



**Social worker: Deborah Anne
Johnson**
Registration number: SW50726
Fitness to Practise
Discontinuance in Full

Dates of hearing: 23 January 2026

Hearing venue: Remote hearing

Hearing outcome:
Discontinuance application granted, fitness to practise not impaired, no further action

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) (“the regulations”).
2. Ms Johnson attended and was represented by Ms Sheridan.
3. Social Work England was represented by Ms Sharpe, case presenter, from Capsticks LLP.
4. The panel of adjudicators conducting this hearing (hereafter “the panel”) and the other people involved in it were as follows:

Adjudicators	Role
Claire Cheetham	Lay chair
Natalie Pickles	Social worker adjudicator
Moriam Bartlett	Lay adjudicator

Hearings team/Legal adviser	Role
Lauryn Green	Hearings officer
Jo Cooper	Hearings support officer
Jeanette Bloor	Legal adviser

Documentation

5. Prior to the commencement of the hearing the panel of adjudicators (hereafter “the panel”) read the following material:
 - (i) Draft Statement of Case for Discontinuance comprising 14 pages.
 - (ii) ID Key comprising 1 page.
 - (iii) Discontinuance Bundle comprising 498 pages.
 - (iv) Service and Supplementary bundle comprising 20 pages.

Service of notice:

6. The panel noted that the notice of this hearing was sent to Ms Johnson by email on 15 December 2025. The notice of hearing was also served upon her legal representative, Ms Sheridan at the British Association of Social Workers, by email, on 15 December 2025. Both Ms Johnson and Ms Sheridan were in attendance at the hearing.

Preliminary matters:

7. The case examiners considered the case initially in or around September 2022. The case examiners found that there was a realistic prospect of the factual allegations being proved, a realistic prospect that those facts would amount to misconduct and a realistic prospect of a finding of impairment. The case examiners did not consider that

the case required a public hearing and offered an accepted disposal of a warning order for a period of 3 years.

8. On 13 September 2022, the social worker's representative confirmed that the social worker did not agree to the accepted disposal as she considered a 3 year warning order was not proportionate; the social worker submitted that the appropriate sanction would have been a warning order for 1 year. On receipt of the social worker's response, the case examiners referred the matter to a hearing.
9. On 2 June 2025, the social worker's representative provided submissions to Social Work England in respect of discontinuance. The social worker submits, by way of this application, that there is no longer a realistic prospect of a finding of impairment.
10. Further information was sought by Social Work England's legal representatives in relation to the social worker's submissions and evidence submitted, which the social worker provided via her representative.
11. An application for discontinuance has been made by Social Work England on the basis of Rule 52 that new information has emerged after the case examiner's review making a finding that impairment of Ms Johnson's fitness to practise is no longer realistic.

Allegations:

12. The panel were referred to the allegations concerning Ms Johnson;

Whilst employed as a social worker between 31 December 2021 and 4 January 2022:

Allegation 1: You inappropriately shared confidential information via a personal social media account that:

- a. Was shared with you in your professional capacity and / or;*
- b. Was based on Multi-Agency Child Exploitation intelligence.*

Allegation 2: You communicated with one or more unknown people to whom the information purportedly related via a personal social media account.

Allegation 3: Your actions at (1) and / or (2) above presented a risk to the Local Authority and / or Police investigation(s) into the information.

Background:

13. On 3 February 2022, Lincolnshire County Council ("LCC") made a referral to Social Work England in respect of concerns relating to Ms Deborah Anne Johnson.
14. Ms Johnson has been a registered social worker since 2001 and is currently employed as a Team Manager for Independent Chairs, Quality and Standards within LCC and has been in this role continuously since June 2020.

15. On 5 January 2022, a member of the public (“Person A”) reported Facebook posts and messages made by Ms Johnson on her personal Facebook profile to his Probation Officer, Ms Rebecca Wiles, which related to a business operated by Person A.
16. The content of the Facebook post related to information shared with Ms Johnson as a result of LCC internal safeguarding information sharing, in her capacity as team manager. In summary, the information was that an identified business (apparently owned and operated by Person A) was paying children to produce music reviews and that there were concerns that this could be for the purposes of Child Sexual Exploitation, given that there was no particular reason for the children to be paid to do so.
17. Person A contacted Ms Johnson via Facebook Messenger, in response to the social worker’s initial post and said that he had paid a 16 year old to write a review, that he’d met the child “on X box” and that there was “no grooming going on”. Ms Johnson said in response that she would “tell all this to our team at work in the morning”. Person A said it would be “great” if the social worker could retract her post, because the information was false. The social worker suggested that Person A may wish to post something himself in relation to “...how seriously you take the safeguarding of young people you employ” and signposted Person A to NSPCC resources. The social worker also provided her LCC email address to Person A.
18. Messages were exchanged between Ms Johnson and a person purporting to be Person A’s mother. Person A’s mother said that the business was a “music business” and nothing else, and asked Ms Johnson to retract her post. Ms Johnson sent a message asking whether the business had paid anyone under 18 for writing music reviews but it is not clear who this was directed to.
19. A third person (“T”), purporting to be an employee of the business, contacted Ms Johnson and said that she had paid the employees via her PayPal account and that it was nothing to do with Person A. T said that she did not know that paying someone under the age of 18 was illegal (Exhibit AC/3, p. 136).
20. Ms Johnson made a further Facebook post which read: “I have been contacted by [Person A] who told me he is the owner of [business name]. He has been very clear that his company is a genuine music business and that if somebody has used his company name to groom a child it is without his knowledge and he is very distressed at the suggestion. I have told him I would post his response on here and inform the team that sent the formal alert of his contact with me and ensure that his direct contact details are available to them”.
21. Ms Johnson made a further Facebook post, saying that it had been “great” to talk about safeguarding with Person A and expressing the importance of talking about safeguarding and promoting awareness about young people’s vulnerabilities. This post linked to the Person A’s business post which expressed that the business takes safeguarding of young employees “very seriously”.

22. Person A was, at the relevant time, a MAPPA offender, which means that he had a conviction for a sexual and / or violent offence. In this case, Person A's convictions related to three counts of possession and / or making of indecent images of children for which Person A was sentenced to a 3 year Community Order in April 2021. Person A was being managed under MAPPA at Levels 2 and 3 at various times, in response to his increasing risks. Level 1 is the lowest level of management under MAPPA, with Level 3 being the highest. Person A was subject to a Sexual Harm Prevention Order (which did not prevent him having contact with children or young people) but did place restrictions and conditions on his use of the internet and electronic devices. This was not something Ms Johnson was aware of at the time.
23. On 3 January 2022, Person A emailed Ms Johnson using her LCC email address and requested a copy of the email that had been sent to her (by Ms Westby on 30 December 2021). Ms Johnson forwarded this email to Ms Westby on 4 January 2022 with the message:

"I have been contacted by the below person in relation to the CSE concern share last week. He is adamant that they are a legitimate company. I said I would forward his comment and contact email address to the team that I received the alert from'. I have not provided contact details for anyone else. I am not going to forward the email to him unless MACE say I can!".

24. Ms Westby was on annual leave on 4 January 2022 and did not see this email until after the matter had been reported by Ms Wiles.
25. Ms Wiles reported the Facebook posts and messages to LCC on 5 January 2025. LCC instructed Mr Andy Cook, Head of Service for the Children Directorate Service at LCC, to conduct an investigation.
26. The information had been provided to Ms Johnson via email to an LCC Team Manager distribution list by Ms Michelle Westby, a Practice Supervisor in the Future 4 Me Team in Children's Services at LCC. Ms Westby's role included chairing Multi agency Child Exploitation ("MACE") meetings; Person A's contact with a child ("Child E") within LCC's area had been considered via a MACE pre-screening on 26 October 2021 and at a full MACE meeting on 14 December 2021.
27. At the MACE meeting, due to concerns that other children may be contacted in this manner, agreement was sought by LCC from the Police to share relevant information among professionals. Ms Westby had provided the draft email to professionals for police approval on 24 December 2021. On 29 December 2021, the police agreed that the email could be shared with relevant professionals. On 30 December 2021, Ms Westby shared the information via the team manager email distribution list.
28. On 7 January 2022, Ms Carolyn Knight, Ms Johnson's line manager, and Mr Andy Cook, the Council's appointed investigator, met with her to discuss the concerns. Ms Johnson accepted that she made the relevant Facebook posts and that the information had been taken from the team manager email. On being informed about Person A's

offending history, and the police investigation into his contact with the child in LCC's area, the social worker understood the "enormity" of her actions. Prior to being informed by Mr Cook, Ms Johnson had not been aware of either Person A's offending history, or the specific concerns discussed within the MACE meetings. She accepted that there was nothing in the email to suggest that it could or should be shared more widely.

29. During this meeting, Ms Johnson explained that she has previously used her Facebook account to draw attention to safeguarding issues, such as by sharing missing alerts for young people. She acknowledged that the information shared was materially different from published information and did not seek to justify her posts. Ms Johnson was described by the investigator as "incredibly remorseful".

Admissions

30. Ms Johnson admits allegation 1 in that she shared confidential information on her personal Facebook account, which had been shared with her from the MACE panel in her professional capacity.
31. Ms Johnson admits allegation 2 in that she had contact with Person A, and others, following her post sharing the information. At the material time, the social worker was not aware that Person A was the 'person of concern' and there is no evidence to suggest that she was aware either that Person A was a person of concern, or that she was aware of his offending history or status as a MAPPA offender.
32. Ms Johnson, in identifying the risks that her conduct had posed, identified that the post(s) and correspondence, could have jeopardised the investigations into Person A by the police or local authority.

Allegation 1:

You inappropriately shared confidential information via a personal social media account that:

- a. Was shared with you in your professional capacity and / or;*
- b. Was based on Multi-Agency Child Exploitation intelligence.*

33. The following evidence was considered;
 - a. An email of 30 December 2021 from a Practice Supervisor to various departments entitled, Child Exploitation Concerns
 - b. Screenshots of Facebook posts and messages;

Ms Johnson posted on her Facebook account on the 31 December 2021:

"we have been made aware through official safeguarding channels of a website that is claiming to pay children for music reviews...There are real

concerns that this a grooming operation for child exploitation. Please check in with your young people and keep an eye for them on line just like we do...real life! Please block this website from your children's IT and use the local authorities reporting procedure to share any concerns that you have. I have made this post shareable. Please do.....”

- c. Notes of a preliminary meeting held on 7 January 2022
- d. Disciplinary meeting minutes of 31 January 2022

34. The panel noted the email of the 30 December 2021 was sent to managers following the Multi Agency Child Exploitation meeting advising of concerns about a business/website which was potentially being used to groom young people. The managers were requested to share the email with professionals and staff.

35. On 31 December 2021, Ms Johnson posted the contents of the email on her personal Facebook page, making the content public and requesting followers to share the information of which she admits.

36. The panel noted that Ms Johnson admits this allegation. It found that there is a realistic prospect of allegation 1 being found proved on the balance of probabilities.

Allegation 2:

You communicated with one or more unknown people to whom the information purportedly related via a personal social media account.

37. The following evidence was considered;

- a. Screenshots of Facebook posts and messages with Person A and others.
- b. Email of 5 January 2022 from a probation officer that Person A had provided them with concerning Facebook posts about them via the social worker.
- c. Email of 3 January 2022 from Person A to the social worker's work email.
- d. Email of 4 January 2022 from the social worker to the practice supervisor forwarding the email of the 3 January 2022.

38. The panel noted that Ms Johnson admits this allegation. It found that there is a realistic prospect of allegation 2 being found proved on the balance of probabilities.

Allegation 3:

Your actions at (1) and / or (2) above presented a risk to the Local Authority and / or Police investigation(s) into the information.

39. The following evidence was considered;

- a. Notes of a preliminary disciplinary meeting held on 7 January 2022.
- b. Disciplinary meeting minutes of 31 January 2022.

40. The panel noted that;

- a. Person A was under supervision in another part of the country for sexual offences against children and shared the texts with their probation officer.
- b. Person A had no prior knowledge that they were of interest to professionals in the local area.
- c. There were potential safeguarding concerns in relation to a child who was allegedly employed by Person A in the local area.
- d. Ms Johnson provided their work email address to Person A.
- e. Ms Johnson admits this regulatory concern and submits that at the time they did not know that Person A was a 'person of concern'.

41. The panel noted that Ms Johnson admits this allegation. It found that there is a realistic prospect of allegation 3 being found proved on the balance of probabilities.

42. It was not for this panel to determine whether the facts are found proved, it simply found that there is a realistic prospect that they could be. Nor was it for this panel to consider whether the issue of the statutory ground of misconduct is found proved. However, it determined that it was unlikely that there was a realistic prospect that misconduct could be found proved. It was noted that misconduct was a matter of judgement and that there was no burden or standard of proof.

43. The panel noted the case of *Roylance v General Medical Council (No.2)[2000] 1 AC311* which defines misconduct as a 'word of general effect, involving some act of omission which fall short of what would be proper in the circumstances'. The caselaw is also clear that the misconduct must be serious. The case of *Nandi V GMC (2004)* confirmed the weight to be given to the word serious equates to "deplorable conduct when regarded by fellow practitioners"

44. The panel was of the view that it could be found that conditions 2.6, 5.2, and 5.6 had been breached. However, it bore in mind that breaches of the code do not necessarily lead to a finding of misconduct. In the panel's view, a properly directed panel would not find that Ms Johnson's actions could reach the threshold of seriousness necessary for misconduct to be found.

45. The panel determined that there was no realistic prospect of misconduct being found on the basis of;

- i. Ms Johnson's actions were an isolated error of judgement in a long career with no other regulatory concerns raised. Her actions were due to a lack

of care and consideration. They were unwise, but well intentioned, motivated by a commitment to safeguard children.

- ii. There was a risk of harm, but no actual harm had occurred.
- iii. Her Facebook post was a naïve action of information sharing that was misguided and ill-considered.
- iv. Ms Johnson had not been aware of Person A's history and background.
- v. In the circumstances, her actions would not be considered deplorable to fellow practitioners when aware of all the circumstances.

Discontinuance application:

46. Social Work England relies on Rule 52 of Social Work England Fitness to Practise Rules 2019 (as amended);

“(1) Where the regulator considers that new information available since the determination of the case examiners means that there is no longer a realistic prospect of a determination of impairment in relation to the case, the regulator may make an application for discontinuance of the case to be considered by the adjudicators.

(2) An application made under paragraph (1) must include details of the new information and a statement of case setting out why there is no longer a realistic prospect of a determination of impairment.

(3) Adjudicators must consider the application and if the adjudicators:

- a. decide that there is insufficient evidence to make a finding of impairment, make a decision that the social worker's fitness to practise is not impaired, providing reasons for their decision, and impose an outcome in accordance with Paragraph 12(1) of Schedule 2;*
- b. do not agree that there is insufficient evidence to make a finding of impairment, they may adjourn and give relevant directions as to the progression of the case to a fitness to practise hearing.”*

New information

47. The following new information has become available and been obtained since the case examiners' decision which appears at Section B of the discontinuance bundle, including:

- a. The expiration of the social worker's 12 month final written warning imposed by the Council in January 2023 without further incident (p. 311);
- b. The absence of any other concerns raised with the Regulator in respect of the social worker's conduct or performance since the Case Examiner referral in September 2022;

- c. Confirmation that the data breach was reported to the Information Commissioner's Office ("ICO") on 18 January 2022 and further information provided to the ICO dated 8 February 2022 (p. 329 - 332) which includes:
 - i. That the manner of dissemination of the information may have been a contributory factor and could be improved by the addition of a warning specifying that information is "POLICE SENSITIVE";
 - ii. That the Council had received confirmation of an assessment from Person A's probation officer that Person A had not reported or expressed concern about any detrimental impact of the data breach;
 - iii. Preventative actions taken by the Council which include an organisation-wide review of email distribution lists; protective markers of information to be highlighted and briefing to all staff in respect of the appropriate handling of data.
- d. Letter from the ICO, dated 7 March 2022, confirming that it would take no further action in respect of the breach given that the actions of Lincolnshire County Council had been appropriate and proportionate (p. 475 - 477)
- e. Positive professional testimonials from the social worker's current line manager, Ms Carolyn Knight, dated:
 - i. 27 August 2024 (p. 318 - 320);
 - ii. 11 September 2025 (p. 323 - 328).
- f. Positive professional testimonial from Mr Andy Cook, dated 5 November 2024 (p. 321 - 322);
- g. Positive professional testimonial from Claire Gill, Team Manager for West Lindsey FAST (Family Assessment and Support Team) within Lincolnshire County Council, dated 11 September 2025 (p. 363 - 364).
- h. Positive professional feedback from Margaret Noonan, Independent Reviewing Officer dated 19 December 2024 (p. 347);
- i. Positive professional feedback from Nicola Kent, Product Lead for IT, and David Matthewan, dated 30 January 2024 (p. 335);
- j. Ms Johnson's positive appraisals dated:
 - i. 28 March 2023 (p. 237 - 243);
 - ii. 17 April 2024 (p. 339 - 346);
 - iii. 5 March 2025 (p. 349 - 360).
- k. Evidence of reflection:
 - i. i. Personal impact statement dated 7 August 2025 (p. 378 - 380).

- l. Evidence of professional development and positive contributions to social work practice, including child sexual abuse and safeguarding:
 - i. Completion of a post graduate qualification in leadership and management;
 - ii. Reflective essay on professional decision making in the workplace and how this could be improved for submission to the University of Sheffield (p.366 - 377);
 - iii. Academic reflective log (p. 393 - 405);
 - iv. Reflection on leadership style essay (p. 459 - 474).
 - v. Ms Johnson named as the Local Authority's Lead on the Child Sexual Abuse Pathway (p. 381: 391) the purpose of which is described as "to effectively identify and respond to a child's safeguarding needs when there are concerns of child sexual abuse. It is designed to reflect and fit within the systems and services in which practitioners are currently working, while providing practical advice, guidance and links to tools and resources to ensure that responses are as effective as possible.";
 - vi. The delivery of joint training between police and social workers in respect of improving the quality of investigations (appraisal 2024, p. 342);
 - vii. Training delivered by Ms Johnson with the Centre of Expertise on Child Sexual Abuse on behalf of LCC (slides, p. 406 - 457).

Submissions

Social Work England

- 48. Social Work England submitted that;
- 49. Considering the new information since the Case Examiner referral, there is no longer a realistic prospect of a finding of impairment in this case.
- 50. There is a range of case law dealing with the proper approach to assessing current impairment. In the case of *Cohen v General Medical Council [2008] EWHC 581 (Admin)*, it was held:

"There must always be situations in which a Panel can properly conclude that the act... was an isolated error on the part of the... practitioner and that the chance of it being repeated in the future is so remote that his or her fitness to practise has not been impaired... it must be highly relevant in determining if a [practitioner's] fitness to practice is impaired that first his or her conduct which led to the charge is easily remediable, second that it has been remedied and third that it is highly unlikely to be repeated".

51. Applying those questions to the instant case, the conduct relates to an error of judgement on the part of the social worker which is remediable; the concerns do not relate to conduct which is inherently more difficult to remediate, such as attitudinal failures or dishonesty.
52. Paragraph 16 of Social Work England's Impairment and Sanctions Guidance sets out the relevant factors in respect of assessing the 'personal component' of impairment:
 - a. harm caused (or risk of harm)
 - b. repetition (or risk of repetition)
 - c. previous history
 - d. insight
 - e. remediation
 - f. admissions of alleged facts
 - g. testimonials
53. In respect of the risk of repetition and previous history, there have been no concerns raised in respect of the social worker's use or sharing of professional information, or of her use of social media, in the (approximately) four years since the incident occurred.
54. Insight has been demonstrated by Ms Johnson's;
 - a. engaging with the fitness to practise and internal disciplinary processes;
 - b. expressions of remorse;
 - c. demonstration of an understanding as to why the conduct is of concern, why it happened, what should have been done differently and any risks attached to the conduct.
55. Concerning remediation, Ms Johnson has provided documentary evidence of her continuing professional development and positive contribution to social work practice, including in respect of child sexual abuse investigations and safeguarding. Ms Knight has provided evidence of Ms Johnson's past and current reflection on the incident.
56. Ms Johnson has always admitted the alleged facts. She admitted the conduct immediately, took prompt steps to remove the posts and made her Facebook account private, offered apologies, recognised the risks attached to her actions and expressed her remorse.
57. Her responses are supported by the objective evidence of Social Work England's witnesses, Mr Cook and Ms Knight. They confirm Ms Johnson's continuing reflection and insight on the matter, positive appraisals in all regards for the years 2023, 2024 and 2025 and the positive professional testimonials.

58. In light of the evidence provided by Ms Johnson as to her remorse, reflection and remediation, considered in light of the period of (approximately) four years without any further concerns, together with the evidence of positive professional testimonials and appraisals and as such there is no longer a realistic prospect of a finding of impairment on the personal component.
59. Social Work England addressed the need to uphold proper professional standards and public confidence in the profession and this is part of the panel's assessment of impairment. As was highlighted in the case of CHRE v (1) NMC (2) Grant [2011] EWHC 927 (Admin):

"In determining whether a practitioner's fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances."
60. The question of whether public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances, is predicated on a full knowledge and understanding of the relevant circumstances of the case. This would include the outcome of the internal investigation, the determination of the Information Commissioners Office in respect of the information breach, the immediate steps taken to remove the post(s), the steps taken by LCC to ensure improved organisational practices as to the sharing of confidential information and that other safeguarding professionals, namely the social worker's child's school, had also erred in sharing the same information outside of the professional safeguarding networks for which it was intended.
61. In light of that information there is no longer a realistic prospect of a finding of impairment on the public component.
62. The panel were reminded of their powers to impose a no impairment warning should the application to discontinue in full be granted pursuant to Fitness To Practise Rule 52(a) and paragraph 12(1) of Schedule 2 to the Social Worker's Regulations (2018).

Submissions on behalf of Ms Johnson

63. It was submitted by Ms Sheridan on behalf of Ms Johnson that;
64. Ms Johnson wholly supported the application to discontinue the proceedings considering that any other course would be wholly disproportionate. Ms Johnson had co-operated fully with the proceedings and was not currently impaired as evidenced by her ability to practise without issue in the intervening four years.
65. It was not in the public interest for the case to progress to a full hearing. By the time a hearing is scheduled, the warning order that Ms Johnson was offered would have expired should she have chosen to have accepted it.

66. Ms Sheridan reminded the panel of Social Work England's guidance on fitness to practise: '*In deciding whether a social worker's fitness to practise is impaired, the adjudicators will consider whether the evidence available indicates that they may still present a continuing risk of harm, to the public. In doing so the adjudicators will consider the nature and the severity of the incident(s) in question and any actions taken since the events to address the concerns raised.*'
67. According to Meadow v General Medical Council 92006) ewca Civ 1390 (2007) QB 462, the purpose of fitness to practise proceedings is to look forward, taking into account past matters. The purpose of a regulatory body is to protect the public and not to punish the practitioner. This is supported by Social Work England's guidance on fitness to practise, which states 'Our powers are not intended to punish social workers for mistakes'. 'Isolated mistakes are unlikely to be repeated if a social worker recognises what went wrong and takes action to prevent reoccurrence. In these circumstances we will not find that a social worker's overall fitness to practise is impaired.'
68. Ms Johnson has admitted the allegations from day one. She has recognised the gravity of the errors she made and demonstrated significant remorse for her mistakes both at the time and subsequently. Ms Johnson has never sought to minimise her actions and has always fully appreciated the implications of her errors. The mistakes that Ms Johnson made were isolated in an otherwise completely unblemished career. This is supported by Andy Cook, Head of Service, who was the investigator for the disciplinary action that Ms Johnson was subject to as a result of the allegations. Mr Cook clearly outlines that this was an "entirely isolated incident with no previous or subsequent concerns regarding her practice" and he goes on to state that Ms Johnson "fully acknowledged her actions at the earliest opportunity and sought to immediately rectify the situation by removing the social media post. Furthermore, at no point has (she) sought to minimise her behaviour or the potential impact".

Legal advice in relation to discontinuance

69. The panel accepted the advice from the legal adviser, who set out the legal framework governing applications for discontinuance. The legal adviser referred to Rule 52(1), which permits Social Work England to apply for discontinuance if new evidence arises that indicates there is no longer a realistic prospect of proving that fitness to practise is impaired.
70. The panel was reminded of its duty to assess the application carefully and to ensure that the reasons for discontinuance were justified and in line with Social Work England's overarching objective of public protection.
71. The panel accepted the advice from the legal adviser which outlined the relevant case law, including Ruscillo v CHRE [2004] EWCA Civ 135, which emphasises that regulatory panels must take an active role in scrutinising discontinuance applications to prevent under-prosecution.

72. Additionally, reference was made to PSA v NMC and X [2018] EWHC 70 (Admin), which confirmed that decision-makers must be fully informed and ensure that the discontinuance application is adequately justified. The panel was further advised to consider whether discontinuance would compromise public confidence in the profession or the maintenance of professional standards.

Panel decision on discontinuance:

73. The panel went onto consider the issue of discontinuance in relation to impairment and took into account all the new information now available. It also considered the submissions made by Social Work England and on behalf of Ms Johnson.

74. In relation to the personal component of impairment, the panel accepted that no harm was actually caused by the social worker's actions, however there was indeed a risk that her actions could have caused harm; harm to any investigation into Person A and potential harm to Person A through the information being disclosed to the public. The social worker has however always accepted this and admitted her mistake. It was noted that she took prompt steps to remove the posts, made her Facebook account private, offered apologies and expressed remorse. The panel accepted there have been no concerns raised in respect of the social worker's use or sharing of professional information, or of her use of social media, in the years since the incident occurred.

75. The panel was satisfied from the new information provided that Ms Johnson had demonstrated remediation. There was clear documentary evidence of her continuing professional development and the panel noted the positive appraisals and positive professional testimonials. She had co-operated thoroughly during the course of the proceedings and had provided detailed and considered responses. It was the panel's view that Ms Johnson's actions were an isolated incident, with the chance of repetition being very low. She had an unblemished career prior to these social media interactions, which the panel accepted were an error of judgement. The panel was clear that she had demonstrated her understanding of why her conduct was of concern and the risks associated with that, which had been independently verified through the testimonials of professionals.

76. The panel considered the potential for finding current impairment and concurred with the submissions made by Ms Sharpe and Ms Sheridan in this regard. Ms Johnson had practiced without restriction in the intervening four years and no complaints or concerns had been raised as reflected in the material she provided for the panel. The panel considered that there was no evidence of current impairment and thereby the case did not meet the threshold for a finding in relation to impairment and that there was no evidence of current risk to service users.

77. The panel considered that a member of the public would not be concerned to know that Ms Johnson was able to practise without restriction.

78. In accordance with Rule 52(3) (a) of the Fitness to Practise Rules 2019 (as amended) the panel determined that there is insufficient evidence to make a finding of impairment. The panel found that Ms Johnson's fitness to practise is not impaired.
79. The panel considered paragraph 12(1) of schedule 2 of Social Worker's Regulations (2018) and determined there should be no further action. In making this decision the panel has taken into account Social Work England's 'Impairment and sanctions guidance'.