

Social worker: Matthew Watts

Registration number: SW101782

Fitness to Practise

Final Order Review meeting

Date of meeting: 10 April 2025

meeting venue: Remote meeting

Final order being reviewed:
Suspension order (expiring 22 May 2025)

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

Introduction and attendees:

1. This is the first review of a final suspension originally imposed for a period of 24 months by a panel of adjudicators on 20 April 2023.
2. Mr Watts did not attend and was not represented.
3. Social Work England was represented by Capsticks LLP, although neither were present at the meeting and their written submissions are set out within the notice of hearing letter.

Adjudicators	Role
Kerry McKevitt	Chair
Sarah (Sally) Scott	Social worker adjudicator

Hearings team/Legal adviser	Role
Tom Stoker	Hearings officer
Ruby Wade	Hearings support officer
Paul Moulder	Legal adviser

Service of notice:

4. The panel of adjudicators had careful regard to the documents contained in the final order review service bundle as follows:
 - A copy of the notice of the final order review hearing dated 10 March 2025 and addressed to Mr Watts at the email address which had been provided to Social Work England;
 - An extract from the Social Work England Register as of 10 March 2025 detailing Mr Watt's registered email address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 10 March 2025 the writer sent by email service to Mr Watts at the email address referred to above the notice of hearing and related documents.
5. The panel accepted the advice of the legal adviser in relation to service of notice.
6. Having had regard to Rules 16, 44 and 45 of Social Work England's Fitness to Practise Rules 2019 (as amended) ("the Rules") and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Mr Watts in accordance with Rules 16, 44 and 45.

Proceeding with the final order review as a meeting:

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

“If you would like to attend **before the adjudicators in order to make oral submissions, please confirm your intention by no later than 4pm on 24 March 2025** **Unless we hear from you to the contrary, we shall assume that you do not want to attend a hearing and Social Work England may decide to deal with the review as a meeting.** If Social Work England do hold a meeting, the adjudicators will be provided with a copy of this letter setting out Social Work England’s submissions and a copy of any written submissions you provide.”
8. The panel received no information to suggest that Mr Watts had responded to the notice of final order review. The panel noted the content of the submissions on behalf of Social Work England and that Mr Watts had not made any contact with Social Work England since an email dated 24 February 2023.
9. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering whether to proceed with the review as a meeting. This included reference to the cases of *R v Jones* [2002] UKHL 5 and *General Medical Council v Adeogba* [2016] EWCA Civ 162.
10. The panel heard and accepted the advice of the legal adviser with regard to Rule 16(c) of the Fitness to Practise Rules 2019 (as amended) which provides:

“Where the registered social worker does not state within the period specified by the regulator whether they intend to attend before the regulator, the regulator may determine whether to make an order by means of a meeting.”
11. The panel took into account that a review of the current Suspension order is mandated by the Regulations. The Suspension order will have been in effect for 2 years when it expires and had been imposed in part for the protection of the public. There is a public interest in conducting the review. The panel was satisfied that Mr Watts was, or ought to be aware of the review being carried out and ought to maintain an effective address for correspondence with Social Work England. The panel was satisfied that it was fair and appropriate to conduct the review in the form of a meeting in accordance with Rule 16(c).

Review of the current order:

12. This final order review hearing is taking place under Paragraph 15(1) of Schedule 2 of The Social Workers Regulations 2018 (as amended) (“the Regulations”) and Social Work England’s Fitness to Practise Rules 2019 (as amended).
13. The current order is due to expire at the end of 22 May 2025.

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

Whilst registered as a social worker:

1. [PRIVATE]
2. You failed to complete Child and Family Assessments within a reasonable timeframe:
 - a. Between September 2019 and January 2020 in respect of Child U;
 - b. Between October 2019 and January 2020 in respect of Child Y.
3. You failed to record sufficient detail within a Child and Family Assessment between July 2019 and December 2019, in respect of Child Z.
4. In respect of Child D, you:
 - a. Between 19 August 2019 and 7 October 2019, failed to complete a Child and Family Assessment as directed by your manager;
 - b. On or around 31 October 2019, failed to obtain views of all family members when completing a Child and Family Assessment;
 - c. Between November 2019 and January 2020, failed to update a Child and Family Assessment within a reasonable timeframe, or at all.
5. In or around November 2019, you failed to complete and / or write up a Short Break Review in respect of Child R within a reasonable timeframe.
6. You failed to take and / or record appropriate safeguarding actions:
 - a. On or around 3 December 2019, in respect of Child F, G and / or H;
 - b. Between July 2019 and September 2019, in respect of Child I and / or their siblings regarding the risk of sexual harm;
 - c. Between October 2019 and January 2020, in respect of Child R.
7. You failed to update case records in a reasonable timeframe, or at all, in that:
 - a. On, or around, 7 November 2019, you did not record details of a home visit to Child R;
 - b. On or around 26 November 2019, you did not record details of a home visit in respect of Child U;
 - c. On or around 18 December 2019, you did not record details of a home visit in respect of Child Y;
 - d. Between February 2019 and January 2020, you did not record details of any home visits to Child Z.

The matters outlined in allegation 1 amount to the statutory ground [PRIVATE].

The matters outlined in allegations 2 – 7 amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason [PRIVATE] and / or misconduct.

The final hearing panel on 20 April 2023 determined the following with regard to impairment:

90. The panel first considered whether the conduct which underpinned the Allegation was capable of remedy. In principle, the panel was satisfied that Mr Watts' [PRIVATE].and the deficits in his practice in relation to adequate record keeping were capable of remedy.

91. The panel next considered whether there was evidence to demonstrate that Mr Watts had, in fact, remedied the conduct as found proved as set out in the Allegation.

92. ...

93. ..

94. The panel considered whether Mr Watts' misconduct, in so far as Particulars 2 to 7 was concerned, had been remedied. Mr Watts had chosen not to engage in a meaningful sense in the regulatory proceedings to which he was subject. He had not placed reflective evidence before the panel to demonstrate an awareness of the seriousness of his misconduct and its likely impact on service users and colleagues with whom he worked at the council. In the absence of evidence of insight, the panel was of the view that there was a high likelihood that Mr Watts, if confronted with similar circumstances in the future, would repeat his misconduct.

95. Accordingly, the panel concluded that a finding of current impairment of Mr Watts' fitness to practise was necessary to protect the public.

96. The panel next considered whether it was appropriate to make a finding of current impairment of Mr Watts' fitness to practise on public interest grounds, namely, the need to promote and maintain public confidence in social workers in England and the need to promote and maintain proper professional standards for these social workers.

97. Having carefully considered the matter, the panel was satisfied that a finding of current

impairment of Mr Watts' fitness to practise was required on public interest grounds. Not to make such a finding, in the panel's view, would seriously undermine the public's trust and confidence in the social work profession in England and would fail to promote and maintain proper professional standards

98. ...

99. The panel was satisfied that, looking backwards, all three applicable limbs of the formulation in Grant were engaged. The panel was also satisfied that all three limbs were engaged in respect of Mr Watts' actions in the future.

100. Accordingly, the panel has decided, on public protection and public interest grounds, that Mr Watts' fitness to practise is currently impaired by reason [PRIVATE] and misconduct.

The final hearing panel on 20 April 2023 determined the following with regard to sanction:

111. At an earlier stage in the proceedings, the panel had noted an absence of insight and remediation on Mr Watts' part. [PRIVATE] There had been a paucity of evidence in respect of insight and remediation at this hearing. [PRIVATE]:

[PRIVATE].

112. Accordingly, the panel concluded that a suspension order for a period of two years was an appropriate and proportionate response to the findings which it had made in respect of the Allegation.

113. In light of the limited information about Mr Watts' current circumstances, the panel did not wish to be overly prescriptive in setting out those matters which might assist a future substantive order reviewing panel. [PRIVATE].

114. The panel, in imposing a suspension order for a period of two years, was mindful that its decision might cause financial or professional hardship to Mr Watts but concluded that the need to protect and uphold the public interest outweighed Mr Watts' interests in that regard.

Social Work England submissions:

14. The panel read the submissions on behalf of Social Work England in the Notice of Hearing letter dated 10 March 2025. These were as follows:

Subject to any evidence of insight or remediation received after the notice of hearing is sent, Social Work England invite the panel to impose a Removal Order upon expiry of the current order.

The Social Worker has not made contact with Social Work England since the Suspension Order was imposed and did not attend the final fitness to practise hearing. It is of note that in a response prior to the final hearing the Social Worker stated:

‘I am not a social worker nor should I still be registered with social work England as my registration has lapsed. Therefore, they have no legal right to information about me or a right to investigate that information. Stop contacting me (sic)’

At the date of this notice, the Social Worker has not provided any further evidence to address the concerns found proven against him. The risk of repetition has not changed. There is no further evidence of the Social Worker’s insight, reflection, or remediation. [PRIVATE].

Social Work England therefore invite the Panel to find that the Social Worker’s fitness to practise remains impaired and to direct removal of his name from the register.

A Removal Order is now the appropriate sanction as there is no prospect of the Social Worker remedying in the future. As the grounds of impairment are [PRIVATE] misconduct a Removal Order is available to the Panel. [PRIVATE].

Social worker submissions:

15. The Panel was not provided with any information to suggest that Mr Watts had responded to the Notice of Hearing or provided any submissions for the purposes of the review.
16. The legal adviser advised the panel that it had to consider its powers under paragraph 15(1) of Schedule 2 of the Regulations. The panel should consider the impairment findings of the original panel. It should consider whether, on the information provided, it found that Mr Watts’ fitness to practise is still impaired. He advised that, at a review, according to the case authority *Abrahaem v GMC* [2008] EWHC 183, there is a persuasive burden on the professional person to demonstrate that the past concerns have been appropriately addressed.

Panel decision and reasons on current impairment:

17. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. It took into account the decision of the previous panel. However, it has exercised its own judgement in relation to the question of current impairment. The panel also took into account Social Work England’s ‘Impairment and sanctions guidance’.
18. The panel had regard to all of the documentation before it, including the decision and reasons of the original panel. The panel also took account of the submissions made on behalf of Social Work England.

19. The panel heard and accepted the advice of the legal adviser. In reaching its decision, the panel was mindful of the need to protect the public and the wider public interest in declaring and upholding proper standards of behaviour and maintain public confidence in the profession.
20. The panel first considered whether Mr Watts' fitness to practise remains currently impaired. The panel noted that the original panel had been satisfied that Mr Watt's impairment had been capable of remedy in principle. The original panel noted that Mr Watts' had decided not to engage with Social Work England and, as a result, that panel had no evidence of insight on his part. The original panel had found that there was a need to find impairment, both due to there being a risk of repetition and also to maintain public confidence in the profession and to maintain proper professional standards.
21. [PRIVATE]
22. The panel at this review of the order has been provided with no information or evidence to demonstrate that the risk of repetition has been reduced by Mr Watts having undertaken any further reflection, Continuing Professional Development work, or other activity. The panel has no testimonial or other character evidence which might speak to his skills or character at present and nothing about his current circumstances.
23. The panel bore in mind the guidance from the court in Abrahaem, that there is a persuasive burden on the professional to demonstrate that past concerns have been dealt with and that the professional is fit to return to practice. As far as the panel is aware, there has been no contact from Mr Watts with the regulator over the almost two year period since the final hearing.
24. [PRIVATE]
25. The panel also took into account that Social Work England had contacted Mr Watts after the original final hearing, in May 2023 to inform him of the outcome. Social Work England had written twice more in the following months, reminding Mr Watts of the original panel's recommendations, and again in January 2025 to request any information for the review today. No response or information from Mr Watts had been brought to the panel's attention, following that correspondence.
26. The panel accordingly concluded that the risk of repetition identified by the original panel still persists. The panel decided that Mr Watts' fitness to practise as a social worker is impaired on this basis.
27. In addition the original panel had found that trust and public confidence in the profession, together with proper professional standards would be undermined if there was no finding of impairment. The panel at this review considered that this position was not altered, as a result of the lack of engagement on the part of Mr Watts.
28. The panel considered that members of the public would be shocked and alarmed that the past issues had not been addressed, bearing in mind the vulnerability of the

children affected by the original allegations and the wide range of failings together with the social worker having not demonstrated any steps taken to remedy the misconduct [PRIVATE].

29. The panel found that Mr Watts' fitness to practise as a social worker is currently impaired.

Decision and reasons:

30. Having found Mr Watts' fitness to practise is currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel had regard to the submissions made along with all the information and accepted the advice of the legal adviser.

31. The panel considered the submissions made on behalf of Social Work England, during which they invited the panel to consider imposing a Removal order. The panel also took into account the 'Impairment and sanctions guidance' published by Social Work England.

32. The legal adviser advised the panel that it should consider which of its powers to exercise under paragraph 15(1) of Schedule 2 of the Regulations. Under Schedule 2, paragraphs 15(1)(a) to (d) of the Regulations the adjudicators can

(any of the following):

- with effect from the date on which the order would have expired, extend or further extend the period for which the order has effect, provided that the extension or further extension does not exceed three years from the date on which it is extended or further extended
- with effect from the expiry of the order, make any order ("the new order") which the case examiners or the adjudicators (as the case may be) could have made at the time they made the order, provided that the period for which the new order has effect does not exceed three years from the date on which it is made
- in the case of a suspension order, with effect from its expiry make a conditions of practice order with which the social worker must comply if they resume practice as a social worker at the end of the period of suspension specified in the order
- revoke the order with effect from the date of the review for the remainder of the period for which it would have had effect

On review, the adjudicators can therefore replace the current Order and impose one of the following Orders:

- Removal Order
- Suspension Order for up to 3 years

- Conditions of practice Order for up to 3 years, including varying any conditions already in place
- Warning Order for 1, 3 or 5 years

33. The panel considered the submissions made on behalf of Social Work England, in which they invited the panel to consider imposing a Removal order. The panel also took into account the 'Impairment and sanctions guidance' published by Social Work England.

34. The panel was mindful that the purpose of any sanction is not to punish Mr Watts, but to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and by upholding proper standards of conduct and behaviour. The panel applied the principle of proportionality by weighing Mr Watts' interests with the public interest.

35. The panel considered whether the current Suspension order should be extended for a further period of time. However, it considered that the current Suspension order had been in place for a significant time, but in spite of this there was no evidence of further engagement or contact from Mr Watts and therefore nothing to be achieved by extending the order.

36. The panel considered that, in view of the fact that the original panel had considered that the case was sufficiently serious to impose a suspension order, and there had been no indication of an intention to resume practice and no engagement by Mr Watts, it would not be appropriate to now replace the suspension order with conditions of practice. Further, such conditions would fail to protect the public, in light of the ongoing [PRIVATE] and the unremediated misconduct.

Impose a new order namely warning/conditions of practice/suspension/removal order with effect from the expiry of the current order (a "new order"):

Warning

37. The panel considered whether to impose a warning order.

38. The panel noted that this sanction would not restrict Mr Watts' ability to practise and was therefore not appropriate where there is a current risk to public safety. In any event, the deficiencies identified with Mr Watts' practice had the potential to have wide-ranging adverse consequences and therefore some restriction on his practice is required. Therefore, the panel concluded that issuing a warning would be inappropriate and insufficient to meet the public interest.

Conditions of practice order

39. The panel took the view that it could not be satisfied that there had been any attempt to remedy the deficiencies identified with Mr Watt's practice. As stated above, the panel was not satisfied that conditions of practice would protect the public, in light of [PRIVATE], the unremediated misconduct and the non engagement with Social Work England.

Suspension order

40. The panel considered that, as set out above, a Suspension order had already prevented Mr Watts' from practising during a significant suspension period, without any evidence of engagement or attempts to remedy the past concerns.

Removal order

41. The panel was satisfied it could consider that a removal order was available to the panel as Mr Watts' fitness to practise was originally found impaired on the basis of one or more grounds as set out in regulation 25(2), (a) and (e) and Mr Watts' will have been suspended from practice for a continuous period of two years immediately preceding the day when the removal order would take effect.
42. The panel noted that a removal order is a sanction of last resort where there is no other means of protecting the public or the wider public interest. The panel took the view that a removal order would be appropriate because, a significant period of suspension having already been imposed, during which time Mr Watts' had the opportunity to undertake remediation and to engage with Social Work England, however, he had shown no willingness to deal with the past concerns over his practice.
43. The panel was aware that making a removal order may well have an effect on Mr Watts by ending his ability to be in registered practice as a social worker. However, it considered that the interests of the public had to take priority in the balance.
44. The panel was aware that a Removal order is a sanction of last resort, to be imposed when there is no other way to ensure protection of the public. Nevertheless, in view of the past concerns and the lack of any demonstration of an intent to deal with the findings of the original panel, the panel on this review decided that this was now the appropriate and proportionate sanction.
45. The panel decided to make a Removal order.

Right of appeal:

46. Under Paragraph 16(1)(b) of Schedule 2 of The Social Workers Regulations 2018 (as amended), the social worker may appeal to the High Court against:
- a. the decision of adjudicators:
 - i. to make an interim order, other than an interim order made at the same time as a final order under paragraph 11(1)(b),

ii. not to revoke or vary such an order,

iii. to make a final order,

b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.

47. Under Paragraph 16(2) of Schedule 2 of The Social Workers Regulations 2018 (as amended) an appeal must be filed before the end of the period of 28 days beginning with the day after the day on which the social worker is notified of the decision complained of.

48. Under Paragraph 15(1A) of Schedule 2 of The Social Workers Regulations 2018 (as amended), where a social worker appeals against a decision made under sub-paragraph (1), the decision being appealed takes effect from the date specified in that sub-paragraph notwithstanding any appeal against that decision.

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

Review of final orders:

50. Under regulation 15(1), 15(2) and 15(3) of Schedule 2 of The Social Workers Regulations 2018 (as amended):

- 15(1) The regulator must review a suspension order, or a conditions of practice order, before its expiry.
- 15(2) The regulator may review a final order where new evidence relevant to the order has become available after the making of the order, or when requested to do so by the social worker.
- 15(3) A request by the social worker under sub-paragraph (2) must be made within such period as the regulator determines in rules made under Regulation 25(5).

51. Under Rule 16(aa) of the Fitness to Practise Rules 2019 (as amended), a social worker requesting a review of a final order under paragraph 15 of Schedule 2 must make the request within 28 days of the day on which they are notified of the order.

The Professional Standards Authority

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

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