

Social worker: Alex Price
Registration number: SW112346
Fitness to Practise
Final Order Review Meeting

Date of Meeting: 09 December 2024

Meeting venue: Remote Meeting

Final order being reviewed: Suspension order – (expiring 20 January 2025)

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

Introduction and attendees:

1. This is the first review of a final suspension of practice order originally imposed for a period of 18 months by a panel of adjudicators on 22 June 2023.
2. Mr Price did not attend and was not represented.
3. Social Work England was represented by Capsticks LLP and their written submissions are set out within the notice of hearing letter.

Adjudicators	Role
Jayne Wheat	Chair
Rachael Kumar	Social worker adjudicator

Hearings team/Legal adviser	Role
Joel Tweddell	Hearings officer
Heather Hibbins	Hearings support officer
Abimbola Johnson	Legal adviser

Service of notice:

4. The panel of adjudicators had careful regard to the documents contained in the final order review service bundle as follows:
 - A copy of the notice of the final order review hearing dated 5 November 2024 and addressed to Mr Price at his email address which he'd provided to Social Work England;
 - An extract from the Social Work England Register as of 5 November 2024 detailing Mr Price's registered email address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 5 November 2024 the writer sent by email to Mr Price at the address referred to above: notice of hearing and related documents.
5. The panel accepted the advice of the legal adviser in relation to service of notice.
6. Having had regard to Rules 16, 44 and 45 of Social Work England's Fitness to Practise Rules 2019 (as amended) ("the Rules"), and all of the information before it in relation to

the service of notice, the panel was satisfied that notice of this hearing had been served on Mr Price in accordance with the Rules.

Proceeding with the final order review as a meeting:

7. The notice of final order review informed Mr Price that the review would take place as a meeting. The notice stated:

“If you would like to attend before the adjudicators in order to make oral submissions, please confirm your intention by no later than 4pm on 20 November 2024. Unless we hear from you to the contrary, we shall assume that you do not want to attend a hearing and Social Work England may decide to deal with the review as a meeting. If Social Work England do hold a meeting, the adjudicators will be provided with a copy of this letter setting out Social Work England’s submissions and a copy of any written submissions you provide.”

8. Mr Price was also sent an email by Social Work England on 19 November 2024 reminding him to provide his response and to confirm whether he wished to attend today’s review.
9. The panel received no information to suggest that Mr Price had responded to the notice of final order review or to the reminder email.
10. The panel heard and accepted the advice of the legal adviser with regard to r.16(c) of the Rules which provides:

“Where the registered social worker does not state within the period specified by the regulator whether they intend to attend before the regulator, the regulator may determine whether to make an order by means of a meeting.”
11. The panel was satisfied that it would be fair and appropriate to conduct the review in the form of a meeting in accordance with r.16(c).

Review of the current order:

12. This final order review hearing falls under the Transitional and Savings Provisions (Social Workers) Regulations 2019 and as a result the review will be determined in accordance with 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).
13. The current order is due to expire on 20 January 2025.

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

14.

'1. The allegations arising out of the regulatory concerns referred by the Case Examiners on 25 April 2022 are:

1. Whilst registered as a social worker on or around 22 January to 5 August 2019 you:

1.1 Submitted forged fit notes to your employer for the following dates:

- (i) 30 January 2019.*
- (ii) 28 February 2019.*
- (iii) 29 March 2019 (as amended)*
- (iv) 26 April 2019.*
- (v) 24 May 2019.*
- (vi) 21 June 2019.*
- (vii) 19 July 2019.*

1.2 Received sick pay during that period to which you were not entitled.

2. Your actions at 1.1 and / or 1.2 above were dishonest in that you:

- i) Knew the fit notes were not authentic.*
- ii) Knowingly claimed payments you were not entitled to.*

The matters at regulatory concerns 1 and 2 above amount to the statutory ground of misconduct.

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

The final hearing panel on 22 June 2023 determined the following with regard to impairment:

15. The previous adjudicators assessed Mr Price's fitness to practise from both a personal and public perspective. They considered whether his past actions posed a risk to service users, brought the profession into disrepute, breached fundamental professional tenets, or involved dishonesty. Mr Price was found to have brought the profession into disrepute through dishonesty, specifically by forging fit notes and claiming over £18,000 in sickness pay to which he was not entitled. The adjudicators considered this serious misconduct, reflecting a breach of fundamental values like honesty and integrity.
16. Although Mr Price admitted his actions and cited personal challenges, his insight into the impact of his behaviour was limited, and he did not provide evidence of remorse or remediation. The adjudicators concluded there was a risk of repeated misconduct due to his insufficient reflection on his actions.
17. Furthermore, the adjudicators determined that public interest required a finding of impairment, as Mr Price's actions undermined public trust in the profession. Given the dishonesty involved and the lack of reassurance against future recurrence, the adjudicators found Mr Price's fitness to practise impaired both personally and in the public interest.

The final hearing panel on 22 June 2023 determined the following with regard to sanction:

18. The previous adjudicators considered the appropriate sanction for Mr Price by weighing his personal interests against the public interest and examining both mitigating and aggravating factors.
 - a. Mitigating factors: Mr Price was of previously good character with no prior fitness to practise issues, and was dealing with personal challenges at the time of the misconduct. Positive feedback from colleagues was also considered.
 - b. Aggravating factors: The adjudicators found Mr Price's dishonest conduct was repeated over a period of seven months.
19. Given the seriousness of the dishonesty, the adjudicators decided that taking no action, issuing advice, or a warning would not adequately protect the public. They also ruled out a conditions of practice order, as Mr Price's dishonesty and lack of insight made it unworkable.
20. They then considered whether a suspension or removal from the register was appropriate. They determined that while the dishonesty was serious, it did not directly

harm service users, and there was potential for remediation. Therefore, removal was deemed disproportionate.

21. The adjudicators imposed an 18-month suspension order, as it would address public interest concerns, maintain professional standards, and give Mr Price time to reflect on his actions and remediate his behaviour. They acknowledged this suspension may cause financial hardship but concluded that the public interest outweighed Mr Price's personal interests.
22. They also provided recommendations for Mr Price's future review:
 - a. Mr Price's participation at any review hearing.
 - b. A personal reflective statement acknowledging the gravity of what he did, why it was wrong, what he has done to reduce the risk of repeating this conduct and how he will re-engage with the Social Work England professional standards. The statement should also address the impact that his conduct had on the Council, the profession, and the wider public interest.
 - c. References or testimonials from any paid or voluntary work, specifically commenting on Mr Price's honesty and integrity.
 - d. Documentary evidence of any training, learning and development in relation to the importance of honesty and integrity in social work.

Social Work England submissions:

23. The panel read the written submissions from Capsticks LLP on behalf of Social Work England:

"Subject to any evidence of further insight or remediation provided prior to the review, Social Work England will invite the panel to find that impairment remains and to consider imposing a Removal Order. The Final Hearing Panel set recommendations for the Social Worker to engage with in order to assist a future reviewing panel..."

...The Social Worker has not engaged since 16 May 2023. He chose not to attend his Final Hearing in June 2023. He has consistently stated that he does not wish to engage further, will not attend future hearings and does not intend to practise social work in future. Accordingly, it is submitted there is no evidence of remediation, therefore his fitness to practise remains impaired on both public protection and wider public interest grounds.

The Final Hearing Panel considered that the Social Worker's dishonesty may be capable of remediation, albeit it would be difficult to remedy as it involved attitudinal issues. In light of all the factors, the Final Hearing Panel did not consider that the

Social Worker's dishonest conduct was fundamentally incompatible with remaining on the register. The Social Worker was given 18 months as an opportunity to reflect on his stated position. It appears that the Social Worker has not changed his position. With that, it is submitted there is no realistic prospect of remediation. If the Reviewing Panel accepts that submission, then a Removal Order becomes necessary and proportionate. If evidence is received in advance of the final hearing in compliance with the recommendations of the previous panel, then this position may be revisited."

Submissions from Mr Price:

24. Mr Price has not participated in these proceedings since 16 May 2023, however the panel was mindful of the extracts of Mr Price's previous correspondence with Social Work England that were quoted in the final hearing panel's written decision:
- a. Mr Price had provided a written submission on 12 February 2022, explaining the personal difficulties he faced at the time of the misconduct. He acknowledged that, in hindsight, he should have taken a career break from social work and returned at a more stable time. He apologised for failing to maintain professional standards, reflecting on the stress and loss he had experienced. He also stated that [Private] and had no plans to return to social work, even if he were not removed from Social Work England's register.
 - b. In further communications with Social Work England, Mr Price reiterated his decision not to return to social work. On 18 July 2022, he confirmed this in an email. On 10 October 2022, he expressed that he accepted responsibility for his actions and acknowledged that his fitness to practise was impaired, agreeing to whatever final conditions Social Work England deemed appropriate.
 - c. In an email dated 27 April 2023, Mr Price accepted that his fitness to practise was impaired, despite disagreeing with some aspects of the case. In a signed response form attached to that email, he marked 'No' to admitting misconduct or impairment but added a handwritten comment agreeing that his fitness to practise was impaired due to his failure to maintain professional standards in the context of personal [Private] issues.
 - d. Finally, Mr Price sent an email on 16 May 2023 stating 'I want to reiterate that I won't be attending the final hearing. I also won't be making any further written submissions.'

Panel decision and reasons on current impairment:

25. 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 adjudicators. However, it 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'.

26. The panel had regard to all of the documentation before it, including Mr Price's previous submissions and the submissions of Social Work England.
27. 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.
28. The panel first considered whether Mr Price's fitness to practise remains impaired.
29. The panel noted that the previous adjudicators found that Mr Price had limited insight and had demonstrated insufficient remediation, in particular in relation to dishonesty. This panel noted that Mr Price has since not acted upon the recommendations of the previous panel.
30. In light of the lack of participation of Mr Price in these proceedings since 16 May 2023, the panel had no information before it to demonstrate insight, reflection, or remediation. In the circumstances, the panel concluded that there remains a risk of repetition of the misconduct. Therefore Mr Price's fitness to practise remains personally impaired.
31. The panel concluded that Mr Price was also impaired on the public component. Given the extent of Mr Price's dishonesty without remediation, a finding of impairment remained necessary to maintain public confidence in the profession and to maintain the professional standards expected of social workers.

Decision and reasons:

32. Having found Mr Price's fitness to practise to be 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.
33. The panel considered the submissions made by Capsticks LLP on behalf of Social Work England, during which they invited the panel to consider imposing a removal order. It noted Mr Price's repeated assertions that he did not intend to return to social work. The panel also took into account the 'Impairment and sanctions guidance' published by Social Work England.
34. The panel was mindful that the purpose of any sanction is not to punish Mr Price, 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 Mr Price's interests against the public interest.

35. As the panel had found that Mr Price remains impaired, it considered that taking no further action or revoking the suspension order in the circumstances would be inappropriate. The panel also concluded that conditions would not be workable given Mr Price's lack of engagement.
36. The panel considered whether the current suspension order should be extended for a further period of time. It concluded that although extending Mr Price's suspension would continue to protect the public, it was unlikely to result in Mr Price no longer being impaired. This was due a lack of evidence of insight or remediation, and there was no indication that further time would change this position.
37. The panel was satisfied it could consider that a removal order was available:
 - a. Mr Price's fitness to practise was originally found impaired on the basis of misconduct and therefore complied with Regulation 25(2)(a) of the Social Workers Regulations 2018 ("the Regulations");
 - b. Regulation 15(1)(b) of the Regulations allows the panel, with effect of the expiry of the order, to make any order which the adjudicators could have made at the time they made the final hearing order provided that the period for which the new order has effect does not exceed three years from the date on which it is made.
38. The panel noted that a removal order is a sanction of last resort where there is no other means of protecting the public or the wider public interest. The panel concluded that although Mr Price's dishonesty could have been remediated, 1 year 5 months and 2 weeks had passed since the suspension order had been imposed. In that time period, Mr Price had shown no action towards remediation and had made positive assertions that he no longer wished to work in the profession. In the circumstances, the panel concluded that there is no realistic prospect of remediation and a removal order had therefore become the appropriate means by which to protect the public.

Right of appeal:

39. 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.

40. 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.

41. 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.

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

Review of final orders:

43. 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).

44. 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

45. 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>