any matters relating to Ms Castle's health and private life should be considered in private. In addition, Ms Woolfson submitted any matters relating to Ms Castle's son be heard in private. Ms Castle was in agreement with the application.
5. The panel took advice from the legal adviser. It was mindful that, in principle, Social Work England hearings take place in public, in the interests of open justice and transparency. However, in accordance with Rule 38(a)(i) of the Fitness to practise rules 2019 (as amended), a hearing is to be held in private where the physical or mental health of the registered social worker is being considered. Under the rule 38 (b), the adjudicators may determine to hold part or all of the proceedings in private where they consider it appropriate having regard to the vulnerability, interests or welfare of any participant in the proceedings, or the public interest in the effective pursuit of the regulator's overarching objective.

The panel was satisfied that it was appropriate and in compliance with the relevant rules that this review hearing should take place partly in private in order to protect the private life of Ms Castle and her son. Other aspects of the hearing would continue in public.

Review of the current order:

6. This final order review hearing is taking place under Paragraph 15(1) of Schedule 2 of The Social Workers Regulations 2018 (as amended) and Social Work England's Fitness to Practise Rules 2019 (as amended).
7. The current order is due to expire on 13 January 2025.

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

"1. On or around 4 February 2018 you failed to safeguard Child A in that you:

a. Were informed by a resident at the Children's Home, that Child A had shared and/or featured in a video on YouTube;

b. Viewed a YouTube video, which featured Child A;

c. Viewed a YouTube video, which featured child A referencing her low mood and/or harming herself;

d. Did not assess the level of risk upon receiving information which suggested that there was an increased risk of harm.

e. Delayed recording the information shared with you on any recording logs and / or relevant IT systems.

2....(not proved)

3. You failed to maintain professional boundaries in that:

a. On or around 1 August 2016 you attended hospital to support Child C who was no longer under your care as a social worker.

b. (not proved).

c. On or around 1 August 2016 you inappropriately transported Child C home in your own vehicle.

d. You allowed your 14-year-old son to stay in the same room overnight with his 14-year-old girlfriend, Child D, whose family was known to social care.

4. (not proved)

5. *Your actions at allegations 1 – 4 amount to the statutory ground of misconduct.*

By virtue of your misconduct, your fitness to practise is impaired.”

The previous final order review panel on 3 June 2024 determined the following with regard to impairment:

8. *The fourth review panel stated: “In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. It took into account the decision of the previous panels. However, it has exercised its own judgement in relation to the question of current impairment. The panel also took into account Social Work England’s ‘Impairment and sanctions guidance’.*
9. *The panel had regard to all of the documentation before it, including the decision and reasons of the original panel and previous review panels. The panel also took account of the written submissions by Capsticks LLP made on behalf of Social Work England.*
10. *The panel heard and accepted the advice of the legal adviser. In reaching its decision, the panel was mindful of the need to protect the public and the wider public interest in declaring and upholding proper standards of behaviour and maintain public confidence in the profession.*
11. *The panel first considered whether Ms Castle’s fitness to practise remains impaired.*
12. *The panel noted that there had been no change in circumstances since the last final order review. In addition Ms Castle had failed to adopt any recommendations of that panel by providing the current panel with a reflective piece, evidence of training, information regarding her current work or any references.*
13. *The panel assessed that the level of risk posed by Ms Castle had not reduced since the previous review and remained the same. The allegations found proved against her were serious and related to safeguarding of children. There had been very little contact by Ms Castle with Social Work England and no material provided by her to this panel regarding remediation or a reflective piece addressing insight.*
14. *The panel considered that a risk of repetition remained if Ms Castle was permitted to practise without restriction as she had not engaged with these proceedings in any substantive way for some time.*
15. *The panel decided that a fully informed member of the public would be greatly concerned if Ms Castle was permitted to practise without restriction.*

16. *The panel determined that there was a risk of repetition of the conduct found if Ms Castle was permitted to practice without restriction. For those reasons, the panel therefore concluded that an order was necessary on the grounds of public protection.*
17. *Having concluded that an order is necessary on the grounds of public protection the panel considered what order to impose.*

The previous final order review panel on 3 June 2024 determined the following with regard to sanction:

18. *“Having found Ms Castle’s fitness to practise is currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel had regard to the submissions made along with all the information and accepted the advice of the legal adviser.*
19. *The panel considered the written submissions made by Capsticks LLP on behalf of Social Work England, in which they invited the panel to consider imposing a suspension order. The panel also took into account the ‘Impairment and sanctions guidance’ published by Social Work England.*
20. *The panel was mindful that the purpose of any sanction is not to punish Ms Castle, but to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and by upholding proper standards of conduct and behaviour. The panel applied the principle of proportionality by weighing Ms Castle’s interests with the public interest.*

Take no further action, issue advice or a warning

21. *The panel decided that taking no action, issuing advice or issuing a warning would not address the serious nature of Ms Castle’s misconduct. Nor would they adequately protect the public as they would not restrict Ms Castle’s practice.*

Conditions of practice order

22. *The panel next considered whether a conditions of practice could be imposed rather than extending the current suspension order.*
23. *The panel noted that there had been no recent engagement by Ms Castle. As such the panel had no knowledge of her current circumstances and whether the imposition of conditions would be a practical solution.*

24. *The panel had no material before it that would allow it to conclude that Ms Castle would comply, in particular noting that she had failed to adopt any of the recommendations by the previous panel. Therefore the panel was not satisfied that workable conditions could be formulated to adequately protect the public or address the wider public interest concerns.*
25. *The panel concluded that a conditions of practice order could not be made in light of all of these circumstances.*

Suspension order

26. *The panel next considered whether a suspension order would be sufficient to protect the public and wider public interest.*
27. *The panel decided that a further period of suspension would permit Ms Castle to evidence insight and remediation and conduct training, in particular to address safeguarding and boundary issues that had been previously identified.*
28. *The panel decided that a suspension order of six months would be sufficient to address these issues.*
29. *The panel did give serious consideration to whether or not a removal order should be made in light of Ms Castle's lack of recent engagement, but concluded that she should be given the opportunity to demonstrate that she no longer posed a risk and show her commitment to the profession by providing evidence of insight and remediation and undertaking training opportunities. The panel noted that Social Work England in their submissions had referred to Ms Castle's health. It would assist any future panel to have independent evidence of her current circumstances.*
30. *Whilst this panel cannot bind a future panel it was of the view that if Ms Castle did not adopt the recommendations of previous panels or the advice of this panel then it was highly likely that she would be subject to a Removal Order. The panel also noted the submissions of Capsticks LLP, who had indicated the intent to apply for such an order if Ms Castle continued to not engage.*

Social Work England submissions:

31. *The written submissions on behalf of Social Work England were as follows:*
32. *'Subject to any further evidence or submissions received from the Social Worker prior to, or at the review hearing, Social Work England will invite the Panel to continue and extend the Suspension Order for a further 6 months.'*

33. *Since the Order was last reviewed and extended on 3 June 2024, the Social Worker has restarted contact with Social Work England, there has been a reflective piece which begins to show insight, however, there is no real evidence of insight that goes further than a basic understanding of the impact of her impairment. As such there is no evidence that the social worker has looked beyond to assess what she would change in the future if she were to find herself in a similar situation.*
34. *This is the 5th review of the Suspension Order. It is noted that the Social Worker has not engaged with Social Work England to a meaningful extent at previous reviews and the current engagement is still in the early stages. Whilst the Social Worker's fitness to practise remains impaired, she ought to be afforded a further opportunity to engage with the fitness to practise proceedings and provide evidence of thorough and robust insight and remediation, particularly in respect of the impact her conduct could have on service users beyond those subject to her misconduct.*
35. *Social Work England note that the Social Worker is working in a role which involves transferable skills from her social work practice. Her current employer has confirmed that the Social Worker has undertaken training in safeguarding on commencing that role last year.*
36. *Social Work England note that the Social Worker appears to have completed a course on professional boundaries, the certificate of which has been requested and appears forthcoming.*
37. *Social Work England invites the Panel to find that the Social Worker's fitness to practise remains impaired and to continue and extend the Suspension Order to give the Social Worker a further opportunity to reflect on her practice and produce evidence of remediation and insight including references as recommended by previous Panels.*
38. *Having heard Ms Castle's oral evidence and submissions, Ms Woolfson's submission was that Ms Castle's fitness to practise remained impaired and that a further 6 months' suspension was appropriate. Ms Woolfson acknowledged that there was some evidence of insight, but said that remediation was at an early stage and there was limited evidence of how the learning was put into practice. Ms Castle's training seemed to have been mainly focused on the needs of her employment which does not deal with children.*

39. The letter from Ms Castle's current employer dated back to April 2024 and did not comment on the quality of her work in relation to safeguarding and professional boundaries. There was limited evidence of wider training.

40. Ms Woolfson acknowledged that following her health issues Ms Castle was now engaging and Social Work England no longer suggested that a removal order was appropriate.

Social worker submissions:

41. Ms Castle had provided the following documents for the review hearing:

- Two reflective pieces, undated
- OSAB level 1: An introduction to adult safeguarding 2022: 24 August 2023
- OSAB level 2: Awareness of adult safeguarding 2022: 12 October 2023
- Turning Point Certificates of attendance: risk assessment and risk management: 28 November 2023
- [PRIVATE]
- Letter from Bridget Johns, Deputy Operations Manager, Accommodation Services, Connection Support, Oxford, dated 11 April 2024
- Reference from Jennifer Ferris dated 12 September 2023

42. Ms Castle gave evidence and answered questions from Ms Woolfson on behalf of Social Work England and from the panel. Ms Castle addressed the panel by reference to her reflective pieces.

43. [PRIVATE]

44. Ms Castle said that her registration is very important to her and she worked hard to become a social worker. She enjoyed her work as a social worker and was very keen to return to practice. Regarding her current employment, she is now working at Connection Support, a charity supporting previously homeless adults. She has been there for nearly two years now and enjoys the work and finds it challenging. She has tried to access all kinds of training courses and currently just started a further course relating to providing homelessness services. She had to apply to be accepted to this training, it consists of several modules and will finish in May 2025. She is keen to move forward in the organisation but it is not social work and she would like to be a social worker again.

45. In Answering questions from Ms Woolfson, Ms Castle said she last worked as a social worker in 2019/2020 and the unit referred to in the charges was her last role as social worker. From around 2020, Ms Castle worked in Tesco's until she joined Connection Support in May 2023. Her job title is caseworker and she works directly with adult service users. If she needed to do a safeguarding referral, she would liaise with social workers, but this has not happened so far.
46. Ms Castle said that if the panel ended the suspension she would start looking for a social work post, either working with children or adults.
47. In relation to keeping her skills and knowledge up to date she said she had tried to do as much training as she could. Since starting at Connection she had undertaken all the training they offered and tried to source what she could. She undertook the professional boundaries course in July and learnt about why this issue is important and how it impacted on her practice. She attended another internal course given by Bridget Johns and was able to speak about her own experiences.
48. Ms Castle said that the clients she works with like to find out about caseworkers and ask personal questions. The training has enabled her not to be so open as she once might have been in response to personal questions. She has been able to use the terminology of professional boundaries to explain to the clients.
49. Ms Castle said that the child safeguarding course was not very high level. It was on the OSAB website, online. No certificate was provided. Her employer does not arrange training for her, but adult safeguarding is part of induction into the role and she has done more training since induction.
50. Ms Castle said that she wrote her reflective pieces recently in the last few months.
51. In answer to questions from the panel, Ms Castle stated that she feels ready after 4 years to go back to social work practice. She tries to keep as up to date as she can whilst not being in a social work post. She is keen to keep expanding her knowledge.
52. Ms Castle confirmed that she did have access to a registered social worker peer who would be able to comment on her learning in terms of reflection and her current level of skills. She also said that her current manager at Connection is not a social worker, but he could comment on her current practice regarding safeguarding and boundaries. She thought that she could provide practical case examples of how she works within policies which would show how she is able to maintain professional boundaries. Ms Castle said that she felt she had done as much as she could in relation to the list of recommendations from the previous

panels. She has been chasing the certificate for the course on professional boundaries.

53. In relation to more general training, Ms Castle said that she had done what she could and referred to training on unconscious bias, GDPR, fire awareness, EDI and drugs and alcohol awareness. She agreed these were listed in her manager's letter and were part of induction for her current role.
54. Asked about her reflection on how the past misconduct impacted on public confidence in the profession, Ms Castle said that she understood people are very judgmental of the social work profession and that she wouldn't want to bring the profession's reputation into disrepute.
55. Ms Castle asked the Panel to find that her fitness to practise is no longer impaired. She would accept what the Panel directed, but would ask not to be suspended for another six months.

Panel decision and reasons on current impairment:

56. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. It took into account the decision of the previous panels. However, it has exercised its own judgement in relation to the question of current impairment. The panel also took into account Social Work England's 'Impairment and sanctions guidance'.
57. The panel had regard to all of the documentation before it, including the decision and reasons of the original panel and previous review panels. The panel also took account of the written submissions by Capsticks LLP made on behalf of Social Work England. The panel considered the oral evidence and submissions from Ms Castle and the documentary evidence she has provided.
58. The panel heard and accepted the advice of the legal adviser. In reaching its decision, the panel was mindful of the need to protect the public and the wider public interest in declaring and upholding proper standards of behaviour and maintain public confidence in the profession.
59. The panel first considered whether Ms Castle's fitness to practise remains impaired.
60. [PRIVATE] The panel accepted that these difficulties have impacted on Ms Castle's ability to engage fully with this process, for example not attending the most recent review.
61. The panel was encouraged that Ms Castle has obtained employment at Connection Support where she has the opportunity to work on skills and

undertake training, which is related to social work practice and to some of the issues which were the subject of the original misconduct, namely safeguarding and professional boundaries.

62. The panel concluded that Ms Castle has now made some steps towards remedying her past misconduct. However, as submitted by Ms Woolfson, the panel concluded that Ms Castle's remediation is developing but is still at an early stage. The panel concluded that Ms Castle needs to demonstrate further reflection and demonstrate how she has embedded her learning in her practice and applied it in practical way. The panel noted that Ms Castle has not addressed all the recommendations identified by previous review panels and that clearer focus on these would have assisted her.
63. The panel assessed that the level of risk posed by Ms Castle had not reduced sufficiently since the previous review hearing. The allegations found proved against her were serious and related to safeguarding of children. Until recently there had been little contact by Ms Castle with Social Work England. She has now begun to engage again and indicated her desire to return to social work practice. She has undertaken some training, but the panel concluded that her insight, reflection and remediation are still at an early stage. The panel did not have evidence of Ms Castle having embedded her learning and insight into her practice.
64. The panel considered that a risk of repetition remained if Ms Castle was permitted to practise without restriction, given her incomplete remediation. The panel was also mindful that as Ms Castle has not practised as a social worker for four years, and has not demonstrated that she has sought to keep her general skills and training up to date.
65. The panel determined that there remained a risk of repetition of the conduct found if Ms Castle was permitted to practice without restriction. For those reasons, the panel therefore concluded that her fitness to practice remained impaired in relation to public protection.
66. The panel decided that a fully informed member of the public would be greatly concerned if Ms Castle was permitted to practise without restriction. It concluded that confidence in the profession would be undermined if a finding of current impairment were not made.

Decision and reasons

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

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

Take no further action, issue advice or a warning

70. The panel decided that taking no action, issuing advice or issuing a warning would not address the serious nature of Ms Castle's misconduct. Nor would they adequately protect the public as they would not restrict Ms Castle's practice.

Conditions of practice order

71. The panel next considered whether a conditions of practice could be provide sufficient protection and be workable in the current circumstances of Ms Castle's case. Although Ms Castle has now re-engaged with this process, and has submitted some evidence going towards remediation of the impairment, the panel was of the view that there is not yet sufficient evidence of the learning that Ms Castle has undertaken in relation to safeguarding and professional boundaries being embedded in her practice. It would also require evidence of Ms Castle having kept her general competence and skills as a social worker up to date, given that she has not been in practice as a social worker for approximately four years. The panel therefore concluded that, at this stage , a conditions of practice order would neither adequately protect the public and the public interest, nor would a conditions of practice order be workable in practical terms.

Suspension order

72. The panel next considered whether a suspension order would be sufficient to protect the public and wider public interest.
73. The panel decided that a further period of suspension would permit Ms Castle further time to ensure that she provides evidence of insight and remediation, of further training, and in particular to demonstrate how her learning, including in

respect of addressing safeguarding and boundary issues, is embedded into her practice.

74. The panel decided that a suspension order of six months would be sufficient to address these issues.
75. The panel considered whether a removal order was required, The panel was satisfied that Ms Castle is now committed to remediating her past misconduct and wishes to continue her social work career. The panel was also mindful of the evidence presented of the difficult health situation Ms Castle has faced in recent years and what she has said about how this has impacted on her ability to engage with this process. In the light of Ms Castle's recent engagement and the progress she has begun to make, the Panel concluded that removal was not necessary and would be disproportionate.
76. The panel considered that it is important for the purpose of the next review hearing for Ms Castle to pro-actively address the evidence she needs to provide to demonstrate her fitness to practise. The onus is upon her to do so. Whilst this panel cannot bind a future reviewing panel, it was of the view that Ms Castle should concentrate her efforts on the specific recommendations set out by previous panels, as confirmed in Social Work England's recent letter of 1 October 2024. These recommendations were comprehensive. They are repeated below for ease of reference, with some further points added by this panel to further assist Ms Castle:
 - a. A reflective piece demonstrating insight into the matters found proved that is, demonstrating an understanding of how similar situations should and would be approached by Ms Castle in the future;
 - b. Evidence of any training undertaken, whether provided by an employer or self-directed learning, in relation to safeguarding and maintaining professional boundaries;
 - c. Evidence of how training and learning undertaken by Ms Castle to ensure that her social work skills and knowledge (more generally, not just in relation to safeguarding and maintaining professional boundaries) have been kept up to date during her period of suspension; *this panel recommends that Ms Castle should seek to demonstrate by providing evidence of and as far as it is possible whilst she is suspended, that she has kept her knowledge and skills up to date. This might include, for example, reading professional journals; or undertaking courses equivalent to CPD.*
 - d. Information about Ms Castle's current work and how she has used her reflections on the past misconduct and any remedial work and training to improve her practice: *this panel also recommends that Ms Castle identifies a current registered social worker to peer review the learning Ms*

Castle undertakes. She should also where possible provide actual examples from her practice, verified by her current manager;

- e. A reference from Ms Castle's current employer confirming knowledge of the final hearing panel's findings against Ms Castle and commenting upon the quality of her current work (in particular in relation to safeguarding and maintaining professional boundaries if applicable to her current employment context); *this panel recommends that for the next review this should be an up to date letter commenting on Ms Castle's performance and skills in her current role;* and
- f. References in respect of any other paid or unpaid role currently undertaken by Ms Castle confirming knowledge of the final panel hearing panel's findings against Ms Castle and commenting upon the quality of her work (in particular in relation to safeguarding and maintaining professional boundaries if applicable to the role in question).

Suspension order

The panel therefore directs that the current Suspension Order should be extended for a further period of six months. The Order will be reviewed prior to its expiry.

Right of appeal:

1. Under Paragraph 16(1)(b) of Schedule 2 of The Social Workers Regulations 2018 (as amended), the social worker may appeal to the High Court against:
 - a. the decision of adjudicators:
 - i. to make an interim order, other than an interim order made at the same time as a final order under paragraph 11(1)(b),
 - ii. not to revoke or vary such an order,
 - iii. to make a final order,
 - b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.
2. Under Paragraph 16(2) of Schedule 2 of The Social Workers Regulations 2018 (as amended) an appeal must be filed before the end of the period of 28 days beginning with the day after the day on which the social worker is notified of the decision complained of.
3. Under Paragraph 15(1A) of Schedule 2 of The Social Workers Regulations 2018 (as amended), where a social worker appeals against a decision made under sub-paragraph (1), the decision being appealed takes effect from the date specified in that sub-paragraph notwithstanding any appeal against that decision.

4. This notice is served in accordance with Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended).

Review of final orders:

5. Under regulation 15(1), 15(2) and 15(3) of Schedule 2 of The Social Workers Regulations 2018 (as amended):
 - 15(1) The regulator must review a suspension order, or a conditions of practice order, before its expiry.
 - 15(2) The regulator may review a final order where new evidence relevant to the order has become available after the making of the order, or when requested to do so by the social worker.
 - 15(3) A request by the social worker under sub-paragraph (2) must be made within such period as the regulator determines in rules made under Regulation 25(5).
6. Under Rule 16(aa) of the Fitness to Practise Rules 2019 (as amended), a social worker requesting a review of a final order under paragraph 15 of Schedule 2 must make the request within 28 days of the day on which they are notified of the order.

The Professional Standards Authority

7. Please note that in accordance with section 29 of the National Health Service Reform and Health Care Professions Act 2002, a review decision made by Social Work England's panel of adjudicators can be referred by the Professional Standards Authority ("the PSA") to the High Court. The PSA can refer this decision to the High Court if it considers that the decision is not sufficient for the protection of the public. Further information about PSA appeals can be found on their website at:

<https://www.professionalstandards.org.uk/what-we-do/our-work-with-regulators/decisions-about-practitioners>