

Social worker: Aminata Ouattara

Registration number: SW18239

Fitness to Practise

Final Hearing

Dates of hearing: 25 February 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 Ouattara attended but was not represented.
3. Social Work England was represented by Ms Sophie 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
Lesley White	Chair
Natalie Williams	Social worker adjudicator
Alan Meyrick	Lay adjudicator

Hearings team/Legal adviser	Role
Molly-Rose Brown	Hearings officer
Paige Swallow	Hearings support officer
Gemma Gillet	Legal adviser

Allegations:

5. The panel were informed that the allegation arising out of the regulatory concerns referred by the Case Examiners on 28 April 2022 would have been particularised as follows:

Whilst registered as a social worker

1. *You failed to ensure that professional boundaries were maintained with the ‘L Family’ in that you:*
 - i. *Between 28 July 2021 and 6 August 2021, sent the below text message to SU:D expressing the feelings of SU:L;*

*‘[SU:L] told me to tell you he loves you and cannot wait to give you a hug’:
and*
 - ii. *Whilst you were aware that there was a Domestic Violence Protection Order (DVPO) in place.*

The matters set out at paragraph 1 amount to the statutory ground of misconduct.

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

Background:

6. On 17 September 2021, Social Work England received a referral from Thurrock Children's Services regarding their locum social worker, Aminata Ouattara ("the social worker"). The social worker was allocated to the L family which consisted of Service User D, the mother ("SU:D") and Service User L, the father ("SU:L"). The allocation took place after a high risk domestic incident resulting in SU:L being arrested. Thereafter, a Domestic Violence Protection Order ("DVPO") was imposed by the Magistrates' Court.
7. Concerns were reported by the parents as to their interactions with the social worker. In particular, a text message had been sent from the social worker to SU:D on behalf of the SU:L or at the least, expressing his emotions regarding his relationship with SU:D.. The terms of the DVPO included prohibiting direct or indirect contact with SU:D by SU:L.
8. Following the above matter being raised with management, the issue was discussed with the social worker due to concerns that proper professional boundaries had not been maintained and the level of risk this action could have created for SU:D.
9. Capsticks, on behalf of Social Work England investigated the concerns in preparation for a final hearing, which included interviewing and drafting witness statements from Service User D, Esther Mwangi (social worker reported to Ms Mwangi), Diana Millwood (Service Manager); and Helen Hanser (SU:D's Independent Domestic Violence Advisor)

Discontinuance application:

10. Ms Sharpe, on behalf of Social Work England, set out the full analysis behind and reasons for the application for full discontinuance in her oral submissions supported by the document "Statement of Case – Full Discontinuance Application" dated 11 February 2026. The document had been provided to Ms Ouattara in advance of the hearing and stated that new information had come to light in advance of the final hearing which had led to a review of the case. The new information was summarised as follows:
 - a. The social worker has provided clarification that she was not aware of the existence of the DVPO until she saw an email from police dated 12 August 2021, referencing the DVPO.
 - b. Social Work England made enquiries to assist with considering the above position. A telephone call with SPOC on 23 January 2026 confirmed that the consideration of a variety of records in the case indicated no reference to a DVPO. This implied that the social worker appeared not to have been made aware of it at the material time.
 - c. An email from the Council on 26 January 2026 confirmed no reference to a DPVO in the case records between 25 July to 6 August 2021. A copy of these case records have also been provided to confirm the position.

11. In light of this new information, Social Work England submitted that, in relation to paragraph 1(ii) of the allegations:

Social Work England apply to discontinue paragraph 1(ii) on the basis that there is no evidence to support the allegation that the social worker was aware of the existence of a DVPO at the date the relevant text was sent. If anything, the evidence shows otherwise. As such, there is no longer a realistic prospect of proving the facts of this allegation.

12. In relation to paragraph 1(i) of the allegations, Social Work England submitted that:

there is a realistic prospect of paragraph 1(i) being found proved given the evidence and admissions made by the social worker. However, as a result of the above position for paragraph 1(ii), Social Work England apply to discontinue paragraph 1(i) on the basis that in isolation, the sending of the text (without the knowledge of the DVPO being in place) would be unlikely to constitute misconduct or, in the alternative, would be unlikely to result in a finding of current impairment...

much of the concern in such a text being sent was within the context of the social worker knowing that there was a DVPO restricting contact in the context of domestic abuse. It appears the social worker was attempting to conduct a balancing exercise in how she managed relationships and did not strike the right balance. In the absence of any knowledge of the DVPO, the message being sent still shows a lapse of judgement within a complex and delicate domestic relationship but arguably does not fall so far below the standards expected.

The panel may consider that in isolation, the sending of the text, and the admitted breach of professional boundaries, is unlikely to amount to serious professional misconduct.

13. Social Work England submitted that if the panel considered that there remains a realistic prospect of misconduct being found for paragraph 1(i) alone there is no longer a realistic prospect of a finding of current impairment, for the following reasons:

There is evidence from Ms Mwangi and Ms Millwood suggesting that the social worker was remorseful and took responsibility for her actions when it was raised with her around the material time. The social worker has provided evidence of

undertaking “Safe and Together CORE training” on 22 December 2022, which appears to have been related to domestic violence. The social worker also refers to having undertaken training on “Perpetrator Manipulation of Systems and Professionals” on 10 October 2025 (page 10, SW bundle). This training is relevant to the instant concerns.

There is a recent reference from Nadia Begum, Head of Service, Children’s Social Care, Waltham Forest (pages 56-57, SW Bundle) which was provided in an email dated 28 November 2025. Ms Begum confirms the social worker initially joined around 2021 and since then has worked with the organisation for different periods of time before becoming permanent in February 2025. The social worker carries out Child Protection work.

Ms Begum is aware of these proceedings. She states no significant concerns have been brought to her attention when asked if she has any in relation to the social worker’s communications with service users and maintaining professional boundaries. There have been no local disciplinary investigations or performance management issues. Further, Ms Begum has no concerns about the social worker’s current fitness to practise.

There is a reference from Lhoussain Boudraa, Team Manager, Waltham Forest (page 64, SW Bundle). Ms Boudraa confirms much of the same as outlined by Ms Begum. Ms Boudraa adds that the social worker has access to various trainings as part of supporting her CPD. She also has no concerns regarding the social worker’s fitness to practise.

It is acknowledged the social worker has continued to work within family units with no concerns raised as to her communications and professional boundaries. By working in this area for some years now since the incident in 2021 and with no issues raised, she has demonstrated there is no significant risk of repetition. It appears inherent that to progress in such a manner, the social worker would have had to reflect and remediate to ensure the conduct in questions was not repeated. Furthermore, it is submitted that the conduct in paragraph 1(i), in isolation, is not of such a nature that it would undermine public confidence in the profession. A finding of current impairment would not be required to promote and maintain proper professional standards for social workers in England.

Under the circumstances, considering the new information, Social Work England submit that there is no longer a realistic prospect of a finding of current impairment on either the personal or public components.

It is submitted that for the reasons outlined above, with reference to the new evidence obtained as outlined in this case, there is no longer a realistic prospect of proving the alleged facts of paragraph 1 (ii) and therefore the statutory grounds and/or fitness to practise being found impaired for paragraph 1 (i).

Panel decision on discontinuance:

14. The panel heard and accepted the advice from the legal adviser which included reference to the principles highlighted in *Ruscillo v CHRE [2004] EWCA Civ 135* and *PSA v NMC and X [2018] EWHC 70 (Admin)*, Rule 52 of the Fitness to Practise Rules and Social Work England's published 'Discontinuance Guidance'.
15. The panel was satisfied that Social Work England had provided sufficient information about the case, the evidence and new information, the investigatory steps taken, why the conclusion had been reached to make the discontinuance application and whether it is considered that discontinuance would affect public protection. The panel was therefore satisfied that it had been fully informed of the relevant information in order to make a decision on whether to discontinue the case.
16. In relation to allegation 1(ii), the panel was satisfied that there was new and relevant information which had not been available to the case examiners, in that Ms Ouattara had not been informed about the protection order at the time she sent the message. The panel noted that as part of the investigation, Social Work England had made additional enquiries on this point and had returned to the relevant witnesses and asked for clarification. The panel was therefore satisfied that, in light of the evidence that Ms Ouattara did not know about the protection order, there is no longer a realistic prospect that allegation 1(ii) can be found proved.
17. In relation to allegation 1(i), the panel determined that there is sufficient evidence to find the allegation factually proved. The panel noted that Ms Ouattara had always accepted sending the message and that, with hindsight, it was not appropriate for her to have done so. The panel agreed with the submissions made by Social Work England that by sending the message in the context of a family experiencing concerns relating to domestic abuse, Ms Ouattara had fallen short of what would have been expected of a social worker in those circumstances. However, the panel recognised that this had been a challenging set of circumstances and appeared to be an isolated lapse of judgement.
18. The panel considered the relevant principles in relation to the definition of misconduct as established in the case of *Nandi v General Medical Council [2004] EWHC 2317 (Admin)*. The panel concluded that a single lapse of judgment in sending a text message

in the context of a challenging set of circumstance would not be considered deplorable by fellow practitioners and would not amount to *serious* professional misconduct. The panel noted that Ms Ouattara had clearly regretted her action and identified her behaviour as falling below the expectations and standards of her profession. The panel therefore found that when considering allegation 1(ii) in isolation, there is no longer a realistic prospect of a finding of misconduct.

19. Having decided that there was no longer a realistic prospect of finding the facts in relation to allegation 1(ii) proved or misconduct in relation to allegation 1(i), the panel did not find it necessary to consider the issue of impairment, However, the panel noted that since the concerns had arisen, Ms Ouattara had worked for Waltham Forest Social Services (having started in October 2021) without any issues arising and that it had sight of two positive references from senior members of staff about her work.
20. In accordance with Rule 52(3) of the Fitness to Practise Rules 2019 (as amended) if the panel decide that there is insufficient evidence to make a finding of impairment, it should make a decision that the social worker's fitness to practise is not impaired and impose an outcome in accordance with paragraph 12(1) of schedule 2 of the regulations.
21. As such the panel has decided that Ms Ouattara's fitness to practise is not impaired and took no further action. The panel did not consider it appropriate to give a warning or advice in these circumstances.

The Professional Standards Authority

22. 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>.