



Social worker: Angela King

Registration number: SW10476

Fitness to Practise Final Hearing

Dates of hearing: 16 June 2025 to 25 June 2025

Hearing venue: Remote hearing

Hearing outcome: Fitness to practise impaired, removal order

Interim Order: Interim suspension order (18 months)

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) (“the regulations”).
2. Ms King did not attend and was not represented.
3. Social Work England was represented by Mr Adrian Harris, Case Presenter, from Capsticks LLP.

Adjudicators	Role
Sara Nathan	Chair
Joma Wellings-Longmore	Social worker adjudicator
David Crompton	Lay adjudicator

Hearings team/Legal adviser	Role
Titlee Pandey	Hearings officer
Ruby Wade	Hearings support officer
Stacey Patel	Legal adviser

Service of notice:

4. The panel of adjudicators (hereafter “the panel”) was informed by Mr Harris that notice of this hearing was sent to Ms King by email to an address provided by the social worker (namely her registered address as it appears on the Social Work England register). Mr Harris submitted that the notice of this hearing had been duly served.
5. The panel 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 May 2025 and addressed to Ms King at her email address which she provided to Social Work England;
 - An extract from the Social Work England Register detailing Ms King’s registered email address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 13 May 2025 the writer sent by email to Ms King at the address referred to above, the notice of hearing and related documents;
6. The panel accepted the advice of the legal adviser in relation to service of notice. This included reference to Rules 14, 15, 44 and 45 of Social Work England’s Fitness to Practise Rules 2019 (as amended) (the “FTP Rules 2019”).
7. Having had regard to 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 King in accordance with Rules 44 and 45 of the FTP Rules 2019.

Proceeding in the absence of the social worker:

8. The panel heard the submissions by Mr Harris on behalf of Social Work England. Mr Harris submitted that:
 - a. Notice of this hearing had been duly served;
 - b. No application for an adjournment had been made by Ms King and as such there was no guarantee that adjourning today's proceedings would secure her attendance;
 - c. Ms King has voluntarily absented herself, and
 - d. Given the date of the allegations, and the presence of several witnesses, there is a public interest in the matter proceeding.
9. Mr Harris 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 advisor 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 Mr Harris on behalf of Social Work England. The panel noted that Ms King had been sent notice of today's hearing, and the panel was satisfied that she was or should be aware of today's hearing. The panel considered that:
 - a. Ms King was served with the notice of hearing in which it was set out that the hearing may take place in her absence;
 - b. Ms King has voluntarily absented herself from the hearing given her email to Social Work England dated 14 May 2024 which states:

"I am horrified this is still going on. When I returned the papers to you I clearly wrote that I wanted to be removed from the register..... My wishes remain the same. What a waste of court time..."
 - c. Ms King has not requested to adjourn the hearing;
 - d. Given the length of time that has passed since the allegations (nearly five years), it is considered that it is in Ms King's own interest to proceed with the final hearing; and
 - e. There is a public interest in proceeding with the final hearing given the length of time passed and the attendance of witnesses.

12. Having weighed the interests of Ms King in regard to her attendance at the hearing with those of Social Work England and the public interest in an expeditious disposal of this hearing, the panel decided to proceed in Ms King's absence.

Preliminary matters:

13. Mr Harris applied for the hearing to take place partly in private if matters relating to Ms King's health arose.
14. The panel heard and accepted the advice of the legal adviser who referred to rules 37 and 38 of Social Work England's Fitness to Practise rules 2019 (as amended) ("the rules").
15. The panel noted that in accordance with rule 37, Social Work England hearings usually take place in public, subject to the discretion to depart from that principle provided for in rules 38(a) and (b). Given that it may be necessary in this hearing to refer to Ms King's health, the panel was satisfied that the ground in rule 38(b)(ii) applied and decided that the hearing should be held in private where matters relating to Ms King's health were concerned. Otherwise, the hearing would proceed in public.
16. Following a Case Management Meeting on 14 March 2025, the evidence of the accounts given by the following witnesses was decided to be admissible (without calling them to give evidence at the hearing):
- a. Foster Carer for Child B (see her signed statement and evidence of Zoe Baker),
 - b. Foster Carer for Child C and Child D (see her unsigned draft statement exhibited by Jonathan Topham and evidence of Zoe Baker),
 - c. Foster Carer for Child E (see evidence of Zoe Baker),
 - d. Emily Powell (see evidence of Zoe Baker) and
 - e. Foster Carer for Child G (see her unsigned draft statement exhibited by Jonathan Topham and evidence of Zoe Baker).
17. Mr Harris also informed the panel there was an oversight with regards to Zoe Baker's statement. Paragraphs 100- 101 mentioned exhibits which were not part of the Exhibit Bundle and therefore this should have been redacted. He stated there was no bias, nor appearance of any and asked the Panel to put this to the back of their minds. The legal advisor advised the panel on the test in *Porter and Magill [2001] UKHL 67* and the panel concluded that a '*fair minded observer could not conclude there was a real possibility of bias*' as the Panel had not actually seen the exhibits.

Allegations:

18. The allegations against Ms King were as follows:

Whilst registered as a social worker, you:

- 1. Falsified records by recording one or more visits to children that had not taken place in March 2019 and between November 2019 and January 2020, as set out in Schedule A;*
- 2. Failed to complete one or more visits in accordance with legislative requirements in March 2019 and between November 2019 and January 2020, as set out in Schedule B;*
- 3. Submitted a falsified mileage claim on or around 26 March 2019;*
- 4. Your actions at 1 and/or 3 were dishonest.*

The matters outlined in paragraphs 1-4 amount to the statutory ground of misconduct.

Your fitness to practise is impaired as outlined at paragraphs 1-4 by reason of misconduct.

Schedule A

	Service User	Visit date as recorded by the Social Worker
a	Child A	17 December 2019
b	Child B	17 January 2020
c	Child C and Child D	20 December 2019
d	Child E	4 November 2019
e	Child F	18 December 2019
f	Child G	26 March 2019
g	Child G	18 November 2019
h	Child H and Child I	19 December 2019

Schedule B

	<i>Service User</i>	<i>Last Seen</i>	<i>Visit Frequency</i>	<i>Required Date</i>
<i>a</i>	<i>Child A</i>	<i>5 November 2019</i>	<i>6 weeks</i>	<i>17 December 2019</i>
<i>b</i>	<i>Child B</i>	<i>31 October 2019</i>	<i>12 weeks</i>	<i>23 January 2020</i>
<i>c</i>	<i>Child C and Child D</i>	<i>14 November 2019</i>	<i>12 weeks</i>	<i>6 February 2020</i>
<i>d</i>	<i>Child E</i>	<i>16 October 2019</i>	<i>6 weeks</i>	<i>27 November 2020</i>
<i>e</i>	<i>Child F</i>	<i>4 December 2019</i>	<i>6 weeks</i>	<i>14 January 2020</i>
<i>g</i>	<i>Child G</i>	<i>26 August 2019</i>	<i>12 weeks</i>	<i>18 November 2019</i>
<i>h</i>	<i>Child H and Child I</i>	<i>14 October 2019</i>	<i>12 weeks</i>	<i>6 January 2020</i>

Admissions:

19. Case management directions were disclosed to Ms King on 22nd of April 2022. In line with Direction 2, Ms King was required to indicate by 20 May 2025 which parts of the statements of case are admitted and which remain in dispute. To date no response has been received.
20. In line with Rule 32c(i)(a) of the Rules, the panel then went on to determine the disputed facts.

Summary of evidence:

21. On 2 July 2020, Social Work England received a referral from Selina Rawicz, Group Manager Worcestershire Children First (now part of Worcestershire County Council) regarding the Respondent social worker, Angela King ('the Social Worker'). The Social Worker had been employed by Worcestershire Children First ('the Council') from June

2017. The referral related to allegations arising from her failures to visit children but recording that she did, plus submission of a false mileage claim.

22. The Social Worker was employed from June 2017 by the Council as a Looked After Children's social worker, being allocated to children and having responsibilities including completing statutory visits, care planning and attending Looked After Children reviews.

23. Social Work England relied on four live witnesses:

- Foster Carer A, foster carer for Child A.
- Mark O'Donnell, Operations Manager for Beacon Childcare.
- Foster Carer B, foster carer for Child H and Child I.
- Zoe Baker, Team Manager of fostering panels and a Panel Advisor for Worcestershire Children First Fostering, allocated to conduct a local investigation into Ms King's conduct.

24. Social Work England also relied on the evidence of the foster carers for Child B, Child C and D, Child E and Child G, Emily Powell and Jonathan Topham.

25. As Ms King was not present, the witnesses were not cross examined but the panel was mindful that in the absence of Ms King, it should play an inquisitorial role and explore any apparent weaknesses there might be in Social Work England's case. The panel therefore asked questions of clarification as it deemed appropriate.

Foster Carer A

26. Foster Carer A adopted her witness statement dated 03 September 2024 and gave oral evidence. She stated that at the time, she had been a foster carer for five years. Foster Carer A said she had a good relationship with Ms King and always got on with her. Foster Care A continued to say that she didn't have a lot of contact with Ms King as she had her own social worker, however Ms King has made it clear to her that if she ever needed anything, she could contact her. Foster Carer A described Ms King as "one of the good ones" and said that she had no reason to make things up.

27. Regarding Child A, she recalled the date of 17 December 2019 clearly as Child A had been at a church group, had come home sick and was in bed all the following day. Her husband and son also subsequently were sick with the same bug, and this is why the date stuck in her mind. When Foster Carer A's fostering social worker next attended in January 2020, she showed Foster Carer A a record saying that Ms King has attended on 17 December 2019 and it was only then that Foster Carer A realised that this visit had not happened.

28. When Foster Carer A later came to make her witness statement, she was able to gain information from her notes as her social worker allowed her access for this purpose even though she herself had deleted her own notes. The incident really stuck in her

mind as all her family were sick and initially, she remembered not knowing where to start as two children were being sick and her partner was out that evening.

Mark O'Donnell

29. Mr O'Donnell adopted his witness statement dated 25 May 2024 and gave oral evidence. He confirmed he had never met Ms King and that his evidence was taken from policies and the visitor book. He explained that when someone attended the residential home, they would be greeted by a member of staff who would ask for their name and ID. The visitor would be logged in the book, stating the organisation that they came from as well as the time they entered and left. Mr O'Donnell had no reason to believe that the procedure was not in place at the time of Ms King's visits even though he did not work for the home at the relevant time. Mr O'Donnell was directed to an entry in the visitor's log dated 12/02/20 where it was clear that Ms King did not sign out. Mr O'Donnell explained that he presumed someone had forgotten to log her out as it was common for staff to also sign visitors out, but not as universal as signing them in.
30. Under panel questioning, Mr O'Donnell stated that when a visitor came to the home, they could either sign themselves out or a member of staff could do it for them, either was acceptable. He guessed that the logbook was kept in the office as that is where he has always known it to be. Mr O'Donnell continued to describe the lay out of the home and stated it was similar to a family home with a maximum of three children. Visitors could not enter by themselves as a key was needed therefore staff would let people in. Tailgating was not possible as it was a small placement, and it would be impossible for a visitor to enter and have a visit without no one seeing them.
31. Mr Harris asked Mr O'Donnell to clarify the procedure when a visitor entered and he stated that a social worker would likely be offered a drink, a staff member would get the child and then return to the social worker until the child came down. Mr O'Donnell also stated that there would be no benefit to a social worker not signing in as they needed to record their statutory visits.

Foster Carer B

32. Foster Carer B adopted her witness statement dated 18 June 2024, and her supplementary statement dated 1st August 2024. She also gave oral evidence where she stated that Ms King was well liked by the children and she didn't *"have a bad word to say about her"*.
33. In panel questioning, Foster Carer B explained that she lived in Redditch, and it would be about an hour and a half round trip for Ms King. It was usual for her to try and see children together if possible as she was responsible for three children in Foster Carer B's care. Foster Carer B stated her partner was initially called by the council and asked if Ms King has visited on 24 December. There was *"no way"* that a visit could have happened then as it was Christmas Eve and all the children were excited about Christmas. Foster Carer B was later asked if there had been a visit from Ms King on 19 December. Foster Carer B said this was unlikely as Child I would have gone to see his

father as he was getting ready to leave the placement and so was going on stayovers with his dad.

34. Foster Carer B stated that she could not remember specifically if Ms King had visited on 19 December but that she relied on her notes. She said she always recorded a visit, no matter how brief, and she kept a diary with all the dates in there; she was ‘fastidious’ with recording visits. If a visit was cancelled for any reason, she would ‘Tippex’ it out and wait for it to be re-arranged.
35. Foster Carer B also said that she had contact with a lot of social workers in her time but that she remembered Ms King as she got on so well with the children. Child H wouldn’t come home for other social workers, but she did for Ms King and that she would sit and *“natter for hours with her, you couldn’t shut Child H up.”*

Zoe Baker

36. Ms Baker adopted her witness statement. This is not dated but Ms Baker stated that she believed she signed it in July 2024. Ms Baker also gave oral evidence. She said she was a registered social worker who had no contact with Ms King prior to her investigation, which started on 17 February 2020. As part of her investigation, she made notes as seen in the exhibits and spoke to several witnesses on numerous occasions.
37. In panel questioning Ms Baker confirmed the social worker worked in the Looked After Children (‘LAC’) team which was different to her own fostering team. She would need to check policies and procedures, but she presumed they were the same in both teams. In the LAC team there is law and legislation and guidance on frequency of visits, and that it was part of any social worker’s induction to go through that. The LAC team visits were audited through supervisions and managers would complete audits to check that visits were being done. If there was to be a change in frequency of visits, this would be logged on the system. Ms Baker believed a notification would come through when a plan was changed and that she considered somebody of Ms King’s experience would have monthly meetings with her manager.
38. The panel was taken to a table collated by Ms Baker that mapped Ms King’s case recordings against entries in her electronic diary and her mileage claims. Ms Baker confirmed that the only diary entry that coincides with a recording of a visit is #43 (Child G). Ms Baker could not think of any other reason why Ms King would make a mileage claim for a different reason, but it was possible that it was in relation to another child. In response to panel questions, Ms Baker said that the location was a village, and it was possible, but quite unlikely, that there was another looked after child who was the social worker’s responsibility in the same village.
39. The Panel asked Ms Baker what drew her attention to specific dates. Regarding Child B it was the absence of any record for Child B’s Foster Carer that directed her to a problem on 17 January 2020. In relation to Child C there was no record and the fact that she was informed the visit could not have happened because it was Child C’s last day at nursery which was significant for her carer. For Child H it was the absence of any

record. Finally, for Child D she explained that an '*independent agency upload recording*' which was a record that an independent fostering agency kept on their own system which they would share with the child's social worker as necessary. Child D's carer had checked these records which did not include a visit from Ms King on 26 March 2019.

40. Ms Baker continued to say she was unaware if there was a specific requirement for Ms King to record visits in her own electronic diary because that would be between Ms King and her own manager. However, as part of her investigation, Ms King informed her that she was not good with an electronic diary. It was possible not to use one for everything five years ago, even if that was not best practice. Finally, Ms Baker said, in hindsight there may have been things in her investigation which she might have done differently but that she had support from HR and from her senior manager.
41. In clarification from Mr. Harris, Ms Baker explained that in her foster care team there would be one unannounced visit per year but that two unannounced visits were best practice, although she was not sure if this was the same in Ms King's team.
42. With regards to the mileage, it was clarified that Ms King informed her that she had ran out of time to make claims for December and January and therefore her account was that she hadn't made any claims yet.

Ms King

43. Although Ms King did not give evidence or provide a response to these allegations, she did give some insight into the visit with Child A in her interview with Ms Baker on 2 March 2020. Ms King said that if the foster carers stated the visit did not happen then she must have got herself "into a muddle", while saying she could remember the conversations. The phrase she used was 'if they're saying the visit didn't happen, they are good people so the visit can't have happened'. She thought she had visited, did not want to challenge the carers and said it was a 'genuine mistake'. Ms King had then stated that she could not remember whether or not a visit took place in December.

Legal Advice

44. The panel heard and accepted the advice of the legal adviser in respect of the approach to take in making findings of facts and the burden and standard of proof. The burden of proof rests on Social Work England and it is for Social Work England to prove the Allegations. The legal adviser provided advice on the issues of credibility and reliability, as per the guidance in *R (Dutta) v GMC [2020] EWHC 1974 (Admin)* and guidance on cross admissibility from the case of *PSA v GMC and Anor [2025] EWHC 318 (Admin)*. Advice was also given in relation to the non-attendance of Ms King. The legal adviser also provided advice on the specific wording of Allegation 2, namely "failed to". The panel heard and accepted advice on the test to be applied when considering a charge of dishonesty which is found in the guidance of the Supreme Court in *Ivey v Genting Casinos (UK) LTD t/a Crockfords [2017] UKSC 67*.

Finding and reasons on facts:

1.Falsify records by recording one or more visits to children that had not taken place in March 2019 and between November 2019 and January 2020, as set out in schedule A;

45. The Panel looked at each child set out in Schedule A:

Child A

46. Ms King recorded a visit to Child A on 17 December 2019 at 16.30, lasting for 1 hour. It contained details of her conversations with the child including: *‘Contact with XX going very well and Child A is much happier now that he is seeing her again..’*

47. Child A’s sickness was supported by an email from his school which confirmed he was off school from 17-18 December 2019. The panel found Foster Carer A to be a reliable witness whose oral evidence was consistent with her witness statement and it was clear when she was unable to recall any matters. Her memory was assisted by the records from the time of the events. Foster Carer A was clear as to why she remembered the date clearly due to the sickness bug. The panel noted that the report provided did not reflect a child that was sick but rather one that was excited about Christmas. In addition, the panel took into account the partial admission from Ms King when she stated to Ms Baker on 2 March 2020 that if the foster parents said it didn't happen that she wouldn't argue.

48. The panel concluded that, on the balance of probabilities, **this is found proved.**

Child B

49. Ms King recorded a visit with Child B on 17 January 2020 at 16:00 which lasted for an hour. It detailed how Child B had enjoyed Christmas and was “happy and settled.” When contacted for the investigation, Child B’s Foster Carer, was “*very clear that all appointments went into her diary*”. In addition, her diary entry for 17th January, recorded that Child B went to watch a movie with their grandfather.

50. The Panel concluded that in the absence of any challenge to Child B’s Foster Carer’s evidence, they were satisfied a visit would have been recorded and took into account that the mention of a movie, added credibility to this, as there was no reason provided as to why one event on 17 January was recorded, and another was not.

51. The panel concluded that, on the balance of probabilities, **this is found proved**

Child C and Child D

52. These were considered together by the Panel as the evidence was the same for both. Ms King recorded a visit on 20 December 2019 at 10.30 lasting for one hour and that it was a “*lovely visit – both children happy and settled*”.

53. The Foster Carer for Child C and Child D was contacted as part of the investigation. She stated that a visit could not have taken place as both of the children were at nursery on

that Friday and that it was Child D's last day at nursery. Ms Baker emailed a summary of their conversation to Child C and Child D's Foster Carer, and she confirmed it was an accurate account.

54. The Panel decided that Child D's last day at nursery made it a memorable date for Child C and Child D's Foster Carer and in the absence of any challenge to her evidence, found her reliable when she stated that she recorded all visits in her diary.

55. The panel concluded that, on the balance of probabilities, **this is found proved for Child C and Child D**

Child E

56. Ms King recorded a visit to Child E on 4 November 2019 at 16:00 lasting for one hour, describing him as *"clearly feeling secure and loved in his placement."*

57. As part of the investigation Ms Baker telephoned Child E's Foster Carer, who stated that the visit 'definitely did not happen' as she had to cancel it because she had experienced a significant bereavement at the time. Child E's Foster Carer spoke to Ms King directly and cancelled the visit. An e-mail from the supervising social worker, who held a record of the logs, confirmed a record of the cancelled visit and the reason for it being a bereavement in the family.

58. The panel took into account in the lack of any challenge to this evidence and the consistency between Child E's Foster Carer's witness statement and the log from the supervising social worker.

59. The panel concluded that, on the balance of probabilities, **this is found proved.**

Child F

60. Ms King recorded a visit to Child F on 18 December 2019 at 13:00 which lasted for an hour. It recorded a particularly detailed account of the visit, including conversations had with the carers.

61. The panel found Mr O'Donnell to be a credible witness whose oral evidence was consistent with his witness statement. The panel placed considerable weight on his description of the placement, particularly when he likened it to a family home and the panel concluded it was not possible for a visitor to attend without a member of staff noticing them. The panel did not find it relevant that Mr O'Donnell was not working at the home at the time as the layout and visitor procedures remained the same when he arrived. The panel also places significant weight on the fact that Ms King had signed in and out on other occasions, demonstrating that she knew the procedure that had to be followed.

62. The panel therefore concluded that, on the balance of probabilities, **this is found proved.**

Child G (March 2019)

63. Ms King recorded a visit on 26 March 2019 at 16:30 lasting for one hour. It is a very detailed and lengthy account of the visit. Ms Baker confirmed that this is the only visit that is mentioned in Ms King's electronic diary and that mileage was claimed for it. Ms Baker contacted Child G's Foster Carer to ask about the visit. Child G's Foster Carer confirmed in an email on 06 April 2020 that she has checked her records on the Child Care Bureau website, and it did not show any visit on 26 March. However, she stated in the same email that there was a LAC review around this time and therefore Ms King might have got muddled with that.
64. In her investigation report, Ms Baker also recorded *that "Ms King has recorded in her mileage claim and diary that this visit did take place. This had made it difficult for me to certainly verify if a visit took place or not. On this date however [Ms King's] account does not match the account and recordings of the foster carer which cast doubt over the validity of this recording."*
65. Taking all the above into account, the panel placed significant weight on the following factors:
- a. This visit was at about the same time as a LAC review;
 - b. Ms King put in a mileage claim;
 - c. It is recorded in her electronic diary; and
 - d. It is not in the same date range as the other visits as it occurred eight months earlier.
66. The panel therefore concluded that Social Work England has not discharged its burden of proof and found this **not proved**, on the balance of probabilities.

Child G (November 2019)

67. Ms King recorded a visit with Child G on 18 November 2019 at 16:00 lasting for one hour. It is another detailed recording, mentioning the '*bedtime battle*' and problems with Child G's '*stroppy behaviour*'.
68. The panel considered the uncontested evidence from Child G's Foster Carer who confirmed to Ms Baker that she had checked the visits with her fostering agency and that no visit had in fact been recorded.
69. The panel distinguished this incident from the March incident as there was no mileage claim for this date, nor was it marked in Ms King's diary. It is also within the same date range as the other incidents.
70. The panel therefore concluded that, on the balance of probabilities, **this is found proved**.

Child H and Child I

71. The Panel considered these together as the evidence was the same for both. Ms King recorded a visit on 19 December 2019 at 16:00, lasting for one hour. It detailed that

Child H was at the door with her friends when she arrived and so Ms King said she would catch up with her another day.

72. The panel considered the evidence of Foster Carer B and found her to be a reliable witness whose oral evidence was consistent with her witness statement. She was clear when she was unable to recall any matters, and her memory was assisted by the records from the time of the events.
73. The Panel placed weight on Foster Carer B's detail such as "Tippexing" out visits, Child I going to see his father, and recording any visits, no matter how short. They also took into account Foster Carer B's glowing references regarding Ms King and decided there was no malice in her evidence.
74. The panel therefore concluded that, on the balance of probabilities, **this is found proved for both Child H and Child I.**

2. Failed to complete one or more visits in accordance with the legislative requirements in March 2019 and between November 2019 and January 2020 as set out in schedule B

75. The Panel first considered if Social Work England had demonstrated there were legislative requirements in place and that Ms King was aware of them. It took into account the Visits to Children Guidance and The Recording with Care Guidance in the exhibit bundle which encompassed The Care Planning and Fostering Regulations 2015. The panel therefore concluded that there was an obligation to complete visits within a legislative framework. In addition, the panel noted that Ms King admitted being aware of the legislation and timescales in her local interview with Ms Baker.
76. The Panel next placed significant weight on the table that Ms Baker collated showing when statutory visits had been completed and therefore next due. This was contained in the Statement of Case:
- a. Child A was visited on 5 November 2019. Visits were due every 6 weeks and Child A should have been visited by 17 December.
 - b. Child B was visited on 31 October 2019 then (after the 17 January 2020 recorded but allegedly not completed visit) on 4 February 2020. Visits were due every 12 weeks, the children should have been visited by 23 January 2020.
 - c. Child C and Child D were visited on 14 November 2019 then (after the 20 December 2019 recorded but allegedly not completed visit) on 12 February 2020. Visits were due every 12 weeks, the children should have been visited by 6 February 2020.
 - d. Child E was visited on 16 October 2019. Visits were due every 6 weeks and Child E should have been visited by 27 November 2019 but aside from the

recorded but allegedly not completed visit, was not visited until 16 December 2019.

- e. Child F was visited on 4 December 2019 (incorrectly recorded as 3 December). Visits were due every 6 weeks and Child F should have been visited by 14 January 2020 but aside from the recorded but allegedly not completed visit, Child F was not visited until 22 January 2020.
- f. Child G was visited on 26 August 2019. Visits were due every 12 weeks and Child G should have been visited by 18 November 2019 but aside from the recorded but allegedly not completed visit, Child G was not visited until 17 February 2020.
- g. Child H and Child I were visited on 14 October 2019 then (after the 19 December 2019 recorded but allegedly not completed visit) on 20 January 2020. Visits were due every 12 weeks, the children should have been visited by 6 January 2020.

77. Taking the above into account, the panel **found Allegation 2 proved in its entirety.**

3.Submitted A falsified mileage claim on or around the 26th of March 2019

78. This matter is found **not proved** by virtue of the fact that the panel did not find that the visit had not taken place in its findings in Allegation 1.

4.Your actions at 1 and/or 3 were dishonest

79. in considering this allegation the panel only looked at Allegation 1 as it has found Allegation 3 not proved.

80. Applying the first limb in *Ivey v Genting Casino*, the panel decided that Ms King knew at the time she completed the visit recordings that the visit had not taken place. She created a fictitious report with a huge level of detail and had done so deliberately with no possibility of error.

81. Applying the second limb the panel considered if these actions were dishonest by the standards of ordinary decent people and concluded that a member of the public would consider that the creation of a fictitious report regarding a statutory visit to a vulnerable young person to be dishonest.

82. The panel therefore **found this matter proved** on the balance of probabilities.

Finding and reasons on grounds:

Submissions

83. The panel heard submissions from Mr Harris on the statutory ground and the issue of impairment, but it decided on each stage separately and each stage is dealt with under separate headings below. Mr Harris referred the panel to the 'Statement of Case' and

submitted that whether the facts found proved amounted to misconduct is a matter of judgement for the panel, rather than a matter of proof.

84. Mr Harris referred the panel to the cases of:

- *Roylance v General Medical Council (No 2) [2000] 1 AC 311*
- *Johnson and Maggs v Nursing and Midwifery Council [2013] EWHC 2140 (Admin)*
- *R (Remedy UK Ltd) v GMC [2010] EWHC 1245 (Admin)*
- *Khan v Bar Standards Board [2018] EWHC 2184 (Admin)*
- *Tait v The Royal College of Veterinary Surgeons [2003] UKPC 34*

85. Mr Harris reminded the panel that it needed to refer to both HCPC Standards of Conduct, Performance and Ethics (2016) in relation to any conduct prior to 2 December 2019 and in relation to any conduct from after that date, Social Work England's Professional Standards (2019). Mr Harris submitted that Ms King was in breach of many of the standards:

86. Mr Harris referred the panel to the 'Impairment and Sanctions Guidance' in particular paragraphs 175 and 176 and submitted that Ms King's conduct was one of the most serious instances of dishonesty. It was a pattern of behaviour, it was not admitted, and it was purposefully done. Mr. Harris continued to say that Ms King was an experienced social worker who knew the fundamental principles behind statutory visits and record keeping and that she was aware of the time scales involved. In addition, Ms King concealed her conduct with detailed dishonest accounts and that this was a breach of trust as social workers are often working alone and have to be trusted to do so.

87. Mr. Harris submitted that there is a real risk of harm due to the fact this was repeated behaviour and there was no explanation as to why the breaches occurred. Ms King had not provided any evidence to show that she was not supported or there were any concerns about her ability to manage her work. Mr. Harris also submitted that Ms King benefitted from her actions because it meant she didn't have to do the work and saved travel time.

Legal Advice

88. The panel heard and accepted legal advice from the legal adviser on the issue of misconduct. The legal adviser referred to the 'Impairment and Sanctions Guidance' dated 19 December 2022 which provide guidance in relation to misconduct. The legal advisor also referred to *Meadow v GMC [2007] 1 WB 462* and *Nandi v. General Medical Council [2004] EWHC 2317 (Admin)*.

Decision

89. The panel at all times had in mind the overriding objective of Social Work England which includes its duty to protect the public, promote and maintain public confidence in social workers in England and to promote and maintain proper professional standards. The panel had regard to the 'Social Work England Impairment and Sanctions guidance'. It had regard to both HCPC Standards of Conduct, Performance and Ethics (2016) and the Social Work England Professional Standards and bore in mind that a departure from the Standards does not necessarily constitute misconduct.

90. The panel carefully considered the statutory ground of misconduct. It decided that the behaviours of Ms King do amount to serious professional misconduct. The panel concluded that Ms King's conduct and behaviour fell far below the standards expected of a registered social worker. Her conduct amounts to failings of basic and fundamental tenets of the social work profession. The panel decided that Ms King's conduct was in breach of the following Standards.

For Child E and Child G in November 2019:

HCPC Standards of Conduct, Performance and Ethics (2016):

3.4 You must keep up to date with and follow the law, our guidance and other requirements relevant to your practice.

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

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

10.1 You must keep full, clear, and accurate records for everyone you care for, treat, or provide other services to.

For Child A, Child B, Child C, Child D, Child F, Child H and Child I:

Social Work England Professional Standards:

2.1 Be open, honest, reliable and fair.

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

3.11 Maintain clear, accurate, legible and up to date records, documenting how I arrive at my decisions.

5.2 [will not] Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.

5.3 [will not] Falsify records or condone this by others.

91. The panel decided that the conduct in the allegations found proved amounted to serious misconduct. Ms King is an experienced social worker who was well aware of the importance of statutory visits to vulnerable young children. Ms King's actions demonstrated a pattern of behaviour over several months which put multiple children at risk and could not be mistaken for an error. The conduct constituted serious breaches of the code because it falsified records and gave a misleading picture which could have endangered children. There was the potential for serious harm as Ms King provided fictitious accounts of a looked after child's life. It is serious misconduct as it relates to safeguarding and occurred on multiple occasions, across three months and impacted multiple service users. In addition, this behaviour, if known, would create a lack of trust in social workers by vulnerable young people. Furthermore, there was a lack of explanation as to why Ms King had not engaged in the process, displayed any insight or reflection nor put forward any mitigation.
92. The panel considered this to be a serious departure from the Standards expected of social workers. Ms King's actions and dishonesty show a failing of the most basic and fundamental tenets of the social work profession. The panel considered that the facts found proved would be seen as far below what is expected by fellow practitioners and concluded that individually and cumulatively, they amount to misconduct.

Finding and reasons on current impairment:

Submissions

93. Mr Harris submitted that a finding of impairment was a matter of judgement for the panel. He referred to the Statement of Case and to the following cases:

- *CHRE v (1) NMC & (2) Grant [2011] EWHC 927 (Admin)*
- *Cohen v GMC [2008] EWHC 581 [Admin]*
- *Kimmance v GMC [2016] EWHC 1808*
- *PSA v HCPC v Ghaffar [2014] EWHC 2723 (Admin)*
- *Yeong v GMC [2008] EWHC 581 (Admin)*

94. Mr Harris submitted that Ms King was impaired on both the personal and public components. He submitted that the conduct related to breaches of fundamental tenets of the profession and that these breaches resulted in real risk to the public. Mr Harris submitted that Ms King has not provided any evidence of remediation or admissions.
95. Mr Harris submitted that dishonesty is hard to remediate. He submitted that Ms King had provided no evidence of insight and that the risk of repetition remains. He further submitted that Ms King has not fully engaged with Social Work England and has provided little evidence of any reflection on these matters. Mr Harris reminded the panel of Ms King's emails which indicate numerous times that she does not wish to return to social work practice. He concluded that the risk of repetition remains high, and it is highly likely that the conduct might be repeated in the future.

96. Mr Harris submitted that given the serious findings, the public would be shocked if a finding of impairment was not made in this case.

Legal advice

97. The panel heard and accepted the advice of the legal adviser in relation to impairment. The panel heard advice on some of the cases already listed above and the legal adviser directed the panel to have careful regard to the Social Work England 'Impairment and Sanctions' guidance updated 19 December 2022, which includes guidance on assessing impairment.

98. The panel considered Ms King's current fitness to practise firstly from the personal perspective and then from the wider public perspective. The panel also had regard to whether the conduct in this case is easily remediable, whether it has been remedied and whether it was likely to be repeated.

99. In deciding impairment, the panel considered whether:

- a. Ms King has in the past and/or is liable in the future to place service users at unwarranted risk of harm.
- b. Ms King has in the past brought and/or is liable in the future to bring the profession into disrepute.
- c. Ms King has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the profession.
- d. Ms King has in the past acted dishonestly and/or is liable to act dishonestly in the future.

100. In relation to the first question the panel decided that based on the evidence before it, Ms King has in the past placed service users at unwarranted risk of harm. The panel considered that its findings on misconduct (paragraph 92 of this decision) show that Ms King has acted in a way that could place service users at risk of harm. Ms King's role was to carry out professional social work visits within a statutory timeframe and to support and safeguard the welfare of children in care who are some of the most vulnerable groups in society. Her failings to assess the children and record accurate information about their placements, ultimately meant that service users were not always safeguarded, and consequently were placed at risk of harm.

101. In relation to the question of whether Ms King has in the past brought the profession into disrepute, the panel concluded she may well have done particularly among foster carers and children with whom she worked. A significant aspect of public interest is upholding proper standards of behaviour so as not to bring the profession into disrepute. The panel took the view that informed members of the public would be extremely concerned to learn that a registered social worker had behaved in the manner found in Ms King's case. The panel considered that the fact this was dishonest conduct was particularly serious and would undermine public confidence in the profession.

102. In finding that Ms King did not conduct herself in such a way as to adhere to either the HCPC Standards of Conduct, Performance and Ethics, or the Social Work England Professional Standards, the panel decided that she had breached fundamental tenets of the social work profession. The panel considered that safeguarding vulnerable people, accurate record keeping, and honesty, are fundamental tenets of social work and lie at the heart of social work practice.
103. In relation to the fourth component, the panel determined that Ms King had in the past acted dishonestly and had done so repeatedly between November 2019 and February 2020.
104. The panel considered the extent to which the misconduct in this case can be, and has been remediated by Ms King, and whether it is likely to be repeated. The panel kept in mind that the facts found against Ms King relate to both her professional social work practice, and to her lack of honesty. The panel considered that character concerns, such as dishonesty, are often harder to remediate because it is more difficult to produce objective evidence of reformed character. Nonetheless, the panel did consider that the misconduct found was capable of being remedied providing that sufficient insight, remediation and reflection could be evidenced.
105. The panel had no information before it from Ms King relating to remediation or insight. While Ms King did initially co-operate with the internal investigation, that was quite short lived, and she has not engaged meaningfully with Social Work England during its fitness to practise process. The panel therefore had no confidence that Ms King recognises what went wrong, nor that she fully accepts her role and responsibility in relation to the failings. Ms King has not taken the opportunity to reflect on the findings and provide insight as to how findings of dishonesty impact on public safety and confidence in the profession and thus, the panel considered the dishonesty to represent a significant attitudinal character trait. Ms King has provided no evidence of insight or reflection into the matters leading to the dishonesty findings. She has not addressed how she might act or react differently if the same circumstances were to happen again (to avoid reoccurrence of similar concerns).
106. The panel considered whether the misconduct was likely to be repeated by Ms King, taking into account all it had read and heard about the misconduct. Due to the lack of insight, and lack of remediation, the panel concluded that a risk of repetition remains.
107. The panel therefore concluded that Ms King's fitness to practise is currently personally impaired on the grounds of her misconduct.
108. The panel next considered whether a finding of current impairment was necessary in the public interest. The panel was mindful that the public interest encompassed not only public protection but also the declaring and upholding of proper standards of conduct and behaviour, as well as the maintenance of public confidence in the profession. It took into account the guidance in the *NMC v Grant* case at paragraph 74: -

‘In determining whether a practitioner’s fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.’

109. The panel considered its findings in relation to misconduct including the findings of dishonesty. The panel took into account that social workers hold privileged positions of trust. It is essential to the effective delivery of social work that the public can trust social workers to practise in a safe manner and to be honest. The panel considered that members of the public, would be concerned if the regulator were not to mark the seriousness of Ms King’s misconduct with a finding of current impairment on public interest grounds. The panel considered that not to make a finding of current impairment of fitness to practise in relation to those matters, given the number and seriousness of breaches of the Standards, would undermine public trust and confidence in the profession and would fail to uphold and declare proper standards.
110. The panel therefore decided on the public interest element of impairment that Ms King’s fitness to practise is currently impaired.

Decision and reasons on sanction:

Submissions

111. Mr Harris submitted that the appropriate sanction is a removal order. He made reference to the case of *Law Society v Bolton* [1994] 1 WLR 512, and the judgement of Sir Thomas Bingham MR.
112. Mr Harris submitted that the central purposes in considering whether to impose a sanction are the protection of the public including the wider public interest of maintaining public confidence in the profession and upholding proper standards of conduct. He submitted that preventing repetition is key to these purposes. He told the panel that mitigation is a factor that will generally be of less significance in this jurisdiction, given that the purpose of sanction is not punitive.
113. Mr Harris drew the panel’s attention to its decision (at paragraph 105 above) in relation to the lack of insight, reflection and remediation. Mr Harris referred the panel to its decision on misconduct and impairment reminding it that the decision finds that this case involves serious dishonesty and that there remains a risk of repetition. He also identified various aggravating and mitigating factors, which are referenced below.
114. Mr Harris submitted that given the seriousness of the conduct, lesser orders of no action, advice or warning would be wholly inappropriate in light of the panel’s findings as to repetition and harm, as they do not restrict practice.

115. Mr Harris referenced the Sanctions guidance and submitted that Conditions of Practice are unlikely to be appropriate in such a case as this, where such attitudinal failings, abuse of trust and dishonesty are involved.
116. Mr Harris drew the panel's attention to the relevant sections of the Sanctions guidance which reference suspension orders, removal orders and dishonesty. He submitted that suspension is likely to be unsuitable as Ms King has not provided evidence that she is willing and able to resolve her failings, and despite the passage of time since the events, she has demonstrated no insight into her dishonest conduct.
117. Mr Harris submitted that based on the Sanctions guidance and in all of the circumstances of this case, a removal order is necessary for the protection of the public, including maintaining public confidence in the profession and upholding proper standards of conduct.
118. Mr Harris asked the panel to make an interim order for eighteen months to cover the appeal period if it imposed a Conditions of Practice/suspension order or removal order. He submitted that an interim order is necessary to protect the public in light of the findings of misconduct and impairment made by the panel.

Legal advice

119. The panel heard and accepted the legal advice from the legal adviser. The panel was advised to consider the Sanctions guidance dated 19 December 2022. The panel was advised that the purpose of any fitness to practise sanction is to protect the public which includes maintaining confidence in the profession and upholding professional standards. The sanction imposed should be the minimum necessary to protect the public. The panel also heard and accepted the advice of the legal adviser in relation to the test for interim orders at final hearing stage. To impose an interim order in the present circumstances the panel needed to be satisfied that such an order was necessary for the protection of the public which includes the public interest.

Decision

120. The panel applied the principle of proportionality by weighing Ms King's interests with the public interest and by considering each available sanction in ascending order of severity. The panel considered the mitigating and aggravating factors in deciding what sanction, if any, to impose.
121. The panel identified the following mitigating factors:
- No previous fitness to practise history.
 - [PRIVATE]

-There were several positive testimonials from foster carers who all stated that Ms King was professional, well liked by all the children, and supportive of carers:

- *"I thought the social worker was lovely which made this really surprising. She was always very approachable and made it quite clear that if we ever had a problem we could contact her"* (Foster Carer A)

- *"The social worker was brilliant with them they all got on with her"* (Foster Carer B)

- *"I had no qualms about her she was very professional"* (Child G's Foster Carer.)

122. The panel identified the following aggravating factors:

- Ms King's conduct and dishonesty occurred in multiple cases and repeated over a number of months. Her conduct caused risk of harm to multiple service users.

- Ms King showed limited insight into the safeguarding failings.

- Ms King showed no insight into the dishonesty. Ms King produced no evidence of remorse, reflection or remediation.

123. Considering the serious nature of the findings of fact it had made, the panel decided that taking no further action, issuing advice or a warning, would not be appropriate as these sanctions would not restrict Ms King's practice and would therefore not protect the public from the risks that have been identified.

124. The panel went on to consider whether a Conditions of Practice order would be appropriate. The panel could not see how a Conditions of Practice order might address and safeguard members of the public from the risks of the dishonesty aspect of Ms King's misconduct. The panel took into account that the dishonesty related to falsifying records regarding vulnerable children. It reminded itself that it had found Ms King had shown limited insight, had not remediated, and there was risk of repetition. With this in mind the panel considered that conditions of practice would not be sufficient to prevent the risk of repetition. The panel also considered that given Ms King's limited engagement with Social Work England, and her stated desire not to work as a social worker in the future, it could not be confident that she would now be willing to engage or comply with a Conditions of Practice order.

125. The panel then considered whether a suspension order should be imposed to protect the public and the wider public interest. The panel took into account that a suspension order can be imposed for a period of up to three years. The panel had in mind that the purpose of a suspension order is not to punish but to protect the public and public interest.

126. The panel asked itself whether this was a case which fell short of requiring removal, having regard to its findings on misconduct. It noted its decision that the misconduct was capable of being remedied, providing that sufficient insight, remediation, and reflection could be evidenced.
127. The panel asked itself what a period of suspension would seek to achieve in Ms King's case. A period of suspension would provide an opportunity for Ms King to seek to address the misconduct findings made against her. However, she has provided emails stating that she does not wish to practise as a social worker. Therefore, the panel had no evidence to suggest an indication that Ms King is willing or able to resolve or remediate her failings.
128. In relation to dishonesty, the panel noted that Ms King has provided no acknowledgment of fault, no meaningful reflection, and has shown no insight into her conduct. The panel therefore had no confidence that the conduct would not be repeated.
129. The panel took into account that social workers hold positions of trust, and the role often requires them to engage with vulnerable people. Dishonesty is therefore likely to threaten public confidence in social workers. The public (which includes the regulator) must be able to trust the accuracy of information provided by social workers.
130. For the above reasons the panel concluded that a suspension order was not sufficient to protect the public, maintain public confidence in the profession, nor to mark the public interest in declaring and upholding proper standards of conduct and behaviour.
131. The panel took into account the Sanctions guidance which states that:
- 'A removal order must be made where the decision makers conclude that no other outcome would be enough to (do one of more of the following):*
- protect the public*
- maintain confidence in the profession*
- maintain proper professional standards for social workers in England.'*
132. The panel considered that a removal order is a sanction of last resort and should be reserved for those categories of cases where there is no other means of protecting the public and the wider public interest. The panel decided that Ms King's case falls into this category because of the nature of her dishonest conduct, the apparent lack of insight into the seriousness of her actions or consequences, and the indication that she is unwilling to remediate, as she has stated that she does not wish to practise as a social worker in the future. The panel was also satisfied that any lesser sanction would undermine public trust and confidence in the profession, in light of the lack of meaningful engagement, insight, remediation, and reflection.

133. The panel had regard to proportionality and balanced the public interest against Ms King's interests. The panel considered the potential consequential personal, financial, and professional impact a removal order may have upon Ms King but concluded that these considerations are significantly outweighed by the panel's duty to give priority to public protection and the wider public interest.
134. The panel concluded that the appropriate and proportionate order is a removal order.

Interim Order

135. In light of its finding on sanction, the panel next considered whether to impose an interim order. It was mindful of its earlier findings and decided that it would be wholly incompatible with those earlier findings if an interim suspension order was not made.
136. Accordingly, the panel concluded that an interim suspension order is necessary for the protection of the public, including the wider public interest. The panel decided that the appropriate length would be eighteen months, to allow time for any potential appeal to be considered by the High Court.
137. When the appeal period expires, this interim order will come to an end unless an appeal has been filed with the High Court. If there is no appeal, the final order of removal shall take effect when the appeal period expires.

Right of appeal

138. 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:
 - a) to make an interim order, other than an interim order made at the same time as a final order under Paragraph 11(1)(b),
 - b) not to revoke or vary such an order,
 - c) 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.
139. 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.

140. 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.
141. 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:

142. 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>.