



# Social worker: Dean Temple

## Registration number: SW35823

### Fitness to Practise

## Final Order Review Hearing

Date of hearing: 16 March 2026

Hearing venue: Remote

Final order being reviewed:

Conditions of practice order (expiring 25 April 2026)

Hearing outcome:

Impose a new order namely a removal order with effect from the expiry of the current order

## Introduction and attendees:

1. This is the first review of a final conditions of practice order originally imposed for a period of 12 months by a panel of adjudicators on 28 March 2025.
2. Mr Temple did not attend and was not represented.
3. Social Work England was represented by Mr McCarthy, case presenter from Capsticks LLP.
4. The panel of adjudicators conducting this review (hereafter “the panel”) and the other people involved in it were as follows:

<b>Adjudicators</b>	<b>Role</b>
Linda Owen	Chair
Julie Brown	Social worker adjudicator

<b>Hearings team/Legal adviser</b>	<b>Role</b>
Hannah Granger	Hearings officer
Elsie Li	Hearings support officer
Judith Walker	Legal adviser

## Service of notice:

5. The panel was informed by Mr McCarthy that notice of this hearing was sent by email to the email address provided by Mr Temple, namely his registered email address as it appears on the Social Work England Register. It was sent on 11 February 2026, providing 32 days’ notice of today’s hearing. Mr McCarthy submitted that the notice of this hearing had been duly served.
6. The panel of adjudicators had careful regard to the documents contained in the final order review service bundle as follows:
  - A copy of the notice of the final order review hearing dated 11 February 2026 and addressed to Mr Temple at the email address which he provided to Social Work England.
  - An extract from the Social Work England Register as of 11 February 2026 detailing Mr Temple’s registered email address.
  - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 11 February 2026 the writer sent by email to Mr Temple at the email address referred to above: notice of hearing and related documents.
7. The panel accepted the advice of the legal adviser in relation to service of notice.
8. Having had regard to Rule 44 of the Fitness to Practise Rules 2019 (as amended) (the Rules) and all the information before it in relation to the service of notice, the panel was

satisfied that notice of this hearing had been served on Mr Temple in accordance with the Rules.

### Proceeding in the absence of the social worker:

9. The panel heard the submissions of Mr McCarthy on behalf of Social Work England. Mr McCarthy submitted that notice of this hearing had been duly served. Mr Temple had not responded to the notice and had expressed his wish, in an email dated 16 August 2025, to remove himself from the register, stating that he had lost all faith in Social Work England and wished to end his involvement with them. Mr McCarthy submitted that Mr Temple had not asked for a postponement, there was no guarantee that postponing today's proceedings would secure his attendance and he has, in effect, voluntarily absented himself. Mr McCarthy also reminded the panel that today's review is a mandatory review and there is a legal obligation to conduct a review before the order expires on 25 April 2026. Mr McCarthy therefore invited the panel to proceed with the review in Mr Temple's absence.
10. 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'.
11. The panel considered all the information before it, together with the submissions made by Mr McCarthy on behalf of Social Work England. The panel noted that Mr Temple had been sent notice of today's hearing in accordance with the Rules and the panel was satisfied that he was or should be aware of today's hearing.
12. The panel noted that Mr Temple had not responded to the notice of hearing. The panel noted Mr Temple's email dated 16 August 2025 in which he clearly indicated his wish to disengage from Social Work England. It noted that Mr Temple had not asked for a postponement or adjournment and concluded there was no reason to believe that a postponement or adjournment would result in Mr Temple's attendance. The panel determined that Mr Temple had voluntarily absented himself from these proceedings. The panel also noted that today's review was mandatory and had to take place before the expiry of the current order. Having weighed the interests of Mr Temple in regard to his attendance at the hearing with those of Social Work England and the public interest in an expeditious disposal of this hearing, the panel concluded that it was fair and in the interests of justice to proceed in Mr Temple's absence.

### Review of the current order:

13. This final order review hearing is taking place under Paragraph 15(1) of Schedule 2 of The Social Workers Regulations 2018 (as amended) and Social Work England's Fitness to Practise Rules 2019 (as amended).

14. The purpose of this review is to review the current order, which is due to expire at the end of 25 April 2026. The order subject to review is a conditions of practice order, the conditions of which are as follows:

- 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 3 months and Social Work England will make these reports available to any workplace supervisor referred to in these conditions on request.
- 5) You must inform Social Work England within 7 days of receiving notice of any formal disciplinary proceedings taken against you from the date these conditions take effect.
- 6) You must inform Social Work England within 7 days of receiving notice of any investigations or complaints made against you from the date these conditions take effect.
- 7) You must inform Social Work England if you apply for social work employment/self-employment [paid or voluntary] outside England within 7 days of the date of application.
- 8) You must inform Social Work England if you are registered or subsequently apply with any other UK regulator, overseas regulator or relevant authority within 7 days of the date of application [for future registration] or 7 days from the date these conditions take effect [for existing registration].
- 9) At any time you are employed, or providing social work services, which require you to be registered with Social Work England; you must place yourself and remain under the supervision of a workplace supervisor nominated by you, and agreed by Social Work England. The workplace supervisor must be on Social Work England's register.

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

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

11) You must formulate a personal development plan, specifically designed to address the shortfalls in the following areas of your practice:

- Safeguarding
- Decision making
- Record keeping
- Ability to appropriately follow instructions

Your personal development plan must be signed off by your employer.

12) You must not be responsible for the work of any other social worker or student social worker.

13) You must not supervise the work of any other social worker or student social worker.

14) You must not be responsible for either the administration or management of any independent or local authority social work practice /establishment.

15) 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 13, above:

- a. Any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary.
- b. 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).
- c. 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).
- d. 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.

16) You must permit Social Work England to disclose the above conditions 1 to 15, to any person requesting information about your registration status.

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

15. Whilst employed as a Social Worker and Registered Manager for the Agency you did not take appropriate action to safeguard children following concerns raised about standards of foster care, in that you:
  1. Did not undertake or oversee completion of, an adequate standards of care review as recommended by the Independent Fostering Review Officer and/or required by the Agency Decision Maker, to properly explore concerns raised about Foster Carer 1 and Foster Carer 2 in their annual review in or around November 2018.
  2. You did not implement, or ensure the implementation of further training and support for Foster Carer 1 and Foster Carer 2 regarding managing the behaviour of Service User 1.
  3. You did not provide adequate management oversight and/or did not ensure that the recommendations of the Independent Fostering Review Officer and/or Agency Decision Maker regarding no further placements with Foster Carer 1 and Foster Carer 2 to be allowed were followed, resulting in the placements listed at Schedule A;
  4. You did not provide adequate management oversight and/or did not ensure that the Quality of Care Report in or around July 2019 adequately reviewed/assessed:
    - a. Safeguarding concerns pertaining to foster care provided by Foster Carer 1 and Foster Carer 2 between January 2019 and May 2019;
    - b. The capacity and skills of Foster Carer 1 and Foster Carer 2 to meet the needs and provide appropriate and safe care for Looked After Children who were placed with them.
  5. You did not provide adequate management direction and/or did not ensure that Foster Carer 1 and Foster Carer 2 were taken back to panel within the timeframe referred to by the Independent Fostering Review Officer and/or Agency Decision Maker.
  6. Following an allegation made by Service User 2 against Service User 3 on or around 1 July 2019:
    1. You did not immediately update and/or ensure that risk assessments were updated immediately

2. You did not update and/ or ensure that Service User 2's safe care plan was updated immediately
3. You did not notify OFSTED
4. You did not inform the Agency's safeguarding committee
5. You did not record and/or ensure that all the actions taken or conclusions made were recorded

**The final hearing panel on 28 March 2025 determined the following with regard to impairment:**

16. The panel first considered whether the facts found proved were sufficiently serious to amount to the statutory ground of misconduct.
17. The panel considered that whilst particular 2 of the allegation reflected poor planning, the panel did not find it sufficiently serious, in isolation, to amount to misconduct. In respect of particular 5 the panel concluded that while the delay in returning the case to panel may indicate a lack of urgency, the panel did not find this failure to be sufficiently serious to amount to misconduct.
18. In respect of particulars 1, 3, 4 and 6 the panel noted that Mr Temple's failures occurred while he was in a senior leadership role with clear safeguarding responsibilities. His actions were not isolated or inadvertent, but rather directly failed to comply with key safeguarding processes. While the panel acknowledged Mr Temple's admissions and written insight, the breaches were serious and created a risk to vulnerable children. Mr Temple's conduct involved serious departures from the standards expected of a social worker and posed a risk of harm to children in care. The conduct fell far short of what was expected of an experienced Social Worker in the position of a Registered Manager entrusted with safeguarding responsibilities.
19. The panel therefore found that particulars 1, 3, 4 and 6 amounted to misconduct.
20. The panel next considered whether Mr Temple's fitness to practise was currently impaired. The panel decided that while there was no evidence of actual harm caused to service users in this case, Mr Temple's failure to implement safeguarding measures and his failures in record keeping exposed vulnerable children to unwarranted risk of harm. As Registered Manager of Foundation Fostering, he failed to implement safeguarding measures that had been explicitly recommended by the Independent Fostering Reviewing Officer (IFRO) and adopted by the Agency Decision Maker (ADM).
21. These failures occurred in a safeguarding context involving children in care and therefore exposed vulnerable children to potential harm, in breach of safeguarding responsibilities which are fundamental tenets of social work practice.

22. The panel was of the view that Mr Temple's misconduct was capable of remediation. The panel next considered whether Mr Temple had in fact remediated his misconduct. The panel noted that there was no evidence that similar conduct has occurred since the events in question and Mr Temple has expressed remorse. The panel also acknowledged that Mr Temple admitted the allegations at an early stage and did not seek to deflect blame. However, the panel noted that he has not provided any objective evidence of remediation, such as training certificates, continuing professional development (CPD) records, or evidence of professional development in safeguarding, risk management, or leadership. The Panel had sight of a CV provided by Mr Temple and considered that despite working in a social care context since 2021, he has not supplied any recent testimonials from his current or recent employment covering the period from 2021 to 2025. He has not supplied any detailed reflective statement demonstrating learning from his conduct. The panel was of the view that Mr Temple has not demonstrated a full understanding of what went wrong, nor has he provided a clear explanation of how he would prevent recurrence. The panel considered that his limited insight and failure to demonstrate learning indicates a lack of proactive steps to address the failings and increased the risk that similar issues may arise in future.
23. While the panel acknowledged that Mr Temple has not been working as a registered social worker, the absence of recent references or evidence of safe practice raises concerns about whether he has effectively addressed the issues identified. The panel considered that steps such as undertaking training, engaging in voluntary work, obtaining character references, or preparing a comprehensive reflective piece would have been realistic and proportionate expectations to demonstrate remediation.
24. The panel considered that Mr Temple had breached a number of the fundamental tenets of the profession, including the duty to safeguard vulnerable children, provide competent management oversight, and maintain accurate and timely records. While there is no suggestion of dishonesty, these failings are serious and indicate a significant departure from accepted professional standards.
25. Taking all the above into account the panel concluded that there was a risk of repetition.
26. The panel next considered whether a finding of impairment was necessary in the public interest, to maintain public confidence in the social work profession and uphold proper professional standards.
27. The panel was of the view that the nature and seriousness of the misconduct and Mr Temple's failure to act in accordance with professional and regulatory standards in the capacity as a Registered Manager would seriously undermine public confidence if a finding of impairment was not found. The failings occurred in the context of a leadership role where Mr Temple was entrusted with ensuring the safety and well-being of looked-after children. His failure to follow recommendations from the Independent Fostering Reviewing Officer and the Agency Decision Maker undermines the regulatory framework and trust placed in such positions of responsibility.

28. The panel considered that a reasonable and informed member of the public would be concerned if no finding of impairment were made in the circumstances of this case, particularly given the absence of demonstrable remediation and the ongoing risk to the public.
29. Therefore, the panel concluded that a finding of impairment on the public component is necessary to uphold public confidence in the social work profession and to promote and maintain proper professional standards for the social workers.
30. Having considered all of the evidence before it, including the submissions of Social Work England, Mr Temple's admissions and responses, and the guidance provided, the panel concluded that Mr Temple's fitness to practise is currently impaired on both the personal and public components.

### The final hearing panel on 28 March 2025 determined the following with regard to sanction:

31. The panel considered the relevant aggravating and mitigating factors, as well as its earlier findings of impairment on both personal and public grounds. The panel took into account the following aggravating and mitigating factors in determining the appropriate sanction.
32. The panel identified the following mitigating factors:
  - Early admission of the factual allegations in full.
  - Remorse expressed by Mr Temple in his written submissions.
  - Some level of engagement with the fitness to practise process, including provision of written submissions.
  - Mr Temple did not seek to deflect blame or minimise the seriousness of the concerns.
  - A positive testimonial provided from 2021.
  - Inconsistencies in the titles of the documents used within the fostering agency which may have contributed to some confusion or misunderstanding about the nature and intentions of the reports.
33. The panel identified the following aggravating factors:
  - A lack of objective evidence of remediation to date.
  - The risk of harm to vulnerable children resulting from Mr Temple's actions and omissions.
  - Mr Temple's conduct occurred in the context of a senior leadership role, carrying significant safeguarding responsibilities.

34. The panel considered whether to take no further action or whether to issue advice or a warning but concluded that none of these outcomes would adequately protect the public or uphold the reputation of the profession.
35. The panel next considered whether a conditions of practice order would be sufficient and proportionate. In considering whether to impose a conditions of practice order, the panel had regard to the early admissions made by Mr Temple, his acceptance of responsibility, and his engagement with the regulatory process. The panel was satisfied that Mr Temple's conduct, although serious, was capable of remediation, and that he had taken some steps to engage with the regulatory process. He had been in contact with Social Work England and had made attempts to obtain social work employment in line with the interim conditions previously imposed. The panel acknowledged that Mr Temple had demonstrated some insight into his failings and a willingness to comply with regulatory requirements. Furthermore, the panel was satisfied that there are appropriate, proportionate and workable conditions that could be formulated to address the concerns, and that Mr Temple is willing and able to comply with such conditions.
36. For completeness, the panel also considered whether a suspension order would be more appropriate. It considered that the regulatory concerns were serious, but it was not satisfied that suspension was necessary in light of Mr Temple's current level of insight, willingness to engage, and capacity to practise safely under restricted conditions.
37. The panel determined that the appropriate and proportionate sanction in this case is a Conditions of Practice Order for a period of 12 months.
38. Although the panel did not consider it necessary to include as a formal condition within the conditions of practice order, the panel noted that it would be helpful for any future reviewing panel if Mr Temple were to provide a reflective document. This document should address the root causes of the regulatory concerns and demonstrate how he would act differently in future to prevent similar failings. It would be helpful if this document demonstrated full and meaningful insight into the reasons behind his conduct, with a clear explanation of the steps he would take to avoid recurrence.

### Social Work England submissions:

39. The panel heard from Mr McCarthy regarding the background to the case and the previous panel's findings in relation to impairment and sanction. Mr McCarthy's submissions reflected the written submissions set out in the notice of today's hearing which read as follows:

*"Subject to any further engagement from the Social Worker prior to the review, or an indication he does indeed wish to remain registered, Social Work England will invite the Panel to consider imposing a Removal Order."*

*There has been some limited engagement from the Social Worker during the term of the Order. The Social Worker initially failed to comply with Condition 15 (to provide a written copy of conditions to a number of parties) though did comply with this condition on 26 May 2025.*

*There has been no further evidence of insight, as to what went wrong or potential improvements. There has been no further evidence of training, continued professional development or relevant work experience. The Social Worker has expressed (on numerous occasions) a desire to be removed from the register voluntarily but has not completed the required application.*

*Owing to the lack of remediation, it is submitted that the Social Worker's Fitness to Practise remains impaired on both the personal and public components. The allegations found proven demonstrate serious failings of professional standards, where there has been no insight or improvement since the Order was imposed.*

*There has been no indication from the Social Worker of any intention to attempt to remediate and he has expressed his desire to no longer engage or remain on the register. In those circumstances it is submitted that the most appropriate Order is now Removal.*

*If the Panel are not minded to direct removal they are invited to consider a period of suspension (6 months). Conditions of practice are no longer sufficient or workable, given the Social Worker's recent disengagement with the regulatory process."*

40. Mr McCarthy summarised the background to the case stating that on 5 February 2020, Social Work England received a referral concerning Mr Temple. Mr Temple had joined Foundation Fostering, an independent fostering agency as Fostering Manager in July 2016 and was formally registered with Ofsted as the Registered Manager from December 2017. In this role, he held overarching responsibility for safeguarding, compliance with the Fostering Services (England) Regulations 2011, the National Minimum Standards (NMS), and general operational leadership.
41. As Registered Manager, Mr Temple's responsibilities included oversight of foster carer reviews, training implementation, policy adherence, management of standards of care investigations, and the monitoring of foster placements and safeguarding concerns.
42. Concerns arose about Mr Temple's management of Foster Carers 1 and 2, whose approval dated back to 2016. Following various allegations and safeguarding issues linked to these carers between 2016 and 2019, the Independent Fostering Reviewing Officer (IFRO) and the Agency Decision Maker (ADM) made several recommendations in late 2018 and early 2019. These included suspending further placements with the

carers until a Standards of Care (SOC) review was completed and presented to the fostering panel.

43. Despite these instructions, further placements were made with the carers, and the SOC report prepared by Mr Temple in February 2019 was found to be inadequate, lacking detail, critical analysis, and appropriate safeguarding oversight. Additionally, following a separate safeguarding incident in July 2019 involving children placed with the same carers, there were further failures to update risk assessments, notify Ofsted, or inform the fostering agency's safeguarding committee. These incidents culminated in an Ofsted inspection in December 2019 that rated the fostering agency as 'inadequate'. Mr Temple's resigned on 15 December 2019.
44. Mr McCarthy stated that Mr Temple did not attend and was not represented at the final hearing, but he had provided responses admitting all six particulars set out in the allegation. The final hearing panel decided that allegations 1,3,4 and 6 amounted to the statutory ground of misconduct and went on to find that Mr Temple's fitness to practise was impaired on the basis of personal and public impairment.
45. Mr McCarthy outlined what had happened since the final hearing in March 2025. He drew the panel's attention to the recommendation of the final hearing panel that 'it would be helpful for any future reviewing panel if Mr Temple were to provide a reflective document. This document should address the root causes of the regulatory concerns and demonstrate how he would act differently in future to prevent similar failings. It would be helpful if this document demonstrated full and meaningful insight into the reasons behind his conduct, with a clear explanation of the steps he would take to avoid recurrence.'
46. Mr McCarthy stated that on 14 April 2025 Mr Temple had advised the case review officer that he wanted to be removed from the register. The case review officer sent him information about voluntary removal, but Mr Temple did not complete the necessary form. On 26 May 2025 Mr Temple informed the employment agencies he had been registered with, that he was no longer seeking work as a social worker and wished to be deregistered. Mr McCarthy said this was in response to condition 15 and the action should have been completed by 4 April 2025. This deadline was extended to 19 May 2025 which Mr Temple also missed.
47. On 29 May 2025 Mr Temple informed the case review officer that he was still considering his options regarding removal. On 16 August 2025 Mr Temple informed the case review officer that he wished to remove himself from the register and that he had lost all faith in Social Work England. On 18 August 2025 the case review officer enquired whether Mr Temple was in employment, in order to ensure compliance with condition 11, but Mr Temple did not respond. On 25 September 2025 Mr Temple emailed the case review officer asking where they were with him being removed from the Social Work

England register and if there was anything he needed to do. On 18 December 2025 the case review officer again asked about employment but again received no response.

48. Mr McCarthy confirmed that Mr Temple's last communication with Social Work England was 25 September 2025 and he had not submitted any evidence for today's review.
49. Mr McCarthy confirmed that the panel today must consider whether Mr Temple's fitness to practise remains currently impaired. He said there is a persuasive burden on Mr Temple to demonstrate that he has fully remediated. Mr McCarthy referred to factors the panel should consider when deciding the question of impairment and drew the panel's attention to parts of the decision of the final hearing panel.
50. Mr McCarthy submitted that Mr Temple remains impaired for the same reasons as provided by the final hearing panel. He submitted there had been no change in the circumstances, Mr Temple had failed to provide any evidence of insight or remediation and there remains a risk of repetition which is compounded by Mr Temple's disengagement.
51. Mr McCarthy submitted that if the panel find Mr Temple's fitness to practise remains impaired the appropriate sanction is removal from the register. He submitted that there has been no evidence from Mr Temple that his insight has developed, or any objective evidence of remediation. He submitted that no further action or a warning would not be suitable and that conditions of practise are no longer appropriate. He submitted that Mr Temple's compliance with Condition 15 was delayed, and that he has not responded to any communication since August 2025, although there was a brief email in September 2025. Mr McCarthy said Mr Temple has not engaged and has not provided any of the information which the final hearing panel recommended and submitted that Mr Temple is not willing to remediate. He has repeatedly stated that he does not wish to practise as a social worker and wishes to be removed from the register. Mr McCarthy went on to submit, that if the panel did not consider a removal order appropriate then he invited the panel to consider replacing the current order with a suspension order for a period of six months.

### Social worker submissions:

52. Mr Temple did not attend today's hearing or supply any written submissions for the panel's consideration. However, the panel had regard to his correspondence with Social Work England prior to the previous hearing and since. This included two formal response forms submitted prior to the previous hearing in which Mr Temple admitted the alleged facts in their entirety. He also confirmed that he accepted the contents of the statements of all the witnesses called by Social Work England and did not require the attendance of any of them at the hearing. He also submitted written submissions via email for the panel's consideration.
53. The panel noted that following the final hearing, Mr Temple had initially engaged with Social Work England. However, he subsequently advised that he no longer wished to be

a social worker and wanted to be removed from the register, albeit he had not submitted any formal application to this effect. His last communication to Social Work England was September 2025.

### Panel decision and reasons on current impairment:

54. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. It took into account the decision of the previous panel. However, it has exercised its own judgement in relation to the question of current impairment. The panel also took into account Social Work England's 'Impairment and sanctions guidance' (updated February 2026).
55. The panel had regard to all the documentation before it, including the decision and reasons of the original panel and any new correspondence or information arising since the final hearing. The panel also took account of the submissions made by Mr McCarthy on behalf of Social Work England and the content of Mr Temple's correspondence with Social Work England.
56. The panel heard and accepted the advice of the legal adviser. In reaching its decision, the panel was mindful of the need to protect the public and the wider public interest in declaring and upholding proper standards of behaviour and maintain public confidence in the profession. The panel noted that there are 2 elements to impairment, the personal element and the public element and the panel should consider both elements.
57. In respect of the personal element the panel should consider whether the conduct is easily remediable, whether it has been remedied and whether it is highly unlikely to be repeated. The public element requires the panel to consider whether a finding of impairment is necessary to promote and maintain public confidence in social workers in England and in respect of proper professional standards for social workers.
58. The panel understood that if it found that Mr Temple's fitness to practise remained currently impaired it should go on to consider what sanction, if any, is appropriate. In considering the options the panel should consider any proposed sanction starting with the least restrictive and must select the least severe sanction necessary to protect the public and the wider public interest.
59. The panel first considered whether Mr Temple's fitness to practise remained currently impaired. The panel noted and agreed with the reasoning and conclusions of the final hearing panel regarding the seriousness of the allegation and the question of impairment. It noted that that the events had occurred a considerable time ago and were undoubtedly serious. Nonetheless, the panel agreed with the final hearing panel that the misconduct was remediable and that Mr Temple should be capable of remediating if he chose to do so. However, the panel had received no information since the previous hearing to indicate that Mr Temple has taken any action to develop his insight or to address the deficiencies in his conduct. He had provided no information to

suggest he had taken on board the recommendation of the final hearing panel and had made it clear in his emails that he wishes to be removed from the register.

60. In these circumstances the panel considered that Mr Temple has shown no additional insight, his misconduct has not been remediated, and his conduct is likely to be repeated.
61. The panel therefore considered that public safety would be at risk if a finding of current impairment was not made in these circumstances. The panel further considered that public confidence in social workers in England and proper standards for social workers would be undermined if Mr Temple's fitness to practise was not considered currently impaired.
62. The panel therefore decided that Mr Temple's fitness to practise is currently impaired on both personal and public grounds and went on to consider the question of sanction.

### Panel decision and reasons on sanction: Impose a new order namely removal order with effect from the expiry of the current order:

63. The panel was mindful that the purpose of any sanction is not to punish Mr Temple but to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and by upholding proper standards of conduct and behaviour. The panel applied the principle of proportionality by weighing Mr Temple's interests with the public interest.
64. The panel first considered whether to take no further action or give a warning. Given the seriousness of the misconduct, the potential risk of repetition, and the panel's findings that Mr Temple's fitness to practise is currently impaired, it concluded that that neither outcome would adequately protect the public and public confidence in the profession would be undermined if such a sanction was imposed.
65. The panel next considered whether a conditions of practice order would be sufficient and proportionate. The panel had regard to the sanctions guidance noting that conditions of practise may be appropriate where the social worker has demonstrated insight and the panel can be confident that the social worker can and will comply with the conditions. Given Mr Temple's disengagement from Social Work England and these proceedings, and his clearly stated wish to be removed from the register, the panel concluded that conditions of practice would not be workable or sufficient to protect the public and the wider public interest.
66. The panel next considered whether a suspension order would be sufficient and proportionate. The panel had regard to paragraph 137 of the sanctions guidance which states that suspension may be appropriate where the social worker has demonstrated some insight and there is evidence to suggest that they are willing and able to resolve or remediate their failings. Paragraph 138 states that suspension is likely to be unsuitable where the social worker has not demonstrated insight and remediation and where there

is limited evidence that they are willing to resolve or remediate their failings. In this case, Mr Temple has shown no evidence to demonstrate that he has taken any steps to remediate his failings or that he is willing to do so in the future. His repeated assertions to Social Work England that he wishes to be removed from the register and his disengagement from these proceedings are such that the panel concluded that suspension would serve no purpose, Mr Temple would not engage, and such sanction would therefore be inappropriate.

67. The panel was satisfied it could consider that a removal order was available to the panel as Mr Temple's fitness to practise was originally found impaired on the basis of misconduct. The panel noted that a removal order is a sanction of last resort where there is no other means of protecting the public or the wider public interest.
68. The panel concluded that a removal order would be the appropriate and proportionate outcome. In reaching this decision the panel had regard to paragraph 149 of the sanctions guidance which sets out a number of situations when a removal order may be appropriate, including cases involving 'social workers who are unwilling and/or unable to remediate (for example, where there is clear evidence that they do not wish to practise as a social worker in the future)'.
69. The panel considered there was very clear evidence from Mr Temple's emails and from his disengagement from the process that he is unwilling to remediate and does not wish to practise as a social worker in the future.
70. The panel therefore decided that the appropriate and proportionate order is a new order, namely a removal order with effect from the expiry of the current order:

### Right of appeal:

71. Under Paragraph 16(1)(b) of Schedule 2 of The Social Workers Regulations 2018 (as amended), the social worker may appeal to the High Court against:
- a. the decision of adjudicators:
    - i. to make an interim order, other than an interim order made at the same time as a final order under paragraph 11(1)(b),
    - ii. not to revoke or vary such an order,
    - iii. to make a final order,
  - b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.
72. Under Paragraph 16(2) of Schedule 2 of The Social Workers Regulations 2018 (as amended) an appeal must be filed before the end of the period of 28 days beginning

with the day after the day on which the social worker is notified of the decision complained of.

73. Under Paragraph 15(1A) of Schedule 2 of The Social Workers Regulations 2018 (as amended), where a social worker appeals against a decision made under sub-paragraph (1), the decision being appealed takes effect from the date specified in that sub-paragraph notwithstanding any appeal against that decision.
74. This notice is served in accordance with Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended).

### Review of final orders:

75. Under regulation 15(1), 15(2) and 15(3) of Schedule 2 of The Social Workers Regulations 2018 (as amended):
- 15(1) The regulator must review a suspension order, or a conditions of practice order, before its expiry.
  - 15(2) The regulator may review a final order where new evidence relevant to the order has become available after the making of the order, or when requested to do so by the social worker.
  - 15(3) A request by the social worker under sub-paragraph (2) must be made within such period as the regulator determines in rules made under Regulation 25(5).
76. Under Rule 16(aa) of the Fitness to Practise Rules 2019 (as amended), a social worker requesting a review of a final order under paragraph 15 of Schedule 2 must make the request within 28 days of the day on which they are notified of the order.

### The Professional Standards Authority

77. Please note that in accordance with section 29 of the National Health Service Reform and Health Care Professions Act 2002, a review decision made by Social Work England's panel of adjudicators can be referred by the Professional Standards Authority ("the PSA") to the High Court. The PSA can refer this decision to the High Court if it considers that the decision is not sufficient for the protection of the public. Further information about PSA appeals can be found on their website at:

<https://www.professionalstandards.org.uk/what-we-do/our-work-with-regulators/decisions-about-practitioners>