

Social worker: Olawale Olaigbe

Registration number: SW36035

Fitness to Practise

Final Order Review hearing

Date of hearing:	29 April 2025
Hearing venue:	Remote hearing
Final order being reviewed:	Conditions of practice order (expiring 10 June 2025)
Hearing outcome:	Revoke the conditions of practice order with immediate effect

Introduction and attendees:

1. This is the second review of a final conditions of practice order originally imposed on Mr Olawale Olaigbe (Mr Olaigbe) on 14 August 2023 for a period of 12 months by a panel of Social Work England adjudicators at the conclusion of a substantive fitness to practise hearing.
2. The final order was first reviewed on 31 July 2024. The panel on that occasion decided to vary the conditions of practice order and to extend it for a further nine months.
3. Mr Olaigbe attended and was not represented.
4. Social Work England was represented by Ms Adjoa Adjei-Ntow (Ms Adjei-Ntow), case presenter instructed by Capsticks LLP.
5. The panel and the other people involved in the hearing were:

Adjudicators	Role
Frank Appleyard	Chair
Tracey Newson	Social worker adjudicator

Hearings team/Legal adviser	Role
Tom Stoker	Hearings officer
Lauryn Green	Hearings support officer
Jane Kilgannon	Legal adviser

Preliminary Matters:

6. The panel had noted that Social Work England had given Mr Olaigbe a deadline of 10 May 2025 to provide evidence of compliance with his conditions of practice. However, that date was after the date of today's review hearing – potentially meaning that Mr Olaigbe could have understood that he had more time to evidence his compliance after the review hearing. Mr Olaigbe confirmed that he had had the opportunity to send in all of the information that he wished the panel to consider at today's review and did not consider that he was prejudiced by the review hearing going ahead today rather than a date after 10 May 2025.
7. The panel invited submissions on whether it should hold parts of the hearing – namely, anything relating to Mr Olaigbe's health – in private. Mr Olaigbe indicated that he would be supportive of that approach. Ms Adjei-Ntow indicated that Social Work England had no objection to that approach. The panel accepted the advice of the legal adviser that it has a discretion under Rule 38 of the Social Work England's Fitness to Practise Rules 2019 (the Rules) to hold parts of the hearing in private where satisfied that it is appropriate to do so. The panel decided that it would be appropriate in this case to hear any matters relating to Mr Olaigbe's health in private.

8. The panel had been provided with two bundles of documents in advance of the hearing: a hearing bundle of 139 pages and a service and supplementary bundle of 36 pages. Mr Olaigbe drew the panel's attention to the fact that an email that he had sent to Social Work England on 28 March 2025 was missing from the bundles. The document was retrieved and provided to Ms Adjei-Ntow so that she could review it and take updated instructions from Social Work England. The document was also provided to the panel. Social Work England was unable to explain why the document had not been included in the hearing bundles in advance of the hearing.

Review of the current order:

9. This final order review hearing took place in accordance with paragraph 15(1) of Schedule 2 to the Social Workers Regulations 2018 (the Regulations) and the Rules.
10. The current conditions of practice final order is due to expire at the end of 10 June 2025.

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

Whilst registered as a social worker, between 27 April 2020 and 1 February 2021:

1. *You failed to promptly and/or accurately maintain one or more case records for one or more of the foster carers and/or children identified at Schedule 1*
2. *[Factual allegation found proved but no finding of misconduct]*
3. *In respect of a Form FR that you were tasked with preparing:*
 - a. *You were required to carry out your own observation and/or assessment;*
 - b. *You copied text from a Form FR previously completed by someone else;*
 - c. *This gave the false impression that it represented, in whole or in part, your own observation and/or assessment*
4. *[Factual allegation found not proved]*

The matters outlined ...above amount to the statutory ground of misconduct.

By reason of misconduct, your fitness to practise is impaired.

The previous final order review panel on 31 July 2024 determined the following with regard to impairment:

“The panel first considered whether the social worker’s fitness to practise remains impaired.

The panel had been provided with no further material from the social worker. It followed that whilst the past misconduct is capable of remediation, there was no evidence before the panel to indicate that the misconduct has in fact been remediated. In those circumstances it could not be said that it was highly unlikely that the misconduct will be repeated.

In reaching its conclusion the panel took account of the fact that the social worker has no other adverse regulatory findings against his name. However the panel had been provided with no evidence of insight on the part the social worker into his misconduct, and there was no material before the panel to satisfy it that the social worker has been engaging with the conditions of practice imposed by the substantive panel.

The panel therefore concluded that there remains a risk that the social worker will repeat his past misconduct, and that his fitness to practise remains impaired on public protection grounds.

The panel also concluded, in light of its finding on impairment for public protection reasons, that the the need to uphold proper standards and to maintain public confidence in the profession and its regulator, would be undermined if a finding of impairment were not made.

Accordingly the panel concluded that the social worker’s fitness to practise also remains impaired on public interest grounds.”

The previous final order review panel on 31 July 2024 determined the following with regard to sanction:

“No Action

The panel concluded that, in view of the nature and seriousness of the past misconduct, and the lack of any evidence of insight and remediation, there were no exceptional reasons to merit taking no action.

Advice or Warning

The panel concluded that the issuing of advice or a warning would not restrict the social worker's ability to practise, and would be inappropriate in light of the risk currently presented by the social worker, as set out by the panel in its decision on impairment.

Conditions of Practice Order

The panel was mindful that the only engagement from the social worker since the date of the substantive hearing appeared to consist of the who emails from the social worker, dated 24 January 2024 and 7 June 2024 [...]. The panel was concerned that the social worker had not thought fit to provide any material or submissions for this substantive review. The panel appreciated that it may be that the social worker is not currently practising as a social worker, which may have impacted on his ability to evidence compliance with some of the conditions currently in place, but there was an expectation that the social worker would provide an explanation to the panel if that was the case. At the very least the social worker had been encouraged by the previous panel to provide his reflections on his past misconduct, any CPD undertaken and to date had not done so.

After careful consideration, the panel concluded that a conditions of practice order remains the appropriate and proportionate sanction. However the panel concluded that the order should be varied to include conditions covering the matters highlighted by the substantive panel as being desirable, namely written reflections and evidence of any CPD undertaken. The panel's varied conditions are set out at the conclusion of this decision.

The panel concluded that a period of 9 months, to commence on the expiry date of the current order, would provide sufficient time for the social worker to demonstrate insight and remediation and to comply with the conditions now imposed. The panel concluded that this would be the appropriate and proportionate period of time in the circumstances of this case.

Suspension Order

In light of the lack of engagement by the social worker, the panel gave serious consideration to the imposition of a suspension order. However, the panel concluded that at the current time this would be disproportionate in light of the social worker's previous good character and the other mitigating factors of the case. The panel concluded that the social worker should be given this further opportunity to assure the panel that he has remediated his past misconduct and is willing and able to practise as a responsible social worker once more.

Accordingly, the panel imposed a further conditions of practice order, for a period of 9 months, to commence on the expiry date of the current order, with varied conditions”.

Social Work England submissions:

11. The panel noted the written submissions from Social Work England which had been provided in the notice of hearing, as follows:

“Subject to any evidence of further insight or remediation received after the notice of hearing is sent, Social Work England invite the panel to impose a Removal Order, on the grounds that such an Order is necessary for the protection of the public.

The Social Worker has not made meaningful contact with Social Work England since the Conditions of Practice Order was varied at the last review. The Case Review Officer sent correspondence to the Social Worker on 4 February 2025 in relation to CPD requirements. This evidence is not due until 10 May 2025 but the Social Worker was offered an opportunity to submit this evidence earlier and did not take it.

The previous Review Panel determined that a future panel would be assisted by evidence of CPD and a written reflection. They varied the conditions to include these as a requirement and were of the view that a further period of 9 months would allow the Social Worker a sufficient period to demonstrate insight and remediate.

At the date of this Notice, the Social Worker has not provided any further evidence to address the concerns the Panel raised, or to engage with the recommendations that have now been set out twice previously for him to address. The risk of repetition has not changed. There is no further evidence of the Social Worker’s insight, reflection, or remediation.

Previous written submissions made by Social Work England set out that if there was continued non-engagement and no further evidence of reflection, remediation or training (in line with the recommendations or otherwise), then it may be at a future Final Order Review that the more severe step of removal should be considered.

Despite this being made clear, and now having had two years since the Final Order was first made in which to address the issues, the Social Worker has not done so. The Social Worker does not appear willing (or able) to satisfactorily address his failings and therefore Social Work England invite the Panel to impose a Removal Order.

Social Work England reserve the right to reconsider this position if the Social Worker provides evidence in advance of the Final Order Review”.

12. The panel also heard oral submissions from Ms Adjei-Ntow.

In response to questions from the panel, Ms Adjei-Ntow clarified that Social Work England acknowledged that Mr Olaigbe had been in touch with Social Work England since the last review and had provided evidence of CPD training courses undertaken and a written reflection in relation to record-keeping. She submitted that this level of engagement fell short of what was needed to demonstrate compliance with the conditions of practice, and in particular condition 9 which read: *“You must read Social Work England’s ‘Professional Standards’ (July 2019), and provide a written reflection to be submitted 6 months after these conditions take effect, focusing on the potential effect of the misconduct found in the case on service users, colleagues, the wider profession and public confidence in the profession, and outlining what you should have done differently”*. She asserted that there was missing reflection on the misconduct found proved and on the Social Work England professional standards. On that basis, Ms Adjei-Ntow submitted that Mr Olaigbe’s remediation was incomplete, a risk of repetition remained and so the appropriate action for the panel to take was to remove Mr Olaigbe from the social work register.

13. Following receipt of the further email dated 28 March 2025 from Mr Olaigbe to Social Work England, Ms Adjei-Ntow stated that Social Work England’s position had now changed. Social Work England noted that Mr Olaigbe had provided a written reflection in relation to the potential effect of his misconduct and on what he should have done differently. Social Work England accepted that this demonstrated that Mr Olaigbe had complied with condition 9 of the conditions of practice order, and that it showed a fuller engagement from Mr Olaigbe than had originally been the case. On that basis, Social Work England’s position was now neutral as to what action the panel should take. Ms Adjei-Ntow submitted that if the panel was satisfied that Mr Olaigbe had shown sufficient insight and remediation, the panel should consider revoking the current final order. She added that if they panel considered that Mr Olaigbe was engaging but had not demonstrated full insight and remediation, the panel should consider extending the duration of the current conditions of practice order and giving guidance to Mr Olaigbe as to what more he needed to do to demonstrate full insight and remediation.

Social worker evidence and submissions:

14. In advance of the hearing, Mr Olaigbe had sent in:

- a. Evidence that he had been seeking work in a social work role, but had been unsuccessful so far;
- b. Evidence that he had informed recruitment agencies of his conditions of practice;

- c. A copy of his CV;
 - d. Evidence of training courses undertaken, including certificates for courses on data protection, safeguarding, record-keeping and understanding coercive control; and
 - e. A supporting statement on learning and reflection undertaken in relation to record-keeping.
15. As set out above, on the day of the review hearing, the panel was also provided with a written statement on learning and reflection in relation to “*misconduct and lessons learned*” that Mr Olaigbe had sent to Social Work England on 28 March 2025.
16. Mr Olaigbe gave evidence, stating that since the last review he had been in touch with Social Work England on a number of occasions by email and by telephone. He stated that he had complied with the conditions of practice imposed on him and had tried his best to demonstrate that to Social Work England. He referred the panel in particular to the two written reflections that he had sent in and to the certificates demonstrating training he had undertaken.
17. Mr Olaigbe gave details of health conditions. [PRIVATE] .
18. Mr Olaigbe told the panel that he had been trying to obtain work as a social worker via recruitment agencies but that, as soon as prospective employers were told of his conditions of practice, they were no longer interested in considering him for social work roles. He had therefore been unsuccessful in finding a role in social work and, for financial reasons, had had to take on work in non-social work roles.
19. Mr Olaigbe asked the panel to find that he had fully complied with the conditions of practice order and that his fitness to practise was no longer impaired. He invited the panel to therefore revoke the current conditions of practice final order so that he could return to unrestricted practice as a social worker.

Panel decision and reasons on current impairment:

20. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. The panel took account of all the material before it, including the decisions of the previous panels. However, it exercised its own judgement in relation to the question of current impairment and was not bound by the previous panels. The panel also took into account Social Work England’s ‘Impairment and sanctions guidance’.
21. The panel 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 maintaining public confidence in the profession.

22. The panel first considered whether Mr Olaigbe's fitness to practise remained impaired.
23. The panel noted that Mr Olaigbe had engaged with the review process by being in touch with the Social Work England Case Review team since the last review, by providing evidence to demonstrate his compliance with the conditions of practice order, and by attending and fully participating in today's hearing.
24. The panel considered that the evidence provided by Mr Olaigbe indicated that he had made considerable efforts to ensure compliance with the conditions of practice.
25. The panel considered that the training courses undertaken were appropriately targeted and noted that Social Work England had accepted that the evidence provided in terms of CPD demonstrated compliance with condition 10 (which read: *"You must provide evidence to Social Work England within 8 months of this order taking effect, of CPD you have undertaken. This CPD should be relevant to the findings in this case, in particular, at least 6 hours of CPD in relation to record keeping"*).
26. The panel carefully considered the two written reflection statements provided by Mr Olaigbe. The panel considered that they demonstrated full compliance with condition 9, covering all of the points required. The panel considered that the written reflections showed that Mr Olaigbe had accepted the findings of the substantive panel as to his failings, had developed substantial insight into those failings and their impact, and that he had undertaken relevant steps to strengthen his practice in the relevant areas. In particular, the panel noted that Mr Olaigbe had reflected appropriately on what he could have done differently and how he could ensure that his practice going forward was improved.
27. The panel noted that Mr Olaigbe had made serious efforts to find work as a social worker but had found that prospective employers and agencies had been reluctant to consider him for roles whilst he was subject to the conditions of practice.
28. The panel noted that a year and eight months had passed since the substantive hearing in relation to these regulatory concerns, and that there had been no reports or evidence of any further concerns being raised in relation to Mr Olaigbe in that time, nor any evidence of repetition of the misconduct.
29. Given Mr Olaigbe's engagement with Social Work England and substantial progress in terms of insight and remediation, and the fact that there had been no repetition of the misconduct or any similar concerns, the panel considered that it was now highly unlikely that the misconduct found proved would be repeated. The risk of repetition was now very low. Furthermore, given the evidence that Mr Olaigbe had provided in relation to training courses undertaken and insight developed, the panel was satisfied that he had kept his knowledge and skills up to date. Taking all of these matters into account, the panel therefore concluded that a finding of current impairment was no longer necessary in terms of public protection.
30. The panel also considered the wider public interest and whether a finding of impairment was nevertheless necessary to maintain public confidence in the

profession and to uphold proper professional standards. The panel considered that the public, fully informed of the nature and seriousness of the misconduct found proved and of Mr Olaigbe's level of engagement, insight and remediation, would not consider that a finding of current impairment was necessary to maintain standards and confidence. Accordingly, the panel found that Mr Olaigbe's fitness to practice was not currently impaired on public interest grounds.

31. Given the panel's finding that Mr Olaigbe's fitness to practise was no longer impaired, it was not necessary for it to go on to consider sanction. As there was no impaired fitness to practice, it was no longer appropriate that there should be any restriction on Mr Olaigbe's registration as a social worker, and so the panel decided to revoke the current conditions of practice order.

Revocation of the conditions of practice order with immediate effect:

32. The panel concluded that the conditions of practice final order should be revoked with immediate effect.

Right of appeal:

33. 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.
34. 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.
35. 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.

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

Review of final orders:

37. 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).

38. 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

39. 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>