

Social worker: Bukola Jessica
Aina Ahmed
Registration number: SW143903
Fitness to Practise
Final Hearing

Dates of hearing: 10 March 2025 to 13 March 2025

Hearing venue: Remote hearing

Hearing outcome: Fitness to practise impaired, suspension order (18 months)

Interim Order: Interim suspension order (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.Ms Bukola Ahmed attended and was not represented.
- 3.Social Work England was represented by Ms Kennedy, Barrister and case presenter from Capsticks LLP.

Adjudicators	Role
Gill Mullen	Chair
Joma Wellings-Longmore	Social worker adjudicator
Janice Beards	Lay adjudicator

Hearings team/Legal adviser	Role
Tom Stoker	Hearings officer
Ruby Wade	Hearings support officer
Catherine Moxon	Legal adviser

Allegations:

- 4.The allegations arising out of the regulatory concerns referred by the Case Examiners on 30 August 2023 are:
 1. *On 23 November 2022 at Worcester Crown Court, you were convicted of a criminal offence, namely: ‘Possessing with intent to supply a controlled drug of Class A – Heroin / Possessing with intent to supply a controlled drug of Class A – Crack Cocaine’, contrary to sections 4(1) and 5(3) of and Schedule 4 to the Misuse of Drugs Act 1971.*
 2. *You did not inform Sandwell Children’s Trust (“the Trust”) that you were subject to criminal proceedings during your application process.*
 3. *You informed your employer, the Trust, that you were absent from work from 21 to 23 November 2022 due to ill health, when you were in fact attending your Crown Court trial.*
 4. *Your actions in 3 above were dishonest in that you sought to conceal from your employer that you were subject to criminal proceedings.*

5. *On 12 September 2022, you informed Social Work England in your registration application form that you were not subject to any convictions, cautions, investigations and penalty notices, when you were subject to criminal investigations and awaiting a Crown Court trial.*
6. *Your actions in 5 above were dishonest in that you sought to conceal from Social Work England that you were subject to criminal investigations.*
7. *You did not inform Social Work England and/or your employer that you were convicted of a criminal offence on 23 November 2023. (amended during the hearing to 23 November 2022)*
8. *Your actions in 7 above were dishonest in that you sought to conceal your conviction from Social Work England and/or your employer.*

By reason of your conviction as set out in allegation 1 above, and your misconduct in allegations 2 – 8 above, your fitness to practise is impaired.

Preliminary issue:

5. Ms Kennedy applied to amend paragraph seven of the Allegation on the basis that a typographical error had been made when the date of the criminal conviction was set out.
6. Ms Ahmed had raised this issue herself and had no objection to the amendment being made.
7. The panel accepted legal advice that no specific rule or regulation governs amendment to the Allegation. However, the panel have a wide discretion about how to regulate their own procedures under the Fitness to Practise Rules 2019 (as amended) (the 'Rules') Rule 32 (a). The panel were advised that the central consideration should be what is fair.
8. The panel determined that it was fair to make the amendment and that there would be no prejudice to Ms Ahmed in doing so. The Allegation was so amended to reflect the year of conviction as 2022 rather than 2023 as it originally read.

Admissions:

9. Rule 32c(i)(aa) of the Rules states:

Where facts have been admitted by the social worker, the adjudicators or regulator shall find those facts proved.

10. Following the reading of the allegations the panel Chair asked Ms Ahmed whether she admitted any of the allegations.

11. Ms Ahmed informed the panel that she admitted allegations 1, 2, 3, 4, 5 and 7

12. The panel therefore found allegations 1,2,3,4,5 and 7 proved by way of Ms Ahmed's admissions.

13. The panel noted that Ms Ahmed denied allegations 6 and 8.

14. Ms Ahmed said she was unsure when she was asked whether she admitted or denied allegations 6 and 8. In relation to paragraph 6 Ms Ahmed went on to say she had made an "*error of judgement*" regarding her application form. In relation to paragraph 8 Ms Ahmed said she was dishonest but that she was "*just waiting until I was sentenced*".

15. The panel accepted legal advice that both of these statements seek to qualify the plea which, if accurate, may amount to a defence in law or fact.

16. In line with Rule 32c(i)(a) of the Rules, the panel then went on to determine the disputed facts.

Further information linked to admissions:

17. The first witness to give evidence for Social Work England was Joseph Stockwell. When it was Ms Ahmed's turn to ask questions of him, she asked the panel whether she could "*change her plea*".

18. The panel received legal advice that Ms Ahmed could change her position to make an admission but the equivocal (unclear) nature of the admission would still need to be resolved.

19. On further enquiry as to whether Ms Ahmed accepted the relevant paragraphs of the allegation she started to cry and said she did not think she had been dishonest.

20. In light of the continued ambiguity around the admissions, the admissions were not recorded and paragraphs 6 and 8 remained to be determined by the panel.

Summary of evidence:

Social Work England

Conviction

21. On 11 January 2023, Social Work England received a referral from Sandwell Children's Trust ("the Trust") regarding the Respondent social worker, Bukola Jessica Aina Ahmed ("the Social Worker"). At the time of the referral Ms Ahmed was employed at the Trust. The referral raised concerns about the Social Worker's conviction.

22. The facts underlying the conviction are that, on 23 January 2020, the police stopped a vehicle, which Ms Ahmed was driving and owned. Ms Ahmed was with another person in the passenger seat. The vehicle and its occupants were searched, a large quantity of Class A drugs were found in Ms Ahmed's possession. On the same day, she was arrested and charged with possession of Class A drugs with intent to supply to another.
23. On 23 November 2022, before Worcester Crown Court, the Ms Ahmed was convicted of '*Possessing with intent to supply a controlled drug of Class A – Heroin / Possessing with intent to support a controlled drug of Class A – Crack Cocaine*', contrary to sections 4(1) and 5(3) of and Schedule 4 to the Misuse of Drugs Act 1971
24. On 16 February 2023 Ms Ahmed was sentenced to 24 months imprisonment suspended for 20 months with an unpaid work requirement of 200 hours.
25. The sentencing judge, His Honour Judge Burbidge KC, at the sentencing hearing made the following remarks:
- a. "You were driving another person, [...], into the Worcestershire area, specifically, I am satisfied so that I am sure, with the intent of passing though county lines to sell or pass on the drugs that were on your person."
 - b. "you were found with in excess of 90-odd wraps of dealer deals of cocaine and heroin, 21 of cocaine and the rest heroin, clearly for onward sale in this area."
 - c. "Your assertion that he threw them over, put his hand up to his lips telling you to be quiet, were all a nonsense in my judgment, and the jury found that to be so also, because otherwise they [the drugs] would not realistically have been in your control."
 - d. "I will deal with you that [the drugs] were secreted in your undergarments"
 - e. "You accept you were in possession of the drugs at the time the vehicle was stopped, but you said you have not known of them before. As I say, I indicate that that is a false basis of assertion."
 - f. "There is no evidence, in my judgement, you were acting under coercion or anything of that nature."
 - g. "You had been a driver of [the co-accused] for a number of weeks, or months – there is clear telephone evidence of that. So this was not an isolated experience in the sense of not knowing what he was doing generally, even if his principal habit was selling cannabis"
 - h. "I am satisfied you fall within a lesser role, and I can move you down [the sentencing guidelines category] within that lesser role because you were, in part, a courier. [...] I move you down the range because of your mitigation, but you stay right at the top of the bottom range".

Failure to declare

26. On 18 February 2022, Ms Ahmed applied to the Trust for the position of Newly Qualified Social Worker. She undertook two interviews on 12 and 13 April 2022. She commenced employment at the Trust on 5 September 2022. It is alleged that Ms Ahmed did not inform the Trust that she was subject to a police investigation and/or criminal proceedings during her application process. At this point she had been charged and was awaiting her Crown Court trial.
27. Ms Ahmed's Crown Court trial took place from 21 to 23 November 2022 at which point she was employed by the Trust. It is alleged that Ms Ahmed dishonestly called in sick to the Trust on the basis that she had the flu or virus-related illness, in order to conceal her criminal proceedings. She allegedly took sick leave from 18 to 23 November 2022.
28. Following her trial, it is alleged that Ms Ahmed did not inform her employer or Social Work England that she was convicted on 23 November 2022. This only came to light on 10 January 2023, some 7 weeks later, when a senior probation officer made a referral to the Trust. The following day, 11 January 2023, the Trust made a referral to Social Work England.

Live evidence

29. The panel heard live evidence from Joseph Stockwell, Head of Registration and Advice at Social Work England (when the statement was made) and Nisha Thakrar, Social Worker and Team Manager within Sandwell Children's Trust.

Social Worker, Ms Ahmed

30. Ms Ahmed emailed Social Work England on 1 June 2023 attaching a written reflection. In the reflection, she acknowledges that she was not open and honest at the time of registering with Social Work England, and that she took the advice of her lawyer at the time to wait until she had been sentenced to disclose to her employer. Ms Ahmed states:

"I was nervous and in denial and a little unsure of what was happening and didn't want anything to impact me becoming a social worker. In hindsight, this was the incorrect decision.

I have previously explained that this was a crime with a co accused who I knew in passing and I used to help him out by running errands with him as he did not have a mode of transport. He unknowingly had the drugs on his person and police were following him and he passed the drugs to me to hide as I am a female without a criminal record and unknown to the police. Unfortunately, I was stopped and arrested and then the drugs were found. ...

Currently, I don't feel like my fitness to practice is impaired. I feel my resilience and understanding of the situation has enabled me to understand where I went wrong in the situation. I was dealing with shame, embarrassment and guilt due to the charge and

crime and I didn't want to share this with anyone. But in hindsight, I would not react and do what I did back in September 2022 and not admit it to Social Work England. ..."

31. In oral evidence Ms Ahmed told the panel that in relation to the sixth paragraph of the Allegation her intentions were not to conceal the criminal investigations. She said she simply read the question on the application form for what it was. Further, she explained that her thought process had been that the question had asked about police investigations and as far as she was aware the police investigation had concluded.
32. The relevant question on Ms Ahmed's Social Work England registration application was whether she was subject to any *"convictions, cautions, investigations and penalty notices. Are you currently being investigated for a criminal offence or have you received any convictions or cautions in the UK or any other country?"*.
33. At the time Ms Ahmed filled out the application form she considered herself to be waiting for a court date. She thought the trial may not ever happen.
34. Ms Ahmed had been hoping that due to passage of time since being arrested the court date would never come. It had been nearly three years from arrest to the trial. In that time there had been barrister strikes, Covid and she wondered if a statute of limitations would apply.
35. Ms Ahmed said it was a *"grey area"* as to whether the proceedings would be likely to impact her registration. She had never worked under a regulator and had only minimal understanding of Social Work England from academia.
36. In relation to the eighth paragraph of the Allegation Ms Ahmed relied on a screenshot sent to her lawyer. Ms Ahmed told the panel that she had been advised by her lawyer to wait until her sentencing hearing.
37. The panel have seen the screenshot of a message sent by Ms Ahmed on the 23 November 2022 at 19:59 which reads
 - a. *"Thoughts on handing in my notice to work or should I wait till sentencing date. Thank you for everything you have done! I really appreciate the guidance you have provided. Thanks for pushing me to fight (three emojis)"* (sic).
 - b. The reply reads *"May as well wait till January let's see how we get on at sentence. Do a good job with the pre sentence report and get the best possible sentence"* (sic)
38. Ms Ahmed was asked about this screenshot. She accepted that the advice she asked for was in relation to handing in her notice at work. She said she had not been thinking about Social Work England. Her thoughts had been with her employer. Her understanding was that if she was convicted she could not work with children or their families.
39. Ms Ahmed acknowledged that with hindsight she should have informed Social Work England straightaway.

40. Overall, Ms Ahmed acknowledged she had been “*very avoidant*” and had not been facing the reality of what was going on. She had been in denial meaning that she did not realise how serious the criminal offence was at the time.
41. Ms Ahmed was cross-examined on the basis that her present version of events regarding her conviction differed from the sentencing remarks of the Judge, taken from the official court transcript. Ms Ahmed said that the Judge’s judgment is his judgement and his opinion. She urged upon the panel that she was not selling drugs and had never profited from drugs.
42. Ms Ahmed said that her co-accused was known for trafficking and she was scared. She said “*The Judge may not believe it but I was actually there.*” and “*My story can still exist alongside that*”.
43. Ms Ahmed said she did hide her conviction. She did not tell her family. If she could do it all again she would be open and honest. Ms Ahmed stressed that she had not been arrested in five years, she had completed the community order requirements and would not find herself in this type of situation ever again.
44. Ms Ahmed called [PRIVATE], a Specialist Community [PRIVATE], who is part of the Criminal Justice [PRIVATE], gave oral evidence about the progress Ms Ahmed had made in terms of her [PRIVATE]. [PRIVATE], described Ms Ahmed as a “*wonderful human*”.

Submissions:

Social Work England

45. Ms Kennedy reminded the panel that the burden of proof was on Social Work England on the balance of probabilities.
46. Ms Kennedy submitted that [PRIVATE], evidence had limited value at the facts stage. [PRIVATE], had limited knowledge of the facts behind the conviction. [PRIVATE], did not have knowledge of the Social Work England procedure.
47. Ms Kennedy reminded the panel of the evidence of Ms Ahmed. Ms Ahmed has acknowledged poor decision making around communication with Social Work England about her criminal investigation and conviction.
48. Ms Kennedy submitted that Ms Ahmed’s position that the application form question did not specifically ask her to disclose ongoing proceedings was not credible. Ms Kennedy submitted that it was more likely that Ms Ahmed’s intention in concealing the criminal investigation from Social Work England was to avoid the consequences.
49. Ms Kennedy moved on to paragraph eight of the Allegation. The trust only became aware of the conviction seven weeks after she had been convicted. Ms Ahmed has acknowledged that she had a duty to inform Social Work England and that she should have done that.

50. Turning to Ms Ahmed's explanation that she had been waiting for her sentencing hearing, this too lacked credibility. Ms Ahmed was aware, or ought to have been, that restrictions would likely be placed on her registration if she had communicated in a timely manner.
51. Ms Kennedy reminded the panel of Ms Ahmed's evidence that she thought that being convicted would mean that she could not work with young families at all. This shows that Ms Ahmed was aware of the gravity of the conviction.
52. Ms Kennedy submitted that this was a pattern of behaviour of non-disclosure on behalf of Ms Ahmed.

Social Worker, Ms Ahmed

53. In relation to paragraph six, Ms Ahmed submitted that she did not mean to conceal her criminal investigation from Social Work England. As she had not been convicted and her DBS check had not been impacted she did not think any issue arose.
54. Ms Ahmed said that at the time of her application to Social Work England she did not think she was still subject to a police investigation because she was already charged and was waiting for a trial. This was a trial she did not think would happen due to the statute of limitations. She now accepts that there is no such limitation.
55. Ms Ahmed did not consider what she had done was dishonest because she was answering the question literally.
56. In relation to paragraph eight, Ms Ahmed said that she would have told Social Work England after her sentencing hearing what had happened. She wanted to have the full information before approaching her employer. She thought she would lose her job.
57. Ms Ahmed said that whilst she did not blame her lawyer for the advice she received she thought anyone else in her position would have thought as she did. Had she not received the advice in the screenshots she would have done things differently.
58. Overall, Ms Ahmed submitted that none of her failures to disclosure information were deliberate. She said she was easily overwhelmed and she needed guidance. She now fully understands the Social Work England standards.

Legal Advice:

59. The panel was advised that when exercising its functions, including to make findings of fact, the panel should pursue the following objectives:
- a. to protect, promote and maintain the health, safety and well-being of the public;
 - b. to promote and maintain public confidence in social workers in England; and
 - c. to promote and maintain proper professional standards for social workers in England.

60. Social Work England has the burden of proving any disputed facts to the civil standard, which is upon the balance of probabilities. Social Work England must establish that it is more likely than not that alleged facts occurred.

61. Ms Ahmed does not have to prove anything.

62. The panel are required to consider dishonesty which has a legal meaning. The test for dishonesty requires objective standards to be applied as per the case of *Ivey* [2017] UKSC 67. The test has been set out by the Supreme Court:

“When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual’s knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest.”

63. The panel is entitled to consider the surrounding circumstances of any allegations of dishonesty including whether an issue has an innocent explanation. It may legitimately consider motive but must not speculate.

64. Credibility may be determined. The Panel must consider all of the evidence before it prior to making findings as to the credibility of any witness. Further, when assessing a witness’s credibility, it should not rely exclusively on their demeanour when giving evidence. The manner in which a witness gives evidence is far less important than the contents of their evidence, which should be considered against the other evidence in the case, which may corroborate or contradict a witness’s evidence.

65. A certificate of conviction has been supplied in evidence. In *Shepherd v The Law Society* [1996] EWCA Civ 977 the Court of Appeal approved the statement that, save in exceptional circumstances, a challenge to a criminal conviction should not be entertained by a disciplinary tribunal.

66. The case of *Achina v General Pharmaceutical Council* 2021 EWHC 415 (admin) the High Court endorsed the position that *“not only [are] the “bare facts to be found in the Certificate of Conviction, but also the broader factual matrix on which the convicted person has been sentenced. One finds that factual matrix in the sentencing remarks of the judge.”*

67. Personal opinion was expressed by Ms Thakrar on whether or not Ms Ahmed should have disclosed a conviction before her sentencing hearing. Personal opinions are not usually admissible as contrasted to expert opinion evidence. This panel has a wide discretion about what is admissible before them. However, caution is required. The

answer to the question of whether or not Ms Ahmed should have disclosed her conviction should be guided by evidence and is ultimately a question for the Panel.

68. Decisions need to be accompanied by written reasons.

Finding and reasons on facts:

Paragraph 6 - Your actions in 5 above were dishonest in that you sought to conceal from Social Work England that you were subject to criminal investigations. – Found Proved.

69. Ms Ahmed filled in her Social Work England registration application on the 12 September 2022. The relevant question on Ms Ahmed's Social Work England registration application was whether she was subject to any "*convictions, cautions, investigations and penalty notices. Are you currently being investigated for a criminal offence or have you received any convictions or cautions in the UK or any other country?*". She answered "No". Underneath the question it read "*For more information on what you must declare read our guidance on safe and effective practice*"

70. The panel first considered Ms Ahmed's actual knowledge and belief as to the facts on the 12 September 2022.

71. The panel considered Ms Ahmed's explanation that she had answered the question at face value and that she had made an error of judgement in thinking that waiting for a Crown Court trial would not need to be declared. The panel rejected this as not credible.

72. By the 12 September 2022 Ms Ahmed had been arrested for a serious offence involving Class A drugs, heroin and crack cocaine. She had been charged with Possession with Intent to Supply. She had been interviewed by the police, had been to the Magistrates Court and the Crown Court. She knew she was in the Court system awaiting trial.

73. The panel did not accept as credible that Ms Ahmed would believe that this question did not prompt her to declare the serious matters she was awaiting trial for. At the relevant time Ms Ahmed had a Masters level qualification in Social Work. She would have been aware of the risk to service users regarding drugs.

74. The panel heard evidence from Ms Ahmed that she had learnt little about the role of Social Work England during academic study and was unfamiliar with the role of the regulator. The panel considered it more likely than not that she would have known enough to be aware that this question was relevant to protecting service users. In light of how serious the Possession with Intent to Supply charge was Ms Ahmed would have known that this was a matter Social Work England would be interested in. The criminal matter was not small, trivial or irrelevant on any analysis.

75. The panel accepted that Ms Ahmed would have been likely to have had some naivety around the process based on the evidence she has provided. For example, Ms Ahmed told the panel that she had been open and honest with the Probation Service by telling them she was a Social Worker. If she had not wanted her employer to know about the conviction she would not have told the Probation Service that she was a social worker. It is not likely that this omission alone would have achieved that. Indeed, the Crown Court Judge referred to her training as a social worker at the sentencing hearing, using it in her favour to reflect a downwards movement in financial orders as she would be likely to lose her job.
76. The panel found it more likely than not that Ms Ahmed would have been aware that the criminal proceedings would have been relevant to her Social Work England registration. She would have known that Social Work England would have been likely to want more information from her about the criminal matter. The nature and seriousness of the upcoming trial evidences this.
77. Ms Ahmed would have been aware that there would have been a likely consequence if she disclosed the details of the upcoming trial to Social Work England.
78. Therefore, the panel found that Ms Ahmed concealed that she was subject to criminal investigation by saying “No” to the question posed.
79. The panel went on to consider whether her conduct was dishonest by the standards of ordinary decent people.
80. In light of the facts known and believed by Ms Ahmed the panel found that any ordinary decent person would find it to be dishonest to say “No” to the relevant question and in doing so deliberately conceal the criminal investigation. Knowing what she did about the seriousness of the criminal matters and the need to protect vulnerable service users (including from drug related issues) any person in her position would be likely to think concealing that information from her potential regulator would be dishonest.
81. For the above reasons paragraph 6 is found proved.

Paragraph 8 - Your actions in 7 above were dishonest in that you sought to conceal your conviction from Social Work England and/or your employer. – Found Proved.

82. The panel first considered Ms Ahmed’s actual knowledge and belief as to the facts regarding her conviction on the 23 November 2022. Ms Ahmed attended her Crown Court trial and had legal representation. She was aware that she had been convicted. She knew that a sentence of immediate imprisonment was a serious possibility. The Crown Court Judge had told her that the sentencing hearing would be in the New Year so that if she had to go to prison she would not be there for the upcoming Christmas.
83. Ms Ahmed’s evidence was that she wanted to be able to present the full facts to her employer, including the sentence and that she had not been thinking about Social Work England. Ms Ahmed had submitted that she had relied on the advice of her lawyer.

84. The panel rejected Ms Ahmed's explanation because it lacked credibility. Ms Ahmed had asked her lawyer whether she should hand in her notice or wait for her sentencing hearing. She was told "*May as well wait till January*". Ms Ahmed told the panel that she had thought at that time, her conviction would prevent her from working with children and their families at all in the future. That she was thinking of resigning adds to the evidence that Ms Ahmed knew how serious her conviction was and how relevant it was to both her employer and Social Work England.
85. The panel did not accept it as credible that Ms Ahmed thought her lawyer had advised her not to inform her employer or her regulator about her conviction. She had not asked him those questions.
86. The panel found it more likely than not that Ms Ahmed did not tell her employer or Social Work England about the conviction so that she could avoid or delay the consequences. It is clear that she thought the consequence would be losing her job and not being able to work with children and families again. To avoid, or delay, those consequences she concealed the information from both her employer and Social Work England.
87. It is very unlikely that Ms Ahmed would not have appreciated how serious her conviction was both generally and particularly as a social worker. The panel determined that Ms Ahmed was aware of both.
88. The panel went on to consider whether her conduct was dishonest by the standards of ordinary decent people.
89. In light of what Ms Ahmed knew about the facts, any ordinary decent person would have considered Ms Ahmed not informing Social Work England and/or her employer about her conviction to be dishonest. In not informing them she was seeking to conceal the information. An ordinary decent person, being aware that they had been convicted of Possession with Intent to supply "90 odd" wraps of heroin and crack cocaine would know that the conviction would prompt serious enquiry and consequences by both Ms Ahmed's employer and Social Work England. The sentence would add more detail but would not be at all likely to reduce the risk Ms Ahmed's employer and Social Work England would need to react in some way consistent with their duties of care.
90. For the above reasons paragraph 8 is found proved.
91. The Allegation has been proved in its entirety. Therefore it will be necessary to move onto the Impairment Stage.

Impairment Stage

Summary of the evidence:

Social Work England

92.Social Work England did not rely on any further evidence.

Social Worker, Ms Ahmed

93.Ms Ahmed gave oral evidence.

94.Ms Ahmed said that she had now considered Social Work England’s rules about misconduct. She accepted that she should have declared the criminal investigation and conviction in a timely manner. Ms Ahmed said she thought there probably was misconduct in her case.

95.Ms Ahmed thought at the time she had lacked knowledge and was being avoidant.

96.Ms Ahmed said that she was not currently impaired. Since February 2023, when sentenced, she had taken the time to focus on what had gone wrong. From 2023 she started to understand how these matters were “*bigger than*” her. Ms Ahmed explained that she had not realised that she was allowed, or that it would be appropriate to, talk about people other than herself in her reflections.

97.Regarding the criminal conviction she was originally angry and had blamed others.

98.With time and support Ms Ahmed now takes responsibility for her own actions. Despite this being hard, she had persevered so that she could grow, evolve and take accountability. An example of this in action is asking more questions about what is happening to resist “*going with the flow*”.

99.Ms Ahmed said that dishonesty could be a character flaw and acknowledged that can be hard to change. However, since her arrest she has made significant changes.

100.Ms Ahmed said the Probation Service deemed her to be low risk. She does not feel there is a risk of her reoffending in the future.

101.Ms Ahmed told the panel she has sought out paid and voluntary work with young people. The leadership team were fully aware of her convictions. She has been using her lived experience to stop others going into a life of crime. She has tried to turn a very negative experience into a positive.

102.Ms Ahmed is aware that her conviction will appear on her DBS checks. She is open and honest with those she works with before the DBS result is received.

103.Ms Ahmed is aware how the wider public would be impacted by what she has done. Whilst she did not directly harm any service users she understands there remains an issue. Ms Ahmed said when she explains her conviction to others it adds context and makes her more “*human*” however she does understand how the overall picture from the Allegation could look to the public.

104. Ms Ahmed stated that the Crown Court sentencing remarks are misleading about her associations with her co-accused. She does not accept that she knew her co-accused had drugs on the relevant day. She said the first time she had seen heroin or crack-cocaine in her whole life was on the day that she was arrested.
105. Ms Ahmed was cross-examined on what went wrong for her leading up to the matters on the Allegation. Ms Ahmed explained she was spiralling and was spending time with the wrong people. Since arrest, she has taken the opportunity to change her life around. She went to University and stopped spending time with her co-accused.
106. Since Ms Ahmed had been arrested she has had no association at all with her co-accused other than that he was linked to her in the criminal case. Even in court, they did not speak to each other.
107. Ms Ahmed identified that a risk of harm from her actions from 2022 was that she had been working with vulnerable young children. Due to her suspension from work she disappeared from their lives without explanation. She still thinks about the children involved.
108. Ms Ahmed does not think she presents a risk now. She has googled herself and the criminal case does not come up in the search results. The arrest was five years ago. No one would ever know about her conviction unless she told people or they saw her DBS. Ms Ahmed submitted that she understands that she has disappointed her colleagues, the training staff and her managers. Further she accepts that keeping things to herself lowered the trust people had in her.

Submissions:

Social Work England

109. Ms Kennedy submitted that Ms Ahmed's fitness to practice is currently impaired on both the personal and public elements of impairment as set out in the Impairment and sanctions guidance .
110. Ms Kennedy reminded the panel that the conviction represents a statutory ground of impairment according to Regulation 25 (2)(c) of The Social Workers Regulations 2018.
111. Ms Kennedy submitted that the dishonesty matters amount to serious misconduct. The dishonesty is such that it will be harder for colleagues, service users or members of the public to have trust in Ms Ahmed.
112. The dishonesty was persistent, prolonged and has permanently damaged public confidence in the profession.
113. Ms Kennedy set out that dishonesty is hard to remediate. In this case there is a pattern of dishonesty. Ms Ahmed has engaged with the proceedings which is commendable. However there does appear to be some denial of the facts and an attempt to go behind the Criminal Judge's sentencing remarks, to some extent.

114. Ms Kennedy acknowledged that Ms Ahmed was able to demonstrate some insight.

115. Ms Ahmed was questioned about the risk of the conviction and dishonesty and the potential harm to service users, colleagues, her employer generally as well as the reputational harm to the profession. Her understanding of risk was lacking.

116. Ms Kennedy said that risk of offending is difficult to assess. Ms Ahmed has been working in a voluntary sector role in a paid position. Overall, attitudinal concerns are such that she has not been able to fully remediate and there is an ongoing risk of repetition.

Social Worker, Ms Ahmed

117. In addition to the points made in evidence above Ms Ahmed addressed the panel.

118. Ms Ahmed submitted that she understands the importance of ethical and moral standards.

119. Ms Ahmed said she understands the risk she has presented to the public.

120. Ms Ahmed put forward as mitigation her lack of regulatory experience, [PRIVATE], being subject to training and supervision at work and doing what she can to boost her skills whilst being unable to practise social work.

121. Ms Ahmed maintains that she has never sold drugs or profited from drugs therefore the risk of this occurring in the future is not there.

122. Ms Ahmed asked that her references are taken into account.

123. Ms Ahmed is aware that she should not have been around drugs at all. She should not have taken possession of the drugs from the co-accused. She entered a not guilty plea at the Crown Court because she had never sold drugs. If she had, she would have entered a guilty plea and been entitled to a more lenient sentence.

124. Ms Ahmed said she is fighting for a chance to work in the profession.

Legal Advice:

125. The panel were reminded of the regulatory objectives.

126. When considering impairment, there is no burden or standard of proof to adopt.

127. Paragraph one of the Allegation relates to a criminal conviction.

128. Social Work England submit that paragraph two to eight of the Allegation amount to current impairment.

129. The panel should access each of the paragraphs separately although it is permissible to group together reasoning at the written draft stage if reasons would otherwise be repetitive.

130. In relation to paragraph one of the Allegation, Ms Ahmed has admitted, and it has been found proved, that she was convicted as alleged. The panel must determine whether her fitness to practice is currently impaired as a consequence.

131. In relation to paragraphs two to eight of the Allegation, the panel must consider whether or not the facts proved amount to serious misconduct, and if so, whether the serious misconduct leads to a finding of impairment. There are two distinct processes, firstly to consider whether there has been serious misconduct and secondly to consider whether this leads to a finding of current impairment.

132. For the purpose of fitness to practice proceedings, “misconduct” is defined as follows:

“....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.”

133. There is no legal definition for the word “serious” and the word should be given its ordinary meaning.

134. The panel may be assisted by the points raised by Dame Janet Smith in the Fifth Shipman Report, as approved by the High Court in *CHRE v NMC and Paula Grant* [2011] EWHC 297 (Admin), with regard to the features which are likely to be present when impairment is found. The registrant:

- ‘a. Has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or
- b. Has in the past or is liable in the future to bring the medical profession into disrepute; and/or
- c. Has in the past breached or is liable to breach in the future one of the fundamental tenets of the medical profession; and/or
- d. Has in the past acted dishonestly and/or is liable to act dishonestly in the future.’

135. The above case refers to the medical profession and patients. The principles of the case can be relevant to assessments for social workers.

136. The panel must determine whether Ms Ahmed’s fitness to practice is impaired today, by reason of conviction and / or misconduct, taking into account the proved facts, whether the matters are remediable, whether they have been remedied and the likelihood of repetition. The panel must determine whether Ms Ahmed has demonstrated insight, and if so, to what extent.

137. The panel must also determine whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of current impairment were not made.

138. The decision on impairment is a matter for the panel's judgment alone. Written reasons must be provided.

Finding and reasons on grounds

139. Ms Ahmed's fitness to practice is impaired due to having a serious criminal conviction.

140. Ms Ahmed's fitness to practice is impaired on the grounds of misconduct.

Finding and reasons on current impairment

141. When considering the question of impairment, the panel took into account Social Work England's 'Impairment and sanctions guidance'.

Conviction

Personal impairment element

142. The panel considered whether Ms Ahmed's conduct was easily remediable. The matters are not easily remediated but Ms Ahmed has had enough time to make progress on her remediation.

143. The panel went on to consider whether the conduct has been remedied. Ms Ahmed has completed her community order requirements as ordered by the Crown Court. Ms Ahmed has also sought support outside of the mandated programmes to work on social and personal matters.

144. The panel considered the risk of future repetition of similar conduct. The panel found Ms Ahmed to be credible when she stated that she had stopped associating with her co-accused. She was not a social worker at the time. The panel accepted that the criminal proceedings and these regulatory proceedings have been a lesson to her in themselves.

145. The panel accepted that Ms Ahmed was scared by the prospect of going to prison. The panel accepted this will operate as a deterrent to her to reduce the risk of reoffending in the future.

146. Ms Ahmed's conduct has caused harm. The panel considered paragraph 20 of the Impairment and Sanction Guidance.

"20. Decision makers should be careful when assessing actual harm caused by a social worker's actions and its impact on the seriousness of the case. An action that (by luck) has not caused harm may still represent an unacceptable risk of serious harm if repeated. If this is the case, decision makers should not regard it as any less serious because actual harm did not occur."

147. Ms Ahmed has not been convicted of selling drugs or making a profit from doing so. However, she was convicted of possessing Class A drugs, heroin and crack-cocaine, with Intent to Supply. The harm caused by Class A drugs is well known amongst social workers and the general population. Ms Ahmed could and should have foreseen the risk of harm by involving herself in such matters.
148. Ms Ahmed has some insight into her conduct. Ms Ahmed's insight is at an early stage and is incomplete. Ms Ahmed has never denied before the panel that she has a criminal conviction. She has struggled before the panel to accept the full extent of the factual findings against her from the criminal court. When explaining the conviction she still considers herself as being in the wrong place at the wrong time. Ms Ahmed has expressed that she takes responsibility but she has repeatedly sought to minimise her role.
149. Over the course of the proceedings Ms Ahmed has shown a fuller understanding of the impact of her actions on others in particular vulnerable service users. Most of the reflective work prior to the hearing has focused on the impact on Ms Ahmed herself. It is difficult for Ms Ahmed to have full insight at the same time as being unable to fully accept the matters that require reflection.
150. The panel have reviewed the testimonials. They provided evidence of the effort that Ms Ahmed has put into remediation before this hearing.
151. The criminal offence is now of some age. Ms Ahmed has completed the requirements of her community order. The panel applied weight to the lack of further offending since her arrest in 2020.
152. Ms Ahmed should be fairly credited for the progress she has made and what she has done to reduce the risk of offending. However, the lack of insight, especially when taken alongside Ms Ahmed continuing to minimise her own role in her criminal conviction leads the panel to conclude her fitness to practice is personally impaired.

Public impairment element

153. Ms Ahmed has been convicted for a serious crime and she has not taken full responsibility for it despite the passage of five years.
154. The panel considered that a finding of impairment is necessary to promote and maintain both public confidence in social workers in England and to promote and maintain proper professional standards for social workers in England.
155. Public confidence in social workers in England would be undermined if a finding of impairment was not made in this case.

Misconduct

The question of Misconduct.

156. The panel identified The Professional Standards Guidance which state

“Professional integrity

Duty of candour

Standard 6.1, 6.3, 6.4, 6.5, 6.6 and 6.7

Social workers are open and honest with people, including when something goes wrong or has the potential to cause physical, emotional, financial or any other harm or loss. Where they are not open and honest, it can put people at risk and may damage confidence in them as a social worker and the social work profession.

... Duty of candour also applies to being open and honest with colleagues, employers and relevant organisations, including Social Work England. A social worker must declare any charges, convictions or cautions that've been issued to them in the UK or any other country.

They must also tell us if they're being investigated for a criminal offence in the UK or any other country, are subject to a regulatory finding, or if there is anything that might affect their ability to do their job competently or affect their fitness to practise.”

157. The panel considered paragraphs two to eight of the Allegation. Each of the paragraphs have been considered separately but the reasoning overlaps. Each of the paragraphs go against the fundamental principle of the profession to be open and honest. The need to be open and honest is expressly set out in the guidance above. Each of the paragraphs two to eight amount to misconduct and are serious.

158. The panel noted that paragraph three is an example of actively lying about her health in order to attend her Crown Court hearing and conceal from her employer that she was a defendant in a criminal trial. Other paragraphs deal with dishonesty by omission. Consistent with the reasoning set out at the facts stage the panel concluded that the motivation behind the dishonesty was a desire to avoid the consequences of telling the truth.

159. Taken as a whole, there is an established pattern of behaviour by Ms Ahmed to be dishonest.

160. The panel considered the CHRE v NMC and Paula Grant [2011] EWHC 297 (Admin) features of impairment. Each of the criteria are engaged.

Personal impairment element

161. Dishonestly is difficult to remediate. The panel went on to consider whether the conduct has been remedied. Ms Ahmed has done relevant work towards remedying.

162. The panel considered the risk of future repetition of dishonesty. The panel considered that there remains a risk of repetition.
163. Ms Ahmed's conduct has caused harm and there was a risk of harm to others.
164. The panel considered paragraph 20 of the Impairment and Sanction Guidance again.
165. Ms Ahmed accepted that she may have emotionally harmed vulnerable young children from a family that she was working with when she suddenly had to leave following her suspension from work. Social Workers need to gain the trust of service users in order to build a working relationship and advocate on their behalf. This trust would have been undermined when Ms Ahmed suddenly left their lives with no explanation and without being able to say goodbye. This is a particular point to note when considering vulnerable children going into foster care.
166. Ms Ahmed is beginning to understand the harm and risk of harm to others.
167. Ms Ahmed has some insight into her conduct. Ms Ahmed made admissions to the majority of the Allegation. Despite contesting paragraphs six and eight of the Allegation by virtue of having admitted paragraph four Ms Ahmed admitted some dishonesty from the beginning of the hearing. The panel do not place any weight at all on the fact that Ms Ahmed contested some paragraphs of the Allegation.
168. Ms Ahmed has expressed remorse and she has engaged in this regulatory process. Ms Ahmed's insight work is incomplete. In this hearing she has started to grasp the impact of her dishonesty on others and the importance of the regulatory standards.
169. The panel have reviewed the testimonials and credit Ms Ahmed for the work she has done. It is to Ms Ahmed's credit that she has sought similar work to social work so that she can develop relevant skills. It is further to her credit that she was able to obtain good quality references from those who were entirely aware of why she was coming before this panel.
170. Ms Ahmed does not have a previous regulatory history. In light of the overall scope of the matters before the panel, it was able to apply no weight to this because Ms Ahmed's dishonesty stemmed right from the application for the Social Work England registration.
171. Ultimately, there is persistent dishonesty in Ms Ahmed's case. Despite Ms Ahmed's efforts she has incomplete insight which leaves her open to the risk of further dishonesty. Therefore Ms Ahmed's fitness to practice is currently impaired under the personal impairment element.

Public impairment element

172. Persistent dishonesty is a serious matter. Ms Ahmed has been dishonest with her employer and her regulator both actively and by omission.

173.The panel considered that a finding of impairment is necessary to promote and maintain both public confidence in social workers in England and to promote and maintain proper professional standards for social workers in England.

174.Further, if a finding of impairment was not made, it would undermine public confidence in social workers in England.

175.As Ms Ahmed’s fitness to practice is currently impaired it will be necessary to consider what, if any, sanction should be imposed.

Sanction Stage

Social Work England

176.No further evidence was relied upon by Social Work England.

Social Worker, Ms Ahmed

177.Ms Ahmed said she would not like to be removed as a social worker. She said she had tried to take steps to remediate and show her insight. If any other steps rather than removal could be taken she would be grateful for an alternative disposal of the case.

Submissions

Social Work England

178.Ms Kennedy submitted that a removal order would be the only appropriate disposal of this case.

179.Ms Kennedy said that the mitigating factors were admissions to the facts, engagement with the panel, positive testimonials and apology offered. Ms Kennedy said that Ms Ahmed has taken steps in her personal life to make positive changes. Ms Ahmed has also been working well in a similar role to that of a social worker.

180.The aggravating factors are that there has been prolonged and persistent dishonesty both actively and by omissions. Ms Ahmed has incomplete insight. Service users and their families have been put at risk by her conduct.

181.No further action would not be appropriate due to the seriousness of the concerns.

182.Conditions of practice would not be appropriate because there are relevant character and behavioural failings. The concerns are not measurable and it would be difficult to formulate workable conditions that would address the dishonesty and serious public interest concerns.

183. Suspension may be appropriate when the concerns represent a serious breach of the professional standards, the social worker has demonstrated some insight and there is evidence to suggest the social worker is willing and able to resolve or remediate their failings.
184. A removal order would be appropriate where no other outcome would be enough to protect the public, maintain confidence in the profession and/or maintain proper professional standards for social workers in England
185. Dishonesty is a particularly serious example of a regulatory concern. The conviction is also serious and particularly relevant to social work. Despite the progress made by Ms Ahmed the concerns are so serious in this case that they do require a removal order. A message needs to be sent to the public that the behaviour shown by Ms Ahmed is not acceptable in a social worker.

Social Worker, Ms Ahmed

186. Ms Ahmed submitted that she did not want to be removed as a social worker and that she had tried to make the changes to turn her life around since her conviction. She would never go back to that life again.
187. Ms Ahmed urged the panel to look at other options than removal.
188. Ms Ahmed understands that she made “*a really bad mistake*”.
189. Ms Ahmed said that she understands the standards that the public expect of social workers.
190. Ms Ahmed submitted that she would not like to be seen to be minimising her role in the criminal offence. Whilst she acknowledges that the panel have the sentencing remarks she does not accept that they represent the context of the situation and she does not want to be dishonest before this panel now. Ms Ahmed knows what the panel would probably like to hear but she does not want to be dishonest now. Ms Ahmed stated that she takes full responsibility but has tried to supply additional context.
191. Ms Ahmed accepts the findings of the panel. Ms Ahmed agrees that she is currently impaired and that she needs to consider the “*bigger picture*” including service users. Ms Ahmed said the mitigating factors in her case are such that the least restrictive sanction in her case does not need to be removal. If she was suspended for a few years that would be enough. Ms Ahmed is willing to do anything to be a social worker.

Legal Advice

192. The panel must once again pursue the regulatory objectives when taking the decision of what, if any, sanction is appropriate in this case.
193. The panel must apply the principle of proportionality.
194. The panel must balance Ms Ahmed’s interests with the public interest. The case of *Bolton v The Law Society* [1994] 1 WLR 512 sets out that “*The reputation of the*

profession is more important than the fortunes of any individual member. Membership of a profession brings many benefits, but that is a part of the price.”

195. The purpose of a sanction is not to be punitive, although the sanction imposed may have a punitive effect.
196. The panel shall consider any relevant mitigating and aggravating factors and should address them within the context of its decision.
197. The decision as to the appropriate sanction, if any, to impose is a matter for the panel exercising its own judgement. It should consider the least restrictive sanction first and then, if necessary, consider the other sanctions, taking into account the evidence and submissions that have been heard. The panel shall consider its determination on impairment and take those matters into account during its deliberations on sanction.
198. The panel must take into account the Impairment and Sanction Guidance. If the panel depart from the guidance, the relevant paragraph(s) should be referenced and clear reasons given for doing so.

Decision and reasons on sanction:

199. When considering the question of sanction, the panel took into account Social Work England’s ‘Impairment and sanctions guidance’ (“the guidance”).

Mitigating Features

200. Ms Ahmed has been able to demonstrate developing insight. Ms Ahmed made early admissions to the majority of the Allegation and has engaged with the regulatory process. Ms Ahmed attended the hearing, provided written reflections and has given oral evidence at all three stages.
201. The panel have received testimonials from people Ms Ahmed has been working with. Ms Ahmed has been described her as “*a valuable asset to the team*” and having made a “*positive impact*”. Ms Ahmed has engaged in work to develop skills relevant to a career as a social worker.
202. Ms Ahmed has sought external support to improve her life. The panel accept that she has changed who she associates with and has made progress to turn her life around.

Aggravating Features

203. The panel considered that there had been a repetition of dishonesty both actively and by omission. The context of the dishonesty relates to dishonesty with the regulator as well as her employer.
204. The dishonesty and the criminal conviction are both particularly serious examples of their kind.

205. There is no evidence of apology with the exception that Ms Ahmed has apologised to the panel.

206. Ultimately, the panel determined that her current level of insight into her own personality and reasons for acting how she did was more of a mitigating factor. However the panel acknowledge that her insight into the impact of her actions on others, and remediation are incomplete.

No further action/Advice/Warning

207. Each of these disposals would be inappropriate and disproportionate in this case. None of the above would be commensurate with the nature nor the seriousness of this case.

Conditions of practice order

208. Conditions of practice would not meet the dishonesty concerns in this case.

209. The guidance suggests that conditions are unlikely to be appropriate in dishonesty cases. The panel agree that this principle applies in this case.

210. No workable, measurable or proportionate conditions could be formulated to meet the concerns in this case.

211. The panel did not consider that the regulatory objectives would be met by an order of conditions.

Suspension order

212. The panel considered that this is a case where conditions cannot be formulated to protect the public or the wider public interest but the case falls short of requiring the removal of Ms Ahmed's name from the register.

213. A period of suspension would allow Ms Ahmed to continue to train and to continue working in a related field.

214. This was a very serious set of matters but Ms Ahmed is at a very early stage in her career and she has shown potential to remediate. Ms Ahmed has provided lots of evidence of the ability to make positive changes and a determination to become a social worker. The panel determined that Ms Ahmed is willing and able to remediate.

215. A suspension order would protect the public sufficiently and would protect, promote and maintain the regulatory objectives.

Removal order

216. The panel considered paragraph 149 of the guidance which sets out:

"A removal order may be appropriate in cases involving:

- *Dishonesty, especially where persistent and/or concealed.*

- *Criminal convictions for serious offences”*

217. The panel considered that the mitigating factors, passage of time and the progress Ms Ahmed has made are such that she is suitable for a lesser sanction than a removal order. The panel were struck by the extent to which Ms Ahmed has tried to turn a negative into a positive. For example, she has engaged with youths at risk of entering into criminal offending and has tried to be a positive influence, sharing her lived experience of the criminal justice system and this regulatory process.

218. Removal orders must be made where the decision makers conclude that no other outcome would be enough to protect, promote and maintain the regulatory objectives. The panel did not think a removal order would be the only way to satisfy the regulatory objectives.

Length of suspension order and whether a review is appropriate

219. The panel considered that a period of 18 months of suspension of Ms Ahmed’s registration would be the minimum necessary period of suspension in this case. This period will protect the public and give Ms Ahmed the opportunity to develop herself and demonstrate insight and remediation addressing the matters behind these regulatory proceedings.

220. Ms Ahmed has already made good progress in understanding why she acted as she did, and has developed strategies to make better choices and decisions. She has made more limited progress in her understanding of the impact of her actions on others. The panel considered that 18 months is long enough to allow this to develop and give her the chance to engage in focused remedial work.

221. Ms Ahmed needs to continue to reflect on her actions, understand the impact of her actions on others and continue with her personal self-development.

222. It will be necessary for there to be a review in this case prior to the end of the suspension order.

223. Any future panel may be assisted by evidence of:

- a. A written reflective piece based on Ms Ahmed’s progress over the period of time between today and the next review;
- b. Up to date references or testimonials from any/all of her employers from now until the review hearing;
- c. Up to date character references;
- d. Anything else that Ms Ahmed deems appropriate.

224. This panel does not seek to bind any future panel. Ms Ahmed should be aware that in the absence of improved insight or other remediation upon review, a removal order may be an appropriate sanction.

Interim order

225. Ms Kennedy submitted that a new interim order of suspension would be appropriate in this case for a period of 18 months.

226. Ms Ahmed did not object to a new interim order being put in place.

227. The legal adviser referred the panel to the guidance on interim orders in the Impairment and Sanctions Guidance:

“An interim order may be necessary where the adjudicators have decided that a final order is required, which restricts or removes the ability for the social worker to practise. For example, conditions of practice, suspension or removal orders. Without an interim order, the social worker will be able to practise unrestricted until the order takes effect. This goes against our overarching objective of public protection.”

228. In light of its findings on sanction, the panel considered that it is necessary to have a new interim order of suspension for a period of 18 months to promote, protect and maintain all three limbs of the regulatory objective. It was mindful of its earlier findings and decided that it would be wholly incompatible with those earlier findings for Ms Ahmed to be entitled to practise unrestricted.

229. 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 suspension shall take effect when the appeal period expires.

230. The panel determined to revoke the existing interim order of suspension already in force. For the avoidance of doubt, the existing interim order will be replaced by the new interim order so that there will not be a period where Ms Ahmed is entitled to work unrestricted.

Right of appeal:

231. 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.

232. 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.

233. 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.

234. 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:

235. 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

236. 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:

237. 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>.