

Social worker: Laura Elizabeth
Owens
Registration number: SW14214
Fitness to Practise
Final Hearing

Dates of hearing: 17 March 2025 to 19 March 2025

Hearing venue: Remote hearing

Hearing outcome: Fitness to practise impaired, warning order 3 years

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) (“the regulations”).
2. Ms Laura Elizabeth Owens did not attend and was not represented.
3. Social Work England was represented by Ms Aoife Kennedy case presenter instructed by Capsticks LLP.

Adjudicators	Role
Paul Grant	Chair
Samuel Ana-Amdingo	Social worker adjudicator
Judith Webb	Lay adjudicator

Hearings team/Legal adviser	Role
Andrew Brown	Hearings officer
Molly-Rose Brown	Hearings support officer
Esther Oladipo	Legal adviser

Service of notice:

4. The panel of adjudicators (hereafter “the panel”) was informed by Ms Kennedy that notice of this hearing was sent to Ms Owens (the social worker) by both next day delivery service and email. The notice was sent to Ms Owens’ registered address as it appears on the Social Work England register. The notice of hearing was sent by next day special delivery on 13 February 2025, and a copy was also emailed to Ms Owens registered email address on the same date. Ms Kennedy submitted that the notice of this hearing had been duly served.
5. The panel of adjudicators had careful regard to the documents contained in the final hearing service bundle as follows:
 - A copy of the notice of the final hearing dated 13 February 2025 and addressed to Ms Owens at her postal and email address as provided to Social Work England;
 - An extract from the Social Work England Register as of 13 February 2025, detailing Ms Owens' registered address;
 - A copy of a signed Statement of Service, dated 18 February 2025, on behalf of Social Work England, confirming that the notice of hearing and related documents were sent via next day delivery service and email;
 - A copy of the Royal Mail Track and Trace Document, indicating "signed for" delivery to Ms Owens’ registered address at 11:16 AM on 14 February 2025.
6. The panel accepted the advice of the legal adviser in relation to service of notice.

7. Having had regard to Rules 14, 15, 44 and 45 of the Social Work England (Fitness to Practise) Rules 2029 (as amended) (“the Rules”) and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Owens in accordance with the Rules.

Proceeding in the absence of the social worker:

8. The panel heard the submissions of Ms Kennedy on behalf of Social Work England. Ms Kennedy submitted that notice of this hearing had been duly served, no application for an adjournment had been made by Ms Owens and as such there was no guarantee that adjourning today’s proceedings would secure her attendance. Ms Kennedy further submitted that Ms Owens had been given the opportunity to engage with the proceedings, as evidenced by her written submissions and the completion of the Hearing Participation Form, dated 26 February 2025, included in the Social Worker Response Bundle. The form indicated that Ms Owens did not intend to attend the hearing
9. Ms Kennedy therefore invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.
10. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to Rule 43 of the Rules and the cases of *R v Jones [2002] UKHL 5*; *General Medical Council v Adeogba [2016] EWCA Civ 162*. The panel also took into account Social Work England Guidance ‘Service of notices and proceeding in the absence of the social worker’.
11. The panel considered all of the information before it, together with the submissions made by Ms Kennedy on behalf of Social Work England. The panel considered that Ms Owens had been sent notice of today’s hearing, and the panel was satisfied she was or should be aware of today’s hearing. The also panel considered that Ms Owens had completed the Hearing Participation Form, dated 26 February 2025 and selected the option stating that she will not be attending the hearing but will enclose her written submissions. This option also states that she understands the hearing may proceed in her absence. Ms Owens also provided in a separate email her written submission for consideration at the hearing.
12. The panel was satisfied that Ms Owens had voluntarily absented herself from the proceedings. The panel had no reason to believe that an adjournment would result in her attendance. Having weighed the interests of Ms Owens in regard to her attendance at the hearing with those of Social Work England and the public interest in the expeditious disposal of this hearing, the panel therefore determined to proceed in Ms Owens’ absence.

Preliminary matters:

13. The panel noted that, in the Case Management Hearing on 26 February 2025, directions were made regarding the conduct of the final hearing. The following directions are adopted for this hearing:
 - I. Any part of the hearing concerning the health and related matters of Ms Owens shall be held in private.
 - II. Any part of the hearing that relates to the identity of a child or family member shall be held in private.
 - III. The remainder of the final hearing shall be conducted in public, in line with the principle of open justice.
14. The panel considered an application made by Ms Kennedy, case presenter on behalf of Social Work England (SWE), to discontinue Regulatory Concern 4 (RC4) under Rule 52 of the Fitness to Practise Rules 2019 (as amended). The application sought to discontinue the allegation that Ms Owens had an unmanaged health condition, as set out in Schedule B. Ms Kennedy set out the basis of the application which was that given the new information in relation to Ms Owens' health, received by Social Work England subsequent to the case examiners' decision, there was no longer a realistic prospect of the facts of concern 4, as set out in schedule B, being found proved. On the same basis it was submitted that there was no longer a realistic prospect of a finding in relation to the statutory ground or impairment regarding Ms Owens' health.
15. The panel accepted the advice from the legal adviser, who set out the legal framework governing applications for discontinuance. The legal adviser referred to Rule 52(1), which permits Social Work England to apply for discontinuance if new evidence arises that indicates there is no longer a realistic prospect of proving the allegation. The panel was reminded of its duty to assess the application carefully and to ensure that the reasons for discontinuance were justified and in line with Social Work England's overarching objective of public protection.
16. The panel accepted the advice from the legal adviser which outlined the relevant case law, including *Ruscillo v CHRE* [2004] EWCA Civ 135, which emphasises that regulatory panels must take an active role in scrutinising discontinuance applications to prevent under-prosecution. Additionally, reference was made to *PSA v NMC and X* [2018] EWHC 70 (Admin), which confirmed that decision-makers must be fully informed and ensure that the discontinuance application is adequately justified. The panel was further advised to consider whether discontinuance would compromise public confidence in the profession or the maintenance of professional standards.
17. The panel carefully considered the evidence and submissions presented by Social Work England in support of its application to discontinue RC4. The panel noted that since the Case Examiner's decision, new medical evidence had been provided, including an expert report relating to [PRIVATE] as well as a Health Examination Report dated 26 June 2024 from [PRIVATE], Dr Haitham Nadeem.

18. [PRIVATE]

19. [PRIVATE]

20. The panel considered whether discontinuing RC4 would undermine Social Work England's duty to protect the public or weaken public confidence in the profession. The panel was satisfied that the updated evidence supported the contention that there was no realistic prospect of finding that Ms Owens has an unmanaged health condition. The panel was further satisfied that discontinuing RC4 did not diminish the seriousness of the remaining concerns in the case.

21. The panel determined that, in light of the new evidence, there was no longer a realistic prospect of proving that Ms Owens had an unmanaged health condition. Given the medical reports and [PRIVATE] findings, the panel was satisfied that regulatory concern 4 (Schedule B) no longer met the evidential threshold required to proceed.

22. For these reasons, the panel granted Social Work England's application to discontinue RC4. The panel was satisfied that this decision was appropriate, proportionate, and consistent with its duty to ensure a fair and just outcome. The panel decided that the discontinuance of RC4 does not affect the panel's consideration of the remaining concerns in the case.

23. The panel considered and adopted into evidence the witness statement of Kirsty Kaye, which exhibited the evidence contained in the exhibits bundle. The panel noted the provisions of Rule 35A of the Fitness to Practise Rules 2019 (as amended) (the 'Rules') which state that:

- A certified copy of a memorandum of conviction or signed caution order shall be conclusive proof of the conviction.
- The findings of fact upon which the conviction is based shall be admissible as proof of those facts.
- Any other evidence pertaining to the conviction may be considered as sufficient proof of the conviction.

Allegations:

Whilst a registered Social Worker:

1. On 8 October 2020 at Greater Manchester Magistrates Court, you were convicted of a criminal offence, namely that on 23 September at Bolton in the County of Greater Manchester drove a motor vehicle after consuming so much alcohol that the proportion of it in your breath, namely 76 microgrammes of alcohol in 100 millilitres of breath, exceeded the prescribed limit contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.

2. On 19 April 2022 at Greater Manchester Magistrates Court, you were convicted of a criminal offence, namely that on 23 September 2020 at Manchester had in your possession a quantity of cocaine a controlled drug of class A in contravention of section 5(1) of the Misuse of Drugs Act 1971.

3. On 5 February 2022 you accepted a caution from Greater Manchester Police for a criminal offence as set out in Schedule A.

4. You have an unmanaged health condition, as set out in Schedule B.

The matters at paragraphs 1-3 amount to the statutory ground of a conviction or caution in the United Kingdom for a criminal offence.

The matters at paragraph 4 amount to the statutory ground of adverse physical or mental health.

Your fitness to practise is impaired by reason of a conviction or caution in the United Kingdom for a criminal offence and/or of adverse physical or mental health.

Schedules [PRIVATE]

Summary of evidence:

24. The panel heard from Ms Kennedy on behalf of Social Work England who set out a summary of the case. The panel was provided with a written statement of case dated 17 January 2025 updated 4 March 2025 which set out the allegations and evidence upon which Social Work England relied. The supporting evidence was presented with the following documents entitled Final Hearing timetable, Final Statement of Case, Final Statements Bundle, Final Exhibits Bundles, Final Social Workers Response Bundle and Final Service and Supplementary Bundle.
25. The regulatory concerns relate to Ms Owens, a registered social worker, whose fitness to practise was called into question due to criminal convictions related to drink driving, possession of a Class A drug (cocaine), and a caution for [PRIVATE].
26. On 23 September 2020, Ms Owens was involved in a road traffic collision while under the influence of alcohol. Upon police arrival, officers discovered three small bags of white powder in her vehicle, which later tested positive for cocaine. [PRIVATE].
27. Following the events of 23 September 2020, Ms Owens faced three legal proceedings. Drink Driving Conviction on 8 October 2020 from Greater Manchester Magistrates' Court where Ms Owens pleaded guilty to driving with excess alcohol (76 micrograms per 100ml of breath). Drug Possession Conviction on 19 April 2022 where she pleaded guilty to possession of a Class A drug (cocaine) and was conditionally discharged for three months. Ms Owens accepted a police Caution for [PRIVATE] on 5 February 2022 [PRIVATE].

28. At the time, Ms Owens was employed as a Deputy Team Manager at Bolton Council, where she had no previous concerns regarding her professional performance. However, following her arrest, she was suspended from her role and resigned on 2 October 2020, with immediate effect before her employer's internal investigation concluded.
29. Ms Owens self-referred to Social Work England on 7 October 2020, disclosing only the drink driving conviction. She later provided additional admissions and responses throughout the investigation, acknowledging that she was struggling with [PRIVATE] during the time of the offences. She described experiencing a [PRIVATE] exacerbated by personal difficulties, [PRIVATE], and the impact of the COVID-19 lockdown.
30. Social Work England adopted as evidence the witness statement of Kirsty Kaye, Detective Constable from Bolton Child Protection Investigation Unit who exhibited the key evidence supporting the case, included in the Final Exhibits Bundle. The documents exhibited by DC Kaye were the basis upon which Ms Owens was convicted, as per Rule 35A(1)(ii), the findings of fact upon which the conviction is based shall be admissible as proof of those facts. DC Kaye also exhibited documents in relation to the caution received by Ms Owens.
31. In relation to regulatory concern 1, Conviction on 8 October 2020 for Drink Driving Offence, the panel received information that the Police records confirmed Ms Owens had a breath alcohol reading of 76 micrograms per 100ml (exceeding the legal limit of 35 micrograms). Multiple officer statements described her as visibly intoxicated, struggling to balance, and slurring her speech. In her police interview, Ms Owens admitted to drinking wine throughout the evening but had no recollection of deciding to drive or how she ended up in the car. The court conviction certificate confirmed her 20-month driving disqualification, later reduced by 20 weeks after completing an approved rehabilitation course.
32. In relation to regulatory concern 2, Conviction on 19 April 2022 for Possession of Cocaine, the panel received information that the Police found three small bags containing a white powder in her vehicle, later confirmed by forensic testing to be cocaine. Ms Owens initially denied any knowledge of the drugs in her car. [PRIVATE]. Despite Ms Owens' denial, she later pleaded guilty in court and received a conditional discharge for three months.
33. In relation to regulatory concern 3, a caution from Greater Manchester Police for a criminal offence as set out in Schedule A (Caution on 5 February 2022 for [PRIVATE]).
34. Throughout the investigation, Ms Owens provided several statements reflecting on her actions. In these statements Ms Owens expressed remorse, acknowledging that her behaviour was linked to [PRIVATE] personal circumstances. She initially applied for Voluntary Removal from the register, accepting the factual allegations but disputing [PRIVATE]. She later withdrew her Voluntary Removal application, stating that she wished to return to social work. In her written submissions dated 26 February 2025, Ms Owens admitted she was ashamed and still struggled to comprehend her past actions.

[PRIVATE]. She believed she was in a stronger position to support vulnerable people due to her personal experiences.

35. [PRIVATE]

Finding and reasons on facts:

36. The panel accepted legal advice from the legal adviser regarding its role in determining the Findings of Fact. The advice set out key legal principles to be applied in reaching a decision, including the burden and standard of proof, assessment of evidence, and considerations for convictions and cautions. The panel were reminded the burden of proof rests with Social Work England. It is their responsibility to prove the alleged facts; on the balance of probabilities. The panel was advised to assess each allegation separately and base its findings solely on the evidence presented during the hearing. The legal adviser explained that a police caution is issued only when an individual admits to committing an offence and is an alternative to prosecution. Although a caution is not a criminal conviction, it constitutes an admission of guilt. The panel was advised to apply Rule 35A of the Fitness to Practise Rules, which states that a certificate or memorandum of conviction is conclusive proof of the conviction. The panel cannot reconsider the guilt or innocence of the social worker. The only challenge available to the social worker is to provide evidence that the conviction has been quashed or that they are not the individual referred to in the conviction. Consequently, any conviction must be accepted as factually proven without re-examination of the underlying criminal case.

37. The panel carefully considered the evidence presented in the Statement of Case, including the Witness Statement Bundle, Exhibits Bundle, Social Worker's Response Bundle, and the Final Service and Supplementary Bundle. In reaching its decision, the panel assessed whether the allegations were proved on the balance of probabilities.

Regulatory Concern 1 - Proved

"On 8 October 2020 at Greater Manchester Magistrates' Court, you were convicted of a criminal offence, namely that on 23 September 2020 at Bolton in the County of Greater Manchester, you drove a motor vehicle after consuming so much alcohol that the proportion of it in your breath, namely 76 micrograms of alcohol in 100 millilitres of breath, exceeded the prescribed limit contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988."

38. The panel found this allegation proved based on the certified copy of the Certificate of Conviction (Exhibit KK/12), which confirms that Ms Owens was convicted of the offence at Greater Manchester Magistrates' Court on 8 October 2020.

39. The findings of fact upon which the conviction was based are set out within various documents exhibited within the hearing bundle, including Police witness statements, including those from PC Gnoinska, PC Tzvetanov, PC Carlile, PC Patel, and PC Sneyd,

described the events leading to the conviction: On 23 September 2020, Ms Owens was involved in a road traffic collision while driving her vehicle. Upon arrival, police officers observed that she was visibly intoxicated, slurring her speech, and struggling to maintain balance. A roadside breath test indicated that she had 76 micrograms of alcohol per 100 millilitres of breath, more than double the legal limit.

40. In her police interview (Exhibits KK/08 and KK/09), Ms Owens admitted to drinking wine throughout the evening before driving. She stated that she did not remember getting into the car or the journey until the airbag deployed upon impact.
41. The panel accepted that the evidence conclusively established that Ms Owens had committed a serious driving offence, which led to a 20-month driving disqualification, reduced by 20 weeks upon completion of an approved course.

Regulatory Concern 2 - Proved

"On 19 April 2022 at Greater Manchester Magistrates' Court, you were convicted of a criminal offence, namely that on 23 September 2020 at Manchester, you had in your possession a quantity of cocaine, a controlled drug of Class A, in contravention of section 5(1) of the Misuse of Drugs Act 1971."

42. The panel found this allegation proved based on the certified Certificate of Conviction (Exhibit KK/13), confirming Ms Owens' conviction on 19 April 2022 at Greater Manchester Magistrates' Court.
43. The findings of fact upon which the conviction was based are set out within various documents exhibited within the hearing bundle, including the police witness statements and forensics reports, which confirmed that at the scene of the 23 September 2020 road traffic collision, officers discovered three small bags containing a white powder with marijuana symbols on them in Ms Owens' vehicle. The substance was forensically tested and confirmed to be cocaine. In her police interview, Ms Owens denied knowledge of the drugs in her vehicle and maintained that she was unaware of their presence. However, she later pleaded guilty to the offence in court. A [PRIVATE] report dated 24 May 2021 detected [PRIVATE] further corroborating the prosecution's case. Based on the objective forensic evidence, the guilty plea, and the court's conviction, the panel found this allegation conclusively proved.

Regulatory Concern 3 - Proved

"On 5 February 2022, you accepted a caution from Greater Manchester Police for a criminal offence, namely that on 23 September 2020 at Bolton in the County of Greater Manchester, [PRIVATE]."

44. The panel found this allegation proved based on the police caution record and Ms Owens' own admissions during the investigation.
45. The documents upon which the caution was based are contained in the exhibit bundle, where the police witness statements confirmed that during her arrest at the scene of the 23 September 2020 collision, [PRIVATE].

46. In her written submissions 26 February 2025, [PRIVATE]. While the panel noted Ms Owens' expressions of remorse and steps towards rehabilitation, the police caution constituted an admission of guilt, and the panel was satisfied that the allegation was proved on the balance of probabilities.

Finding and reasons on grounds:

47. The panel heard submissions from Ms Kennedy on behalf of Social Work England, regarding the statutory grounds for impairment as set out in the Statement of Case. The panel accepted the advice of the legal adviser who reminded the panel of its role in determining whether any of the statutory grounds for impairment were established. The panel was advised that, under Regulation 25(2)(c) and (d) of The Social Workers Regulations 2018, a conviction for a criminal offence constitutes a statutory ground for concern.
48. The panel found that Ms Owens has been convicted of two criminal offences and accepted a police caution. On 8 October 2020 convicted of driving a motor vehicle while over the prescribed alcohol limit, contrary to Section 5(1)(a) of the Road Traffic Act 1988. On 19 April 2022 convicted of possession of a Class A controlled drug (cocaine), contrary to Section 5(1) of the Misuse of Drugs Act 1971. On 5 February 2022 accepted a police caution for the criminal offence of [PRIVATE] under Schedule A of the Statement of Case. Given the above findings, the panel concluded that the statutory ground of a conviction or caution in the United Kingdom is established in accordance with Regulation 25(2)(c) and (d) of The Social Workers Regulations 2018.
49. In accordance with Social Work England's Professional Standards, the panel found that Ms Owens has breached the following obligations:
- 5. - Act safely, respectfully and with professional integrity.**
 - 5.1 – "Abuse, neglect, discriminate, exploit or harm anyone, or condone this by others."**
 - 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."**

Finding and reasons on current impairment:

50. The panel heard submissions from Ms Kennedy on behalf of Social Work England, regarding the statutory grounds and impairment, as detailed in the Statement of Case. Social Work England submitted that Ms Owens' fitness to practise is impaired with a particular emphasis on the public component.
51. Social Work England relied on Ms Owens' convictions for driving while over the prescribed alcohol limit, possession of a Class A drug (cocaine), and a police caution

for [PRIVATE]. It was submitted that these convictions constitute a breach of fundamental tenets of the profession and bring the profession into disrepute. Social Work England further submitted that Ms Owens had not demonstrated full insight into the impact of her conduct on the public, particularly in relation to the risks posed to public confidence in the profession.

52. It was acknowledged that while Ms Owens had taken steps to address her [PRIVATE] issues, her reflections remained largely inward-facing and failed to sufficiently consider the potential harm caused to others, including the individual in the other vehicle involved in the collision. Social Work England submitted that a finding of impairment was necessary in order to maintain public confidence in the profession and to uphold professional standards.
53. The panel accepted the advice of the legal adviser, who provided guidance on the legal framework for determining impairment. The legal adviser outlined the two-limbed approach to impairment, namely:
- Personal Element – whether the Social Worker’s fitness to practise is currently impaired in relation to their ability to perform their role safely and effectively.
 - Public Element – whether a finding of impairment is required in order to maintain public confidence in the profession and uphold proper professional standards.
54. The legal adviser referred to relevant case law, including *Cohen v GMC [2008] EWHC 581 (Admin)* and *Council for Healthcare Regulatory Excellence v Nursing and Midwifery Council & Grant [2011] EWHC 927 (Admin)*, which emphasises the importance of insight, remediation, and risk of repetition in determining impairment. The legal adviser reminded the panel that public confidence in the profession must be considered, and that certain conduct may be so serious that a finding of impairment is required even where the risk of repetition is low.
55. The panel determined that Ms Owens’ fitness to practise is not currently impaired on the personal element.
56. There are no ongoing concerns relating to [PRIVATE]. Ms Owens has engaged with medical professionals, and her current health condition is being effectively managed, as evidenced by medical reports [PRIVATE]. Additionally, an independent [PRIVATE] assessment concluded that her [PRIVATE] and does not impair her fitness to practise.
57. Ms Owens has demonstrated a significant level of insight into her health [PRIVATE], as reflected in her written submissions and responses during these proceedings. She has acknowledged that she suffered [PRIVATE] in 2020, which contributed to her actions, and she has since implemented a health action plan to ensure that she manages any future deterioration in her [PRIVATE] proactively.

58. There is a low risk of repetition, given the steps Ms Owens has taken to manage her [PRIVATE], including engagement with [PRIVATE] and [PRIVATE] . Furthermore, Ms Owens states in her submissions that she has successfully maintained employment in a high-pressure role outside of social work since 2021, with no further reported concerns about her behaviour.
59. The panel accepted that, while Ms Owens’ past conduct brought the profession into disrepute and breached fundamental tenets, there is little likelihood of similar misconduct occurring in the future. Ms Owens has taken responsibility for her actions, completed a drink-driving awareness course, addressed her health concerns and demonstrated a commitment to personal and professional growth.
60. Ms Owens’ behaviour was remediable and appears to have been remediated, as evidenced by her sustained efforts to engage with support services and her detailed reflections on her personal growth. The panel acknowledged that she had successfully addressed the factors that contributed to her actions including [PRIVATE], and poor [PRIVATE]. In all the circumstances the panel determined that Ms Owens’ fitness to practise was not impaired with regard to the personal component.
61. The panel determined that Ms Owens’ fitness to practise is impaired on the public element.
62. Ms Owens’ reflections have primarily focused on her own personal circumstances and do not sufficiently address the impact of her actions on the public. Although she has demonstrated insight into her [PRIVATE], there is little evidence of outward-facing reflection on how her actions may have affected public confidence in the social work profession.
63. There is no clear demonstration of insight into how her behaviour could have undermined public confidence in the profession, particularly given that the collision involved another individual who was affected by the incident. Ms Owens has not provided any meaningful reflection on the harm caused to the individual in the other vehicle, nor has she addressed the potential risks posed by her drink-driving offence to other road users or pedestrians.
64. Ms Owens has not fully acknowledged the risks posed to the public or demonstrated remorse for the impact of her actions beyond the consequences for herself. While she has expressed regret for her behaviour, her reflections do not sufficiently engage with the broader implications of her conduct on public trust in social workers as professionals entrusted with safeguarding vulnerable individuals.
65. The panel considered that a reasonable and well-informed member of the public would be alarmed to learn that a registered Social Worker had been convicted of drink driving and possession of a Class A drug, and accepted a caution for [PRIVATE], given the seriousness of these offences. Such conduct is inconsistent with the expectations placed on a member of the profession and has the potential to damage public trust.

66. The panel concluded that a finding of impairment is necessary to maintain public confidence in the social work profession and uphold professional standards. Given the seriousness of the criminal convictions and police caution together with the lack of outward-facing reflection, the panel was satisfied that a finding of impairment was justified on public interest grounds.
67. The panel therefore finds that Ms Owens' fitness to practise is not currently impaired on the personal element but is impaired on the public element. A finding of impairment is required in order to maintain public confidence in the profession and uphold proper professional standards.

Decision and reasons on sanction:

68. Having determined that Ms Owens' fitness to practise is impaired on public interest grounds the panel went on to determine the most appropriate and proportionate sanction in this case. The panel carefully considered submissions on sanction from Ms Kennedy on behalf of Social Work England, the advice of the legal adviser, and Social Work England's Impairment and Sanctions Guidance. The panel reminded itself that the purpose of a sanction is to protect the public, uphold public confidence in the profession, and maintain proper professional standards. Sanctions are not intended to be punitive, though they may have a punitive effect.
69. Ms Kennedy submitted that a warning order for a period of three years was the proportionate and appropriate sanction, given that impairment was found solely on public interest grounds. Ms Kennedy highlighted that, according to the Social Work England's Impairment and Sanctions Guidance, it is in the public interest to support a trained and skilled worker to return to practice where appropriate. Ms Kennedy submitted that making no order or taking no further action would not be appropriate in this case, given the seriousness of the concerns and the panel's finding on lack of insight. She submitted that advice would not be sufficient due to the gravity of the findings and the need to maintain public confidence in the profession. A conditions of practice order would not be suitable, as no appropriate or enforceable conditions could be formulated. A suspension order would be disproportionate given the panel's finding that there is a low risk of repetition.
70. The panel accepted the advice of the legal adviser who outlined the principles relevant to the imposition of sanctions. The legal adviser reminded the panel that it should consider the least restrictive sanction necessary to protect the public and maintain public confidence in the profession. The panel was advised to consider each sanction in ascending order of severity, providing clear reasons for its decision. The legal adviser referred to the Social Work England Impairment and Sanctions Guidance, emphasising that sanctions should be fair, proportionate, and appropriate to the circumstances of the case.

71. The panel took into account the following aggravating and mitigating factors in determining the appropriate sanction.

72. The panel identified the following mitigating factors:

- Ms Owens engaged with the regulatory process over a number of years, including recent attendance at medical assessments and providing reports on these.
- She has taken steps to manage her condition to ensure the behaviour will not be repeated.
- Medical evidence supports that she has undertaken remediation that addresses the underlining issues that led to the concerns.

73. The panel identified the following aggravating factors:

- Ms Owens has demonstrated limited insight or remorse for the impact of her actions on public confidence, the profession, and the individual affected by the collision.
- Ms Owens' reflections have primarily focused on her personal circumstances rather than the broader public impact of her conduct.

74. The panel considered each available sanction in turn, in ascending order of severity, to determine the minimum necessary to protect the public and uphold confidence in the profession.

75. The panel first considered whether a sanction of no further action would be appropriate. The panel determined that taking no further action would not be appropriate given the seriousness of the concerns. While Ms Owens has addressed the underlining causes of the concerns, the panel found that a sanction was necessary to mark the unacceptability of her behaviour, the seriousness of the conviction and caution and to maintain public confidence. The panel considered whether there were any exceptional circumstances that would justify taking no further action, but it concluded that no such factors were present. Given the nature of the concerns, including convictions for drink-driving and possession of a Class A drug, as well as a caution for [PRIVATE], the panel was satisfied that no further action would fail to uphold public confidence in the profession. It was also noted that Ms Owens' limited outward-facing reflection on the impact of her actions reinforced the need for a formal sanction.

76. The panel then considered whether issuing advice would be appropriate and sufficient. However, it concluded that advice would not adequately satisfy the public interest given the finding of limited insight. The panel found that advice alone would not be sufficient to protect public confidence and trust in the profession. The panel noted that while advice is intended to serve as a reminder to a social worker about their obligations, it is not a sanction and would not sufficiently mark the gravity of the concerns in this case. Given the seriousness of Ms Owens' conduct and her failure to

fully acknowledge the impact on public confidence, the panel determined that advice was inadequate.

77. The panel next considered issuing a warning order and determined that a warning order was the appropriate and proportionate sanction in this case. In making this decision the panel noted that a warning order serves to highlight the unacceptability of Ms Owens' conduct and provides a clear record of disapproval. Given that the concerns do not relate to a practice-related issue and there are no public protection issues, the panel concluded that a warning order would be sufficient to uphold public confidence. The panel also considered the passage of time since the incidents and acknowledged that Ms Owens has addressed the underlying factors that contributed to her conduct. A warning order ensures that public confidence is maintained while allowing Ms Owens to continue practising without restriction.
78. The panel considered the appropriate length of the warning order, taking into account the guidance in Social Work England's Impairment and Sanctions Guidance, which states that it is in the public interest to support a trained and skilled social worker to return to practice when it is safe to do so. The panel determined that a one-year warning order would not be sufficient to address public confidence concerns, given the seriousness of the regulatory concerns and the need to allow sufficient time for Ms Owens to demonstrate a fuller understanding of the impact on public confidence of her actions. A five-year warning order would be disproportionate, as such a lengthy period is not necessary in light of the time that has passed since the incident and the steps taken by Ms Owens in addressing the underlying issues which gave rise to the concerns. A three-year warning order strikes a proportionate balance, allowing sufficient time for Ms Owens to reflect on the issue of insight while maintaining public confidence in the profession.
79. The panel also went on to consider whether a conditions of practice order would be appropriate but determined that there were no appropriate or workable conditions that could be imposed. The issues in this case do not relate to professional practice and there are no current concerns relating to competence, ill health, or public protection, and therefore conditions would not be workable or necessary. The panel found impairment on the public interest component only and Social Work England's Impairment and Sanctions Guidance states that conditions may not be appropriate in cases raising wider public interest issues.
80. For completeness the panel also considered imposing a suspension order but found that it would be wholly disproportionate. While the concerns were serious, the panel found that there is a low risk of repetition and that Ms Owens has taken steps to address the personal factors that contributed to her behaviour which led to her convictions as set out in the regulatory concerns. The panel was mindful that the Sanctions Guidance states that it is in the public interest to support a trained and skilled social worker to return to practice if this can be achieved safely, which the panel finds can be achieved in this case. Therefore, a suspension order would not align with this principle in this case.

81. The panel determined that a warning order for a period of three years is the appropriate and proportionate sanction in this case. This outcome appropriately marks the unacceptability of Ms Owens' behaviour, maintains public confidence in the profession, and upholds proper professional standards, while allowing her to continue practising without restriction as there are no current risks to the public.
82. The panel directs that a warning order for three years be imposed on Ms Owens' registration. This order will remain on the public register for the specified period and will serve as a reminder of the professional standards expected of social workers.
83. A warning is not subject to mandatory review. However, the adjudicators can review it if new evidence relevant to the warning order becomes available after the decision makers have issued the warning order. This may include when new concerns are raised or (in limited circumstances) if the social worker requests a review.

Right of appeal:

84. Under Paragraph 16(1)(a) of Schedule 2 of the regulations, the social worker may appeal to the High Court against the decision of adjudicators:
- a. the decision of adjudicators:
 - i. to make an interim order, other than an interim order made at the same time as a final order under Paragraph 11(1)(b),
 - ii. not to revoke or vary such an order,
 - iii. to make a final order.
 - b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.
85. Under Paragraph 16(2) of Schedule 2 of the regulations an appeal must be filed before the end of the period of 28 days beginning with the day after the day on which the social worker is notified of the decision complained of.
86. 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.
87. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to Practice Rules 2019 (as amended).

The Professional Standards Authority:

88. 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>.