

Social worker: Mina Hyare

Registration number: SW78674

Fitness to Practise

Final Order Review Meeting

Date of Meeting: 28 August 2025

Meeting venue: Remote

Final order being reviewed:
Suspension order (expiring 09 October 2025)

Meeting 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 order originally imposed for a period of 2 years by a panel of adjudicators on 11 September 2023.
2. Ms Mina Hyare did not attend and was not represented.
3. Social Work England was represented by Capsticks LLP and their written submissions are set out within the notice of hearing letter.

Adjudicators	Role
Karen McArthur	Chair
Sarah (Sally) Scott	Social worker adjudicator

Hearings team/Legal adviser	Role
Poppy Muffett	Hearings officer
Kathryn Tinsley	Hearings support officer
Esther Oladipo	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 28 July 2025, addressed to Ms Hyare at her registered email address;
 - An extract from the Social Work England Register as of 28 July 2025, detailing Ms Hyare's registered email and postal address;
 - A copy of the signed Statement of Service, dated 28 July 2025, from Mr Parker on behalf of Social Work England, confirming that on that date he sent by email to Ms Hyare at her registered email address 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 Rule 16, Rule 44, and Rule 45 of the Social Work England (Fitness to Practise) Rules 2019 (as amended), and all of the information before it in relation to service, the panel was satisfied that notice of this hearing had been properly served on Ms Hyare in accordance with the Rules. The panel was further satisfied that notice was served within the required time frame, as service is deemed effective on the day an email is sent to the registered email address.

Proceeding with the final order review as a meeting:

7. The notice of final order review informed Ms Hyare 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 05 August 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 noted that Ms Hyare had been sent notice of today’s hearing. The panel took into account that in response to the notice of hearing on 2 August 2025, an email was received from Ms Hayre, in which she confirmed that she would not be attending the hearing and further expressed that she would like her name to be permanently removed from the register. The panel noted that Ms Hyare had consistently throughout the regulatory process confirmed that she no longer wished to practise as a social worker and wished to be removed from the register.
9. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to Rule 43 of the Rules and the cases of *R v Jones [2002] UKHL 5*; *General Medical Council v Adeogba [2016] EWCA Civ 162*. The panel also took into account Social Work England guidance ‘Service of notices and proceeding in the absence of the social worker’.
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 concluded that a postponement would serve no useful purpose, as it would not secure Ms Hyare’s attendance at a future date. The panel was satisfied that Ms Hyare had received the notice of hearing, was aware of today’s review, and had indicated that she did not wish to attend and had voluntarily absented herself. The panel took into consideration that this is a mandatory review, and the need to dispose of the review expeditiously.
12. Having weighed the interests of Ms Hyare in regard to her attendance with those of Social Work England and the wider public interest in the disposal of the hearing, the panel was satisfied that it was fair and appropriate to conduct the review in her absence, in the form of a meeting, in accordance with Rule 16(c) of the Rules.

Review of the current order:

13. This final order review hearing is taking place under Paragraph 15(1) of Schedule 2 of The Social Workers Regulations 2018 (as amended) and Social Work England's Fitness to Practise Rules 2019 (as amended).
14. The purpose of this review is to review the current order, which is due to expire at the end of 09 October 2025. The order subject to review is a suspension order.

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

While registered as a social worker at Leicester City Council, between July 2019 and May 2020, you:

1. Failed to adequately assess the support needs of service users, including:

i. Case A:

a. By failing to commence a care and support pre-assessment following allocation of the case on 12 November 2019 until 15 January 2020;

c. By failing to complete a care and support assessment by 28 February 2020;

ii. Case D:

a. By failing to undertake a care and support assessment following allocation of the case in or around 15 October 2019;

iii. Case G:

a. By failing to undertake a care and support assessment following allocation of the case in or around between 19 and 25 November 2019

2. Failed to properly assess the mental capacity of service users, including:

i. Case D:

a. By failing to undertake a mental capacity assessment despite having identified the need for this on 19 November 2019;

iii. Case F:

a. By failing to undertake a comprehensive mental capacity assessment;

b. By undertaking an inadequate mental capacity assessment;

c. By failing to properly progress the case;

3. Failed to properly assess and/or manage the risks to service users, including:

i. Case B:

b. By failing to progress the case at all;

iii. Case D:

b. By failing to undertake the risk assessment by 4 December 2019;

4. Failed to make timely and up to date records, including:

i. Case B:

a. By recording inadequate and limited notes;

b. By failing to record the risks which had been identified;

ii. Case C;

b. By failing to record a telephone call on 18 December 2019 until 9 January 2020;

iii. Case D;

a. By failing to record a visit undertaken on 21 October 2019 until 29 October 2019;

iv. Case F:

a. By failing to record a visit on 28 November 2019 until 30 December 2019;

b. By failing to record a telephone call received from Service User F's mother on 22 January 2020 until 31 January 2020;

v. Case H:

a. By failing to record an email received on 12 December 2019 outlining concerns about the manipulation of Service User H until 9 January 2020;

The final hearing panel on 11 September 2023 determined the following with regard to impairment:

198. *"The panel determined that Ms Hyare had in the past, and is liable in the future, to place service users at risk of harm. Ms Hyare had failed to observe the basic tenets of the social work profession and lacked competence and capability.*
199. *The panel decided that Ms Hyare's actions put others at risk of unwarranted harm. Ms Hyare had brought the profession into disrepute and she had breached HCPC standards.*

200. *The panel was satisfied that there was a risk of repetition as Ms Hyare had demonstrated limited insight and refuted some of the allegations. Ms Hyare had been provided with feedback regarding her performance, but had failed to address this.*
201. *The panel noted that Ms Hyare had failed to manage risk and one safeguarding case had been removed from her due to concerns regarding her competence and capability. There had been no improvement in Ms Hyare's practice and no remorse for her actions. The panel decided that Ms Hyare had not remedied her behaviour and there remained a risk of repetition.*
202. *With regard to the considering the public interest the panel decided that Ms Hyare had failed to observe the basic tenets of the profession and continued to be a risk to the public. Ms Hyare had demonstrated little insight, but focused on her own circumstances.*
203. *The panel decided that Ms Hyare's practice is currently impaired. Further, the panel when considering the wider public interest decided that a finding of impairment was also necessary to maintain public confidence and to uphold the standards of the profession."*

The final hearing panel on 11 September 2023 determined the following with regard to sanction:

215. *"The panel identified several aggravating factors in this case. Ms Hyare had demonstrated a lack of insight and remorse over a period of time and also a pattern of behaviour. There had been a repetition of Ms Hyare's lack of capability in her completion of MCA assessments, case notes and pre-assessments. The panel decided that there was no remediation. It was clear to the panel that Ms Hyare had demonstrated a risk of harm to vulnerable service users.*
216. *The panel identified some mitigating factors. Ms Hyare had initially engaged with these proceedings and her personal circumstances were relevant. Ms Hyare had made some admissions in her response. Ms Hyare's practical experience in the field of adult care was low, although the panel noted that Ms Hyare did have previous experience in an associated social work field as well as relevant academic experience. The panel noted that Ms Hyare had not faced fitness to practise proceedings before.*

No action, warning or advice

217. *The panel decided that none of these options were appropriate noting the seriousness of Ms Hyare's lack of capability and the requirement to protect the public, which would not be achieved by taking no action or giving Ms Hyare a warning or advice. The panel decided that Ms Hyare could not be permitted to have an unrestricted practice. Further, none of these conditions would mark the seriousness of her impairment.*

Conditions

218. *The panel decided that in light of Ms Hyare's demonstrated lack of capability it could not identify any workable conditions, which would be able to address the risk that Ms Hyare posed to service users given the substandard quality of her practice, her behaviour and attitudes.*
219. *The panel noted that Ms Hyare had been provided with a significant amount of support when she was employed by the Council, but still hadn't been able to work to the standard required of her.*
220. *The panel decided that Ms Hyare's lack of capability was so very serious that conditions of practise would not ensure public confidence in the social work profession. The panel considered that there was no evidence that Ms Hyare would comply with any conditions given her failure to adhere to basic social work principles.*
221. *Ms Hyare had not engaged with these proceedings in a substantive way and she was not currently working as a social worker. Ms Hyare had failed to demonstrate insight, reflection, remediation or a willingness to engage and improve.*

Suspension

222. *The panel then considered whether or not a suspension order would be appropriate. The panel was mindful of the objectives of Social Work England and the three elements of public protection, namely protecting the public from harm, maintaining public confidence, and declaring and upholding professional standards. The panel also considered the continuing risk posed by Ms Hyare to service users and her lack of substantive engagement with these proceedings.*
223. *The panel referred to the guidance, which stated that suspension was appropriate where the panel cannot formulate workable conditions to protect the public or the wider public interest and where removal was not an option (as in the circumstances of this case).*
224. *The panel determined that a suspension order was required. With regard to the length of the order the panel decided that a suspension order of two years was required. The panel balanced the need to protect the public and the wider public interest along with the risk that prolonged suspension may result in Ms Hyare's skills declining or deskilling.*
225. *The panel noted within Ms Hyare's response that she did not intend to remediate or practise. However, the panel could not exclude the fact that Ms Hyare may wish to practise at some point in the future. The panel decided that a 2-year order would allow her time to demonstrate remediation if she so wished.*
226. *Having made a suspension order the panel decided that it should make clear to Ms Hyare that any panel reviewing this decision would expect to see improvement at the*

next review. Ms Hyare should consider undertaking further training or obtaining testimonials to assist any future panel.”

Social Work England Submissions:

15. The written submissions from Social Work England were outlined in the notice of final order review hearing, dated 28 July 2025. The submissions, which sought a Removal Order, stated:

“Social Work England invites the Panel to consider that the Social Worker’s fitness to practise remains impaired by reason of lack of capability or competence. There has been no change in circumstances since the imposition of the Suspension Order and the risk of repetition remains high.

The Social Worker has persistently refused to engage with the fitness to practise process and stated she has no interest in returning to social work. She has not provided any further material to demonstrate insight, remediation or progress on the matters which were in issue at her hearing. As such, given this lack of engagement, it is submitted that the Social Worker’s fitness to practise remains impaired by reason of her lack of competence.

A Removal Order is sought given the lack of insight, remediation and engagement in the process. The Social Worker has stated on many occasions, as recently as 19 July 2025, that she had not wish to practice in this area and seeks voluntary removal from the register. She has not provided the appropriate forms to allow Social Work England to consider this request, but she has been consistent in all her communications that this is her position.

The sanctions guidance makes clear that Removal where impairment is based on lack of competence can only occur where there has been a continuous two year period of suspension or conditions of practice at the point of the Removal Order being made, which applies in this case.

The sanctions guidance goes onto state that a removal order may be appropriate in cases involved “social workers who are unwilling and/or unable to remediate (for example, where there is clear evidence that they do not wish to practice as a social worker in the future). This applies in this case based on the material available.

The Panel is therefore invited to find that the Social Worker’s fitness to practise remains impaired by reasons of the lack of competence and to impose a Removal Order.”

Social worker submissions:

16. Ms Hyare did not provide written submissions but the panel took into account that Ms Hyare has expressed her wish to be removed from the register in various

correspondence throughout the regulatory process, including in response to today's notice of hearing.

Legal Advice:

17. The panel received and accepted legal advice from the Legal Adviser. The panel was reminded that its role was to conduct a mandatory review of the existing final order, as required at the expiry of the order under paragraph 15(1) of Schedule 2 to the Social Workers Regulations 2018 (as amended) and Rule 16 of the Social Work England Fitness to Practise Rules 2019 (as amended). This was not a rehearing of the original facts, which remain binding on the panel, but an assessment of whether the Social Worker's fitness to practise remains impaired and, if so, what sanction, if any, is necessary and proportionate.
18. The panel was advised of the powers available to it under the Regulations, namely to: confirm the current order; extend, reduce, substitute, revoke or vary it, subject to the relevant statutory limits.
19. The legal adviser reminded the panel to apply Social Work England's overarching objective, namely the protection of the public. This required consideration of: (i) the protection, promotion, and maintenance of the health, safety, and well-being of the public; (ii) the maintenance of public confidence in the profession; and (iii) the maintenance of proper professional standards. The burden lay with the Social Worker to demonstrate that their fitness to practise was no longer impaired, with reference to evidence of insight, remediation, and sustained improvement.
20. The panel was further advised that it must undertake its own risk assessment, considering both the risks identified by the original panel and any new evidence presented at this review. In doing so, the Panel was directed to have regard to Social Work England's *Impairment and Sanctions Guidance*, ensuring that any outcome was fair, proportionate, and addressed both the protection of the public and the wider public interest.
21. Finally, the legal adviser reminded the panel of the need to provide clear, reasoned, and evidence-based findings, demonstrating how the statutory framework and guidance had been applied.

This panel's decision and reasons on current impairment:

22. 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'.
23. The panel considered carefully all the evidence and information before it, including the written submissions of Social Work England and Ms Hyare's email correspondence expressing her wish to be removed from the register.

24. 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 maintaining public confidence in the profession.
25. The panel first considered whether Ms Hyare's fitness to practise remains impaired. The panel noted that the statutory grounds of impairment in this case were based on a lack of competence and capability. At the final hearing, the panel found that Ms Hyare had failed to adequately assess service users, carry out mental capacity assessments, manage risks, and maintain proper records. Those deficiencies were considered remediable, and recommendations were made by the final hearing panel as to steps Ms Hyare could take to demonstrate remediation, such as undertaking CPD, training, and reflecting on her practice.
26. In reviewing current impairment, the panel considered both the personal and public components of impairment. The panel found no evidence before it of any remediation or steps taken by Ms Hyare since the imposition of the suspension order. There was no evidence of CPD, training, testimonials, or reflection that might demonstrate insight or learning. The panel noted that despite having two years to engage with the recommendations provided by the previous panel, Ms Hyare has not taken any of the steps suggested. Instead, she has consistently expressed her wish to be removed from the register and has stated that she does not intend to return to social work practice.
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27. The panel acknowledged that Ms Hyare's consistent admissions, both in her recent emails and in her previous responses, indicate some limited level of insight into the concerns found proved. However, this insight has not been developed into meaningful reflection or remediation. In the absence of such evidence, the panel considered that the risk of repetition remains unchanged from the decision of the final hearing.
28. The panel further considered whether a finding of impairment was necessary to maintain public confidence in the profession and uphold proper professional standards. The panel concluded that it was. The concerns found proved related to core aspects of social work practice, including risk assessment and safeguarding, and were sufficiently serious that a finding of current impairment remains necessary. The public would expect a social worker in Ms Hyare's position to take steps to remedy the deficiencies identified, and would expect the regulator to uphold standards where such steps have not been taken.
29. The panel considered Ms Hyare's repeated statements that she does not wish to return to social work and wishes to be removed from the register. While the panel accepted that this appears to be her settled position, it concluded that the absence of engagement and remediation means that there has been no material change in circumstances since the imposition of the suspension order. The risk of repetition therefore remains live, and the panel could not be satisfied that Ms Hyare would be able to return to safe, effective and unrestricted practice.

30. Having regard to all of the above, the panel concluded that Ms Hyare's fitness to practise remains currently impaired on both the personal and public components. The deficiencies identified at the final hearing were remediable, but Ms Hyare has chosen not to take the opportunity to remediate. In those circumstances, the risk of repetition remains and public confidence in the profession would be undermined if a finding of impairment were not made.

This panel's decision on sanction:

31. Having found that Ms Hyare's fitness to practise remains currently impaired, the panel then went on to consider what, if any, sanction should be imposed in this case. The panel accepted the advice of the legal adviser. It had regard to the written submissions of Social Work England, which invited the panel to impose a Removal Order, as well as to Ms Hyare's own consistent wish to be removed from the register. The panel also considered all the information contained in the hearing and service bundles, and it took into account the *Impairment and Sanctions Guidance* published by Social Work England.

32. The panel reminded itself that the purpose of a sanction is not to punish the social worker, but to protect the public and the wider public interest. The wider public interest includes maintaining confidence in the profession and in Social Work England as its regulator, and upholding proper standards of conduct and behaviour. The panel also applied the principle of proportionality, carefully balancing the interests of Ms Hyare with the need to protect the public and maintain confidence in the profession.

33. The panel considered the available sanctions in ascending order of seriousness. The panel first considered taking no action, or imposing advice or a warning. Given the seriousness of the failings found proved at the final hearing, which related to core aspects of social work practice, including safeguarding, risk assessment, and record keeping, the panel concluded that these outcomes would be wholly inappropriate. They would not adequately protect the public or uphold public confidence in the profession.

34. The panel next considered whether a conditions of practice order would be appropriate. The panel noted that conditions are generally appropriate where there is evidence of a realistic prospect that the social worker is willing and able to remediate their failings. In this case, Ms Hyare has not demonstrated any engagement with remediation over the last two years. She has not undertaken any training, CPD, or reflection, and has provided no evidence of remediation or insight. Further, she has consistently stated that she does not wish to return to social work practice and has repeatedly stated her wish to be removed from the register. In these circumstances, the panel concluded that conditions of practice would not be workable, realistic, or sufficient to protect the public or maintain confidence in the profession.

35. The panel then considered whether a further period of suspension would be appropriate. The panel acknowledged that a suspension order can serve to protect the public in the short term. During Ms Hyare's suspension, she has taken no steps to remediate her failings. Instead, she has consistently indicated that she has no intention

of returning to practice and wishes only to be removed from the register. The panel considered that, in line with the Impairment and Sanctions Guidance, suspension is generally appropriate where there is a prospect that the social worker may be able to remedy their failings and return to practice within a reasonable timeframe. In this case, the panel determined that there was no realistic prospect of Ms Hyare engaging in remediation or returning to safe and effective practice. To impose a further suspension would serve no useful purpose and would risk undermining public confidence in the profession and in the regulatory process.

36. Finally, the panel considered whether to impose a Removal Order. The panel noted that removal is a sanction of last resort, appropriate only where no lesser sanction would adequately protect the public or the wider public interest. The panel was satisfied that this threshold was met in Ms Hyare's case. She has demonstrated no willingness to remediate, has provided no evidence of remediation or insight, and has consistently expressed her wish to be removed from the register. The panel concluded that although in theory her failings are remediable, Ms Hyare has chosen not to take the necessary steps to remediate her failings. As a result, there remains a risk of repetition, and public confidence in the profession would be undermined if she were permitted to remain on the register.
37. The panel was mindful of paragraph 122 of the *Impairment and Sanctions Guidance*, which provides that a removal order may be appropriate where a social worker is "unwilling and/or unable to remediate (for example, where there is clear evidence that they do not wish to practise as a social worker in the future)." The panel found that this guidance applied to Ms Hyare's case.
38. The panel was satisfied it could consider that a removal order was available to the panel as Ms Hayre's fitness to practise was originally found impaired on the basis of one or more grounds as set out in regulation 25(2), (b), (e) or (h) and she will have been suspended from practice for a continuous period of two years immediately preceding the day when the removal order would take effect.
39. For these reasons, the panel concluded that the only appropriate and proportionate sanction was a Removal Order. The panel determined to impose a Removal Order, to take effect upon the expiry of the existing suspension order on 9 October 2025.
40. The panel was satisfied that this order was the required to protect the public, to maintain public confidence in the profession, and to uphold proper standards of conduct and behaviour.

Right of appeal:

41. 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.

42. 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.

43. 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.

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

Review of final orders:

45. 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).

46. 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

47. 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>