

# Social worker: Michael Chipato

## Registration number: SW103011

### Fitness to Practise

### Final Order Review Hearing

Date of hearing: 22 October 2025

Hearing venue: Remote

Final order being reviewed:

Conditions of practice order (expiring 06 November 2025)

Hearing outcome:

Impose a new order namely suspension for 12 months with effect from the expiry of the current order

## Introduction and attendees:

1. This is the fourth review of a final suspension order originally imposed for by way of an accepted disposal for a period of 12 months with a start date of 4 May 2022. The order was first reviewed on 17 April 2023 and extended by 9 months. It was reviewed again on 16 February 2024 and extended by a further 8 months. On 11 October 2024 the order was reviewed for a third time and replaced with a final conditions of practice order for a period of 12 months from the expiry of the previous order and will expire on 6 November 2025.
2. Mr Chipato attended and was not represented.
3. Social Work England was represented by Mr Brookes, case presenter, instructed by Capsticks LLP.

Adjudicators	Role
Philip Geering	Chair
Warren Dillon	Social worker adjudicator

Hearings team/Legal adviser	Role
James Dunstan	Hearings officer
Heather Hibbins	Hearings support officer
Judith Walker	Legal adviser

## Preliminary matters – proceeding in private:

4. The panel first considered whether all or part of the hearing should proceed in private. It noted the advice of the Legal adviser that Final Order Review hearings are held in public. However, Rule 38 (a)(ii) of Social Work England's Fitness to Practise Rules 2019 (as amended) states that 'A hearing or part of a hearing, shall be held in private where the proceedings are considering the physical or mental health of the registered social worker'. In deciding whether all or part the hearing should be held in private the panel should have regard to the importance of open justice and transparency but must balance this with fairness to the individuals involved in proceedings and their right to private and family life. The panel bore in mind that the regulatory concerns in this case involved conviction and misconduct as well as health. These are factual matters which the public are entitled to know about but matters relating to the detail of an individual's health should remain private.
5. The panel therefore decided that those parts of the hearing which do not relate to details of Mr Chipato's health and related personal circumstances should be heard in private whilst the remainder of the hearing will be heard in public.

## Review of the current order:

6. 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). The purpose of this review is to review the current order, which is due to expire at the end of 6 November 2025. The order subject to review is a conditions of practice order, comprising the following conditions :

*1. You must notify Social Work England within 7 days of any professional appointment you accept or are currently undertaking and provide the contact details of your employer, agency or any organisation with which you have a contract or arrangement to provide social work services, whether paid or voluntary.*

*2. You must allow Social Work England to exchange information with your employer, agency or any organisation with which you have a contract or arrangement to provide social work or educational services, and any reporter or workplace supervisor referred to in these conditions.*

*3a. At any time you are providing social work services, which require you to be registered with Social Work England, you must agree to the appointment of a reporter nominated by you and approved by Social Work England. The reporter must be on Social Work England's register. This could be the same person as the workplace supervisor.*

*3b. You must not start or continue work until these arrangements have been approved by Social Work England.*

*4. You must provide reports from your reporter to Social Work England every 3 months and at least 14 days prior to any review and Social Work England will make these reports available to any workplace supervisor referred to in these conditions on request.*

*5. You must inform Social Work England within 7 days of receiving notice of any formal disciplinary proceedings taken against you from the date these conditions take effect.*

*6. You must inform Social Work England within 7 days of receiving notice of any investigations or complaints made against you from the date these conditions take effect.*

*7. You must inform Social Work England if you apply for social work employment / self employment (paid or voluntary) outside England within 7 days of the date of application.*

*8. You must inform Social Work England if you are registered or subsequently apply for registration with any other UK regulator, overseas regulator or relevant authority within 7 days of the date of application [for future registration] or 7 days from the date these conditions take effect [for existing registration].*

*9a. At any time you are employed, or providing social work services, which require you to be registered with Social Work England; you must place yourself and remain under*

*the close supervision of a workplace supervisor nominated by you, and agreed by Social Work England. The workplace supervisor must be on Social Work England's register. This could be the same person as the reporter.*

*9b. You must not start or continue work until these arrangements have been approved by Social Work England.*

*9c. "Closely supervised" means that your day-to-day work must be supervised by a person who is registered with and approved by Social Work England and who must be contactable at all reasonable times. As a minimum, your practice must be reviewed at least once a week by the supervisor in one-to-one meetings and case-management supervision. These weekly meetings must be focused on all areas of the concerns identified in the conditions.*

*10. You must keep your workload under review and limit your social work practice in accordance with your workplace supervisor's advice.*

*11. You must provide reports from your workplace supervisor to Social Work England every 3 months and at least 14 days prior to any review, and Social Work England will make these reports available to any reporter referred to in these conditions on request.*

*[PRIVATE CONDITIONS]*

*18. You must provide a written copy of your conditions, within 7 days from the date these conditions take effect (or, in the case of any prospective employer, locum agency or out-of-hours service, at the time of application), to the following parties,*

- i. Any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary;*
- ii. Any locum agency or out-of-hours service you are registered with or apply to be registered with to secure employment or contracts to undertake social work services whether paid or voluntary;*
- iii. Any prospective employer who would be employing or contracting with you to undertake social work services whether paid or voluntary;*
- iv. Any organisation, agency or employer where you are using your social work qualification/knowledge/skills in a non-qualified social work role, whether paid or voluntary.*

*You must forward written evidence of your compliance with condition 18 to Social Work England within 14 days from the date these conditions take effect.*

*19. You must permit Social Work England to disclose conditions 1 to 11 and 18 above to any person requesting information about your registration status.*

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

7. In their final decision dated 4 May 2022, the case examiners determined that there was a realistic prospect that adjudicators would determine that Mr Chipato's fitness to practise was impaired on the basis of the following regulatory concerns:

*'Whilst registered as a social worker:*

- 1. On or around 15 November 2021 you received a conviction for driving a motor vehicle whilst under the influence of alcohol more than the legal limit contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.*
- 2. On or around 11 October 2021 you attended a home visit whilst under the influence of alcohol.*
- 3. You suffer from an adverse health condition, specifically, [PRIVATE], which impacts on your ability to practise as a social worker.'*

And that the relevant statutory grounds were:

- 1. for regulatory concern 1, conviction or caution in the United Kingdom for a criminal offence.*
  - 2. the relevant statutory ground for regulatory concern 2 was misconduct and*
  - 3. the relevant statutory ground for regulatory concern 3 was adverse physical or mental health.*
8. In relation to regulatory concern 1, the panel noted a court extract recording that Mr Chipato pleaded guilty to driving without insurance, for which he was fined £200, and drink driving, for which he was disqualified from driving for 48 months and ordered to do 120 hours of unpaid work and take a drink-drive rehabilitation scheme course.
9. In respect of personal impairment, the case examiners noted that Mr Chipato accepted the facts relating to the above concerns, had demonstrated remorse for his actions and appeared to link all of these to the underlying issue of his health. However, in the case examiners' view he had provided limited evidence of insight.
10. The case examiners noted evidence that this is the second time Mr Chipato had been convicted of drink driving in just over 3 years, suggesting a risk of repetition.
11. The case examiners noted that Mr Chipato points to his health as the root cause of the problem and highlighted the steps he is taking to manage this. However, he appears to be at the very early stages of attempting to rehabilitate his health issue. It was the case examiners view that there was a risk of repetition.
12. The case examiners also considered the public interest and concluded that a social worker driving whilst under the influence of alcohol, or visiting service users whilst

intoxicated, undoubtedly has the potential to undermine public confidence and is a significant departure from professional standards as well as having the potential to cause harm to the public including service users.

13. The case examiners concluded there was a realistic prospect that adjudicators would find the social worker to be currently impaired.
14. In considering sanction the case examiners noted that Mr Chipato's health issue may have been suitable to be managed with conditions. However, the case examiners considered that a social worker being convicted of drink driving for the second time in around 3 years, and visiting a service user whilst intoxicated, is sufficiently serious to engage wider public interest issues. The case examiners were of the view that conditions of practice would not be sufficient to address the wider public confidence grounds that arise from this case.
15. The case examiners therefore concluded that a final suspension order was appropriate and that 12 months would be sufficient to meet the wider public interest, whilst also allowing Mr Chipato to focus on the management of any health condition.

#### First review panel's decision on impairment (17 April 2023):

16. The first review panel noted that whilst it was clear that Mr Chipato was taking steps to address his [PRIVATE] there remained concerns of [PRIVATE].
17. In the circumstances the panel considered that there was insufficient evidence that Mr Chipato has fully engaged with his [PRIVATE], and it remained concerned that he was [PRIVATE]. In the circumstances the panel considered that there was a significant risk that Mr Chipato would repeat the conduct, especially since Social Work England had received a further report of a driving offence in June 2022 which [PRIVATE].
18. The panel was not satisfied that Mr Chipato had adequately addressed his health condition or had effective strategies to prevent any repetition. It therefore considered a finding of impaired fitness to practise was required to protect the public and maintain confidence and uphold standards in the profession.
19. In considering sanction the panel concluded that conditions of practice could not be formulated to protect the public and the public interest whilst there were concerns about Mr Chipato's [PRIVATE] and his potential under-reporting. It therefore determined to impose a further period of suspension of 9 months to allow Mr Chipato time to address these issues.

#### Second review panel's decision on impairment (16 February 2024) :

20. The panel considered that Mr Chipato had made progress since the first review in April 2023. In particular, he now appeared to have a greater understanding of the [PRIVATE]. To that end, he had taken significant steps to [PRIVATE]. The panel commended him for

these steps but considered that [PRIVATE]. It bore in mind that the sanction had first been imposed in 2022 and he had a history of three drink driving related offences.

21. However, the panel did not consider that the risk of repetition [PRIVATE] was sufficiently reduced so as not to expose service users to risk of harm. Accordingly, the panel concluded that Mr Chipato's fitness to practise is currently impaired in respect of the personal element and, given Mr Chipato's ongoing health condition and the risk of harm to service users in the event of repetition [PRIVATE], public confidence would be undermined if no finding of impairment were made in this case.
22. In considering sanction the panel was of the view that Mr Chipato had not yet demonstrated a [PRIVATE] in order to reassure it that it could safely impose conditions which would be sufficient to protect the public. The panel was of the view that [PRIVATE], would be required before conditions could be considered as the risk of attending a service user's home whilst under the influence of alcohol was a real and ongoing risk at this stage. The panel determined to extend the suspension order currently in place for a period of 8 months.

### Third review panel's decision on impairment (11 October 2024):

23. The third review panel first considered whether Mr Chipato's fitness to practise remained impaired. With regard to insight, the panel considered that there was ample evidence before it to show that Mr Chipato had developed good insight into his misconduct and his adverse health condition and the effects of both on service users, the social work profession and the public.
24. However, notwithstanding the significant insight into his health condition and misconduct which Mr Chipato had developed, the panel was concerned that his insight into the challenges of returning to social work was more limited. These challenges included managing his health conditions whilst working in a potentially very stressful workplace and ensuring that his social work skill-set is up to date, especially if he were no longer living in a supportive environment.
25. In terms of remediation, the panel noted that the training which Mr Chipato had undertaken was, understandably, focussed on dealing with [PRIVATE]. It also noted that this training, together with the support which he had received, had been effective in enabling him to [PRIVATE]. However, the panel also considered that, given the duration of Mr Chipato's [PRIVATE] was too short a period for the panel to safely conclude that his adverse health condition and any related misconduct had been fully remedied with minimal risk of repetition.
26. The panel therefore concluded that Mr Chipato's fitness to practise remained impaired on the grounds of public protection and to maintain public confidence in social workers and maintain proper professional standards.



27. In terms of sanction, the panel considered that all of the circumstances for a conditions of practice order set out in paragraph 114 of the Guidance were present. It considered Mr Chipato had demonstrated significant insight into his misconduct and adverse health condition and he had taken significant steps to remedy them.
28. The panel considered that, provided that he was subject to adequate supervisory conditions, Mr Chipato would not pose a risk of harm to service users and other members of the public by being in restricted practice.
29. The panel considered that a period of 12 months was appropriate as this would allow time for Mr Chipato to obtain work as a social worker whilst also being sufficient for him to [PRIVATE].

### Social Work England submissions:

30. The panel heard submissions from Mr Brookes on behalf of Social Work England. His submissions were in accordance with Social Work England's written submissions as set out in the notice of today's review hearing which read as follows:

*‘Social Work England are seeking a further extension of the existing Conditions of Practice Order for 12 months.*

*The Social Worker has sought to comply with conditions of both providing copies of conditions to prospective employers and [PRIVATE]. That he has had some technical non-compliance is in part due to him being reliant on others for compliance.*

*The key issue that remains unaddressed is that of him demonstrating that he [PRIVATE]. This is yet to be demonstrated and therefore the review panel is invited to find that his fitness to practise remains impaired.*

*The concerns are longstanding and the Social Worker's resilience and ability to [PRIVATE]. He is not currently working as a social worker and there is no recent testimonial evidence of him working effectively in another field.*

*It is noted that the Social Worker has informed Social Work England of a further charge of driving whilst disqualified and without insurance on 19 June 2025. [PRIVATE] it does indicate that the Social Worker continues to exhibit poor judgment and to commit offences as a result.*

*The Social Worker was sentenced in early September 2025 to 12 weeks' imprisonment for driving without a license. The Final Order Review has been moved to allow the Social Worker to engage and attend upon his release. Social Work England submit that, as the new concerns are to be considered under a separate referral, they should not directly affect the workability of the existing Order in the current case.*



*The review panel is invited to extend the existing Conditions of Practice order for a further 12 months to allow the Social Worker further opportunity to secure employment and demonstrate [PRIVATE] and show effective judgment when under pressure to ensure a safe return to practice.*

*Social Work England invite the Panel to consider making further recommendations, such as to provide testimonial evidence regarding any paid or unpaid work, if the Social Worker is unable to obtain social work employment in the term of the next extension. A future Panel may also be assisted by evidence from any organisation or health professionals working directly with the Social Worker with regards to [PRIVATE] coping mechanisms once he returns to employment.'*

31. Mr Brookes, in his oral submissions highlighted that Mr Chipato needed to demonstrate two elements, [PRIVATE]. He submitted that until Mr Chipato has been able to demonstrate both these elements there remains a risk of repetition. He further submitted that Mr Chipato has demonstrated a pattern of poor judgement, including decisions about compliance with the law as evidenced by two convictions relating to driving with excess alcohol, and driving whilst disqualified on two occasions, the most recent occasion being in June of this year. In addition, his decision to attend a service user's home whilst intoxicated further demonstrates poor judgement and decision making.
32. Mr. Brooks submitted that the main purpose of the conditions imposed by the previous review panel was to allow Mr Chipato practise as a social worker in a pressurised job [PRIVATE]. He has not done that. Mr. Brooks made it clear he was not criticising him for that failure but nonetheless his ability to practice in a pressurise role remains untested and until that is done conditions remain necessary.

### **Social worker submissions:**

33. Mr Chipato gave evidence to the committee, referring to correspondence and written submissions which he had submitted for today's hearing.
34. [PRIVATE]
35. Mr Chipato also submitted a written document dated 10 October 2025, headed 'Statement of Compliance' which reads as follows:

*'I, **Mr. Michael Chipato**, acknowledged receipt of the Order when it was issued by **Social Work England** and fully complied with all conditions set out therein during the 12-month period specified.*

*I understood and to the best of my ability fulfilled the professional, ethical, and procedural expectations required of me, including all notification, supervision, and reporting obligations under **conditions 1 to 19** of the Order.*

## 2. Health

My [PRIVATE] has been fully managed and monitored under the care of my [PRIVATE], in accordance with [PRIVATE]. Other relevant professionals have also been involved such as the [PRIVATE].

[PRIVATE]. On that basis, I did not undertake any active professional social work duties, as doing so would have been inconsistent with medical evidence and contrary to the medical requirements, the cornerstone of my life. I considered travel adaptations as my pathway to work under the legal framework set in the **Equality Act 2010**, which protects individuals through the duty to make **reasonable adjustments** for verified health conditions.

I remained registered with my GP, who was informed of the Order, and I gave consent for **Social Work England** to exchange relevant health information as required.

[PRIVATE]

Any other concerns or references unrelated to this ORDER are irrelevant and outside the lawful scope of this Order and are held separately.

## 4. Professional Compliance and Notifications

During the period of the Order, I was **not engaged in any social work employment or voluntary role** requiring registration. Nevertheless, I had complied with all relevant reporting and notification requirements, including:

- **Condition 1:** I notified Social Work England of my employment status within the required time frame.
- **Conditions 2–11 and 18–19:** I provided all required written information, maintained transparency, and ensured all parties were informed of the Order and its conditions.

All communications had been made in writing to ensure compliance and evidential integrity.

## 5. Legal and Equality Statement

Throughout the duration of the Order, I ensured that all decisions about my practice and professional activities were aligned with my **verified medical condition/s** and the **reasonable adjustments** required under law.

Any attempt to disregard the medical evidence or to expect professional activity beyond my capability would be discriminatory and unlawful.

Accordingly, my compliance was both **complete and consistent with statutory, professional, and ethical standards**.

## 6. Conclusion

I confirm that I **fully complied with all 19 conditions** of the Order issued by **Social Work England** for the duration specified at the last hearing. [PRIVATE] professional

*conduct, and communication were all managed in accordance with the conditions and lawful expectations of the regulatory process. I regret the reason why I have to make this submission, I have learnt from this for such a long time and I have developed as a person, [PRIVATE]. I respect the work social Workers do and I feel I can grow back into the direct work once [PRIVATE]. I am actively writing a book and that has Social work elements in it so I am active and reflection on practice occurs daily. I have committed periods when able to help out packing books as a Volunteer at LighthouseCharity Shop [PRIVATE].*

*All matters not directly related to this Order are important, however, they are outside its scope and therefore not considered relevant to these proceedings as they are being handled separately and this is in reference to a self referral I made **RE: FTPS-24672** being investigated by Sarah Frith (**SWE – Investigator**)*

***This Order, is therefore fulfilled and Satisfied and I urge the Adjudicators to reasonably evaluate the expected Order against compliance steps evidenced.***

***I am therefore seeking its Absolute revocation/Ceasation at its expiration date.'***

36. In his oral evidence Mr Chipato emphasised that he had complied with the requirements of the conditions of practice order imposed on him. He reiterated that he had undertaken courses to help him prepare for work with the aim of returning to a social work role. He drew attention to the DWP assessment which concluded that he had limited capacity for work and work related activity and confirmed that this had not stopped him from making applications for both social work and non-social work roles. He said he had worked at the Lighthouse charity shop in Chesterfield but that had ended when [PRIVATE].
37. He said he had applied for numerous roles but the supervision element of his conditions is not compatible with the management role of organisations where the management and reporting requirements are not practical. He acknowledged that he had ceased applying for social work roles [PRIVATE] in May/June this year, primarily because the management requirement was so limiting.
38. Mr Chipato emphasised that [PRIVATE]. He urged the panel not to form hasty generalisations that because he had been stopped in June 2025 for driving whilst disqualified that this would happen again.
39. In answer to panel questions, Mr Chipato confirmed that his limited capacity for work is [PRIVATE].
40. And he was asked about the two examples of work that he said he had done. He confirmed that he had worked as a care coordinator for Trailblazer social care from July 2022 to December 2023. He had also worked as a support worker for a brief period in early 2024, working with children and young people with disabilities.
41. He was asked about the incident in June 2025 when he was stopped by the police and subsequently convicted of driving whilst disqualified, and driving without insurance for

which he was sentenced to a term of imprisonment. In addition to the written account he has provided Social Work England he told the panel the following: In June he [PRIVATE]

- [PRIVATE]
- [PRIVATE]
- He made an appointment to attend hospital - it was an early morning appointment.
- The hospital is about 15 miles from where he was living.
- He was not able to identify a bus route that would get him to the hospital in time.
- He had insufficient money for an Uber.
- He chose to drive his son's car.
- At the time he knew he was disqualified and it was wrong to drive.
- Whilst driving the police identified the car as being uninsured and pulled him over.
- He was identified as a disqualified driver and having no insurance.
- He gave his name and current address to the police.
- The car was impounded by the police.
- He was issued with a form recording that the car was impounded - it is in the case papers.
- He was told he would be prosecuted and would receive a letter in the post.
- He did not receive the letter.
- On 1 September 2025 he was telephoned by the police who were [PRIVATE] where he had previously been living seeking him because he had not attended court. He explained that he had not received the letter, told the police where he was living and invited the police to attend there, which they did.
- The police arrested him and took him to court where he was dealt with for disqualified driving and driving without insurance.
- He explained to the court that he had not received the letter - a copy of it was seen and shown to be addressed to the [PRIVATE] which he had moved out of in March 2025. No further action was taken by the court regarding his failure to attend.
- He acknowledged that this was a wrong decision and that he should have cancelled the appointment.

## Panel decision and reasons on current impairment:

42. 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 any new information available and bore in mind the previous decisions and reasons for the imposition of the original final order and those of the previous review panels. However, it has exercised its own judgement in relation to the question of current impairment.
43. The panel accepted the advice of the legal adviser including reference to the case of *Abrahaem v GMC* [2008] EWHC 183 (Admin) which confirms that there is a persuasive burden on a registrant at a review hearing to demonstrate that previous concerns have been sufficiently addressed. The panel also took into account Social Work England's 'Impairment and sanctions guidance' (last updated 19 December 2022).
44. In reaching its decision, the panel was mindful of the need to protect the public and the wider public interest in declaring and upholding proper standards of behaviour and maintain public confidence in the profession.
45. The panel first considered whether Mr Chipato's fitness to practise remains impaired.
46. The panel noted the progress which Mr Chipato had made in respect of [PRIVATE] and in his engagement with the regulatory process. However, it was concerned by the incident in June 2025 when Mr Chipato had been stopped by the police and later appeared in court for driving whilst disqualified and without insurance. The panel recognised that this was a single incident, set against a history of engaging with Social Work England, complying with the requirements to supply information and his commitment to managing his health and [PRIVATE]. Nonetheless, although the incident in June 2025 is a single incident, the panel considered it was recent and comprised a second offence of driving whilst disqualified and without insurance. Mr Chipato knew at the time that he should not be driving, and, in his evidence, he acknowledged that he had hoped that he could drive to and from the hospital without being detected. The panel noted that the court clearly took the incident seriously and imposed a prison sentence. The panel also considered it must also take the matter seriously so far as it is relevant to their review of the order. The panel recognised that they were not dealing with this as a fitness to practise matter and were not finding facts, considering impairment on the grounds of this conviction or imposing a sanction. However, it considered that the incident was relevant in its assessment of Mr Chipato's insight, remorse, thinking skills and decision making. The panel appreciated that as far as insight over past failings is concerned there has been considerable progress over the years but the incident in June 2025 has undermined the degree to which the panel could be confident about Mr Chipato's level of insight, and raised real concerns about Mr Chipato's thinking skills, judgement, decision making and his commitment to doing the right thing when under pressure.
47. The panel therefore concluded that Mr Chipato continues to present a risk of harm to service users if no restrictions are imposed on his practice. The panel were not confident that they could rely on his thinking skills and decision making and therefore,

despite the progress he has made in respect of his health and [PRIVATE], the panel concluded that his fitness to practise is impaired in respect of the personal component. The panel also considered that public confidence would be seriously undermined if a social worker displaying these concerning behaviours was allowed to practise without restriction. The panel therefore concluded that Mr Chipato's fitness to practise is impaired on both personal and public grounds.

### Sanction - Decision and reasons:

48. Having found Mr Chipato's fitness to practise is currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel had regard to the submissions made along with all the information and accepted the advice of the legal adviser.
49. The panel considered the submissions made by Mr Brookes, on behalf of Social Work England, during which he invited the panel to consider imposing a further conditions of practise order. It noted the submissions made by Mr Chipato that the appropriate action would be to allow order to lapse on its expiry. The panel also took into account the 'Impairment and sanctions guidance' published by Social Work England.
50. The panel was mindful that the purpose of any sanction is not to punish Mr Chipato but to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and by upholding proper standards of conduct and behaviour. The panel applied the principle of proportionality by weighing Mr Chipato's interests with the public interest.
51. As the panel had found that Mr Chipato's fitness to practice remained impaired and that he continued to pose a risk to the health, safety and well-being of service users, it did not consider that taking no further action, giving advice or making a warning order would be appropriate, as none of those measures would restrict his ability to practise as a social worker or otherwise manage that risk. For the same reason, the panel did not consider that any of those measures would be sufficient to maintain public confidence and proper professional standards.
52. The panel next considered whether to extend the current conditions of practice order. The panel was of the view that although some conditions of practice can be monitored and verified by external means, the suitability of conditions relies to a large extent on Mr Chipato self regulating and complying with the conditions. For the second time Mr Chipato has failed to comply with a court order and for reasons which the panel did not consider pressing. Mr Chipato himself acknowledged that he could have chosen other options, including cancelling his appointment. The panel considered that this certainly underscored the previous need for supervision if Mr Chipato were to return to social work practice. In the panel's view it considered the breach of law which Mr Chipato

chose to take undermines the panels confidence in his compliance with conditions and his willingness to report any breach.

53. It therefore considered that a conditions of practice order would not be sufficient to address the risks identified and the panel therefore went on to consider a suspension order.
54. In considering suspension the panel recognised that this will prevent Mr Chipato from applying for social work jobs but it will not prevent him from applying for other jobs which involve engaging with employers and demonstrating his reliability and his judgement and thinking skills. The panel noted that Mr Chipato had given two examples of employment he had undertaken which involved aspects which were similar in certain respects to social work. His previous work had, he said, involved caring for individuals, conducting risk assessments and making home visits. The panel however, noted that these positions had been undertaken some time ago. In these circumstances the panel considered there was a need for him to show his reliability in a workplace setting and that he has the judgement and thinking skills required to engage effectively in social work roles. The panel therefore concluded that a suspension order of 12 months should be imposed. It considered that 12 months would provide Mr Chipato with time to seek appropriate roles and demonstrate his reliability and judgement in the workplace.
55. The panel considered whether a removal order would be the appropriate disposal but considered that at this stage, this would be disproportionate and inappropriate as there was still reason to believe that Mr Chipato may be able to demonstrate further remediation and that he has the potential to return to safe social work practice.
56. This panel cannot bind a future panel. However, a future reviewing panel would expect Mr Chipato to attend the review hearing and it would be of assistance to that panel if they were able to provide evidence that they had undertaken significant steps that would facilitate a safe and effective return to the register without restriction. This may include:
- (i). Testimonials from anyone engaging Mr Chipato in work, whether paid or voluntary.
  - (ii). Any evidence supporting Mr Chipato's [PRIVATE], such as:
    - a. A statement from a GP
    - b. A statement from any employer or person in a position to comment on Mr Chipato's [PRIVATE].
    - c. Any [PRIVATE].
  - (iii). A written reflective piece in light of Mr Chipato's 2025 conviction.
57. The panel also recommends that a future panel would benefit from Social Work England providing at a future review a record of his 2025 convictions and sentence, a copy of any police report (e.g. the 'MG5' form or equivalent) and police statements



supporting the 2025 prosecution. This will enable a future panel to have an independent account of the facts behind the convictions.

### Right of appeal

58. 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.
59. 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.
60. 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.
61. This notice is served in accordance with Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended).

### Review of final orders

62. 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).

63. 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

64. 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>