

**Social worker: Annette Bishop
Registration number: SW2124
Fitness to Practise: FTPS-18586
Final Hearing**

Dates of hearing: 11 - 14 & 17 - 19 March 2025

Hearing venue: Remote hearing

Hearing outcome: Warning order – 1 year

Introduction and attendees:

1. This is a hearing of allegations against Ms Annette Bishop (registration number SW2124), which is held under Part 5 of the Social Workers Regulations 2018 (as amended).
2. Ms Bishop attended this hearing but was not represented.
3. Social Work England was represented by Ms Katie Mustard, Counsel instructed by Capsticks LLP, solicitors to Social Work England.
4. The panel of adjudicators (the “**panel**”) and the other people involved in the conduct and administration of this hearing were as follows:

Adjudicators	Role
Andrew Skelton	Chair (Lay adjudicator)
Joanna Bowes	Social worker adjudicator
Angela Duxbury	Lay adjudicator

Yasmin Akhtar/ Jason Rowbottom/Nicole Dente	Hearings officer
Andrew Brown/Molly-Rose Brown	Hearings support officer
Charles Redfearn	Legal adviser

Application to amend allegations

Social Work England’s submissions on application to amend

5. Social Work England applied to amend paragraph 1.1(a) of the allegations against Ms Bishop, so that it referred to Ms Bishop being in contact with Service User A on “6 March and/ or 7 March 2019” rather than simply on 7 March 2019 as originally drafted.
6. In support of that amendment, Social Work England, in its Statement of Case, submitted that:
 - The amendment would better reflect the evidence as disclosed to Ms Bishop on 30 May 2023 and should therefore be permitted for clarity and accuracy. In particular, it indicated that it was alleged that there were two separate contacts, namely, a telephone conversation between Ms Bishop and Service user A on 6 March 2019 and a subsequent meeting between them on 7 March 2019, when Service User A visited the Council’s offices.
 - The proposed amendment would not prejudice Ms Bishop because (i) it is based on evidence already served on her so that she has had opportunity to reflect on whether and how she intends to respond to it; and (ii) the amendment does not substantially change the case to which Ms Bishop has to respond or its overall seriousness.

Ms Bishop's submissions on application to amend

7. Ms Bishop did not comment on the proposed amendment.

Legal advice on application to amend

8. The panel heard and accepted the Legal Adviser's advice on the application to amend. It understood from that advice that:
 - The panel had the power to allow the amendment under rule 32 of Social Work England's Fitness to Practise Rules, which allowed the panel to regulate its own procedures but required it to conduct the hearing in the manner it considered fair.
 - In deciding whether to agree to the amendment to the allegations, the panel should have regard to (i) Social Work England's over-arching regulatory objective under s.37 Children & Social Work Act 2017 of protection of the public and (ii) Ms Bishop's right to a fair hearing under Article 6 of the European Convention of Human Rights.
 - With regard to fairness to Ms Bishop, the panel should consider whether she had been given notice of the amendment and the opportunity to answer the amended charge and whether the amendment was procedurally fair.
 - With regard to procedural fairness, as stated by the court in the case of *Bittar v FCA [2017] UKUT 82 (TCC)*, the panel should consider (i) whether the amendment was relevant to the case, (ii) whether the amendment had reasonable prospect of success; (iii) whether allowing the amendment would be consistent with a proper consideration of the issues; (iv) whether Ms Bishop would be capable of fully understanding the amended allegation and be able to respond accordingly; and (v) whether the amendment introduced new allegations or complex issues.

Panel's decision on application to amend

9. The panel granted the application for the following reasons:
 - Although Ms Bishop had been given only two working days' notice of the application to amend, the amendment was straightforward, readily understandable and related to an entry which appeared in evidence already included in the exhibits bundle served on Ms Bishop.
 - Admitting the amendment was procedurally fair because (i) the amendment was relevant to the case against Ms Bishop; (ii) the amendment was simple and readily understandable by Ms Bishop and did not raise any complex issues; (iii) the new particular appeared to have a reasonable prospect of success; and (iv) as the contact which formed the subject of the amendment already appeared on the face of the evidence, including it would be consistent with a proper consideration of the issues in the case.

- The panel also considered that the amendment would benefit Ms Bishop by making Social Work England's case clearer to her.

10. In granting the application for the date of 6 March 2019 to be included in paragraph 1.1 of the allegations, the panel also decided that that date should be specified as a separate particular 1.1(aa) as it appeared to the panel that it was an event separate from the alleged meeting which formed the subject of particular 1.1(a) as originally drafted.

Allegations and background:

Allegations

11. The allegations against Ms Bishop, after being amended as described above (the "**Allegations**") were as follows:

Whilst registered as a social worker, you:

1. On or around between March 2019 and July 2020, you failed to maintain professional boundaries by:

1.1 Being in contact with Service User A when you were no longer allocated to their case, including on or around the following dates:

aa) 6 March 2019

a) 7 March 2019

b) 11 March 2019

c) 3 April 2019

d) 13 June 2020

e) 20 June 2020

f) 24 June 2020

g) 4 and/or 5 July 2020

1.2 Being in contact with Service User A outside of working hours on or around the following dates:

a) 13 June 2020

b) 20 June 2020

c) 24 June 2020

d) 4 and/or 5 July 2020.

1.3

a) Escorting Service User A to the bank where she withdrew money;

b) Following 1.3(a) above, you accompanied Service User A shopping.

2. On or around between March 2019 and July 2020, you did not notify your employer that you were visiting Service User A.

The matters outlined in paragraphs 1 and/ or 2 and/ or 3 amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct.

Background

12. The Allegations arose from concerns about Ms Bishop which were referred to Social Work England on 6 July 2021 by the Royal Borough of Greenwich (the “**Council**”).
13. During the period to which the Allegations relate, Ms Bishop was a social worker in the Council’s Complex Care Team, working at offices known as the Woolwich Centre. She had been in that post since she became a registered social worker in October 2010.
14. The Allegations concern Ms Bishop’s alleged contact with a service user, Service User A, after she ceased to be Service User A’s allocated social worker and, in some alleged instances, outside her contracted working hours.
15. During the period to which the Allegations relate, Service User A lived in sheltered accommodation operated by the Council under its Extra Care Scheme (the “**Sheltered Accommodation**”).

Admissions:

16. The Allegations were read out. Ms Bishop admitted Allegations 1 and 2 with the following exceptions:
 - Ms Bishop disputed that she had been in contact with Service User A on 6, 7 and 11 March 2019, as alleged in particulars 1.1(aa), 1.1(a) and 1.1(b).
 - Ms Bishop disputed that she had been in contact with Service User A on 13 June 2020 as alleged in particulars 1.1(d) and 1.2(a).
17. With regard to particular 1.1(g) and 1.2(d), which both related to an alleged contact between Ms Bishop and Service User A “on 4 and/or 5 July 2020”, Ms Bishop stated that she had only visited Service User A once over that weekend and that therefore she was admitting to visiting her on 4 or 5 July 2020, but not on both dates.
18. For the avoidance of doubt, Ms Bishop also confirmed the following:
 - In relation to those particulars in paragraph 1.1 of Allegation 1 which she admitted, Ms Bishop also confirmed that she admitted that the contacts referred to in those particulars had occurred after she had ceased to be Service User A’s

allocated social worker and represented a failure on her part to maintain professional boundaries with Service User A.

- In relation to those particulars in paragraph 1.2 of Allegation 1 which she admitted, Ms Bishop also confirmed that she admitted that the contacts referred to in those particulars had occurred outside her normal working hours and represented a failure on her part to maintain professional boundaries with Service User A.
 - In relation to paragraph 1.3 of Allegation 1, Ms Bishop admitted that the events referred to in that paragraph represented a failure on her part to maintain professional boundaries with Service User A.
19. The panel noted that rule 32(c)(i)(aa) of the FTP Rules states, “*Where facts have been admitted by the social worker, the adjudicators or regulator shall find those facts proved*”.
20. Accordingly, the panel found the following proved:
- Allegation 1 in so far as it relates to particulars 1.1(c), (e), (f) and (g) and particulars 1.2(b), (c) and (d), with particulars 1.1(g) and 1.2(d) being found proved in relation to one visit only; and
 - Allegation 2 in its entirety.
21. The panel therefore proceeded to consider the evidence relating to particulars 1.1(aa), (a), (b) and (d) and particular 1.2(a) in order to determine whether those particulars were also proved.

Summary of evidence

Witnesses and evidence produced by Social Work England

22. Social Work England relied on evidence from the following witnesses:
- The former Hospital and Partnership Service Manager in Health and Adult Services at the Royal Borough of Greenwich (the “**Service Manager**”), who, among other things, produced case notes relevant to particulars 1.1(aa), 1.1(a) and 1.1(b) and provided evidence about her disciplinary interview with Ms Bishop and the acceptability of a social worker maintaining contact with a service user after their case has been closed. In her oral evidence, the Service Manager also commented on the likelihood of an employee in the Council’s social services team being able to enter a case note in another employee’s name.
 - The Assistant Team Manager of the Complex Care Team at the Royal Borough of Greenwich (the “**Assistant Team Manager**”), who was Ms Bishop’s supervisor between December 2017 and December 2019. The Assistant Team Manager

stated that Ms Bishop was the allocated social worker for Service User A from April to September 2016 and again from December 2016 until 27 December 2018, when the Assistant Team Manager closed Service User A's case. The Assistant Team Manager informed the panel that Ms Bishop had inserted a closing summary on Service User A's file in anticipation of this. The Assistant Team Manager confirmed that Ms Bishop had not told her of her contact with Service User A after Ms Bishop had ceased to be Service User A's allocated social worker and explained that this was important as it informed decisions about case allocation and made management aware of any issues which the service user might be having. The Assistant Team Manager made a second witness statement in which she confirmed that the days specified in particular 1.2 were not working days for Ms Bishop. In her oral evidence, the Assistant Team Manager spoke about the purpose, use and significance of the movement sheets which social workers at the Council were expected to complete at the start of each day. She also spoke about the propriety of social workers at the Council having contact with service users whose cases were no longer allocated to them.

- The Team Manager of the Complex Care Team at the Royal Borough of Greenwich (the "**Team Manager**"), who outlined the general responsibilities which Ms Bishop would have had in her role. She also provides evidence on the acceptability of maintaining contact with a service user after their case has been closed and how this should be dealt with correctly.
- The Quality Officer at the Council's Extra Care Scheme (the "**Quality Officer**"), who produced the Sheltered Accommodation's signing-in sheet for 13 June 2020. The Quality Officer also informed the panel that, although Service User A had the capacity to manage her finances, she needed assistance to go to the shops and the bank but she had no family to help her with those tasks.
- The Interim Team Manager of the Complex Care Team at the Royal Borough of Greenwich (the "**Interim Team Manager**"), who was Ms Bishop's supervisor from February 2020 until she left her employment with the Council. In his witness statement, the Interim Team Manager stated, among other things, that he was not aware of Ms Bishop's contact with Service User A after she ceased to be Service User A's allocated social worker.
- The Scheme Leader at the Sheltered Accommodation (the "**Scheme Leader**"), who gave evidence about Ms Bishop's contact with Service User A, specifically when Ms Bishop took Service User A to the bank. The Scheme Leader could not recollect matters mentioned in her statement exactly. She informed the panel that Service User A had spent several days in hospital after a fall in Spring 2020, which made her less mobile but that she nevertheless had the capacity to manage her own finances. The Scheme Leader added that Service User A's capacity declined after subsequent falls but that these occurred after July 2020.

- The Extra Care Liaison Officer at the Royal Borough of Greenwich (the “**Liaison Officer**”), who gave evidence about a conversation with Ms Bishop, which took place after his receipt, on 15 June 2020, of an email from the Quality Officer attaching a copy of the Senior Carer’s email of 13 June 2020, which is mentioned below. He said that, in that conversation, Ms Bishop confirmed that the information in the Senior Carer’s email was correct. The Liaison Officer was adamant that he did not have a conversation with Ms Bishop about the money owed by Service User A before this. The Liaison Officer also informed the panel that, although not occurring on a regular basis, it was not unusual for a social worker to take a service user to the bank.
 - A Principal Human Resources Adviser in the Human Resources Team at the Royal Borough of Greenwich (the “**HR Adviser**”), who produced Ms Bishop’s contract of employment and its appendices.
 - A senior carer at the Sheltered Accommodation (the “**Senior Carer**”), who gave evidence about Ms Bishop visiting Service User A at her flat in the Sheltered Accommodation on 13 June 2020 and produced an email about that visit which he sent to the Quality Officer on the same day. The Senior Carer did not witness that visit but he stated that Ms Bishop told him about it before she left the Sheltered Accommodation. In his oral evidence, the Senior Carer explained that he had sent his email to the Quality Officer because Ms Bishop had spoken about taking Service User A to the bank and activities which involved dealing with a resident’s money had to be reported to management.
23. Each of Social Work England’s witnesses produced a written witness statement together with exhibits, which included case notes, emails, letters, Council policies and records from the internal disciplinary process which the Council undertook in respect of Ms Bishop. Each of the Social Work England’s witnesses gave oral evidence, except for the Team Manager, the Interim Team Manager and the HR adviser, whose written statements were not challenged by Ms Bishop.

Ms Bishop’s evidence

24. Ms Bishop did not give evidence. However, in her written responses to the Allegations, which she submitted on 14 February 2025, Ms Bishop denied visiting Service User A on 7 March 2019. She also questioned the case note which Social Work England said evidenced a meeting between her and Service User A on 11 March 2019 because the note was made eight days after the meeting supposedly took place; she considered that she would have specified a date for her first visit with Service User A in the opening sentence of the case note; and she would have used “post” instead of “mail” and “payment form” instead of “direct debit payment”.

Finding and reasons on facts

Social Work England's submissions on the facts

25. After referring the panel to relevant matters of law, Ms Mustard took the panel through the evidence on which Social Work England relied to prove the disputed particulars, namely particulars 1.1(aa), 1.1(a), 1.1(b), 1.1(d) and 1.2(a). That evidence is cited in the panel's decision below.
26. In relation to the question of whether the contacts alleged in each disputed particular occurred after Ms Bishop ceased to be Service User A's allocated social worker and, on the case of particular 1.2(a), outside Ms Bishop's working hours, Ms Mustard referred the panel to the relevant parts of the evidence of the Assistant Team Manager. She added that Ms Bishop would have been aware of the closure of Service User A's case as she had prepared a closure summary and included it on the case file.
27. In relation to the question of whether the contacts alleged in each disputed particular represented a failure by Ms Bishop to maintain professional boundaries, Ms Mustard referred the panel to the relevant parts of the evidence of the Service Manager and the Assistant Team Manager and to Ms Bishop's acceptance that the particulars of Allegation 1 which she had admitted represented failures on her part to maintain professional boundaries.

Ms Bishop's submissions on the facts

28. Ms Bishop contested the strength and accuracy of the evidence produced by Social Work England to prove that she visited Service User A at the Sheltered Accommodation on 13 June 2020, as alleged in particular 1.1(d) and 1.2(a). In particular, Ms Bishop submitted that:
 - The Senior Carer's evidence had been confused in many respects, including on the question of whether, by June 2020, Service User A had become unable to do her own shopping or manage her finances.
 - The Senior Carer had been unable to identify Ms Bishop as the person who allegedly visited Service User A on 13 June 2020.
 - The Senior Carer's email and the signing-in sheet at the Sheltered Accommodation contradicted each other with regard to the time of Ms Bishop's alleged visit to Service User A.
 - The question of shopping had not been discussed when Ms Bishop first visited Service User A in June 2020 and the amount owed by Service User A to the Greenwich Extra Care arose as a result of staff at the Sheltered Accommodation doing shopping for her.

29. Ms Bishop left it to the panel to determine whether the evidence produced by Social Work England was sufficient to prove particulars 1.1(aa), 1.1(a) and 1.1(b).

Legal advice on fact-finding stage

30. The panel heard and accepted the advice of the Legal Adviser on the fact-finding stage. That advice included reference to Rule 32(c) of Social Work England's Fitness to Practise Rules, regulation 25(4) of Social Workers Regulations 2018 and the case of *Miller v Minister of Pensions [1947] 2 All ER 372*. The panel noted, in particular, that it was for Social Work England to prove each of the disputed particulars on the balance of probabilities.
31. In terms of assessing the credibility of the witnesses and considering the evidence generally, the Legal Adviser referred the panel to the cases of *Suddock v Nursing and Midwifery Council [2015] EWHC 3612 (Admin)* and *Sri Lanka v SSHD [2018] EWCA Civ 391, R (on the application of Dutta) v General Medical Council [2020] EWHC 1974 (Admin)* and *Khan v General Medical Council [2021] EWHC 374 (Admin)*. The panel understood from the Legal Adviser's advice that:
- objective evidence, such as contemporaneous documents, should be considered before other factors;
 - the credibility of witnesses should not be considered in isolation;
 - the confident delivery and demeanour of a witness is not a reliable guide as to whether they are telling the truth;
 - witness evidence (in most cases) is not the only relevant evidence;
 - the only objective and reliable approach is to focus on the content of the testimony and to consider whether it is consistent with other evidence (including evidence of what the witness has said on other occasions) and with known or probable facts.

Panel's decision on facts

Approach

32. In relation to each of the disputed particulars 1.1(aa), 1.1(a), 1.1(b) and 1.2 (a), the panel considered:
- whether the contact between Ms Bishop and Service User A to which that particular related was proved; and if so,
 - whether that contact had occurred when Ms Bishop was no longer Service User A's allocated social worker or, in the case of particular 1.2(a), whether it had occurred outside Ms Bishop's working hours; and, if so
 - whether that contact represented a failure by Ms Bishop to maintain professional boundaries with Service User A.

Particular 1.1(aa): You failed to maintain professional boundaries by ... being in contact with Service User A when you were no longer allocated to their case ... on or around ... 6 March 2019 – PROVED

33. It was Social Work England’s contention that, on 6 March 2019, Ms Bishop had held a telephone conversation with Service User A. In support of this contention, Social Work England produced a copy of a case note concerning Service User A which stated that it had been entered on the Council’s electronic case management system by Ms Bishop on 6 March 2019, around 20 minutes after the alleged telephone conversation had taken place. The case note stated, among other things, that Ms Bishop had spoken to Service User A about money which Service User A owed to the Council and the problems with Service User A not always opening her post.
34. The Service Manager had informed the panel that the case note had been taken directly from the Council’s electronic case management system. She also said that one person could not enter a case note on the Council’s system in the name of another unless they had that other person’s username and password to access the system. Given the Service Manager’s evidence and that Ms Bishop had not disputed that she had made the case note or advanced any explanation as to how, or why, it could have been made by anyone else, the panel was satisfied that the case note had been made by Ms Bishop. Moreover, given the contents of that case note, the panel was satisfied that Ms Bishop had been in contact with Service user A by telephone on 6 March 2019.
35. It was the Assistant Team Manger’s evidence that Ms Bishop had been Service User A’s allocated social worker from April to September 2016 and then again from December 2016 to 27 December 2018, when Service User A’s case was closed. The Assistant Team Manager had also stated that the closure of the case had been previously discussed with Ms Bishop in supervision after Service user A had moved into sheltered accommodation and, in anticipation of the case’s closure, Ms Bishop had prepared a closing summary. Indeed, in an earlier case note of 6 March 2019, which stated that it had been entered by Ms Bishop, Ms Bishop stated that she had received a call from the Council’s debt collection team about money owed by Service User A and that she had advised the caller that she was no longer Service User A’s allocated social worker. None of this was disputed by Ms Bishop. Accordingly, the panel concluded that Ms Bishop’s telephone conversation with Service User A had occurred after Ms Bishop had ceased to be Service User A’s allocated social worker and that Ms Bishop had been aware of that.
36. The panel next considered whether that telephone conversation represented a failure by Ms Bishop to maintain professional boundaries with Service User A. In this regard:
- The Service Manager had stated “*A social worker should no longer have any contact with a service user once they are no longer allocated to the service user without telling their manager*”. However, the Service Manager went on to say that,

if a service user contacts their former allocated social worker to ask for advice, it may not be necessary to tell their manager but the social worker should make a record of that contact on the service user's case file.

- The Assistant Team Manager went further by saying, in her oral evidence, that there was no problem with what Ms Bishop was doing as she was just supporting Service User A. Likewise, she said that there was nothing wrong with on-going contact between a service user and their former allocated social worker in the manner outlined in the case note. However, the Assistant Team Manager made it clear that, in such circumstances, the social worker in question, should make their manager aware of the contact and the matter should also be passed to the referral team.
- The panel considered that Ms Bishop had acted properly in taking the call from the Council's debt recovery team and declaring that she was no longer Service User A's allocated social worker. Similarly, given the information which had been relayed to her by the debt recovery team, the panel considered that it was reasonable, and not going beyond professional boundaries, for her to contact Service User A and alert her to the issue as it appeared to have become urgent.
- However, the panel considered that Ms Bishop had failed to maintain professional boundaries with Service User A when, instead of informing her line manager of the issues which Service User A was having with her finances and passing the matter to the referrals team, she arranged an office meeting between herself and Service User A.

37. Accordingly, having found that the alleged telephone conversation between Ms Bishop and Service User A on 6 March 2019 had occurred, that it had taken place when Ms Bishop was no longer Service User A's allocated social worker and that it represented a failure by Ms Bishop to maintain professional boundaries with Service User A, the panel found particular 1.1(aa) proved.

Particular 1.1(a): You failed to maintain professional boundaries by... being in contact with Service User A when you were no longer allocated to their case ... on or around ... 7 March 2019 – PROVED

38. It was Social Work England's contention that, on 7 March 2019, Ms Bishop had met with Service User A at the Council's offices. In support of this contention, Social Work England produced:

- The case note made on 6 March 2019 referred to above, which, at its end, stated that Service User A had agreed to come to the Woolwich Centre the next day, 7 March 2019, at 2:00pm.
- The case note about a meeting with Service User A on 11 March 2019 which is referred to below in relation to particular 1.1(b) and which, at its opening, stated

“Following my last contact with [Service user A], [Service User A] attended our second office visit.” Social Work England submitted that this implied that Service User A had made an earlier office visit to see Ms Bishop and that this was the planned meeting on 7 March 2019 mentioned in the case note of 6 March 2019.

- A copy of a page from the movement log for Ms Bishop’s team for 7 March 2019, which showed Ms Bishop was due to have an office visit from Service User A at 2:00pm on that day.

39. Having considered the evidence before it, the panel found that, on balance, it was more likely than not that Ms Bishop had met with Service User A at the Council’s offices on 7 March 2019. The reasons for that finding were as follows:

- Both Ms Bishop’s case note of 6 March 2019 and her entry in her team’s movement log for 7 March 2019 indicated that such a meeting was due to take place.
- The Assistant Team Manager had informed the panel that social workers at the Council would complete their movement log at the start of their working day but that, if a planned meeting did not take place, it was good practice for the social worker concerned to make a case note to that effect and/or to strike out the relevant entry in the log. In the circumstances, the panel considered that, if the planned meeting had not taken place, it was more likely than not that Ms Bishop would have taken one or both of those steps. However, she had done neither.
- The panel considered that the opening sentence of Ms Bishop’s case note of the office meeting on 11 March 2019, as quoted above, indicated that the office visit planned for 7 March 2019 had indeed occurred. The panel recognised the possibility that the phrase “[Service User A] attended our second office visit” could be read as implying that Ms Bishop did not attend the planned first office visit. However, the panel considered that the use of the words “*our second office visit*” [emphasis added] was more indicative of the first visit having actually occurred combined with the fact that there was no mention in the note of the first office visit being cancelled or unattended.

40. In arriving at the above finding, the panel noted that after both her telephone conversation with Service User A on 6 March 2019 and her visit from Service User A on 11 March 2019 (as considered below), Ms Bishop had made a reasonably detailed note of her contact with Service User A and that Social Work England had relied on those notes as proof of those contacts. The panel therefore considered that the absence of such a note for the alleged office visit on 7 March 2019 could be regarded as indicating that the planned visit did not take place. However, the panel also considered that there were other valid explanations for the absence of such a note, such as the meeting proving abortive because, for example, Service User A had not brought the relevant correspondence with her; alternatively, due to time pressures, Ms Bishop may have

recorded what had happened at both meetings in the single note which she made on 19 March 2019 without distinguishing between the two. In the circumstances, the panel did not consider that the absence of a case note for the office visit on 7 March 2019 was sufficient to outweigh the reasons for the panel's finding that that visit had actually occurred, as set out above.

41. For the reasons given above in relation to particular 1.1(aa), the panel was satisfied that that the office visit on 7 March 2019 had occurred when Ms Bishop was no longer Service User A's allocated social worker and that it represented a failure on her part to maintain professional boundaries with Service User A.
42. The panel therefore found particular 1.1(a) proved.

Particular 1.1(b): You failed to maintain professional boundaries by ... being in contact with Service User A when you were no longer allocated to their case ... on or around ... 11 March 2019 – PROVED

43. In relation to particular 1.1(b), it was Social Work England's contention that Ms Bishop met with Service User A at the Council's offices on 11 March 2019. In support of this contention, Social Work England produced a copy of a case note concerning Service User A which stated that Service User A had made an office visit to Ms Bishop on that date and detailed the matters discussed during that visit. The note also stated that it had been entered by Ms Bishop.
44. In her written responses to the Allegations which Ms Bishop sent to Social Work England's solicitors on 14 February 2025, Ms Bishop queried that case note on the basis that it had been entered on the Council's electronic case management system on 19 March 2019, over a week after the meeting was alleged to have taken place. However, the panel did not consider that this was indicative of any irregularity given the Service Manager's evidence (cited above) about the likelihood of a case note being entered by someone other than its author and given her explanation that the note could have been entered at a later date for a number of plausible reasons. In her written responses to the Allegations, Ms Bishop had also queried the authenticity of the case note on the basis that she would not have used the word "mail", that the note referred to her submitting a "payment" rather than a "payment form" and that she would have stated the date of her previous contact with Service User A. Again, the panel did not consider that these matters were sufficiently significant to demonstrate that the case note was not authentic, especially given Service Manager's evidence that, without a social worker's username and password, it was not possible for another person to create a case note in their name.
45. In the circumstances, the panel found that Ms Bishop had met with Service User A at the Council's offices on 11 March 2019.

46. Again, for the reasons given above in relation to particular 1.1(aa), the panel was satisfied that the office visit on 11 March 2019 had occurred when Ms Bishop was no longer Service User A's allocated social worker and that it represented a failure on her part to maintain professional boundaries with Service User A.
47. The panel therefore found particular 1.1(b) proved.

Particular 1.1(d): You failed to maintain professional boundaries by ... being in contact with Service User A when you were no longer allocated to their case ... on or around ... 13 June 2020 – PROVED

48. In relation to particular 1.1(d), it was Social Work England's contention that, on 13 June 2020, Ms Bishop visited Service User A at the Sheltered Accommodation. In support of this contention, Social Work England relied on the evidence of the Senior Carer who informed the panel that, on 13 June 2020, he had seen Ms Bishop at the Sheltered Accommodation and that she had told him about a visit which she had just made to Service User A. This was supported by a contemporaneous email which the Senior Carer had sent to the Quality Officer, reporting that conversation. In addition, the Quality Officer produced a copy of a page of the signing-in sheet for the Sheltered Accommodation, in which Ms Bishop had signed herself in at 10:53am and had written that she was visiting Flat 37, which the Quality Officer confirmed was Service User A's flat.
49. Given the contemporaneous evidence of the Senior Carer's email and the signing-in sheet, the panel found that, on the balance of probabilities, Ms Bishop had visited Service User A at the Sheltered accommodation on 13 June 2020.
50. In arriving at that finding, the panel considered Ms Bishop's challenges to the above evidence. However, it was not persuaded by those challenges for the following reasons:
 - Ms Bishop had submitted that the Senior Carer's evidence had been confused and that he had been unable to identify her as the person who allegedly visited Service User A on 13 June 2020. Whilst the panel accepted that the Senior Carer's evidence had been confused in certain respects, in arriving at its finding it had not relied on the Senior Carer's oral evidence, which was given almost five years after the event, but on the contemporaneous record of his conversation with Ms Bishop set out in his email of 13 June 2020. Similarly, as the Senior Carer had only spoken with Service User A for a relatively brief time almost five years ago, it was not surprising that he was unable to identify her in the virtual hearing room. Moreover, Ms Bishop had not advanced any explanation of who the visitor to Service User A on 13 June 2020 could be if it was not her or why the Senior Carer would fabricate such a visit.

- Ms Bishop had submitted that the Senior Carer's email and the signing-in sheet at the Sheltered Accommodation contradicted each other with regard to the time of Ms Bishop's alleged visit to Service User A in that the signing in book referred to her arriving at 10:53am whereas the email stated that the visit had occurred in the afternoon. The panel considered that this discrepancy could be explained by Ms Bishop's visit ending, and her subsequent conversation with the Senior Carer taking place near or after noon. In addition, as the Senior Carer did not send his email until after 8:00pm, he could easily have made a mistake as to the exact timing of Ms Bishop's visit. In any event, given the dates shown in the signing in book and on the Senior Carer's email, the panel was satisfied that the visit had occurred on 13 June 2020.
 - Ms Bishop had disputed that her alleged visit to with Service User A had involved the discussion of shopping, as stated in the Senior Carer's email. In this regard, the panel noted that the paragraph in the Senior carer's email which relates to what Ms Bishop reportedly said about her conversation with Service User A referred to the money which she owed and the possibility of Ms Bishop taking her to the bank, whereas the referred to shopping appears in a suggestion reportedly made by Ms Bishop regarding longer term arrangements which Service User A's allocated social worker might wish to make.
51. Given the Assistant Team Manager's evidence about Ms Bishop ceasing to be Service User A's allocated social worker when Service User A's case was closed in December 2018 and that this was not disputed by Ms Bishop, the panel was satisfied that Ms Bishop was no longer Service User A's allocated social worker at the time of the visit on 13 June 2020.
52. The panel also found that Ms Bishop's visit to Service User A on 13 June 2020 represented a failure by Ms Bishop to maintain professional boundaries with Service User A given the following:
- the evidence of the Senior Manager and the Assistant Team Manager regarding social workers having contact with service users after they cease to be the service users allocated social worker, as cited above in relation to particular 1.1(aa);
 - the fact that the visit occurred over a year and a half after Ms Bishop ceased to be Service User A's allocated social worker and concerned dealing with a service user's finances (a fact which had prompted the Senior Carer to report Ms Bishop's visit to the Quality Officer); and
 - Ms Bishop's apparent failure to take the steps mentioned by the Senior Manager and the Assistant Team Manager in their evidence, namely, reporting the proposed contact to her line manager or alerting the referrals team to the concerns about the debt which Service User A appeared to have accrued and any problems which she might have in making withdrawals from her bank account.

53. The panel therefore found particular 1.1(d) proved.

Particular 1.2(a): You failed to maintain professional boundaries by... being in contact with Service User A outside of working hours on or around 13 June 2020 – PROVED

54. With regard to particular 1.2(a):

- The panel had already found that Ms Bishop had visited Service User A at the Sheltered Accommodation on 13 June 2020 when considering particular 1.1(d).
- The panel accepted the evidence in the Quality Officer's second witness statement that 13 June 2020 was a Saturday and therefore not a working day for Ms Bishop. This evidence was not disputed by Ms Bishop.
- The panel had already found in relation to particular 1.1(d) that this visit was a failure to maintain professional boundaries on the part of Ms Bishop on the basis that she was no longer Service User A's allocated social worker. The panel did not consider that the fact that Ms Bishop made that visit outside working hours added in any material respect to this failure.

55. **Given the panel findings above and Ms Bishop's admissions, Allegations 1 and 2 were proved in their entirety.**

Finding and reasons on grounds:

Submissions on grounds on behalf of Social Work England

56. In its Statement of Case Social Work England submitted that, in relation to those particulars of the Allegations which related to events occurring before 2 December 2019, Ms Bishop was in breach of the following paragraphs of the Standards of Conduct, Performance and Ethics (2016) of the Health and Care Professions Council (the "HCPC"):

1.1: You must treat service users and carers as individuals, respecting their privacy and dignity.

1.4: You must make sure that you have consent from service users or the appropriate authority before you provide care, treatment, or other services.

1.7: You must keep your relationships with service users and carers professional.

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

6.2: You must not do anything or someone else to do anything that would put the health or safety of a service user or carer at unacceptable risk.

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

57. In its Statement of Case Social Work England further submitted that, in relation to those particulars of the Allegations which related to events occurring on or after 2 December 2019, Ms Bishop was in breach of the following paragraphs of Social Work England's Professional Standards (2019):

I will:

1.7: Recognise and use responsibly the power and authority I have when working with people, ensuring that my interventions are always necessary, the least intrusive, proportionate, and always in people's best interests.

2.1: Be open, honest, reliable, and fair.

2.3 Maintain professional relationships with people and ensure that they understand the role of a social worker in their lives.

2.7: Consider where conflicts of interest may arise, declare conflicts as early as possible and agree a course of action.

3.1 Work within legal and ethical frameworks, using my professional authority and judgement appropriately.

3.9 Make sure that relevant colleagues and agencies are informed about identified risks and the outcomes and implications of assessments and decisions I make.

I will not:

5.2: Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work

58. In relation to Allegation 1, Social Work England, in its Statement of Case and at the hearing, submitted that:
- The evidence of the Service Manager and Assistant Team Manager showed that there was a clear expectation and policy that a social worker was not to stay in contact with service users after their case has been closed and, as a very experienced social worker, Ms Bishop would, or should, have been well aware of this.
 - The Service Manager and Assistant Team Manager also stated that the reasons for that expectation was because of the risks to both service users and social workers which were associated with that contact. The Senior Carer, in his evidence, explained that these risks were heightened when the contact involved dealing with a service user's money as was the case with Ms Bishop's contact with Service User A in June 2020.

- Ms Bishop's failures to maintain professional boundaries with Service User A was made more serious because there were several instances and they occurred over a prolonged period and also because of her persistent failure to inform her manager of that contact.

59. In its Statement of Case, Social Work England also submitted that Allegation 2 amounted to misconduct because there was clear evidence that any contact made by a service user should be reported to supervisors and managers and that any contact to be made by a social worker with one of their former service users should be in consultation with their supervisor or manager.

Submissions from Ms Bishop

60. In relation to the HCPC Standards of Conduct, Performance and Ethics which Social Work England submitted that she had breached, Ms Bishop submitted that:

- Ms Bishop's contact with Service User A after she ceased to be Service User A's allocated social worker had always been on a professional level, not as friends.
- That contact had not been initiated by Ms Bishop but, in the case of the contact in March 2019, following a telephone call from the Council's debt recovery team or, in the case of her visit to Service User A on 3 April 2019, following a conversation with the Quality Manager or, in the case of the contact in June 2020, by telephone calls from Service User A.
- Ms Bishop had always obtained Service User A's consent before taking any action, treated her with dignity and respect and respected her privacy. Ms Bishop had never imposed herself on Service User A, who, at the time of their contact, had the capacity to make her own decisions. Ms Bishop's contact with Service User A in June 2020 had occurred with the knowledge of the staff at the Sheltered Accommodation.
- In the circumstances, Ms Bishop did not believe that her conduct undermined public trust and confidence in the social work profession.

61. Ms Bishop made similar points in relation to the Social Work England Professional Standards which Social Work England submitted that she had breached. In addition, Ms Bishop submitted that she had always acted in Service User A's best interests both when she was her allocated social worker and afterwards and that her interventions had been proportionate.

62. In relation to other submissions made by Social Work England:

- Ms Bishop accepted that, in overstepping professional boundaries with Service User A, she had made mistakes, had not exercised proper professional judgement and had been shortsighted.

- Ms Bishop also accepted that she had not informed her manager of her contact with Service User A but she added that she had advised staff at the Sheltered Accommodation to refer Service User A to the Council's adult social care team.
- However, Ms Bishop did not accept that her failure to maintain professional boundaries had been persistent or occurred for a prolonged period of time.

Legal Advice on Grounds

63. The panel heard and accepted the Legal Adviser's advice on misconduct. The panel understood from that advice that:
- Whether facts proved or admitted amount to misconduct is a matter of judgment for the panel rather than a matter of proof. [*Council for the Regulation of Health Care Professionals v GMC and Biswas [2006] EWHC 464*].
 - Misconduct is, in essence, a serious departure from the standards of conduct expected of social workers as professionals and what would be proper in the circumstances of the case. [*Roylance v General Medical Council (No.2) [2000] 1AC*]
 - Whether a breach of professional rules should be treated as professional misconduct depended on whether it would be regarded as serious and reprehensible by competent and responsible [registrants] and on the degree of culpability. [*Solicitors Regulatory Authority v Day & ors [2018] EWHC 2726 (Admin)*].
 - There is a high threshold of gravity for misconduct. Behaviour which is trivial, inconsequential, a mere temporary lapse or something otherwise excusable or forgivable does not constitute misconduct. [*Khan v Bar Standards Board [2018] EWHC 2184(Admin)*]

Panel's decision on Grounds

64. From the proven Allegations, it appeared to the panel that Ms Bishop's contact with Service User A after she ceased to be her allocated social worker occurred in two discrete periods separated by over a year, namely, the period from 6 March to 3 April 2019 and the period from 13 June to the weekend of 4 and 5 July 2020.
65. The panel considered that the nature and context of Ms Bishop's contact with Service User A during the first of those periods differed in several important respects from their contact during the second period and that this had a bearing on the question of whether the contact in each period, and Ms Bishop's failure to report it to her managers, amounted to misconduct.

Contact in March and April 2019

66. With regard to the first period of contact, the panel noted that:

- During this period Ms Bishop telephoned Service User A on 6 March 2019 and, as a result of that call, met her at the Council’s offices on 7 and 11 March 2019. According to a case note made by Ms Bishop on 6 March 2019, this contact was made in response to a call which Ms Bishop had received from the Council’s debt recovery team about amounts owed by Service User A to the Council. In addition, on 3 April 2019, Ms Bishop visited Service User A at the Sheltered Accommodation in order to request Service User A to allow staff at the Sheltered Accommodation to assist her in opening her post. According to Ms Bishop’s written responses to the Allegations, this was done at the request of the Quality Manager and occurred whilst Ms Bishop was in the vicinity of the Sheltered Accommodation in the course of her employment.
- Ms Bishop’s contact with Service User A in March and April 2019 occurred within just over two months of Service User A’s case being closed. That contact was of a professional nature, occurred within working hours and was limited to arranging for Service User A to sign a direct debit mandate in favour of the Council and asking her to allow care staff to help her open her post. Indeed, in her oral evidence, the Assistant Team Manager said that there was “no problem” in terms of what Ms Bishop had been doing and that she was “just supporting Service User A”.
- Ms Bishop’s contact with Service User A in March 2019 took place over the telephone and in the Council’s offices. The contact in April comprised a single visit to Service User A at her flat in the Sheltered Accommodation but, apparently, at the request, and with the knowledge, of the Quality Officer. None of the contacts appeared to expose Service User A or Ms Bishop to any substantial risk.
- According to the Assistant Team Manager’s evidence, Ms Bishop’s contact with Service User A in March and April 2019 did not appear to have affected Ms Bishop’s work on the cases of other service users and there was no suggestion of that contact resulting in any harm to Service User A.
- Although Ms Bishop had not informed her supervisor of her contacts with Service User A in March and April 2019, she had nevertheless made those contacts transparent by making reasonably detailed case notes which the Service Manager and the Assistant Team Manager, in their evidence, both found satisfactory. In addition, Service User A’s office visit on 7 March 2019 was recorded in the movement log for Ms Bishop’s team.

67. Given the above factors, the panel did not consider that Ms Bishop’s contacts with Service User A in March and April 2019 breached any of the HCPC standards cited in the Statement of Case. In particular, the panel did not consider that Ms Bishop had done anything which disrespected Service User A’s privacy or dignity, exposed Service User A or anyone else to a risk of harm or undermined public trust and confidence in

social workers. Likewise, the panel considered that, although Ms Bishop was no longer Service User A's allocated social worker, her contact with her had been professional and she had not acted without Service User A's consent.

68. However, the panel recognised that, for the purposes of determining what was proper for Ms Bishop to have done in the circumstances which she faced in March and April 2019, it should have regard, not only to relevant regulatory standards, but also to any relevant expectations of her managers and employer. In this regard, both the Service Manager and the Assistant Team Manager were clear that (a) a social worker should not have contact with a service user after they cease to be allocated to the service user's case without informing their manager; and (b) if a social worker is contacted by a service user, they should normally refer the service user's concerns to the duty social worker or the referrals team. The panel also noted from the Service Manager's evidence that those requirements were in place to not only to protect service users from possible exploitation or abuse but also to protect social workers from overwork and to protect the Council from risks to its reputation. The panel considered that, in March and April 2019, Ms Bishop had failed to act in accordance with those expectations. However, the panel also considered that, given the nature, extent and circumstances of Ms Bishop's contacts with Service User A in those months (as described above), the nature and seriousness of that failure was not such as amounted to misconduct. Those contacts were, in essence, well-intentioned errors of judgement which were prompted by contact from colleagues about Service User A. They involved actions which were reasonable in the circumstances, limited in scope, transparently recorded and had no adverse consequences for either Service User A, Ms Bishop, her colleagues or the service users for whom Ms Bishop was the allocated social worker. The panel therefore considered that the contacts in March and April 2019 were actions which, to apply the phrase used by the court in *Khan v Bar Standards Board*, were "excusable or forgivable".
69. **In the circumstances, the panel found that Ms Bishop's contact with Service User A on the dates specified in particulars 1.1(aa), (a), (b) and (c) and Ms Bishop's failure to inform her employer of those contacts as alleged in Allegation 2 did not amount to misconduct.**

Contact in June and July 2020

70. By contrast, with regard to Ms Bishop's contact with Service User A in June and July 2020:
- According to the Senior Carer's evidence, this contact resulted from calls to Ms Bishop from Service User A rather than from requests for intervention by fellow professionals. Moreover, the contact took place over 18 months after Service User A's case was closed. As a result, not only could it not be said that Ms Bishop had only recently ceased being Service User A's allocated social worker, but also,

given the lapse of time since she was involved with Service User A, Ms Bishop would not be in a good position to assess whether any intervention on her part was necessary, minimally intrusive, proportionate or in Service User A's best interests, as required by paragraph 1.7 of Social Work England's Professional Standards. Indeed, as the Quality Manager, the Senior Carer and Ms Bishop herself confirmed, Service User A had been hospitalised after a fall in Spring 2020 and, as a result, it would appear that Service User A was more vulnerable in June 2020 than she had been in March and April 2019.

- Ms Bishop's contact with Service User A in June and July 2020 involved four visits to Service User A's home, which occurred on 13, 20 and 24 June and over the weekend of 4 and 5 July 2020. Two of those visits involved taking Service User A on a trip to the bank and/or the shops and all of them were outside working hours and in Ms Bishop's own time. The panel considered that this went beyond a professional relationship and blurred the professional boundary in breach of paragraph 1.7 of Social Work England's Professional Standards.
- Ms Bishop's contact with Service User A in June and July 2020 also involved her in handling a significant amount of Service User A's money and making purchases on her behalf. According to the Senior Carer's evidence, these activities were considered sufficiently sensitive for him to have to inform the Quality Manager about them on the day on which Ms Bishop told him of her intention to take Service User A to the bank. Although there was no suggestion by Social Work England that Ms Bishop had been dishonest or acted with impropriety, the result of her intervention was that £159.00 of the money withdrawn by Service User A was unaccounted for. As Ms Bishop acknowledged in her submissions, her interventions in Service User A's affairs in June and July were short-sighted and displayed poor professional judgement. The panel therefore considered that those interventions breached both paragraph 1.7 and paragraph 3.1 of Social Work England's Professional Standards.
- Unlike in March and April 2019, Ms Bishop did not make any case notes of her contacts with Service User A in June and July 2020. Moreover, she appeared to have made no attempt to inform her manager or supervisor of those contacts. Although, staff at the Sheltered Accommodation were aware that Ms Bishop was visiting Service User A, from the documentary evidence, the information which Ms Bishop shared with them appeared vague. The panel considered that this represented a breach of the requirement in paragraph 2.1 of Social Work England's Professional Standards to be open and honest and also of the requirement in paragraph 3.9 to keep relevant colleagues informed and the requirement in paragraph 3.11 for Ms Bishop to maintain proper records documenting how she had arrived at her decisions.

- Taking the foregoing into account, the panel considered that Ms Bishop's contact with Service User A in June and July 2020 represented a serious professional misjudgement on her part in breach of paragraph 3.1 of Social Work England's Professional Standards and that her conduct would be such as would bring into question her ability to work as a social worker in breach of paragraph 5.2.
71. Notwithstanding that Ms Bishop's interventions may have been well intentioned, it was clear to the panel that the cumulative effect of the above was such that her contacts with Service User A in June and July 2020 represented a serious departure from professional standards amounting to misconduct.
 72. **Given the factors mentioned above, the panel found that Ms Bishop's contact with Service User A on the dates specified in particulars 1.1(d), (e), (f) and (g) and particular 1.2, and Ms Bishop's undertaking the activities specified in particular 1.3 as well as her failure to inform her employer of those contacts as alleged in Allegation 2, amounted to misconduct.**

Finding and reasons on current impairment:

Social Work England's submissions on impairment

73. Ms Mustard opened her submissions on impairment by submitting that, as far as Ms Bishop's past conduct was concerned, all of the first three limbs of the test for impairment in the case of *Council for Health and Regulatory Excellence v Nursing and Midwifery Council and Grant [2011] EWHC 927 (Admin)* were engaged in that her misconduct in June and July 2020 had put Service User A at unwarranted risk of harm, brought the social work profession into disrepute and breached fundamental tenets of the profession in the form of those of Social Work England's Professional standards which were specified in the panel's decision on grounds.
74. As far as the future was concerned, Ms Mustard submitted that, although Ms Bishop had displayed some insight into the failings in her practice by engaging with the fitness to practise process, making admissions and acknowledging her shortcomings, there still remained a risk that her misconduct would be repeated as her insight was not fully formed and there was insufficient evidence of remediation. Regarding insight, Ms Mustard added that Ms Bishop had not provided evidence that she had fully reflected on why she should not have acted as she did or on the risks arising from her misconduct.
75. Ms Mustard also submitted that a finding of impairment was required in order to maintain public confidence and proper professional standards as Ms Bishop's misconduct had brought the profession into disrepute.

Submissions from Ms Bishop

Written submissions

76. For the purposes of this hearing, Ms Bishop made the following written submissions dated 14 February 2025:

On reflection, I realised that I had crossed the social work boundaries. I realise on this occasion I did make a mistake in not informing my seniors of my contact with [Service User A]. I have learnt from this mistake. I have reflected on my actions and continue to be reflective. I have absolutely no intention of this action being repeated. Should such an incident occur where clients or their carers need support I do and will continue to refer these service users to the duty team or my seniors for additional support.

I have attached character references that speak to my true character.

I apologise to [Service User A] as I did not consider the risk posed to her or myself at that time nor would I have had the protection of my seniors at that time. I have reflected on my actions and continue to do so and as part of my learning and reflection, I have shared my experience with others/professionals to enable them to also learn from the mistakes I had made. I apologise for my misjudgement on this occasion as I have always strived to do my very best and to be my best within the social work profession and in supporting adults their carers and my colleagues.

I have read all of the senior officer's content stating that they would have expected me to have informed them. My first thought was how can I help resolve this situation? This was a new situation for me and I acknowledge my error of judgement by not informing the senior at that time.

Moving forward I can only learn from this mistake. This experience has been a hard lesson and one I have absolutely no intention of repeating. I never thought that I would be in front of SWE I did unintentionally overstep social work boundaries. I apologise for all the work and inconvenience caused by my actions. I would like to move forward with the lessons I have learnt. I have enjoyed and continue to enjoy working within social work and if Social Work England finds me fit, I would like to continue in this area of work carrying with me the lessons I have learnt from this whole experience.

Oral submissions

77. Ms Bishop opened her oral submissions by explaining that:
- In June and July 2020, she had acted out of concern for Service User A, who had contacted her to say that she was worried about money which she was said to owe to the Council's Extra Care Scheme, which operated the Sheltered Accommodation. Ms Bishop said that she wanted to resolve the problem for Service User A as soon as possible so that she could move on and had thought that it would only take a short time to provide the required support.

- Having withdrawn money from the bank Service User A wished to go shopping. She was capable of doing her own food shopping but required assistance with purchases such as shoes and utensils.
- Ms Bishop did not consider that she had put Service User A at risk as the shops were local to the Sheltered Accommodation and Ms Bishop's main priority was ensuring Service User A's safety during the trip to the shops and the bank.

78. At several points in her submissions, Ms Bishop:

- acknowledged that she had made a mistake in taking Service User A to the bank and the shops when she was not her allocated social worker and that she had placed herself at risk of allegations being made against her by not informing her managers of her contact with Service User A;
- accepted responsibility for her actions, that her good intentions had been no excuse for her misconduct and that, as an experienced social worker, she should have known better; and
- apologised for her actions in June and July 2020, for any hurt caused to Service User A, for any inconvenience caused to the Council and, if she did so, for bringing the social work profession into disrepute.

79. Ms Bishop informed the panel that:

- For the past three and a quarter years she had been working in a role in adult social care which did not require her to be a social worker but nevertheless involved her undertaking assessments and reviews; putting care packages in place; sign-posting service users and carers to organisations which can provide support; arranging respite care; and making referrals to care homes and providers of sheltered accommodation. In terms of finance related work, Ms Bishop determines whether lasting powers of attorney are in place and, if not, arranges referrals to appointee and deputyship teams.
- If, in that post, Ms Bishop is approached by a service user whose case is not allocated to her, she always refers them to the duty team and explains to the service user why she cannot provide support herself.
- After being dismissed from the Council, Ms Bishop did not wish to experience the same situation again, hence her taking a job which did not require her to be a registered social worker; however, she enjoyed social work, particularly safeguarding, and would like to return to it in the future.

80. In terms of reflection and training and remediation, Ms Bishop stated that:

- She had reflected on what she has done and endeavoured to learn from her experience.

- After her misconduct had come to light, Ms Bishop had looked at reflective training on-line, in particular on the Social Care Institute for Excellence website.
- Apart from training in safeguarding, she has not attended any training recently.
- As explained above, she has engaged in remediation in her day-to-day work by not providing support to service users whose cases are not allocated to her but instead referring them to the duty team.

References

81. Ms Bishop provided two references: one, which was undated, from the person who had been her line manager and supervisor when she worked in adult social care for the London Borough of Bromley; the other, dated 13 February 2025, from the acting team manager of the Hayes & Five Elms Locality Team, again in the London Borough of Bromley, who had worked with Ms Bishop since December 2024. Both references commented very favourably on Ms Bishop's qualities and abilities whilst working in adult social care.
82. In addition, the exhibits bundle contained a reference for Ms Bishop which her Team Manager at the Council had supplied for the purposes the Council's disciplinary proceedings against her. In her witness statement, the Team Manager stated that she stood by her reference and that she had obtained her manager's approval before sending it.

Legal Advice on Impairment

83. The panel heard and accepted the advice of the Legal Adviser on impairment. That advice included reference to Social Work England's Impairment and Sanctions Guidance as well as the following points:
 - The existence of impairment is a matter for the panel's own independent judgment or assessment and, in considering whether Ms Bishop's fitness to practise was impaired, the panel should take account of Social Work England's Impairment and Sanctions Guidance.
 - According to the Impairment and Sanctions Guidance, a social worker is fit to practise when they have the skills, knowledge, character and health to practise their profession safely and effectively without restriction. If a panel decides that a social worker's fitness to practise is impaired, this means that it has serious concerns about the social worker's ability to practise safely, effectively, or professionally.
 - As stated in *Meadow v General Medical Council [2006] EWCA Civ 1390*, the purpose of fitness to practise proceedings is not to punish the practitioner for past misdoings but to protect the public against the acts and omissions of those who are not fit to practise.

- Protection of the public, as defined in s.37 of the Children and Social Work Act 2017, comprises protecting, promoting and maintaining the health, safety and well-being of the public, promoting and maintaining public confidence in social workers and promoting and maintaining proper professional standards for social workers. The panel should consider whether a finding of impairment is required for any or all of those three purposes.
- The test for impairment, as set out by the court in *Council for Health and Regulatory Excellence v Nursing and Midwifery Council and Grant [2011] EWHC 927 (Admin)*, is whether the panel's finding of misconduct in respect of Ms Bishop indicated that her fitness to practise is impaired in the sense that she had in the past (a) put service users at unwarranted risk of harm; (b) brought the social work profession into disrepute; (c) breached one of the fundamental tenets of that profession; and/or (d) acted dishonestly or, in each case, was liable to do so in the future.
- As stated in *Cohen v General Medical Council [2008] EWHC 581 (Admin)*, at the impairment stage the tribunal should take account of evidence and submissions that the conduct (a) is easily remediable, (b) has already been remedied and (c) is highly unlikely to be repeated.
- When assessing whether a finding of impairment is required in order to protect the health, safety and well-being of the public, the panel should consider the extent to which the social worker's conduct gave rise to harm or a risk of harm and the likelihood of that conduct being repeated. Assessment of the risk of repetition involves consideration of (i) the social worker's previous history and their conduct since the concerns about their conduct arose and (ii) the extent to which they have developed insight into their misconduct and (iii) the extent to which they have taken steps to remedy any failings on their part which led to that misconduct.
- A finding of personal impairment is usually not needed if (a) the social worker has understood the causes of, and learnt from, any mistakes or misjudgements; and (b) there is no risk of repetition. However, the panel should also consider whether a finding of impairment is required in order to maintain public confidence and proper professional standards (the so-called public component of impairment). Depending on the circumstances, a finding of impairment on these grounds can be necessary even where the social worker poses no current risk to the public.
- When considering the testimonials submitted by a social worker, the panel should assess the content of each testimonial on the light of their knowledge of any relationship between author and social worker and on the basis of (i) the relevance of the content to the specific findings in the case; (ii) the extent to which the author's views are consistent with other available evidence; (iii) the length of

time for which the author has known the social worker; and (v) the extent to which the testimonial offers a current view of the social worker's fitness to practise. In addition, the panel should give little weight to testimonials from persons who are not aware of the fitness to practise proceedings or the actions behind them.

Panel's decision on Impairment

Preliminary issue of disputed fact

84. On the question of insight, Ms Mustard's oral submissions and the Statement of Case both referred to Ms Bishop having stated in the investigation hearing held on 20 August 2020 that she would act in the same way again, if she thought it would help. Ms Bishop strongly disputed having made such statement. In line with the decision in Levy v Solicitors Regulatory Authority [2011] EWHC 740 (Admin), the panel proceeded to determine that issue of fact before considering the question of impairment.
85. In her submissions, Ms Mustard submitted that the panel should find this matter proved for the following reasons:
- The statement was recorded in a contemporaneous note of the meeting, which, according to the Service Manager, would have been written up the day after the meeting using notes taken during the meeting.
 - The note of the meeting was not made by the Service Manager but by a person who attended the meeting solely for the purpose of taking minutes.
 - The note of the meeting was supported by the oral evidence of the Service Manager, who was clear that Ms Bishop had made the statement and explained the context in which it was made.
86. In relation to this issue, Ms Bishop strongly denied having made the statement and submitted that, as she had been suspended from work because of her contact with Service User A after she ceased to be her allocated social worker, it was highly unlikely that she would make her position worse by asserting that she would repeat the action which she was being disciplined for. Ms Bishop explained that her copy of the minutes of the investigation hearing accompanied her invitation to the disciplinary hearing on 12 January 2021 and she was therefore unable to object to the inclusion of the statement until then. She also pointed out that there was no mention of that statement in the subsequent disciplinary hearing.
87. Having considered the matter, the panel found that it was more likely than not that the statement, or something like it, had been made. The reasons for that finding were as follows:
- In line with the advice which the panel had received at the fact-finding stage, in particular, the case of R (on the application of Dutta) v General Medical Council [2020] EWHC 1974 (Admin), the panel first considered the contemporaneous

evidence of the investigation hearing, namely the minutes of that hearing. The panel placed reliance on the minutes as they had been made by a minute taker and had been written up very soon after the hearing had taken place. Moreover, the statement in the minutes was corroborated by the Service Manager's evidence.

- Both the accuracy of the minutes and the Service Manger's evidence was contradicted by Ms Bishop. However, assuming that Ms Bishop would have received her copy of the minutes, along with notice of the disciplinary hearing, some time in December 2020, her recollection of the investigation hearing would have been around four months old by the time she became aware that it was alleged that she had stated that she would repeat the actions which had led to the disciplinary proceedings.
- The panel noted that the alleged statement was not mentioned at the disciplinary hearing and that it was not in Ms Bishop's interests for her to make that statement. However, given the contemporaneous nature of the minutes and that they were taken and written up by a person whose sole role in the investigation hearing was to perform that task, the panel found that it was more likely than not that Ms Bishop had made that statement at that hearing.

Personal impairment

88. In terms of impairment, the panel first considered whether Ms Bishop's fitness to practise was currently impaired in terms of the need to protect the health, safety and well-being of the public. For that purpose, the panel considered, firstly, whether Ms Bishop's misconduct had caused any harm to the health, safety and well-being of the public or given rise to a risk of such harm being caused; and, secondly, whether her misconduct was likely to be repeated.
89. With regard to the first of those matters, the panel noted that Ms Bishop's misconduct did not appear to have caused any actual harm to Service User A or any other person. In terms of exposing Service User A to a risk of physical harm, Ms Bishop had stated that she had prioritised Service User A's safety and there was no evidence before the panel to show that Ms Bishop's conduct during the trip to the bank and the shops had put Service User A's safety at risk. However, one of the results of that trip was that some of the money which Service User A had withdrawn from the bank could not be accounted for. According to emails from the Liaison Officer, it was not clear whether this money was no longer in Service User A's possession, nor was Service User A claiming that she had lost it. However, the panel considered that future trips to the bank and the shops could lead to money being lost which, in turn, might cause distress to Service User A. The panel therefore concluded that Ms Bishop's misconduct could pose a risk to the financial and emotional well-being of Service User A, if repeated. In addition, Ms Bishop's failure to inform her manager that she was visiting Service User A

and taking her to the bank and the shops could expose Service User A to the risk that the nature and extent of her needs were not known to the appropriate team. This could prevent Service User A receiving relevant support and services and thus impact her overall well-being.

90. Having concluded that Ms Bishop's misconduct had posed a risk to Service User A's well-being, panel then considered whether there was a risk of that misconduct being repeated. In doing so, the panel considered Ms Bishop's previous history and her conduct since her misconduct occurred and the extent to which she had developed insight into, and remedied, her misconduct. The panel also considered the references for Ms Bishop and the extent to which they contained information relevant to the risk of repetition.
91. With regard to Ms Bishop's previous history and her conduct since July 2020, the panel had no evidence of any previous regulatory findings against Ms Bishop. On the contrary, the Statement of Case referred to her previously having a "long unblemished record". Ms Bishop's misconduct then occurred over a three-week period between 13 June and 5 July 2020. From then to the present, a period of almost five years, there had been no reported repetition of Ms Bishop's misconduct even though, for at least three and a quarter years of that time, she had been working with service users in adult social care. The panel considered these factors to be strong indicators of the limited likelihood of Ms Bishop's misconduct being repeated.
92. With regard to insight:
 - From the documentary evidence before it, the panel noted that Ms Bishop had expressed regret and remorse for her misconduct from the start of the fitness to practise process. She had expressed her contrition in her submissions at this hearing, including apologising for any hurt to Service User A and to the Council for any inconvenience.
 - The panel had found that Ms Bishop had probably stated at the investigation hearing on 20 August 2020 that she would do the same thing again, if she thought it would help. However, the panel did not consider that that statement had any significant bearing on her current level of insight or impairment given that it was made several years ago and in the heat of disciplinary investigation hearing.
 - Ms Bishop had fully engaged with the fitness to practise process, both in providing written responses and information and in participating in this hearing. She had also admitted the majority of the Allegations, including the key particulars concerning her taking Service User A to the bank and the shops on 20 and 24 June 2020.
 - Ms Bishop stated that she had reflected on her misconduct. The results of that reflection appeared to be that she was aware of the reasons for her misconduct, its potential risks for her and Service User A and that it could bring the Council, as

her employer, into disrepute. She showed less awareness of the potential effects of her misconduct on the social work profession. However, as a result of the disciplinary and regulatory proceedings which had been brought against her, Ms Bishop was very clear that having contact with services users for whom she was no longer the allocated social worker without management approval represented a breach of professional boundaries and was unacceptable.

- Accordingly, whilst Ms Bishop's insight was not perfect, the panel was satisfied that she had a very clear understanding that having unauthorised contact with services users for whom she was no longer the allocated social worker even with the best intentions, was a serious matter, with potentially serious consequences and to be avoided in the future at all costs.

93. With regard to remediation:

- The panel considered that Ms Bishop's misconduct was capable of remedy.
- The panel noted that, according to her evidence, Ms Bishop had, after the commencement of the Council's disciplinary process against her, undertaken on-line reflective training, in particular on the Social Care Institute for Excellence website. She also mentioned having undertaken safeguarding training in her present employment. However, she did not appear to have undertaken training specific to maintaining professional boundaries.
- Ms Bishop placed great emphasis on what she described as her day-to-day remediation in her present employment and described how she always refers service users for whom she is no longer the allocated social worker to her employer's duty team and explains to the service users why she cannot provide support herself.

94. With regard to testimonials:

- All three testimonials commented very favourably on Ms Bishop's competence and range of skills as a social worker, highlighting her wish to do her best for service users and, as mentioned in her Team Manager's witness statement, her willingness to go "the extra mile". The testimonial from her current acting team manager, describes her as an asset to any future employer. Both her Team Manager at the Council and her former supervisor at Bromley confirmed that no complaints had been made against Ms Bishop.
- Neither the reference from Ms Bishop's current acting team manager nor that from her line manager and supervisor when she worked in adult social care for the London Borough of Bromley gave any indication that they were aware of the present fitness to practise proceedings against her. Likewise, neither of those referees commented on Ms Bishop's ability to maintain professional boundaries (although they did not raise any issues in that regard). However, Ms Bishop's Team

Manager at the Council, who had known Ms Bishop for a long time and was well aware of the allegations against her, was, in her witness statement, of the view that Ms Bishop had acted foolishly in trying to help Service User A and that she had the ability to learn from her mistakes and address any issues in her practice.

95. Taking all of those factors into account, the panel concluded that the risk of Ms Bishop's misconduct being repeated was minimal. The reasons for the conclusion were as follows:

- Ms Bishop's misconduct was of a limited nature and comprised breaching professional boundaries by visiting a service user whose case was not allocated to her and taking that service user to the shops and the bank without informing her employer. Indeed, Ms Bishop's contacts with Service User A in June and July 2020 could be regarded as a single developing incident comprising an initial visit; an abortive trip to the bank; and a successful trip to the bank which expanded into shopping trips, which then entailed a further visit to the service user. The essential question before the panel was whether it was satisfied that Ms Bishop would not engage in such conduct in the future.
- Although Ms Bishop's insight might not be perfect and she could have undertaken some training specifically related to maintaining professional boundaries, the panel accepted her evidence that, in her present employment, she does not provide support to service users whose cases are not allocated to her but refers them to her employer's duty team. The panel was content to accept that evidence given the effect which this matter appeared to have had on Ms Bishop. It seemed to the panel that Ms Bishop's thorough engagement with the fitness to practise process and the present hearing was aimed at resolving the issue of her misconduct, learning from it and moving on with her career in adult social care, whether as a social worker or otherwise.
- From Ms Bishop's oral and written submissions, the panel was satisfied that Ms Bishop had indeed learned from her experience with Service User A; that her practice with regard to contact with service users whose cases were not allocated to her had changed since July 2020; and that the change was, in all probability, likely to be permanent given the experience of these regulatory proceedings.
- The panel was reassured in that view when it looked at Ms Bishop's misconduct in context. Her misconduct had occurred after a 10-year career, during which she had been a hard-working and competent social worker with an unblemished record and no complaints against her. Her misconduct took place over three weeks and, since then, Ms Bishop had resumed working in adult social care as a competent, committed and valued employee, with no further concerns being raised about her, whether in relation to maintaining professional boundaries or otherwise.

96. Given the panel's conclusion regarding the risk of Ms Bishop's misconduct being repeated, **the panel found that Ms Bishop's fitness to practise was not currently impaired in terms of the need to protect the health, safety and well-being of the public.**

Impairment in terms of the need to maintain public confidence

97. With regard to the public component of impairment, the panel first considered whether a finding of impairment was required in order to maintain public confidence. The panel decided that a finding of impairment was not required for that purpose for the following reasons:

- Ms Bishop's misconduct did not fall into any of the categories of conduct which are set out in paragraph 62 of Social Work England's Impairment and Sanctions Guidance as being likely to be viewed as being sufficiently serious to merit a finding of impairment in order to maintain public confidence or proper professional standards.
- The panel considered that informed and reasonable members of the public, who were aware of the circumstances of the present case, the nature and extent of Ms Bishop's misconduct and the panel's finding that Ms Bishop did not pose a current risk to the health safety and well-being of the public, would not be concerned to hear that a finding of impairment had not been made against her.

98. **The panel therefore found that Ms Bishop's fitness to practise was not currently impaired in terms of the need to maintain public confidence in social workers in England**

Impairment in terms of the need to maintain proper professional standards

99. However, on the question of whether a finding of impairment was required in order to maintain proper professional standards, the panel took a different view. Notwithstanding that the nature of Ms Bishop's misconduct was not sufficiently serious to fall within the scope of paragraph 62 of Social Work England's Impairment and Sanctions Guidance and that the panel had found that it did not pose a current risk to the health, safety and well-being of the public, the panel had nevertheless found, in its decision on grounds, that her misconduct had breached several of Social Work England's Professional Standards. For that reason, the panel concluded that, in order to maintain proper professional standards for social workers, those breaches should be marked by a finding of impairment.
100. **The panel therefore found that Ms Bishop's fitness to practise was currently impaired in that such a finding was required in order to maintain proper professional standards for social workers in England.**

Decision and reasons on sanction:

Submissions on sanction on behalf of Social Work England

101. Referring the panel to Social Work England’s Guidance on Impairment and Sanction (the “**Guidance**”), Ms Mustard opened her submissions on sanction by suggesting that, in the present case, possible mitigating factors were Ms Bishop’s early admissions; her engagement with the fitness to practise process and this hearing; her apologies and expressions of remorse; the positive references which she had produced; the absence of any adverse history; and her good character. Ms Mustard then submitted that the aggravating factors in this case included the fact that, at the time when it occurred, Ms Bishop’s misconduct had posed a risk of harm to Service User A and the fact that Ms Bishop’s misconduct had involved several contacts with Service User A, all of them outside Ms Bishop’s contracted working hours.
102. Ms Mustard then invited the panel to make a warning order in respect of Ms Bishop. In support of that suggestion, Ms Mustard submitted that:
- According to the Guidance, taking no further action should be rare and must be justified by exceptional circumstances.
 - Giving advice would not be workable or appropriate in the present case given the seriousness of Ms Bishop’s conduct. By contrast a warning order would give a clearer signal of disapproval.
 - The present case satisfied the criteria for a warning order as set out in paragraph 108 of the Guidance.
 - Given the panel’s findings on impairment, a restriction on Ms Bishop’s practice was not required and therefore neither a conditions of practice order nor a suspension order would be appropriate.
103. In terms of duration, Ms Mustard submitted that:
- A warning order for one year was not appropriate as Ms Bishop’s misconduct was not of low seriousness and involved several instances of contact with Service User A.
 - A warning order for three years was therefore appropriate to reflect the seriousness of Ms Bishop’s misconduct.
 - By contrast, a warning order for five years would be excessive as the present case had not fallen only marginally short of requiring restriction of practice.

Ms Bishop’s submissions on sanction

104. Ms Bishop invited the panel to impose a lesser sanction than a warning order on the grounds that such an order would be excessive given that (i) the panel had found that

she did not pose a risk to the health, safety and well-being of the public and (ii) she had a clear work record, both previously and in her current post.

Legal Advice on sanction

105. The panel heard and accepted the advice of the Legal Adviser on sanction.

106. In terms of the measures available to the panel, the Legal Adviser advised that:

- Pursuant to paragraphs 12(3) and 13 of Schedule 2 to the Social Workers Regulations 2018, as the panel had found that Ms Bishop's fitness to practise was impaired by reason of misconduct, it could take no further action, give advice or make a warning order, a conditions of practice order, a suspension order or a removal order.
- A conditions of practice order or a suspension order could be of up to three years' duration.
- Pursuant to rule 48 of Social Work England's Fitness to Practise Rules, adjudicators, when giving advice or a warning, must specify that the advice or warning will stay on the social worker's entry in the Register for a period of one, three or five years.

107. The Legal Adviser mentioned certain points of principle, including that, in line with the panel's finding on impairment, the sanction imposed should be the minimum necessary to maintain proper professional standards.

108. The Legal Adviser's advice on each of the measures available to the panel included the following points:

- Taking no further action is rare and would, in the present case, only be appropriate if the panel could justify a decision that a finding of impairment itself was enough to maintain proper professional standards.
- Advice and warnings do not directly restrict practice and are therefore usually only appropriate where, as in the present case, the panel has found that there is no current risk to the public.
- Giving advice is a lesser sanction than a warning order and should be considered first. Any advice should set out the steps Ms Bishop should take to avoid repeating the conduct which led to the present concern.
- A warning order is likely to be appropriate where (i) the fitness to practise issue is isolated or limited; (ii) there is a low risk of repetition; and (iii) the social worker has demonstrated insight. A warning order shows clear disapproval of a social worker's conduct and signals that the social worker is highly likely to receive a more severe sanction, if they repeat the conduct which led to the finding of impairment.

- Conditions of practice are commonly applied in cases of lack of competence or ill health. They are less likely to be appropriate in cases of character, attitude or behavioural failings. They may also not be appropriate in cases, such as the present, which raise wider public interest issues.
- Suspension is appropriate where no workable conditions can be formulated but the case falls short of requiring removal from the Register.
- A removal order must be made where the panel concludes that no other outcome would be enough to protect the health, safety and well-being of the public and maintain public confidence and proper professional standards.

Panel's decision on Sanction

109. In determining the appropriate sanction, the panel first considered the aggravating and mitigating factors in the present case.
110. The panel identified two aggravating factors, namely, that Ms Bishop's misconduct had breached several of Social Work England's Professional Standards and that, at the time when it occurred, her misconduct had posed a risk to Service User A's well-being.
111. The panel identified the following mitigating factors:
- Ms Bishop had no previous regulatory findings against her and, before the present concerns, she had an unblemished record.
 - There were no suggestions that there were any failings in Ms Bishop's current work in adult social care, or in her work prior to the present concerns, and she had produced three favourable and supportive references from her current manager and two previous managers.
 - Ms Bishop had fully engaged with the fitness to practise process and, to an admirable extent, with the present proceedings.
 - Ms Bishop had shown insight, made early admissions, expressed remorse and given apologies to Service User A and her employer.
 - Ms Bishop had not acted maliciously or negligently but with the intent, although misguided, to help a vulnerable service user.
 - The panel had found that Ms Bishop did not present a current risk to the health, safety and well-being of the public and that her fitness to practise was not impaired in terms of the need to protect the health, safety and well-being of the public or maintain public confidence in social workers.
112. The panel then considered each measure available to it in turn.
113. The panel did not consider that taking no further action would be appropriate as the finding of impairment alone would not be sufficient to maintain proper professional standards. This was because of the number of professional standards which Ms Bishop

had breached and because her misconduct, when it occurred, had posed a risk to Service User A's well-being.

114. For the same reasons, the panel did not consider that giving advice would be sufficient to maintain proper professional standards. Moreover, it would be difficult to formulate any advice given that the panel had found that Ms Bishop did not currently pose a risk to the health, safety and well-being of the public and that, in the present instance, the purpose of any sanction was to mark professional disapproval of her past conduct.
115. The panel considered that the present case satisfied the criteria for the making of a warning order, as set out in paragraph 108 of the Guidance, because:
- The panel had found that Ms Bishop had demonstrated insight and that there was a low risk of repetition.
 - The present fitness to practise issue was limited in that (i) Ms Bishop's misconduct was of a limited nature and (ii) the panel's finding on impairment related solely to the need to mark professional disapproval of her past conduct in order to maintain proper professional standards (and a warning order would be suitable for that purpose).
 - The present fitness to practise issue was also isolated as it concerned a single developing incident which occurred over a relatively short period in the context of Ms Bishop's fifteen-year career in adult social care.
116. By contrast, a conditions of practice order would not be suitable as the panel had found that there were no current failings in Ms Bishop's practice which required remediation or necessitated a restriction on her practice. Moreover, the Guidance indicated that conditions of practice are less likely to be appropriate in cases, such as the present, which raise public interest issues. Likewise, a suspension order or a removal order would be excessive given the limited nature of Ms Bishop's misconduct, the panel's finding that she did not pose a current risk to the health, safety and well-being of the public and the numerous mitigating factors listed above.
117. In terms of duration, the panel noted that the Guidance states that a one-year warning order may be appropriate for "*an isolated incident of relatively low seriousness*". It goes on to say that the primary objective of such a warning is "*to highlight the professional standards expected of social workers*". The panel considered that this reflected the situation in the present case. Given the panel's finding on impairment, the objective of sanction in the present instance was to highlight the professional standards expected of social workers and mark professional disapproval of Ms Bishop's breaches of those standards. In addition, for the reasons given above in relation to paragraph 108 of the Guidance, the panel considered that the present case involved an isolated incident of relatively low seriousness. Its seriousness was also reduced or mitigated by (i) the mitigating factors identified by the panel (which outweighed the aggravating factors), (ii) the absence of actual harm to Service User A

and (iii) the limited nature of the risk to which Ms Bishop's misconduct had exposed Service User A, which concerned her well-being rather than her health and safety.

118. Social Work England had suggested a three-year warning order, which the Guidance says may be "*appropriate for more serious concerns*". It also says that a warning order of that duration "*helps to maintain public confidence and highlight the professional standards*" and "*allows more time for the social worker to show that they have addressed any risk of repetition*". Given that description, panel considered that a three-year warning order was more than was required in the present case. As the panel had found that the risk of Ms Bishop's repeating her misconduct was minimal, there was no requirement for her to address that risk. Similarly, as the panel had found that Ms Bishop's fitness to practise was not impaired in terms of the need to maintain public confidence, there was no need for a warning order for that purpose. Likewise, for the reasons given in the preceding paragraph, the panel did not consider that Ms Bishop's misconduct represented a "more serious concern".
119. The panel therefore determined that, in the circumstances of the present case, a one-year warning order would be the appropriate and proportionate order for the purpose of maintaining proper professional standards.
120. **FINAL ORDER: that Ms Bishop be subject to a warning order for a period of one year.**

Right of appeal:

121. Under Paragraph 16(1)(a) of Schedule 2 to the Social Workers Regulations 2018 (the "**Regulations**"), 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.
122. Under paragraph 16(2) of Schedule 2 to 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.
123. 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.

124. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to practise Rules 2019 (as amended).

The Professional Standards Authority:

125. 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>.