

Social worker: Sana Ali

Registration number: SW132094

Fitness to Practise

Final Order Review

Date of Hearing: 14 January 2026

Hearing venue: Remote hearing

Final order being reviewed: Conditions of Practice - 18 Months (expiring 26 February 2026)

Hearing outcome:

Revoke the conditions of practice order with immediate effect

Introduction and attendees:

1. This is the first review of a final conditions of practice order originally imposed, by way of accepted disposal, for a period of 18 months.
2. Ms Ali attended and was not represented.
3. Social Work England was represented by Mr McCarthy, case presenter from Capsticks LLP.
4. The panel of adjudicators (hereafter ‘the panel’) conducting this review and the other people involved in it were as follows:

Adjudicators	Role
Andrew Skelton	Chair
Jacqui Smith	Social worker adjudicator

Hearings team/Legal adviser	Role
Paul Harris	Hearings officer
Paige Swallow	Hearings support officer
Francesca Keen	Legal adviser

The regulatory concerns which were accepted by Ms Ali and resulted in the imposition of the final conditions of practice order were as follows:

‘Whilst registered as a social worker;

1. You accessed service users social care files, without any professional reason to do so, in that you;

i. Accessed Person A and Person C’s social care files, on 1 April 2023

ii. Accessed Person C’s social care file, on 12 January 2021.

The matters outlined in regulatory concern 1 amounts to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct.’

Background:

5. Ms Ali was employed by Birmingham Children's Trust (hereafter 'the Trust') within a Children and Families Team.
6. On 24 May 2023, the Trust received a referral in relation to Ms Ali whereby concerns were raised that she had accessed two service users' (person A and person C) personal case files and breached their confidentiality by sharing information without legitimate reason to do so.
7. Ms Ali self-referred the aforementioned concerns to Social Work England on 26 June 2023.
8. The matter was considered by Social Work England's case examiners, who determined that there was a realistic prospect of the aforementioned regulatory concerns being found proved, that those concerns would amount to misconduct and Ms Ali's fitness to practise may be found impaired as a consequence.
9. The Case Examiners report stated the following:

'...

Impairment

Assessment of impairment consists of two elements:

- 1. The personal element, established via an assessment of the risk of repetition.*
- 2. The public element, established through consideration of whether a finding of impairment might be required to maintain public confidence in the social work profession [sic], or in the maintenance of proper standards for social workers.*

Personal element

With regards to the concerns before the regulator, the case examiners have given thought to their guidance, and they note that they should give consideration to whether the matters before the regulator are easily remediable, and whether the social worker has demonstrated insight and/or conducted remediation to the effect that the risk of repetition is highly unlikely.

Whether the conduct can be easily remedied

The case examiners consider that the alleged conduct is remediable by the social worker, for example, through further training relating to General Data Protection Regulations (GDPR) alongside demonstrating insight into the conduct and steps they take to prevent similar actions in the future.

Insight and remediation

The social worker has shown some insight into their alleged actions. They have accepted accessing the information and state that they take “full responsibility”, and have reflected on why they were motivated to do so. The social worker advises in their final submissions that they “understand the gravity of my actions and how it has breached the core values of Social Work England. I am truly remorseful for my actions, and I am committed to learning from this experience. I understand the importance of maintaining confidentiality and respecting the privacy of service users and I deeply regret my lapse in adherence to these principals”.

The social worker also references remediation in terms of seeking support for the personal issues that they consider led to them taking the actions they did.

However, the case examiners do not consider the social worker to have demonstrated any clear understanding of why breaching confidentiality and acting outside of the law and policy was so serious, and the risks that their actions presented to person A and their child, person C. The social worker refers their actions being an ‘isolated incident’ although the evidence suggests that they accessed the files of two separate service users and on two different dates, which the case examiners do not consider to be ‘isolated’. Further, while the social worker also references a commitment to continuous improvement, they have not provided evidence of any targeted improvement in terms of their knowledge of data protection and the GDPR.

Risk of repetition

The current employer has provided a positive reference that speaks to the social worker’s practise; however, the case examiners consider that whilst there is evidence of some insight and remediation, it is partial and not complete. As such, the case examiners determine that the risk of repetition remains.

Public element

The case examiners have next considered whether the social worker’s actions have the potential to undermine public confidence in the social work profession, or the maintenance of proper standards for social workers.

Regulatory concerns relating to breaches in data protection go to the heart of public confidence in the social work profession, which has the potential to undermine the public’s trust in social workers. The case examiners, therefore, consider it likely that the public would expect that a finding of current impairment is made by adjudicators to maintain public confidence in the profession.

The case examiners conclude that there is a realistic prospect that adjudicators would find the social worker to be currently impaired...

...

Reasoning

Having found that a realistic prospect the social worker's fitness to practise is currently impaired, the case examiners then considered what, if any, sanction they should propose in this case. The case examiners have taken into account the Sanctions Guidance published by Social Work England. They are reminded that a sanction is not intended to be punitive but may have a punitive effect and have borne in mind the principle of proportionality and fairness in determining the appropriate sanction.

The case examiners are also mindful that the purpose of any sanction is to protect the public which includes maintaining public confidence in the profession and Social Work England as its regulator, and upholding proper standards of conduct and behaviour.

The case examiners have taken into account the principle of proportionality by weighing the social worker's interests with the public interest when considering each available sanction in ascending order of severity.

In determining the most appropriate and proportionate outcome in this case, the case examiners have considered the available options in ascending order of seriousness.

No Further Action

The case examiners conclude that the nature and seriousness of the social worker's alleged conduct has not been remediated. In the absence of exceptional circumstances, it would be inappropriate to take no further action. Furthermore, it would be insufficient to protect the public, maintain public confidence and uphold the reputation of the profession.

Advice or Warning

The case examiners have then considered whether to issue advice or a warning. They note that neither of these sanctions would restrict the social worker's ability to practise and, therefore, it is not appropriate where there is a current risk to public safety.

In relation to a warning, the case examiners had regard to their guidance, which states a warning order is likely to be appropriate where (all of the following):

- *The fitness to practise issues is isolated or limited*
- *There is a low risk of repetition*
- *The social worker has demonstrated insight*

The case examiners do not consider that issuing advice or a warning would be sufficient to promote and protect public confidence in the profession, given that they consider the social

worker's insight and remediation to be partial. Such sanctions would not restrict the social worker's practice and the case examiners have identified that the risk of repetition remains.

Conditions of Practice Order

The case examiners next considered a conditions of practice order. The case examiners have consulted their guidance, which states conditions of practice may be appropriate in cases where (all of the following):

- *The social worker has demonstrated insight*
- *the failure or deficiency in practice is capable of being remedied*
- *appropriate, proportionate, and workable conditions can be put in place*
- *decision makers are confident the social worker can and will comply with the conditions*
- *the social worker does not pose a risk of harm to the public by being in restricted practice*

Whilst the social worker has not demonstrated full insight, the case examiners note that they have shown some reflection into the circumstances of the case, and that this could offer an opportunity to develop further insight and remediation. The case examiners are of the view that workable conditions can be formulated that would support the social worker to develop the requisite insight and remediate their practice. Additionally, the order is subject to review, which can be extended or replaced with a different order if necessary.

Having concluded that a conditions of practice order is the appropriate outcome in this case, the case examiners went on to consider the length of time for the order. The case examiners consider that 18 months would allow the social worker sufficient time to demonstrate strengthened practice within a full appraisal cycle. They consider that any longer period, given that some insight and remediation has already been demonstrated, would be unnecessary and punitive.

Suspension or Removal Order

The case examiners went on to test the suitability of the conditions of practice order by considering the next most severe sanctions, a suspension order and a removal order. Having considered their guidance, the case examiners did not consider these orders to be proportionate.

Although, the concerns relating to accessing service user case files without a legitimate reason to do so is serious, the case examiners consider that the public can be protected with an appropriate conditions of practice order.

To conclude, the case examiners have proposed a conditions of practice order of 18 months' duration. They will now notify the social worker of their intention and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered 28 days to respond. If the social worker does not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

Conditions of Practice:

Conditions 1 to 14 (inclusive) should be in place for an 18-month period. In accordance with paragraph 15 of Schedule 2 of The Social Workers Regulations 2018, the regulator must review the conditions of practice order before its expiry. The social worker and/or Social Work England can seek early review if new evidence becomes available to suggest the current order needs to be varied, replaced, or removed.

- 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.*
- 3.*
 - (a) 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.*
 - (b) You must not start or continue to work until these arrangements have been approved by Social Work England.*
- 4. You must provide reports from your reporter to Social Work England every 4 months and at least 14 days prior to any review.*
- 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 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).*
9. *You must work with your reporter to formulate a personal development plan, specifically designed to address the shortfalls in the following areas of your practice:*
 - *Information governance*
 - *Confidentiality and General Data Protection Regulations (GDPR)*
 - *Managing risk*
10. *You must provide a copy of your personal development plan to Social Work England within 4 weeks from the date these conditions take effect and an updated copy 4 weeks prior to any review.*
11. *You must read Social Work England's Professional Standards (2019) and provide a written reflection 4 months after these conditions take effect, focusing on how your conduct when accessing confidential information, without consent or authority, was below the accepted standard of a social worker and against GDPR legislation and outlining the potential or actual harm to child / adult, and what you should have done differently.*
12. *You must keep your professional commitments under review and limit your social work practice in accordance with your reporter's advice.*
13. *You must provide a written copy of your conditions, within 7 days from the date these conditions take effect, to the following parties confirming that your registration is subject to the conditions listed at 1 to 12, above:*
 - *Any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary.*
 - *Any locum, agency or out-of-hours service you are registered with or apply to be registered with in order to secure employment or contracts to undertake social work services whether paid or voluntary (at the time of application).*
 - *Any prospective employer who would be employing or contracting with you to undertake social work services whether paid or voluntary (at the time of application).*
 - *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 this condition to Social Work England within 14 days from the date these conditions take effect.*

14. You must permit Social Work England to disclose the above conditions, 1 to 13, to any person requesting information about your registration status. '

10. The case examiners report was put to Ms Ali who, on 21 August 2024, accepted: the regulatory concerns; that the matters amounted to misconduct; and that her fitness to practise was impaired. Ms Ali, in her response to Social Work England, stated:

"I have read the case examiners' decision and the accepted disposal guide. I admit the key facts set out in the case examiner decision, and that my fitness to practise is impaired. I understand the terms of the proposed disposal of my fitness to practise case and accept them in full".

11. Following Ms Ali's acceptance of the regulatory concerns, the case examiners determined to impose a conditions of practice order for a duration of 18 months.

Review of the current order:

12. This substantive 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).

13. The current order is due to expire at the end of 26 February 2026.

Social Work England submissions:

Social Work England:

14. The panel noted that Social Work England's submissions in respect of the review of the conditions of practice order were contained within the Notice of Hearing ('the Notice') (dated 15 December 2025) and were as follows:

'Subject to receipt of the final report from the Social Worker's employer, which is due prior to the Final Order Review, Social Work England will invite the Panel to consider making a finding of no current impairment, and to revoke the Order.

The Social Worker has engaged with the conditions of practice order well. In particular, they have undertaken targeted training on data protection and the GDPR, provided reflective pieces on their previous conduct and the steps they have taken to prevent repetition, demonstrated satisfactory compliance with their conditions and provided repeated evidence of safe and effective practice from their reporters. No further concerns have been raised about their fitness to practise since the initial complaint.

Whilst it is noted that there has been a breach of a condition in March 2025, the Social Worker provided an explanation for this and evidence of subsequent compliance with it. There have been no further issues since.

The Panel are therefore invited to find that the Social Workers's fitness to practise is no longer impaired and to revoke the Order with immediate effect.'

15. In addition to drawing the panel's attention to the written submissions contained within the Notice, Mr McCarthy also made the following oral submissions:

- i. Social Work England invite the panel to find that Ms Ali's practice is no longer impaired, on either the personal or public component, and the current order should be revoked with immediate effect;
- ii. Ms Ali has submitted all of the documentation required by the conditions of practice order;
- iii. Ms Ali has consistently complied with the conditions of practice order, save for one technical breach, which Social Work England took no action in respect of;
- iv. Ms Ali has engaged throughout the proceedings and has provided consistent positive reports from her employer, which demonstrates positive conduct and no further concerns in respect of her practice;
- v. Ms Ali has demonstrated significant insight and remorse and there is no longer a risk of repetition of the original conduct; and
- vi. the final order has sufficiently addressed the public aspect of impairment and Social Work England submit that Ms Ali is no longer impaired on the public or private aspect of impairment and the order should be revoked.

The Social Worker – Ms Ali:

16. Ms Ali elected to give oral evidence to the panel. In doing so, Ms Ali submitted the following *[the evidence below is a summary of the oral evidence provided to the panel and is not a verbatim account]*:

- i. she understands how the case examiners concluded that she lacked insight at the time of the original decision. She understands that she was focussed on the other individual instead of how her actions impacted that individual and confidence in the social work profession;
- ii. she has come to a point in her reflections whereby she now understands that she did not show appropriate insight at that time;
- iii. she is “grateful” for the conditions of practice and she has been allowed to focus on her training and how she can apply that to the mistake she made;
- iv. she intends to undertake another reflection after this matter has all concluded, outlining how her actions impacted the public and public confidence in the social work profession;

- v. she now understands how the public would want action taken against her for her actions; and
- vi. if the order is revoked today, this is not something that she would “*forget about*” as she carries her mistake and her learning from it with her.

17. In response to questions from Mr McCarthy, Ms Ali stated: that she accepts that her conduct was serious; her fitness to practise was previously impaired; she has taken steps to address her conduct; she has taken steps to fully remediate her conduct; and that her practice is no longer currently impaired.

18. In response to a question from the panel chair, Ms Ali stated that in respect of the comment made by her line manager in her last report that ‘performance had dipped’, the comment concerned a new ‘pilot’ being implemented and this was impacting how social workers within her team are working. She further explained to the panel that the ‘pilot’ is changing the way the assessment team are operating and so her line manager’s comment was directed at the service she works within, rather than directed at her personally.

Panel decision and reasons on current impairment:

19. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. The panel took account of the documents provided to it by Social Work England and Ms Ali and it had regard to both parties’ oral submissions, in addition to Ms Ali’s oral evidence. The panel also exercised its own judgement in relation to the question of current impairment.

20. The panel considered the relevant Social Work England Guidance on ‘Impairment and sanctions’ and accepted the advice of the Legal Adviser, which had drawn its attention to Schedule 2 paragraph 15 of the Social Workers Regulations 2018 and the proper approach to be adopted when considering current impairment. The panel bore in mind that the persuasive burden lay with Ms Ali.

21. In making its decision, the panel had regard to both the personal and public elements of impairment. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. In reaching its decision, the panel was mindful of the need to protect the public and the wider public interest in declaring and upholding proper standards of behaviour and maintaining public confidence in the profession.

22. The panel first considered whether Ms Ali’s fitness to practise remains impaired. It bore in mind that in deciding whether Ms Ali’s fitness to practise is still impaired it should follow the approach of Dame Janet Smith endorsed in the High Court in *CHRE v NMC and Grant [2011] EWHC 927 (Admin)*.

23. The panel was very encouraged by Ms Ali’s attendance and engagement in today’s proceedings and with Social Work England and the regulatory process overall. In the

panel's view, Ms Ali's engagement demonstrated a commitment to developing her insight and to her return to unrestricted practise in the social work profession.

24. The panel determined that Ms Ali's fitness to practise is no longer currently impaired on the personal component. In doing so, the panel had regard to the following:

- i. since the concerns arose, there have been no further concerns raised in respect of Ms Ali's conduct;
- ii. Ms Ali has demonstrated an ongoing and continued commitment to her social work practice;
- iii. she has complied with all of the conditions of practice imposed;
- iv. she has provided independent evidence from her employer;
- v. she has provided numerous reflective pieces demonstrating her fully developed insight into the accepted concerns;
- vi. her employer has outlined that they had no concerns regarding her professional practice;
- vii. she has provided information to the panel (in oral evidence) of the impact of her actions and the impact upon the public and her colleagues; and
- viii. she has engaged in, and provided evidence to attest to, specific training regarding data protection.

25. Having regard to the aforementioned and to her oral evidence, which the panel considered to be persuasive, the panel determined that Ms Ali had demonstrated full insight into her actions. The panel also noted that Ms Ali had outlined how she intended to manage her practice moving forward and that she had stated that she would not "*forget about*" her learning as it was something that would "*stay with her*". Consequently, given the steps taken and the evidence provided by Ms Ali, the panel considered that there was a very low risk of repetition of her previous actions.

26. The panel next considered whether a finding of current impairment on the public component remained necessary and determined that it does not. Having regard to the case examiners' findings, and noting the steps taken by Ms Ali, the panel considered that the public interest had been marked by the regulatory proceedings and the imposition of the order, which it again noted that Ms Ali had complied with.

27. The panel also considered that there was a strong public interest in having a well regarded and able practitioner remaining within the social work profession. The panel recognised the value that Ms Ali brings to the profession (confirmed by her employer's comments about her practice) and in its view, the public would want to commend Ms Ali for: her full and ongoing engagement in the regulatory proceedings; the manner in which she has conducted herself throughout the proceedings since the imposition of the order; and for the subsequent steps that she has taken to ensure that her actions do not pose a risk to the public.

28. In the panel's view, Ms Ali has utilised the regulatory proceedings as a valuable learning opportunity and has taken steps to ensure that her actions will not be repeated moving forward.
29. Consequently, having determined that Ms Ali's fitness to practise is no longer currently impaired the panel considered that the order should be revoked with immediate effect.