



Social worker: Chloe Taylor

Registration number: SW17631

Fitness to Practise

Final Hearing

Dates of hearing: 03 November 2025 to 07 November 2025

Hearing venue: Remote hearing

Hearing outcome: Fitness to practise impaired, removal order

Interim order: Interim suspension order (18 months) Start date: 07 November 2025 End date: 06 May 2027

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) (“the regulations”).
2. Ms Taylor did not attend and was not represented.
3. Social Work England was represented by Ms Aoife Kennedy case presenter instructed by Capsticks LLP.

| Adjudicators | Role |
|---------------------|---------------------------|
| Philip Geering | Chair |
| Beverley Blythe | Social worker adjudicator |
| Alan Meyrick | Lay adjudicator |

| Hearings team/Legal adviser | Role |
|------------------------------------|--------------------------|
| Titlee Pandey | Hearings officer |
| Ruby Wade | Hearings support officer |
| Rosemary Rollason | Legal adviser |

Service of notice:

4. The panel of adjudicators (hereafter “the panel”) was informed by Ms Kennedy that notice of this hearing was sent to Ms Taylor by email to an email address provided by Ms Taylor (namely their registered email address as it appears on the Social Work England register). Ms Kennedy submitted that the notice of this hearing had been duly served.
5. The panel of adjudicators 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 22 September 2025 and addressed to Ms Taylor at the email address which they provided to Social Work England;
 - An extract from the Social Work England Register as of 22 September 2025 detailing Ms Taylor’s registered email address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 22 September 2025 the writer sent to Ms Taylor at the email address referred to above: notice of hearing and related documents.
6. The panel accepted the advice of the legal adviser in relation to service of notice.
7. Having had regard to Rule 15 of the Fitness to practise rules 2019 (as amended) (“the Rules”) and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Taylor in accordance with Rules 14, 15 and 44.

Proceeding in the absence of the social worker:

8. The panel heard the submissions of Ms Kennedy on behalf of Social Work England. Ms Kennedy submitted that notice of the hearing had been duly served, no application for an adjournment had been made by Ms Taylor and as such there was no guarantee that adjourning today's proceedings would secure Ms Taylor's attendance on a future occasion. Ms Kennedy informed the panel that the most recent contact from Ms Taylor was in 2022. Ms Kennedy submitted that the allegations in this matter date back to 2017 and 2019 and that it was in the interests of justice and the expeditious disposal of the case that the hearing should proceed.
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 considered all of the information before it, together with the submissions made by Ms Kennedy on behalf of Social Work England. The panel noted that Ms Taylor had been sent notice of today's hearing in accordance with requirements of the Rules. She was informed of the date, details and format of the hearing and given the required notice. She was informed of her right to attend or to provide written submissions, and advised that the hearing could proceed if she did not attend. The notice was sent to the email address which appeared on the extract from the register. This was the email address from which Ms Taylor had previously corresponded with Social Work England.
11. The panel noted that emails had been sent to Ms Taylor by Social Work England providing her with information about the hearing and asking whether she planned to attend. There was no response to any of these communications from Ms Taylor.
12. The panel therefore concluded that Ms Taylor had chosen to voluntarily absent themselves. She had not requested an adjournment for any reason nor indicated that she wished to participate. In the circumstances, the panel had no reason to believe that an adjournment would result in Ms Taylor's attendance on a future date. The panel also took into account that the allegations in this matter now date back to events nearly eight years ago. Social Work England's witnesses were ready to proceed.
13. Having weighed the interests of Ms Taylor with those of Social Work England, the panel concluded that it was in the public interest that this case should proceed and be resolved. The panel therefore determined to proceed in Ms Taylor's absence.
14. In doing so, the panel recognised that when considering the case in Ms Taylor's absence, it had a responsibility to ensure that the hearing was as fair as circumstances

would permit. The panel should also consider and raise questions about any points reasonably available on the evidence which might be in Ms Taylor's interests.

Preliminary matters:

15. Ms Kennedy made an application that should any reference to the health of the social worker be necessary, such matters should be heard in private.
16. The panel took advice from the legal adviser and referred to Rules 37 and 38 of the Rules. The panel concluded that it may not prove necessary to refer to any health issues during the hearing and further, that any references to health in the documentation were of a general nature. There was no medical evidence relating to any health issues before the panel. The panel therefore determined not to make a direction regarding privacy in respect of those matters at this stage.
17. The panel was also mindful that the evidence included names of individuals referred to as relatives of the social worker. The panel directed that these names should not be given publicly. The individuals would be referred to by the familial relationship, rather than by name. The panel also directed that no details of specific addresses should be made public.

Documents

18. The panel received the following documents:
 - Statement of case dated 22 October 2025;
 - Witness Statements bundle (46 pages);
 - Exhibits bundle (262 pages);
 - Social worker's response bundle (08 pages)
 - Service and supplementary bundle (30 pages);
 - Hearing timetable.

Allegations:

The allegation arising out of the regulatory concerns referred by the Case Examiners on 27 March 2023 is:

Whilst registered as a Social Worker:

1. *You provided inconsistent information regarding your mother's health to your agency and/or employer, namely that:*
 - a. *On 2 October 2017, you informed Service Care Solutions agency ("the Agency") that your mother was receiving end of life care and you were not working at that time;*
 - b. *On 7 December 2017, you informed the Agency that your mother had passed away;*
 - c. *Whilst employed at Cheshire East Council ("the Council") from October to December 2017 you did not alert your employer to any concerns regarding your mother's health;*
 - d. *On 19 May 2019, you informed Student A, who you supervised, that your mother:*
 - i. *Was in surgery;*
 - ii. *Had been diagnosed with Leukaemia;*
 - iii. *Had passed away.*
 - e. *On 19 May 2019, you informed Colleague B that your mother:*
 - i. *Was in hospital with a suspected heart attack;*
 - ii. *Had passed away.*
2. *Your actions at paragraph 1 above were dishonest in that you told the Agency and/or colleagues at the Council that your mother had passed away when you knew she had not.*
3. *Whilst employed at the Council:*
 - a. *You took compassionate leave between 21 May and 4 June 2019 which you were not entitled to;*
 - b. *You took sick leave and/or received pay for sick-leave from 24 June to 31 July 2019 which you were not entitled to.*
4. *Your conduct at paragraphs 3a and/or 3b above was dishonest in that you took paid leave when you knew you were not entitled to it.*

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

Your fitness to practise is impaired by reason of misconduct.

Admissions:

19. No admissions had been made by Ms Taylor. The panel proceeded on the basis that the allegations were denied.

Background:

20. On 29 July 2019, Social Work England received a referral from Cheshire East Council ('the Council') regarding Ms Chloe Taylor ("the social worker"). The social worker was employed by the Council from August 2017.

21. The social worker initially worked at the Council as an Agency worker through Service Care Solutions Agency ("the Agency") and secured a permanent position with the Council in July 2017. The social worker did not inform the Agency of her move to a permanent role.

22. On 2 October 2017 the social worker informed the Agency that she had a family tragedy and her mother was in a hospice receiving end of life care and that she would be in touch when she was ready to return to work.

23. On 7 December 2017, the social worker informed the Agency that her mother had passed away and that she was now ready to look for work.

24. On 8 December 2017 the Agency contacted the Council to ask whether they would consider the social worker, and it transpired through communications that the social worker was already working at the Council as a permanent member of staff.

25. On 21 December 2017, MB, Locality Manager at the Council, met with the social worker to discuss the concerns raised and provided a note of the meeting which recorded that the social worker was said to have apologised to the Agency, stating that she did it because she did not want to let the Agency down. The Council accepted that this was an isolated incident which was not related to the social worker's practice and did not take matters further.

26. On 19 May 2019, the social worker informed a student social worker, Student A, and her manager at the Council, AG, that her mother had died. Following this, the social worker took a number of days away from work as compassionate leave between 21 May to 4 June 2019. Concerns were raised by colleagues that the social worker's mother had not passed away. On the social worker's return to work on 5 June 2019, AG and MB spoke with her privately about the allegations from colleagues and asked her to provide any evidence of her mother passing.

27. On 17 June 2019, the social worker informed the Council that she had been signed off sick by her GP for four weeks as a result of depression. She did not provide a sickness certificate from her GP to evidence this, despite numerous requests from the Council.
28. The social worker resigned from the Council on 24 June 2019 and refused to repay the overpayments paid to her by the Council for the period during which she was required to provide evidence that she was unfit to work, namely from 24 June to 31 July 2019. The Council ultimately agreed to waive its right to claim repayment and accepted her resignation.

Summary of evidence:

Social Work England

29. The Panel heard evidence from the following witnesses on behalf of Social Work England:

ST [PRIVATE]

Team Leader at Service Care Solutions Agency. ST confirmed her witness statement dated 6 June 2024 and gave oral evidence.

AG [PRIVATE]

Social worker and Practice Manager at East Team at Cheshire East Council

AG confirmed her witness statements dated 10 October 2023, 24 December 2024 and 16 May 2025 and gave oral evidence.

Student A [PRIVATE]

Student social worker at the time of events. Student A confirmed her witness statement dated 1 June 2023 and gave oral evidence.

MF [PRIVATE]

Lead Investigator at Social Work England. MF confirmed his witness statements dated 14 October 2024 and 14 May 2025 and gave oral evidence.

JM [PRIVATE]

Social Worker at Cheshire East Council. JM confirmed her witness statement dated 14 February 2025 and gave oral evidence.

MB [PRIVATE]

Locality Manager at Cheshire East Council at the relevant time. MB confirmed his witness statement dated 1 July 2025 and gave oral evidence.

PG [PRIVATE]

Head of Service at Cheshire East Council at the relevant time

PG confirmed his witness statement dated 13 June 2025 and gave oral evidence.

KMC and AC [PRIVATE]

KMC, trainee solicitor at Capsticks provided witness statements producing documents dated 16 May 2024 and 17 June 2025. AC, trainee solicitor at Capsticks provided a witness statement producing documents dated 16 June 2025. They were not called to give oral evidence, and their statements were taken as read.

30. In her submissions on the factual allegations, Ms Kennedy reminded the panel of the burden and standard of proof and of relevant case law. Ms Kennedy summarised evidence called on behalf of Social Work England. She identified the evidence which supported each paragraph of the allegation.
31. Ms Kennedy submitted that based on the evidence it had heard, the panel should find the facts of the allegation proved.

Social worker

32. No submissions or evidence had been provided by the social worker. As a matter of fairness in her absence, the panel considered such comments on the allegations as the social worker had made in correspondence. However, the panel bore in mind that these comments were not sworn evidence which had been tested in questioning at the hearing. The panel therefore concluded they could be given limited weight.
33. The panel saw a number of references in the social worker's responses to the Council in the period when she was on compassionate and then sickness leave where she indicated that she felt harassed by the Council's communications and requests for information. When hearing from the Council's witnesses in evidence, the panel asked for their observations on the social worker's comments. The Council's witnesses, in particular MB and PG, explained that they had been contacting her out of genuine concern about her in the light of the events which had taken place. PG stated that he considered that it would have been irresponsible for an employer in this situation simply to accept the social worker's resignation without question. He expressed that he had been genuinely concerned about her.

Finding and reasons on facts:

34. The panel accepted the advice of the legal adviser. The advice included reference to the burden of proof, which remains upon Social Work England equally where the social

worker is not in attendance, and the standard of proof, which is the civil standard, the balance of probabilities.

35. The advice also included reference to the legal test where dishonesty is alleged, as set out in the case of *Ivey v Genting Casinos (UK) Ltd [2017] UKSC 67*:

“When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual’s knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest”

36. The panel first considered the factual particulars set out at paragraphs 1(a) to 1(e) before going on to consider whether, if any of those facts were found proved, the stem allegation, **“You provided inconsistent information regarding your mother’s health to your Agency and/or employer”**, was proved.

1(a) On 2 October 2017, you informed Service Care Solutions Agency (“the Agency”) that your mother was receiving end of life care and you were not working at that time

1(b) On 7 December 2017, you informed the Agency that your mother had passed away

37. The panel heard evidence in relation to these paragraphs from ST, Manager at the Agency at the relevant time in 2017.

38. ST told the panel that on 2 October 2017, the social worker emailed her apologising for not being in contact and stating that she had a family tragedy in that her mother was unwell and was in a hospice receiving end of life care. She stated that she would be in touch when ready to return to work, depending on what happened to her mother.

39. ST stated that on 7 December 2017, the social worker then emailed her informing her that her mother had passed away stating *“Hi sorry I’ve not been in touch I lost my mum”*. ST produced copies of both emails.

40. On 8 December 2017 ST emailed LB [PRIVATE] Assistant Team Manager, People Directorate, Integrated Discharge Team at the Council, to ask if the Council would consider the social worker coming back to the team. ST had understood that the social worker had been assigned to the Council from March to September 2017 but left when the temporary contract ended and had subsequently been off work since September 2017 due to her mother's ill-health and then passing away.

41. ST referred to and produced subsequent emails with LB in which the latter advised that the social worker had successfully applied for a permanent post with the Council and had been working as a permanent member of the team for 4-6 months. LB also informed ST that the social worker's mother had not been ill or passed away.

42. ST said it was not unusual for a social worker to move from an agency role to a permanent position and that the social worker had done so on previous occasions whilst with the Agency. There was no financial benefit to her, such as a retainer from the Agency. ST said that this was why she had been confused, as she could not understand why the social worker would have acted in this way.

43. In an email to LB of 13 December 2019, ST had stated "*I am concerned as well as I have known her for years and this is very out of character*". ST said she had dealt with the social worker herself since 2014. She was concerned that the social worker's actions seemed unnecessary for such a minor thing and so she was worried about her.

44. The panel was able to consider the contemporaneous emails produced by ST which evidenced the statements of the social worker as referred to in paragraph 1(a). These were supported by ST's oral evidence to the panel. The panel found ST's account to be clear and straightforward. She did not appear to have any adverse motivation. She expressed some positive comments about the social worker with whom she had worked since 2014, noting the concerns to be "*out of character*".

45. In the light of the above, the panel found ST to be a credible and reliable witness. The panel found paragraphs 1(a) and 1(b) proved on the balance of probabilities.

1(c) Whilst employed at Cheshire East Council ("the Council") from October to December 2017 you did not alert your employer to any concerns regarding your mother's health;

46. The panel referred to the emails produced by ST between herself and LB in December 2017. In response to ST's email LB stated that the social worker had in fact been in a permanent post with the Council for four to six months and stated that the social worker's mother had not been ill or passed away.

47. Whilst the panel did not hear directly from LB, it heard from ST who produced the e-mail correspondence.

48. The panel also heard evidence from MB. MB referred to a meeting he had with the social worker on 21 December 2017 when he discussed the matter of the social worker's statements to the Agency with her. MB produced his contemporaneous record of the meeting which recorded that the social worker apologised and said that she was with the Agency for a long time and that she had not wanted to let the Agency down. She also expressed concern about her six-month probation. MB had a discussion with the social worker about the importance of honesty. The panel concluded that it was not clear from the evidence exactly what the social worker was apologising for.

49. The panel had sight of the contemporaneous emails between ST and LB. It accepted the evidence of ST and MB, both of whose evidence it found to be clear and credible. The panel was satisfied on the balance of probabilities that during the period from October to December 2017 the social worker had not alerted the Council to any concerns regarding her mother's health. The panel found paragraph 1(c) proved.

1(d) On 19 May 2019, you informed Student A, who you supervised, that your mother:

- iv. Was in surgery;**
- v. Had been diagnosed with Leukaemia;**
- vi. Had passed away.**

50. The panel received a witness statement from Student A who also gave oral evidence. Student A told the panel that from January to June 2019 she was a student social worker and completed her final placement at the Council as part of her university Masters degree. The social worker was Student A's practice supervisor and practice educator and had the responsibility of supporting her and introducing her to the role of social worker. Student A told the panel that the social worker was also required to observe and assess her during her placement.

51. Student A told the panel that on 19 May 2019, the social worker texted her at 10:20 PM to say that her mother was not well and was currently in surgery in Sheffield. Student A texted back providing train times to Sheffield in case the social worker needed to travel to see her mother.
52. At 10:47pm the social worker texted Student A stating that her mother had been diagnosed with leukaemia. At 10:57pm the social worker texted Student A stating that her mother had died.
53. Student A produced screenshots of these text messages. The panel noted that the text with the train times confirmed the date of 20 May 2019, although other texts were not dated.
54. Student A said that prior to these messages, the social worker had not discussed her mother's health. Student A described the support she provided to the social worker which included going to her house with her partner that evening, as she lived only 5 minutes' drive away, arriving at approximately 11:15 PM. Student A stated that she observed bottles of wine in the bin and could smell alcohol on the social worker and concluded that she was intoxicated. Student A said that the social worker talked about discussions with her family about her mother's funeral arrangements. Student A said that she found this strange as only approximately 15 minutes had passed between the social worker texting her to say that her mother had died and Student A and her partner arriving at the social worker's house.
55. Student A stated that on the morning of the 20 May 2019 the social worker texted her to apologise for keeping her and her partner awake the previous night when they went to the social worker's house. After this and when the social worker went on compassionate leave, Student A did not recall any further contact with her.
56. Student A told the panel that as soon as she finished her placement in June 2019, she blocked the social worker's number and then eventually changed her phone. She has not spoken to the social worker since completion of her placement.
57. The panel considered the text messages between Student A and the social worker. These were supported by Student A's oral evidence to the panel. She gave her evidence clearly. She did not speculate and stated when she was not able to remember information. The panel noted that Student A has since qualified as a social worker and is now training to be a practice educator herself. The panel concluded from Student A's evidence that she had no adverse motivation towards the social worker, and she spoke positively of her experience of being supervised by the social worker prior to this matter arising.

58. The panel therefore considered Student A to be a reliable and credible witness. The panel was satisfied on the basis of the above evidence that paragraph 1(d) was proved on the balance of probabilities.

1(e) On 19 May 2019, you informed Colleague B that your mother:

- i. **Was in hospital with a suspected heart attack;**
- ii. **Had passed away.**

59. The Panel heard evidence from AG (Colleague B as referred to in the allegation), social worker and practice manager at the Council. AG confirmed her witness statements dated 10 October 2023, 24 December 2024 and 16 May 2025 and gave oral evidence to the panel.

60. AG exhibited a series of text messages between herself and the Social Worker. On 19 May 2019 the social worker sent her a text informing her that her mother was in hospital following a suspected heart attack, and, later the same evening, a further message stating that *“My mum passed away this evening. I’m going into work purely for my own sanity”*.

61. AG had responded that the social worker should not go into work in the circumstances. The social worker did go into work the next day, 20 May 2019, and was then taken home by a colleague.

62. The panel had sight of the contemporaneous text messages produced by AG, which clearly evidenced the social worker giving the information to AG that her mother was in hospital with a suspected heart attack and subsequently, had passed away. The panel concluded that AG gave clear evidence and had a good recollection of these events.

63. The panel considered AG to be a credible and reliable witness and accepted her evidence. The panel was satisfied on the balance of probabilities that paragraphs 1(e)(i) and (ii) were proved.

64. The panel next considered whether, by virtue of its having found particulars 1(a) to (e) proved, the stem of paragraph 1, **“You provided inconsistent information regarding your mother’s health to your Agency and/or employer”**, was proved.

65. The panel concluded that the significant inconsistency in the information provided by the social worker to the Agency and to her employer (the Council) was that she told the Agency on 17 December 2017 that her mother had passed away and then on 19 May

2019, again stated, this time to the Council, that her mother had passed away. It was evident from the texts to Student A and from her oral evidence, that the social worker was claiming that her mother had died on that day, 19 May 2019, which was over two years since she had told ST of the Agency that her mother had died.

66. The panel noted other apparent inconsistencies. In relation to 2017, it appeared from the evidence of ST and emails from LB of the Council that the social worker told the former that that her mother was receiving end of life care in a hospice and that she (the social worker) was not working at that time. In fact, she was working throughout that time in a permanent position at the Council. Also, she did not alert the Council to any concerns regarding her mother's health.

67. In May 2019 the social worker appeared to give inconsistent information to Student A and AG of the Council in relation to her mother's health conditions, referring to surgery and leukaemia to Student A and to a suspected heart attack to AG.

68. The panel concluded on the balance of probabilities that, given the matters it had found proved in paragraphs 1(a) to (e), it was satisfied that the social worker provided inconsistent information regarding her mother's health to the Agency and her employer, the Council. The panel found paragraph 1 of the allegation proved in its entirety.

2. Your actions at paragraph 1 above were dishonest in that you told the Agency and/or colleagues at the Council that your mother had passed away when you knew she had not.

69. The panel received witness statements from Katie-May Coulson and Anna Craig of Capsticks, Social Work England's external legal providers, and from MF, lead investigator from Social Work England producing documentation from Social Work England's investigation into the question of whether the social worker's mother had passed away. The witness statements of Katie-May Coulson and Anna Craig were taken as read.

70. MF gave oral evidence to the panel. MF has been employed as Lead Investigator at Social Work England since 30 April 2019 and had directly supervised the investigator on this case and took over the conduct of the social worker's case when the investigator, Lauren Mackenzie, left her role at Social Work England. He produced a number of emails from the period January to July 2020 sent to and received from the

social worker as part of Social Work England's investigation and also emails to third parties, including PG of the Council and the social worker's then current employer.

71. The documents produced by Katie-May Coulson confirmed that Social Work England searched the General Register Office ("GRO") for a **[PRIVATE]** who passed away in 2019. One result appeared for a person of that name registered as living in Barnsley. In April 2025, Social Work England obtained the death certificate for this result which was produced. This indicated that the **[PRIVATE]** in question passed away on 26 July 2019. Social Work England also searched the GRO for a **[PRIVATE]** who passed away from 2018 to 2020. No searches matched the year of birth provided, namely 1938.
72. The statement of AC produced a letter of instruction sent to a tracing agent on 6 June 2025 and a report produced by the tracing agent setting out its findings, dated 13 June 2025. The tracing agent was instructed to identify if the **[PRIVATE]** identified in the death certificate was the social worker's mother and, if not, whether it could be established if the social worker's mother was alive or had passed away.
73. The panel noted the findings of the report of 13 June 2025, which confirmed, in summary:
 - That **[PRIVATE]** who passed away in 2019 was not the social worker's birth mother;
 - A list of addresses linked to the social worker;
 - That a family of **[PRIVATE]** has resided at one of the Social Worker's previous addresses, including **[PRIVATE]** born 16 April 1957;
 - That **[PRIVATE]** maiden name was Taylor, and that it is believed she is the social worker's mother;
 - That **[PRIVATE]** was married to **[PRIVATE]**;
 - That **[PRIVATE]** is currently shown as residing at an address in **[PRIVATE]** and is shown in the electoral register from October 2022 to the current 2025 rolling register.
74. The panel took into account that the tracing report was recently obtained as a result of a formal instruction on behalf of Social Work England to a professional tracing agent company. The panel considered that it could rely on this report and attribute considerable weight to its findings.
75. The panel further noted that Social Work England's statement of case summarised the correspondence between Social Work England and the social worker in which Social Work England requested details of her claims relating to her mother's death. The emails were produced in the witness statement of MF, Lead Investigator. The panel

reviewed the correspondence and accepted the chronology set out by Social Work England as follows:

- The social worker was asked to provide information relating to her mother's passing so that her death certificate could be obtained, or alternatively to provide a copy of her death certificate. On 26 April 2020, the social worker indicated:

"my dad is sending me the death certificate and everything I need to give you info via post as I don't like [sic] with him and he had to move away after mum died as it all got too much for him, especially [sic] as even he was being hounded by Cheshire East for info and so was other members of my family which mad got all too much to cope with. I will send you the emails I have once I get all the info for you then you will see I've not been lying and that their pressure has made an already very sad and stressful time even worse. I don't know how I would have gotten through all of this without my family and my new manager who has been just amazing. ..."

- On 4 May 2020, the Social Worker indicated: *"Just to keep you up to date my stepdad is trying to post me the certificates but in the meantime I have registration details. And the emails I can send you which I will send you when I get home from work today."*
- Between 7 and 10 July 2020, Social Work England's investigator again requested a copy of the Social Worker's mother's death certificate or associated details, explaining that they had not received the information the Social Worker had said she sent. On 9 July 2020, the Social Worker responded:

"To be honest I'm struggling to know why you actually need my mums death certificate etc as it's quite intrusive and an invasion of my family's privacy I have sought legal advice and they have said it is beyond human rights to be so intrusive, if you have doubts about my ability to do my job then just say so, this has all been very stressful for me and has made this whole time so much harder for me to grieve for my mum all because my previous employer was ... Not very nice. ... if this is going to carry on with me having to give very intimate details away about my own mother death then I will happily throw my registration away as opposed to keep upsetting my family any further."

- At a later stage in Social Work England's investigation, just under two years later in February 2022, a paralegal from Capsticks contacted the Social Worker again

asking for confirmation of her mother's death. On 25 February 2022 the Social Worker responded stating:

"I cannot seem to attach any forms. My step mother Janice Taylor passed away in chesterfield, I also found out that my father William Taylor had also passed away also in the ashgate hospice, I was never close to my father as he left when I was young but I was begging [sic] to become close to my step mother. I did not want to take compassionate leave from work as I have always been brought up to kind of carry on but my manager AG and MB made me go home and take leave despite me trying to explain I did not want to. I did not have a sick note as I had moved house and was not near my GP. At the time I was in the middle of trying to relocate... every time I handed my notice in they kept rejecting my notice stating they needed me within the team ... After HR became involved I was finally able to leave I was then informed that a referral had gone in saying I had taken dishonest leave."

- When asked to confirm her step-mother's date of birth, the Social Worker stated it was 5 December 1938 and that her date of death was 1 February 2018. When reminded that she told her previous employer that her mother had died in May 2019, not February 2018, the Social Worker stated in emails on 1 March 2022:

"sorry I got mixed up my father passed Feb 2018 and my step mother may 2019. It was a very upsetting time as I was estranged from my father since I was a child and only just getting in touch with my step mother."

"The information I got from her family was her date of birth was 5th December 1938 and her date of death was 10th May 2019"

- February 2022 was the first time the Social Worker raised that it was her step-mother who died, as opposed to her birth mother. This was inconsistent with the Social Worker's previous communications to Social Work England, for example:
- On 4 May 2020 in which she indicated that her 'step dad' was in the process of posting her mother's death certificate;
- On 9 July 2020 when she indicated "*if this is going to carry on with he having to give very intimate details away about my own mother's death then I will happily throw my registration away...*".
- On 1 March 2022, she indicated that her father passed away in February 2018.

- Further, the social worker referred to her 'mum' dying throughout local level documents, and did not mention at any point that it was her step-mother.

76. At the hearing, the panel noted that each of the Council's witnesses who gave oral evidence was asked if the social worker had referred to her stepmother. They all confirmed that they had understood her to be referring to her 'mum' or her birth mother and were not aware of her referring to a stepmother.

77. The panel heard evidence from JM a social worker colleague. JM told the panel that she was a Facebook friend of the social worker and was aware of some details regarding her family background.

78. JM told the panel that she understood the social worker to be referring to her birth mother. From her knowledge of the family situation of the social worker JM stated that she had never heard her mention any stepmother. It was always her mother and her stepfather, [PRIVATE] whom she talked about. She understood the references she had seen on the Facebook profile to be to the social worker's step dad [PRIVATE].

79. The panel heard from JM that she was aware of the social worker's mother from seeing Facebook postings. She said she knew quite a lot about the social worker's family from what the social worker had told her. She could recognise her mother as the social worker had shown her a photograph of her mother on her, the social worker's, Facebook profile. JM told the panel that she had seen images of the mother and [PRIVATE] on screen and could recognise her. She was aware that the mother's name was [PRIVATE] JM also told the panel that she had seen posts and photos of the mother on Facebook after the social worker said that her mother had died.

80. The panel found JM's evidence to be clear and straightforward and supported by contemporaneous documents. It accepted her as a credible and reliable witness.

81. The panel also considered such responses as had been received from the social worker. She had not made any formal response to the allegations in the notice of hearing and the panel understood that she did not provide comments when the matter was before Social Work England's case examiners. However, the panel did note that in her communications with Social Work England during its investigation the social worker had continued to maintain as recently as 2022 that her mother had passed away.

82. The panel concluded that the social worker's responses to Social Work England were inconsistent and evasive. She did not provide information which would have clarified the position when requested to do so by her regulator but repeatedly stated she would

provide information and purported to have sent it, although it was not received by Social Work England.

83. Having considered all the evidence in the round, the panel concluded on the balance of probabilities that the social worker's mother did not die as she claimed to the Agency on 17 December 2017 and to the Council on the 19 of May 2019.

84. The panel considered the test for dishonesty from the case of *Ivey*, as set out above. The panel concluded the social worker's actual state of knowledge or belief as to the facts was that her mother had not died. It was self-evident that she would have been aware of this fact.

85. The panel also noted that if the social worker's mother had died in December 2017, as she claimed to the Agency, then her mother could not have died in May 2019 as she later claimed to the Council. If she had died in 2019 then she could not have previously died in 2017. As it is, the panel has concluded as a fact that the social worker's mother did not die on either occasion.

86. The panel further concluded that to give false information to an agency she worked with and to an employer about such a significant matter as her mother's death would undoubtedly be considered dishonest applying the standards of ordinary decent people. This was particularly the case where the information was given in a professional setting and had the consequence of the social worker taking paid leave to which she was not entitled.

87. The panel concluded on the balance of probabilities that allegation 2 was proved.

3. Whilst employed at the Council:

- a. You took compassionate leave between 21 May and 4 June 2019 which you were not entitled to;**

88. The Panel accepted Ms Kennedy's submission that it was open to the panel to find that the social worker took compassionate leave on any days during the period referred to, between 21 May and 4 June 2019.

89. The panel received oral and written evidence from AG confirming that the social worker went on compassionate leave in the period after she told AG that her mother had passed away, on the basis that her mother had died on the 19th of May 2019.

90. AG produced the Council's policy, "Leave and time off", which explained the grounds upon which compassionate leave could be taken. The policy was dated April 2023. In

her evidence, AG explained that the policy in force at the time of 2019 was no longer available, but that the provisions regarding compassionate leave had not changed.

91. The policy stated that the Council would allow up to three days paid compassionate leave in a 12 month period for a bereavement in respect of a parent. The policy provided for managers to use their discretion to grant additional leave although the period of paid compassionate leave should not exceed 5 days.
92. AG told the panel that evidence supporting a request for compassionate leave was not usually requested as this was taken as a matter of trust. She said that initially she had no reason not to believe the social worker when she told her that her mother had died on the 19 of May 2019.
93. AG said the initial four days of compassionate leave were formally authorised and a note made on the Council system. The social worker returned to work on 28 May 2019 and then went off work again on 31 May 2019. The social worker took compassionate leave on 3-4 June 2019 purportedly to attend her mother's funeral.
94. The panel accepted the evidence of AG which was clear and straightforward and supported by contemporaneous written records as a result of which the panel found her to be a credible and reliable witness.
95. The panel was satisfied that the social worker took a period of compassionate leave from 20 May 2019, on the ground that her mother had died on 19 May 2019. Having already made a finding under paragraph 2 that the social worker's mother had not died at that time, and that the social worker knew she had not, the panel was satisfied that the social worker took compassionate leave to which she was not entitled during the period alleged.
96. The panel found paragraph 3(a) proved on the balance of probabilities.

b. You took sick leave and/or received pay for sick-leave from 24 June to 31 July 2019 which you were not entitled to.

97. The panel heard oral evidence from PG and considered his witness statement. The panel found PG's evidence to be clear and straightforward. He acknowledged when he was not able to remember some details. Although now retired, PG is a former employee of the Council and dealt with the issues relating to the social worker in 2019

in his professional capacity at that time. The panel found his evidence to be credible and reliable.

98. The panel had sight of two chronologies produced by PG recording contact with the social worker and others at the time of these events . He confirmed that he oversaw and was involved in the preparation of these chronologies. He could not say exactly when they were prepared, but it was at the time of the events or soon afterwards. He told the panel that they were prepared because he recognised that the matters were going to be complex and difficult to manage and the Council needed to be clear about the details.

99. In respect of sickness leave, PG's chronology indicated that, following her compassionate leave to attend her mother's funeral, the social worker returned to work on 10 June 2019 in another team, until she called in sick on 17 June 2019. PG set out a timeline of emails copied into a table chronologically, regarding the social worker's absence from June to August 2019. On 17 June 2019 an email from Katherine Kwaan, Practice Manager at the Council to PG states:

"I've had another message from Chloe to say that she will self certificate this week and is seeing her GP on Friday who is considering prescribing anti-depressants. I have said that perhaps you or I could speak with her on Friday."

100. The panel had sight of an email produced by AG dated 20 June 2019 sent from AG to PG stating:

"I tried to ring Chloe at 1.30pm today she did not answer. I tried again at 2.30pm and she has answered. I asked how she was she said not very good really. I asked her if she had been to see her doctor yet, she replied no I am going tomorrow. I asked if she felt she knew how long she would be off work – she replied she will see what the doctor says tomorrow 'cause he is on about giving me anti-depressants so will see'. Not sure how she knows this if she hasn't been to see him yet? Anyway I asked if she would either text me tomorrow or ring Katherine with how her appointment has gone and whether she will be in work or not on Monday."

101. In her evidence, AG referred to an email dated 23 June 2019 from the social worker in which the social worker handed in her resignation, stating:

"I am emailing to let you know my GP has signed me off for 4 weeks to with depression. These last few weeks have been the most difficult I have ever had to

handle due to sad circumstances. I am therefore handing my notice in as I need to be back in Sheffield. I will of course keep in touch regarding my return to work/leaving date.

I have signed up with some agencies who will ask for references so they can get me signed up so when I move I can be put forward for work in Sheffield or surrounding areas. I would therefore appreciate it if someone would be happy to give me a reference please so they can get compliance done sooner rather than later so I don't need to worry later on.”

102. There followed a reference request from an agency to the Council on 24 June 2019, and a number of emails from 24 June to 30 July 2019 in which the Council attempts to contact the social worker by phone and in-person. There was intermittent engagement from the social worker, but she did not agree to speak with anyone from the Council. PG wrote to the Social Worker on 30 July 2019 informing the Social Worker that:

“In normal circumstances you would give two months’ notice from 24th June 2019 and would be entitled to payment for leave not taken in 2019/20. However, as you have been absent from work since 24th June 2019 without authorisation, you are not entitled to be paid from that date and we will be seeking repayment of monies paid since 24th June 2019.”

103. PG referred to the Council's policy, “Absence Management Policy and Procedure”. He confirmed that, in summary, the first seven days of a period of absence could be self-certified thereafter, a statement of fitness for work certificate was required from a GP or hospital doctor to cover every subsequent day beyond the first seven days.

104. PG produced a letter dated 6 August 2019 which he wrote to the Social Worker regarding her resignation. In the letter it was stated that the Council agreed to waive repayment of overpayment of the Social Worker’s salary. The letter stated:

“Under your contract of employment you are required to give two months notice, hence your last day of employment calculated from the date of your resignation will be 23rd August 2019 as explained in my email to you dated 29th July 2019, particularly since you explained you had sent in at least two GP notes to cover your period of absence.

We have yet to received your doctors notes, so the time from 24th June 2019 to 31st July 2019 is classed as unauthorised and unpaid, however as you seem

determined to leave your employment without discussion we are happy to terminate your employment with effect from 31st July 2019.

Your contract of employment gives the organisation the right to reclaim any monies overpaid as follows:

'Cheshire East Borough Council is entitled to make deductions from your salary for any sums (property) owed to the Council pursuant to section 14 of the Employment Rights Act 1996 (as amended).'

As a gesture of goodwill however, we will waive any claim we have to repayment of your salary overpayment up to 31st July 2019. You will also be paid 6 days accrued but untaken annual leave in the August pay run."

105. In her witness statement, AG also set out the timeline and attempts made to contact the social worker while she was on sick leave.

106. The panel considered carefully the Council's correspondence with the social worker and the chronologies, both of which were prepared contemporaneously with the events. The panel accepted the evidence of PG and AG, both of whom it had found to be credible and reliable witnesses.

107. The panel concluded that it had no evidence before it, for example any medical evidence, to confirm whether the social worker was in fact unwell during the period when she was on sick leave, other than her own assertions that she was unwell in her correspondence with the Council.

108. However, the panel was satisfied from the evidence that the social worker never provided the sickness certificates required in accordance with the Council's policy, despite a number of requests bringing the requirement for sickness certificates to her attention. The panel was satisfied on the balance of probabilities that the social worker took sickness leave and received sick pay to which she was not entitled during the period from 24 June to 31 July 2019.

109. The panel found paragraph 3(b) proved.

4 Your conduct at paragraphs 3a and/or 3b above was dishonest in that you took paid leave when you knew you were not entitled to it.

110. In relation to paragraph 3(a), The panel had found that the social worker had taken compassionate leave to which she was not entitled to on the basis of its finding that her mother had not died.

111. Considering the test for dishonesty from the case of *Ivey* (as set out in full above), the panel first considered the actual state of the social worker's knowledge and belief as to the facts. The panel concluded that in addition to the Council's policy regarding compassionate leave, it would have been self-evident to the social worker that as her mother had not died, she was not entitled to take compassionate leave.

112. Applying the second limb of the *Ivey* test, the panel was in no doubt that to take compassionate paid leave on the false basis that her mother had died was conduct which would be regarded as dishonest applying the objective standards of ordinary decent people.

113. In relation to paragraph 3(b), the panel had found proved that the social worker took and received payment for sick leave in the period from 24 June to 31 July 2019 and that she was not entitled to sick pay because she had not provided the required sickness certificates required by the Council's policy concerning sickness absence.

114. The panel took account of emails sent by the social worker during Social Work England's investigation in which she gave inconsistent explanations in relation to the issue of the sickness certificates. On 9 July 2020, the social worker sent an email (produced in the evidence of MF) to Social Work England's investigator, forwarding an email she had sent to PG, in which she stated:

"I do not understand why you have not received my sick note but I will ask my gp if he can do a new one and back date it.

115. However, the panel also noted that on 25 February 2022 the social worker stated in an email to Capsticks :

"I did not have a sick note as I had moved house and was not near my GP. At the time I was in the middle of trying to relocate... every time I handed my notice in they kept rejecting my notice stating they needed me within the team ... After HR became involved I was finally able to leave I was then informed that a referral had gone in saying I had taken dishonest leave."

116. The panel noted that this explanation was also inconsistent with the social worker's statement to the Council on 23 June 2019 (produced in the evidence of PG) that her GP had signed her off work for 4 weeks with depression. The panel concluded that not only were the explanations inconsistent, but they demonstrated that the social worker was aware of the requirement to provide sickness certificates.

117. Considering the test for dishonesty from the case of *Ivey*, the panel first considered the actual state of the social worker's knowledge or belief as to the facts. The panel concluded that the social worker was aware of the requirement to provide sickness certificates in order to be entitled to receive sick pay and that she did not provide them. She also provided inconsistent accounts on the subject of sickness certificates to the Council and Social Work England.

118. Applying the second limb of the *Ivey* test, the panel was satisfied that for the social worker to take paid sickness leave knowing that she had not complied with the requirements of the Council entitling her to do so would be regarded as dishonest applying the objective standards of ordinary decent people.

119. The panel was satisfied on the balance of probabilities that the social worker's conduct as found proven in paragraphs 3(a) and 3(b) was dishonest and therefore found paragraph 4 of the allegation proved.

Social Work England's submissions on grounds

120. In her submissions Ms Kennedy, on behalf of Social Work England, referred the panel to relevant case law and to Social Work England's Impairment and Sanctions Guidance.

121. Ms Kennedy submitted that the social worker's dishonesty in lying about the death of her mother and claiming paid compassionate leave and sickness leave to which she was not entitled was conduct which fell seriously short of the standards expected of a registered social worker.

122. Ms Kennedy submitted that the social worker's actions were in breach of Standard 9.1 of the HCPC Standards of Conduct Performance and Ethics (August 2016), "*You must make sure that your conduct justifies the public's trust and confidence in you and your profession*".

123. Ms Kennedy submitted that the facts the panel had found proved amounted to misconduct.

Panel's decision on grounds

124. The panel had regard to the submissions on behalf of Social Work England. The panel accepted the advice of the legal adviser which included reminding the panel that whether the facts found proved amount to the ground of misconduct is a matter for the panel's own judgment. The panel should consider the conduct in the light of the standards applicable at the time of the events. However, not every departure from the standards will amount to misconduct. The panel was advised that in order to amount to misconduct, the acts or omissions in question must represent a serious falling short of expected standards.

125. The panel considered that the facts found proved in this case involved findings of serious dishonesty by the social worker. The dishonesty took place over two different periods of time, in late 2017 and in May 2019. It was not isolated but was repeated. It involved the social worker lying about her mother's death on two occasions, to a number of parties: the agency she worked with; her employer, the Council; Student A; and to other colleagues in her team at the Council. The dishonesty was sustained, in that the social worker persisted in the lie about her mother's death to the Council and later during Social Work England's investigation until 2022, when she ceased engaging with Social Work England.

126. The panel had also found proved that the social worker dishonestly took paid compassionate and sickness leave to which she was not entitled. As a result, she was paid for time which she did not work. Although the panel did not conclude that financial benefit was the primary motivation, the social worker received a financial benefit by virtue of her dishonest conduct.

127. The panel had heard there were consequences arising from the social worker's dishonesty. It had a direct impact on her colleagues at the Council, causing confusion and disruption in the team as a result of which it was agreed that the social worker would be moved to a different team for a period before she resigned from her employment.

128. The social worker's actions also had a direct impact on Student A for whom she was practice supervisor and practice educator. The panel heard that the placement was disrupted when the social worker went on leave and Student A was caused anxiety about the completion of her degree.

129. The panel was also mindful that the payment the social worker wrongfully received as a result of taking paid compassionate and sickness leave to which she was not entitled would have had an impact on the resources of the Council available for provision of its services.

130. The panel concluded that the social worker's dishonest conduct was a breach of the professional standards for social workers. The standards applicable to the period of the allegations were the HCPC's Standards of Conduct, Performance and Ethics (2016). Standard 9 states:

9. Be honest and trustworthy

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

131. The panel concluded that the social worker's conduct fell far short of expected standards and amounted to misconduct.

Social Work England's submissions on current impairment

132. In her submissions on impairment, Ms Kennedy informed the panel of a previous adverse finding in relation to the social worker. The social worker was the subject of a final hearing before the Conduct and Competence Committee of the Health and Care Professions Council which concluded on 12 February 2014. The allegation in that case concerned a period from 25 May 2012 to 4 January 2013 when the social worker was employed by Rotherham Borough Council. The allegations found proved concerned not keeping case records up to date; not completing assessments and reviews in respect of five cases and providing inaccurate information on an original job application form. Ms Kennedy confirmed that there was no finding of dishonesty in that case. The sanction imposed on the social worker in the HCPC proceedings was a caution order for a two-year period.

133. Ms Kennedy submitted that the panel should make a finding of current impairment in respect of the personal element of impairment. She stated that the social worker's conduct took place in the workplace and had a direct harmful impact on colleagues and her employer. The social worker acted dishonestly to the Agency and to the Council, her employer. She failed to cooperate with the Council's investigations and to provide information requested in relation to her periods of leave.

She benefitted directly from receiving paid leave she was not entitled to, at the expense of the Council.

134. Ms Kennedy stated that the social worker's engagement in these regulatory proceedings has been limited. She was uncooperative during Social Work England's investigation. She has not provided any clear explanation, nor demonstrated any insight or steps to remediate the concerns. Ms Kennedy submitted that there remains a risk of repetition of the concerns and that a finding of impairment in respect of the personal element of impairment should be made.

135. Ms Kennedy submitted that a finding of current impairment should also be made on the public element of impairment in order to maintain proper professional standards of conduct and to uphold public confidence in the social work profession. Ms Kennedy said that a failure to make a finding of current impairment would send an adverse message to the public and other professionals that the social worker's conduct need not have regulatory consequences.

Panel's decision on current impairment

136. The panel considered the submissions of Ms Kennedy and took into account all the information it had heard. The panel accepted the advice of the legal adviser who referred to principles from relevant case law authorities and the guidance on impairment in Social Work England's Impairment and Sanctions Guidance. In relation to the previous adverse finding by the HCPC, the legal adviser referred to Rule 35 of the Rules which provides that a previous adverse finding may be taken into account by a panel of adjudicators after it has determined any disputed facts.

137. The panel considered the matter of current impairment bearing in mind Social Work England's overarching objective which is to protect the public.

138. The panel referred to its findings in respect of misconduct in this case. The panel bore in mind, as stated in the guidance, that dishonesty is one of the most serious forms of misconduct, but that dishonest behaviour is nuanced and can take different forms. In this case, the panel had found the dishonesty proved was serious, repeated and sustained over a period of time. The panel had concluded that it impacted adversely on the social worker's professional colleagues, the Agency and the Council.

139. The panel first considered whether the social worker's fitness to practise is currently impaired in respect of the personal element of impairment.

140. In relation to harm caused, the social worker's dishonesty about her mother's death did impact upon her professional colleagues. It caused confusion and disruption within the Agency and the Council. It caused disruption in her team, resulting in the social worker moving teams for a period before she resigned.

141. The panel had found the social worker's conduct also had an adverse impact on Student A, for whom she was a practice supervisor and practice educator with the responsibility of observing and assessing Student A throughout her placement. The social worker's dishonest behaviour, and the aftermath when she went on leave and subsequently ceased working at the Council, caused Student A to be anxious that the completion of her degree would be compromised. Student A described feeling let down by the social worker whom she had previously thought was a good practitioner and who she believed as a practice educator should have set a good example to her.

142. The Panel also considered that the social worker's receipt of payment for dishonest claims to paid compassionate and sickness absence impacted on the availability of the Council's resources in relation to the provision of its services.

143. The panel records that there is no evidence before it that a service user was directly harmed by the social worker's misconduct. The panel recognise it may be of concern that a social worker who is dishonest in one aspect of their lives may also then be dishonest in a way that directly harms service users. Nonetheless, the panel concludes that in the circumstances of this case, on the limited information it has, there was no evidence of a direct impact on service users.

144. In respect of insight, remediation and risk of repetition, the panel had heard that the social worker maintained her dishonesty, persisting in her lie that her mother was dead when challenged in the Council's inquiries and subsequently during Social Work England's investigations until as late as 2022. Her response to Social Work England's inquiries, when it attempted as her regulator to clarify the matters with her, were evasive and obstructive and sought to deflect blame from herself. In 2022 the social worker appears to have disengaged from Social Work England's investigation, and she has not participated in this hearing. She has never provided any explanation of her conduct and has not provided any evidence of reflection or insight.

145. The panel recognised that dishonesty can be difficult to remedy because it raises questions of character and attitudinal issues. In this case, the social worker has provided no evidence at all which might demonstrate an attempt at remediation,

reflection or insight. Therefore, the panel concluded there remains a risk of repetition of her past misconduct.

146. The panel concluded that this risk was underscored by the information regarding the previous adverse finding against the social worker in the HCPC Conduct and Competence Committee proceedings in 2014. The panel noted that the allegations found proved included providing inaccurate information on a job application. Whilst the allegation proved did not include a finding of dishonesty, the panel considered that the nature of this allegation had some resonance with the concerns found proved in the present case.

147. The social worker has not provided any information about her current circumstances or practice. The panel had heard from some of the witnesses that until the events in question arose, the social worker had been considered to be a good practitioner by former colleagues including AG, PG and Student A. The panel noted from information gathered during Social Work England's investigation that in May 2020, after she left her employment at the Council, the social worker was employed in a social work role at another authority. Information was provided by the line manager who said there were no concerns about the social worker's performance and that she was working well. However, the panel also noted that the manager indicated that she was not aware that the social worker was the subject of a fitness to practise investigation, nor was she aware of the nature of the allegations. The panel had no information as to how long the social worker remained in this role and no more up-to-date information.

148. Taking all of the above factors into account, the panel concluded that the social worker's fitness to practise is currently impaired in respect of the personal element of impairment.

149. In respect of the public element of current impairment, the panel bore in mind that honesty and integrity are of paramount importance for social workers. A finding of dishonesty undermines public confidence in the profession. The public and other organisations, including employers, need to be able to rely on social workers to be open and honest.

150. The panel considered that the public would be concerned if a finding of impairment were not made in a case involving serious dishonesty by a social worker towards their employers and professional colleagues in their workplace. Public confidence in social workers and in Social Work England as the profession's regulator would be undermined if a finding of impairment were not made in this case.

151. The panel further concluded that professional standards would be undermined if there was no finding of impairment. The message to other professionals should be clear: that honesty is expected and dishonesty a serious matter.

152. The panel concluded that the social worker's fitness to practise is impaired in relation to the public element of current impairment.

153. In the light of the above matters, the panel considered the factors identified in the Fifth Shipman Inquiry Report as potentially indicating impairment of fitness to practise. The panel concluded in this case that the social worker has in the past acted, and remains liable in the future to act, in such a way as to bring the profession into disrepute and to breach a fundamental tenet of the profession that is, the requirement to act with honesty and integrity.

154. The panel therefore concluded that a finding of current impairment of fitness to practise in respect of both the personal and public elements is necessary in this case in order to uphold public confidence in the profession and in Social Work England as its regulator and to maintain proper standards of professional conduct.

Social Work England's submissions on sanction:

155. Ms Kennedy referred the panel to Social Work England's Impairment and Sanctions Guidance and to relevant case law authorities on the issue of sanction.

156. Ms Kennedy told the panel that Social Work England's position was that a sanction was required in this case. Ms Kennedy submitted that in considering the question of sanction, the panel should bear in mind the seriousness of the matters found proved, the risks identified, the lack of engagement by the social worker and the lack of any mitigation evidence.

157. In relation to mitigating and aggravating factors, Ms Kennedy submitted that there were no mitigating factors present in this case. In relation to potential aggravating factors, Ms Kennedy referred to the repeated and sustained dishonesty found proved by the panel in relation to the matter of the social worker's mother's death and in relation to her dishonestly obtaining payment for leave to which she was not entitled. Ms Kennedy also submitted that due to the social worker's lack of engagement there was no evidence of insight, remorse or remediation in this case.

158. Ms Kennedy submitted that taking no further action or issuing advice or a warning would not be appropriate. These orders would not address the risks identified by the panel or the seriousness of the panel's findings.

159. Ms Kennedy also submitted that conditions of practice were less likely to be appropriate where the allegations concerned attitudinal issues such as dishonesty and where there was a lack of insight and risk of repetition. She submitted it would be difficult to formulate workable conditions to address these matters.

160. Ms Kennedy submitted that suspension may be appropriate where the case falls short of requiring a removal order and where the social worker appears able and willing to resolve the concerns. However, in Ms Kennedy's submission this was not such a case. Furthermore, suspension was less likely to be appropriate where no insight had been demonstrated.

161. Ms Kennedy submitted that in the light of the concerns identified by the panel in this case, including the impact of the social worker's conduct on her colleagues and the financial benefit she obtained by her dishonest claims for payment, together with the obstructive and evasive attitude which the social worker had demonstrated, suspension would not be sufficient. The concerns involved dishonesty, and defrauding an employer. The conduct was serious and demonstrated a persistent lack of insight and deep-seated attitudinal concerns.

162. Ms Kennedy said that Social Work England's position is that the only appropriate order in the social worker's case is a removal order.

Panel's decision on sanction

163. The panel considered all the information before it. It accepted the advice of the legal adviser who reminded the panel that the purpose of a sanction is not to punish the social worker, but to protect the public, to maintain public confidence and to uphold proper standards in the social work profession.

164. The panel was referred to Social Work England's guidance relevant to the issue of sanction in the Impairment and Sanctions Guidance. This included referring the panel to the guidance concerning cases involving dishonesty at paragraph 172 onwards. The legal advice included reference to relevant case law authorities and principles concerning sanctions. The panel was reminded that it should adopt a proportionate approach when considering sanction.

165. The panel considered Ms Kennedy's submissions on behalf of Social Work England. However, it was mindful that the question of sanction was a matter for the panel's own judgement.

166. The panel approached the issue of sanction bearing in mind its earlier findings in the social worker's case. The panel had found proved serious, repeated and persistent findings of dishonesty. The social worker's untruths had an adverse

impact on professional colleagues and resulted in the depletion of the Council's financial resources by virtue of these social worker's dishonest claims for paid leave. Further, the panel had found that the social worker maintained her dishonest claim regarding her mother's death and was evasive and uncooperative in response to Social Work England's investigation, following which she disengaged from this process. There was no evidence before the panel that the social worker had demonstrated any insight or remediation, and it had found that she presented a continuing risk of repetition of her past misconduct.

167. The panel identified the following aggravating features:

- Repeated and sustained dishonesty in respect of the social worker's lies regarding the death of her mother;
- Lack of insight, remorse or remediation;
- Lack of evidence that she is likely to be willing or able to remedy her misconduct;
- Harm, in terms of the consequences of her actions upon her colleagues, Student A and the Council;
- Financial gain (albeit accepted not to be the primary motivation);
- Adverse fitness to practise history in relation to the HCPC Caution order in 2014.

168. The panel did not identify any mitigating factors in the absence of any engagement from the social worker.

169. The panel commented earlier in its determination on the positive evidence regarding the social worker's professional practice from several colleagues at the Council. The panel noted from the guidance that previous good performance is not regarded as a mitigating factor and further it had heard that in fact the social worker had adverse fitness to practise history in relation to the HCPC case in 2014.

170. The panel proceeded to consider what if any action it should take in the social worker's case. The panel first concluded that to take no further action or to give advice would be wholly inadequate in view of the seriousness of its findings and such an outcome would be far from adequate or appropriate to safeguard the public interest. The panel therefore determined that it was necessary to make a final order.

171. The panel considered the available sanctions in ascending order of gravity. It had regard to the principle of proportionality and its responsibility to impose the least restrictive sanction which would satisfy the public interest.

172. The panel concluded that to give a warning would clearly be inappropriate in this case. The panel had identified a risk of repetition of the misconduct, and a warning

would not restrict the social worker's ability to practise. Further, a warning would not be a proportionate response to the seriousness of the matters found proved. The panel bore in mind the persistent nature of the social worker's dishonesty.

173. The panel next considered whether a conditions of practice order would be adequate to protect the public and the public interest in this case. However, the concerns in this case did not relate to professional practice issues which are more readily amenable to conditions of practice. The concerns relate to findings of dishonesty which is an attitudinal issue and difficult to address by means of conditions. The panel did not consider that appropriate conditions could be drafted in this case. Further, given the lack of engagement and the past evasive and uncooperative attitude shown by the social worker the panel could not conclude that she would be willing or able to comply with conditions of practice. The panel concluded that, given the risk it had identified and the gravity of its findings, conditions of practice would not be a proportionate response.

174. The panel referred to the factors set out in the sanctions guidance at paragraph 138 which indicate when suspension is likely to be unsuitable. These factors are that the social worker has not demonstrated any insight or remediation and that there is limited evidence to suggest they are willing or able to resolve or remediate their failings. These factors applied in the present case.

175. The panel also considered that a period of suspension would not appropriately mark the seriousness of its findings in this case, nor would it ensure that public confidence in the social work profession was maintained.

176. The panel gave careful consideration to whether a removal order was required in this case. The panel referred to the guidance on dishonesty from paragraph 172 of the Sanctions Guidance. This indicates that honesty is key to good social work practice, that organisations rely on the honesty and integrity of social workers and that dishonesty is likely to threaten public confidence in the social work profession whether it is in professional practice or in the course of the social worker's private life. The panel concluded therefore that given all the factors it had identified in this case, no outcome less than a removal order would be sufficient to achieve the purposes of a sanction in Social Work England proceedings, namely the protection of the public, the maintenance of public confidence in the social work profession and the upholding of proper professional standards.

177. The panel therefore determined that it was necessary to impose a removal order in respect of the social worker.

Interim order:

178. In light of its findings on sanction, the panel next considered an application by Ms Kennedy on behalf of Social Work England for an interim suspension order to cover the appeal period before the final order becomes effective.

179. Ms Kennedy informed the panel that there is an existing interim suspension order in place which was imposed on 17 June 2022. Ms Kennedy said that Social Work England did not ask the panel to revoke the existing interim suspension order, which is due to expire on 14 December 2025, referencing the guidance at paragraph 212 of the Impairment and Sanctions Guidance. Ms Kennedy's application was for the panel to impose a new interim suspension order under Regulation 11(1)(b) of the Social Workers Regulations 2018 (as amended).

180. The panel considered whether to impose an interim order. It was mindful of its earlier findings, the risk of repetition it had identified and the final order of removal it had determined to impose. The panel decided that it would be wholly incompatible with its earlier findings to permit Ms Taylor to practise during the appeal period.

181. Accordingly, the panel concluded that an interim suspension order for a period of 18 months is necessary for the protection of the public and in the public interest.

182. 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:

183. 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:
 - 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.

184. 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.

185. 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.

186. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to Practice Rules 2019 (as amended).

Review of final orders:

187. Under Paragraph 15(1), 15(2) and 15(3) of Schedule 2 of the regulations:

- 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), and a final order does not have effect until after the expiry of that period

188. Under Rule 16(aa) of the rules 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:

189. 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>.