

Social worker: Dionne Pompey-Peters

Registration number: SW89716

Fitness to Practise:

Final Hearing

Dates of hearing: 23 to 26 March 2026

Hearing venue: Remote hearing

Hearing outcome: Removal order

Interim order: Interim suspension order – 18 months

## Introduction and attendees:

1. This is a hearing of allegations against Ms Dionne Pompey-Peters (registration number SW89716), which is held under Part 5 of the Social Workers Regulations 2018 (as amended).
2. Ms Pompey-Peters did not attend and was not represented.
3. Social Work England was represented by Ms Louisa Atkin, Counsel employed by Capsticks LLP, solicitors to Social Work England.
4. The panel of adjudicators (the “**panel**”) and the other people involved in the conduct and administration of this hearing were as follows:

<b>Adjudicators</b>	<b>Role</b>
Debbie Hill	Chair (Lay adjudicator)
Jasmine Nembhard-Francis	Social worker adjudicator
Louise Wallace	Lay adjudicator

Jenna Keats	Hearings Officer
Nabiha Asam	Hearings Support Officer
Charles Redfearn	Legal Adviser

## Service of Notice:

### **Service documents**

5. The service documents before the panel included the following:
  - An extract from Social Work England’s register (the “**Register**”) showing the email and postal addresses for Ms Pompey-Peters which were held by Social Work England and which would have been provided by Ms Pompey-Peters.
  - A copy of the notice of this final hearing (the “**Notice**”), which was dated 18 February 2026. The Notice stated that it was to be sent by email and special delivery and was addressed to Ms Pompey-Peters at her email and postal addresses as they appear on the Register. In accordance with paragraph 10(2) of Schedule 2 to the Social Workers Regulations 2018 and rule 15 of the FTP Rules, the Notice specified the date, time and place of this hearing; was accompanied by a copy of Social Work England’s Statement of Case; and informed Ms Pompey-Peters of her right to make written submissions and/or attend, and be represented at, this hearing, to make oral submissions and to call witnesses.
  - A statement of case, setting out Social Work England’s case against Ms Pompey-Peters (the “**Statement of Case**”). As required by rule 15(b) of the FTP Rules, the Statement of Case accompanied the Notice and set out those matters that were agreed between the parties, those matters that were not agreed, and the basis for alleging that Ms Pompey-Peters’ fitness to practise was impaired.

- A copy of a covering email dated 18 February 2026 and addressed to Ms Pompey-Peters at her email address as it appears on the Register. The covering email referred to a fitness to practise hearing which was due to take place between 23 and 26 March 2026 and specified various attachments, including a Notice of Hearing and a Statement of Case.
- A copy of a signed Statement of Service which was made on 20 February 2026 by the employee of Capsticks LLP who had sent the covering email. The Statement of Service stated that, on 18 February 2026, that employee had (i) sent the Notice and its enclosures by email to Ms Pompey-Peters at her email address as it appears on the Register; and (ii) instructed “Docucentre” to send the Notice and its enclosures by next day special delivery to Ms Pompey-Peters at her postal address as it appears on the Register. The Statement of Service also stated that the Royal Mail tracking number for the package containing the Notice and its enclosures was [PRIVATE].
- A copy of a Royal Mail tracking slip which stated that an item bearing the tracking number [PRIVATE] was delivered on 19 February 2026.
- A photograph of an envelope which was addressed to Ms Pompey-Peters at her postal address as it appears on the Register; bore a stamp stating that it had been sent by special delivery and giving the tracking number [PRIVATE]; and bore a manuscript note, stating “*Not known @ this address, no longer living here*”.

### **Submissions on service**

6. Ms Atkin, on behalf of Social Work England, referred the panel to rules 14, 15, 44 and 45 of Social Work England’s Fitness to Practise Rules (the “**FTP Rules**”) and to the Notice, the Statement of case, the covering email and Ms Pompey-Peters’ entry in the Register as described above. She then submitted that:
  - As required by rule 15, the Notice notified Ms Pompey-Peters’ of the time and date of this remote hearing and was accompanied by a statement of case which set out those matters that are agreed between the parties, those matters that are not agreed, and the basis for alleging impairment of fitness to practise.
  - The Statement of Service confirmed that a copy of the Notice had been sent to Ms Pompey-Peters by email on 18 February 2026.
  - Rule 45 required the panel to treat that copy of the Notice sent by email as being served on the day on which it was sent. Accordingly, Ms Pompey-Peters had been given no less than 28 days’ notice of this hearing, as required by rule 14.
  - The panel could therefore be satisfied that good service of the Notice on Ms Pompey-Peters had been effected.

### **Legal advice on service**

7. The panel heard and accepted the advice of the Legal Adviser in relation to service of notice. The Legal Adviser advised that:
- Notices of final hearings must contain the information required by paragraph 10(2) of Schedule 2 to the Social Workers Regulations 2018 and rule 15 of the FTP Rules.
  - Notices of final hearings must be sent by one or more of the mandatory means of service set out in rule 44(a) of the FTP Rules. These include service by email and next day delivery service to an email address or, as the case may be, a postal address provided by Ms Pompey-Peters to Social Work England.
  - Pursuant to rule 14(a) of the FTP Rules, Ms Pompey-Peters had to be given at least 28 days' notice of this hearing. Rule 45 of the FTP Rules requires that, if service is proved, the copy of the Notice sent by email should be treated as being received on the day on which it was sent and the copy of the Notice sent by next day delivery service should be treated as being received on the day after it was sent. As the Notice was sent on 18 February 2026, this would result in Ms Pompey-Peters being deemed to have received both copies of the Notice and its enclosures more than 28 days before the start of this hearing.
  - Any of the documents specified in rule 44(b) of the FTP Rules could be relied on as conclusive proof of service. Those documents included "*a signed statement from the person sending by ordinary post, electronic mail or delivering the notice...*".
  - Although there was a signed statement of service from the person who had sent a copy of the Notice by email, it was less clear whether good service had been made in the case of the copy of the Notice sent by next day delivery service. However, it was only necessary for Social Work England to prove service of the Notice by one of those means for good service of the Notice to be established.

### **Panel's decision on service**

8. On the basis of the documents in the service bundle, Ms Atkin's submissions and the Legal Adviser's advice, the panel was satisfied that Ms Pompey-Peters had been served with notice of this hearing in accordance with the FTP Rules and the Social Workers Regulations 2018.

### **Proceeding in the absence of Ms Pompey-Peters:**

#### **Submissions on behalf of Social Work England**

9. Referring the panel to Social Work England's guidance entitled 'Service of Notices and Proceeding in the Absence of the Social Worker' and the case law mentioned in it, Ms

Atkin submitted that the following factors indicated that it was appropriate to proceed in the absence of Ms Pompey-Peters:

- Although Ms Pompey-Peters may have experienced health issues previously, there was no independent medical evidence before the panel regarding any current health issues which would prevent Ms Pompey-Peters attending, and participating in, this hearing. Ms Pompey-Peters had provided copies of fit notes covering an earlier period to the adjudicators who heard her application for the present case to be joined with a case involving a new concern which was still under investigation.
  - Ms Pompey-Peters had not requested an adjournment or postponement of this hearing, despite the notice giving details of how to do this. It therefore appeared that she had chosen not to attend.
  - During the investigation of the present concerns by the fostering agency to which she was contracted and by Social Work England, Ms Pompey-Peters had set out her position in written submissions and via a letter from her solicitors. The panel could take this information into account when making its determinations during the course of this hearing, thus mitigating any unfairness arising from her not attending this hearing.
  - It was in the interests of the public and Social Work England that this hearing should proceed expeditiously and adjourning it would give rise to delay, loss of hearing time, wasted costs, and inconvenience for witnesses.
10. Given the above submissions, Ms Atkin invited the panel to proceed with this hearing in the absence of Ms Pompey-Peters.

**Legal advice on proceeding in absence**

11. The panel heard and accepted the advice of the Legal Adviser in relation to proceeding in Ms Pompey-Peters' absence. That advice included reference to rule 43 of the FTP Rules, Social Work England's guidance entitled 'Service of Notices and Proceeding in the Absence of the Social Worker' and the cases of *R v Jones [2002] UKHL 5* and *General Medical Council v Adeogba [2016] EWCA Civ 162*.
12. The panel noted from that advice that:
- Under rule 43 of the FTP Rules, where a social worker does not attend a hearing and is not represented, the panel has a discretion to proceed with that hearing in the absence of the social worker provided that it is satisfied that the social worker has been served with notice of that hearing or that all reasonable efforts have been made to do so.
  - The discretion to proceed in the absence of the social worker should be exercised with great caution and with close regard to the fairness of the proceedings.

Fairness to the registrant is of prime importance, but fairness to Social Work England and the public must also be taken into account.

- The panel therefore had to balance the interests of Ms Pompey-Peters in being able to present her case against the interests of Social Work England and the public in an expeditious disposal of the allegations against her.
- The court in *Adeogba* held that panels should not proceed with a substantive fitness to practise hearing if they have evidence that the social worker is involuntarily absent, for example through illness or incapacity. This is reflected in SWE's Guidance on Service of Notices and Proceeding in the Absence of the Social Worker, which states that adjudicators might consider that it is not appropriate to proceed with a hearing if (i) they have independent evidence that the social worker is involuntarily absent, for example through incapacity and (ii) the social worker otherwise intended to attend the hearing.
- A factor relevant to the decision to proceed was the extent of the disadvantage to the registrant in not being able to give their account of events, having regard to the nature of the evidence against them. However, set against this is the question of whether an adjournment would secure the registrant's attendance. In that regard, unlike a criminal court, a disciplinary tribunal does not have the power to compel attendance; moreover, there is a burden on registrants to engage with their regulator, both in relation to the investigation and the ultimate resolution of any allegations made against them.
- In considering fairness to Social Work England and the public, the panel should bear in mind Social Work England's overarching objective of 'protection of the public'.
- The court in *Adeogba* had concluded that, "*where there is good reason not to proceed, the case should be adjourned; where there is not, however, it is only right that it should proceed*".
- As stated in *McDaid v NMC [2013]EWHC 586 (Admin)* and the line of cases which preceded it, if this hearing proceeds in the absence of Ms Pompey-Peters, the panel, the case presenter and the Legal Adviser should ensure that they explore any weaknesses in Social Work England's case and identify any points which may be of assistance to Ms Pompey-Peters (but that duty does not require the panel to cross-examine witnesses in the same way that a registrant or their representative would do).

### **Panel's decision on proceeding in absence**

13. The panel considered that its discretion to proceed in Ms Pompey-Peters' absence under rule 43 of the FTP Rules had been engaged as (a) Ms Pompey-Peters was not present or represented at this hearing and (b) the panel had concluded that notice of this hearing had been served on her in accordance with the FTP Rules.

14. Having considered the matter, the panel decided that the balance of fairness lay in favour of proceeding with this hearing in the absence of Ms Pompey-Peters for the following reasons:
- Ms Pompey-Peters had not given a reason for her non-attendance nor made a request to the panel for this hearing to be postponed.
  - In correspondence with Social Work England Ms Pompey-Peters had mentioned that she would be out of the country at some point in March 2026 but it was understood that the dates of the present hearing had been set so as to avoid this absence. In any event, Ms Pompey-Peters had not cited this a reason for her non-attendance.
  - There was no evidence before the panel to show that Ms Pompey-Peters was involuntarily absent from this hearing. It noted that, for the purposes of a case management meeting held on 9 December 2025, Ms Pompey-Peters had produced [PRIVATE].
  - In the circumstances, the panel considered that Ms Pompey-Peters had voluntarily absented herself from this hearing and it had no information which would cause it to believe that an adjournment would be likely to secure her attendance.
  - The panel also considered that, in furtherance of Social Work England’s objective of ‘protection of the public’, this hearing should proceed expeditiously as (i) the allegations against Ms Pompey-Peters were serious (in that they involved numerous instances of alleged dishonesty for financial gain) and (ii) they related to events which were said to have occurred between five and three years ago. In addition, the panel considered that an expeditious disposal of the allegations would also be in Ms Pompey-Peters’ interests.

## Preliminary Matter: amendment to Schedule 1 to the Allegation

### **Social Work England’s application to amend**

15. Ms Atkin informed the panel that Social Work England wished to amend item 51 in Schedule 1 to the allegation against Ms Pompey Peters so as the to correct the forename of the applicant specified in that item, which was given as “Anna” whereas, in the supporting documentation, it is stated to be “Andrea”.
16. In support of the application to amend, Ms Atkin submitted that:
- The panel had the power to make the amendment under rule 32 of the FTP Rules provided that it considered it fair to do so.
  - In the case of *Professional Standards Authority v Health and Care Professions Council and Doree [2017] EWCA Civ 319* the court had held that a professional

disciplinary committee is entitled to make amendments to the allegations before it so as to avoid undercharging.

- Ms Pompey-Peters would not be prejudiced by the amendment as it corrected a typographical error (thereby making the Allegation clearer) and as there was no evidence that Ms Pompey-Peters had relied on the previous wording to her detriment.

### **Legal advice on amendments**

17. The panel heard and accepted the advice of the Legal Adviser on amendments. The panel understood from that advice that:

- The panel had the power to allow the amendment under rule 32 of Social Work England's Fitness to Practise Rules, which allowed the panel to regulate its own procedures but required it to conduct the hearing in the manner it considered fair.
- In deciding whether to agree to the amendment, the panel should have regard to (i) Social Work England's over-arching regulatory objective under s.37 Children & Social Work Act 2017 of protection of the public and (ii) Ms Pompey-Peters' right to a fair hearing under Article 6 of the European Convention of Human Rights.
- With regard to fairness to Ms Pompey-Peters, the panel should consider whether she had been given adequate notice of the amendment and whether the amendment was procedurally fair.
- With regard to procedural fairness, as stated by the court in the case of *Bittar v Financial Conduct Authority [2017] UKUT 82 (TCC)*, the panel should consider (i) whether the amendment was relevant to the case; (ii) whether the amendment had reasonable prospect of success; (iii) whether allowing the amendment would be consistent with a proper consideration of the issues; (iv) whether Ms Pompey-Peters would be capable of fully understanding the amended allegation and be able to respond accordingly; and (v) whether the amendment introduced new allegations or complex issues.

### **Panel's decision on application to amend**

18. The panel granted the application to amend for the following reasons:

- Given that the proposed amendment concerned the correction of an obvious and non-contentious typographical error and did not alter the meaning, substance or gravity of the allegations against Ms Pompey-Peters, the panel did not consider that the fact that she had not been given notice of the application to make the proposed amendment was unfair to Ms Pompey-Peters or fatal to that application.
- In line with the decision in *Bittar v FCA*, admitting the proposed amendment was procedurally fair because, as it corrected an obvious typographical error, the proposed amendment (i) was relevant to the case against Ms Pompey-Peters; (ii)

would succeed in correcting the relevant error; (iii) would be consistent with a proper consideration of the issues of the case; (iv) would be readily understandable by Ms Pompey-Peters and (v) did not raise any complex issues. In addition, the proposed amendment would not prejudice Ms Pompey-Peters as it did not affect the meaning, substance or gravity of the allegations against him.

### Allegation:

19. The allegation against Ms Pompey-Peters (the “**Allegation**”), as amended as described above, was as follows:

*Whilst registered as a social worker:*

*1. With respect to one or more of the enquiries made under the names identified in Schedule 1, which were submitted to Compass Community Children’s Services in the period between June 2021 and January 2023, you:*

- a. caused and/or allowed the enquiry to be submitted; and/or*
- b. produced reports which indicated that you had completed an initial visit; and/or*
- c. provided an invoice for payment in relation to the enquiry.*

*2. Your conduct as set out at 1a and/or 1b and/or 1c above was dishonest, in that you knew that:*

- a. the enquiry / enquiries were not genuine; and/or*
- b. you had not completed an initial visit.*

*The matters set out at paragraphs 1 and 2 above amount to the statutory ground of misconduct.*

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

#### Schedule 1

1. [PRIVATE].	22. [PRIVATE].	43. [PRIVATE].
2. [PRIVATE].	23. [PRIVATE].	44. [PRIVATE].
3. [PRIVATE].	24. [PRIVATE].	45. [PRIVATE].
4. [PRIVATE].	25. [PRIVATE].	46. [PRIVATE].
5. [PRIVATE].	26. [PRIVATE].	47. [PRIVATE].
6. [PRIVATE].	27. [PRIVATE].	48. [PRIVATE].
7. [PRIVATE].	28. [PRIVATE].	49. [PRIVATE].
8. [PRIVATE].	29. [PRIVATE].	50. [PRIVATE].
9. [PRIVATE].	30. [PRIVATE].	51. [PRIVATE].
10. [PRIVATE].	31. [PRIVATE].	52. [PRIVATE].
11. [PRIVATE].	32. [PRIVATE].	53. [PRIVATE].
12. [PRIVATE].	33. [PRIVATE].	54. [PRIVATE].

13. [PRIVATE].	34. [PRIVATE].	55. [PRIVATE].
14. [PRIVATE].	35. [PRIVATE].	56. [PRIVATE].
15. [PRIVATE].	36. [PRIVATE].	57. [PRIVATE].
16. [PRIVATE].	37. [PRIVATE].	58. [PRIVATE].
17. [PRIVATE].	38. [PRIVATE].	59. [PRIVATE].
18. [PRIVATE].	39. [PRIVATE].	60. [PRIVATE].
19. [PRIVATE].	40. [PRIVATE].	61. [PRIVATE].
20. [PRIVATE].	41. [PRIVATE].	62. [PRIVATE].
21. [PRIVATE].	42. [PRIVATE].	63. [PRIVATE].

20. During the period to which the Allegation relates (namely, June 2021 to January 2023), Ms Pompey-Peters was employed as the Service Manager for Children in Need of Support and Protection by Haringey Council (the “**Council**”). She also performed occasional work as an independent social worker for a fostering agency named Compass Community Children’s Services (the “**Agency**”) and it is to this work that the Allegation relates. The concerns about Ms Pompey-Peters’ work for the Agency came to Social Work England’s attention as a result of a self-referral made by Ms Pompey-Peters on 16 February 2023.

### Admissions:

21. In its Statement of Case, Social Work England referred to the written submissions which Ms Pompey-Peters had sent to Social Work England in or around June 2023 in which she appeared to accept, and apologise for, her alleged wrong-doing. It also referred to the letter from Ms Pompey-Peters’ solicitors of 28 February 2023 which indicated that she accepted that she had received payment in relation to fabricated applications and stated that she wished to repay the relevant amounts. However, as Ms Pompey-Peters did not provide specific admissions to the facts alleged in the Allegation, the panel did not consider that either her written submissions or the letter from her solicitors contained formal admissions of those facts for the purposes of this hearing. The panel therefore treated the facts alleged in the Allegation as being disputed and, in accordance with rule 32(c) of the FTP Rules, it proceeded to determine those disputed facts.

## Summary of Evidence

### **Witnesses and evidence produced by Social Work England**

22. Social Work England called evidence from (i) Ms Charlotte Munton, Director of Recruitment at the Agency and (ii) Ms Sarah Pike, a Principal Child and Family Worker at The Council.
23. Ms Munton, evidence is more particularly described in the panel's decision on the facts, stated that, between 21 October 2021 and 13 March 2023, Ms Pompey-Peters had been contracted to do occasional work for the Agency as an independent assessor, a role in which she was responsible for undertaking initial assessments of prospective foster carers. Ms Munton went on to explain how concerns arose that Ms Pompey-Peters may have been invoicing the agency for work which she had not performed, how those concerns were relayed to Ms Pompey-Peters and how she and her solicitors responded to them.
24. Ms Munton produced:
  - copies of the applications from potential foster carers which form the subject of the Allegation, the reports which Ms Pompey-Peters submitted in respect of those applications and the invoices which Ms Pompey-Peters submitted for those reports and the on-line visits which they purported to record;
  - a spreadsheet compiled by the Agency which detailed the 62 enquires and initial visits that were allegedly falsified from June 2021 to January 2023 together with the related invoices from Ms Pompey-Peters (the "**Agency Spreadsheet**"); and
  - notes of two meetings with Ms Pompey-Peters, at which the Agency's concerns about the falsification of fostering enquiries were discussed, and copies of subsequent correspondence with Ms Pompey-Peters' solicitors.
25. Ms Pike explained that:
  - Ms Pompey-Peters was employed by the Council from 3 February 2014 until 15 August 2023 as Service Manager for Children in Need of Support and Protection.
  - In February 2023, the Agency informed the Council of its concerns about Ms Pompey-Peters. The Council subsequently undertook its own investigation into those concerns, on 17 August 2023, concluded that those concerns amounted to gross misconduct. However, by that time, Ms Pompey-Peters had already resigned from her employment with the Council.
26. Ms Pike produced copies of emails sent to the Council by the Agency on 24 February and 1 March 2023; Ms Pompey-Peters [private]; and Ms Pike's exchange of emails with the Council's IT department in November 2024 regarding the Council's external IP address.

27. Social Work England also relied on a written statement from a lead investigator at Social Work England, who produced copies of communications between Ms Pompey-Peters and Social Work England, including her written submissions quoted below.

## Finding and reasons on facts

### **Submissions on behalf of Social Work England**

28. Ms Atkin opened her closing submissions by referring the panel to (i) the letter from Ms Pompey-Peters' solicitors to the Agency dated 28 February 2023, in which Ms Pompey-Peters appeared to accept responsibility for the allegedly fabricated fostering applications set out in the Agency Spreadsheet and offered to repay the amounts which she had received from the Agency in respect of the relevant fostering applications; (ii) the payment which Ms Pompey-Peters made to the Agency in pursuance of that letter; and (iii) the written submissions sent by Ms Pompey-Peters to Social Work England in or around June 2023, as set out below. Ms Atkin then submitted that, although the letter, the payment and the submissions did not constitute formal admissions to the particulars of the Allegation, the panel could - and should - nevertheless take account of them and give weight to them when considering whether the particulars of the Allegation were proved.
29. Referring to the meeting with Ms Munton in which Ms Pompey-Peters had suggested that she had been 'set up' and that she had further information to disclose in that regard, Ms Atkin pointed out that Ms Pompey-Peters had made no further disclosure and had subsequently accepted responsibility for the 'pseudo-applications' identified in the spreadsheet produced by the Agency and repaid the amounts which she had received in respect of them.
30. Ms Atkin then referred the panel to the points made in the Statement of Case regarding paragraph 1(a) of the Allegation, in particular that:
- None of the applicants were contactable on the telephone numbers given on their enquiry forms, even though (i) the enquires had been made within the period of 18 months prior to Agency's attempt to contact them and (ii) when contacting applicants who had withdrawn their applications, for feedback the Agency would normally receive responses from 70% of them.
  - There was no connection between the applicants and the information on their local electoral role, even though the Agency had found an almost 100% connection in other cases.
  - The applications all had common features and were suggested of having been created by someone who knew the Agency's procedures and how to use them to their advantage. Those features included, the applicants all having (i) experience or a qualification related to caring, so that the Agency would automatically allocate them for a priority visit; (ii) availability for a visit which matched that of Ms

Pompey-Peters; and (iii) a reason for not proceeding with their application which would result in a recommendation for their application to be closed and a correspondingly short report.

- Seven of the most recent fostering enquiries came from the Council's external IP address, rather than from the IP address of each applicant.
31. In order to illustrate her submissions, Ms Atkin took the panel through the documentation for four of the fostering applications identified in the Allegation.
32. In relation to paragraphs 1(b) and 1(c) of the Allegation, Ms Atkin submitted that Ms Munton had produced the reports submitted by Ms Pompey Peters for 60 out of the 63 applications identified in Schedule 1 to the Allegation and that there was evidence from which the panel could conclude or infer that she had submitted invoices for those applications.
33. In relation to dishonesty, Ms Atkin submitted that:
- For the reasons set out in the Statement of Case and summarised by Ms Atkin, it was reasonable to conclude that Ms Pompey-Peters would have known that the applications identified in the Allegation were not genuine.
  - Ms Pompey-Peters had submitted reports of visits to 60 of the applicants even though such visits would have been impossible as the applicants did not exist.
  - Ms Pompey-Peters had accepted acting dishonestly in her submissions to Social Work England and by repaying to the Agency the amounts which she had received for the relevant visits and related reports.
  - Ordinary decent people would regard that conduct as dishonest.

#### **Submissions from Ms Pompey-Peters**

34. Ms Pompey-Peters did not make any written submission specifically for the purposes of this hearing. However, in or around June 2023, she sent to Social Work England the following written submissions regarding the concerns about her conduct which had arisen following her self-referral on 16 February 2023:

*I want to sincerely apologise for my actions, which were both dishonest and have unfortunately brought my profession into disrepute. I deeply regret my behaviour and fully acknowledge the negative impact it has had on my employers and compass fostering agency.*

*First and foremost, I want to express my profound remorse for the trust I have broken. I understand the severity of my mistake. I take full responsibility for my actions and the consequences they have brought upon myself, family members, my colleagues, and the profession as a whole.*

*I understand that honesty and integrity are fundamental values that should guide my professional's conduct.*

*In light of this, I have taken the following steps to address the situation promptly and ensure that such actions will never recur:*

- 1. Admitting my wrongdoing: I have reflected on my actions and acknowledged the gravity of my mistake. I take full ownership of my behaviour and sincerely regret the harm it has caused.*
- 2. Learning from the experience: I have and I am undertaking a thorough self reflection process to understand the factors that led to my lapse in judgment. I have sought guidance and/or support from mentors and professional to improve my decision-making skills and moral compass. [PRIVATE] owing to the [private] of this situation as I realise I have let so many people down.*
- 3. I have reimbursed compass fostering and apologised to the company as per the letter in the evidence bundle.*

*I am deeply concerned about the potential impact of my actions on the profession as a whole as this would undermine the integrity of the profession. Being currently suspended from my employment has given me time to reflect on the seriousness of the situation and the potential consequences hence I have taken the decision to apply for voluntary redundancy.*

*Please note that shortly behaviour [sic] the allegations commenced [PRIVATE]. This occurred in February 2021 This affected me in more ways than imaginable and if I am totally honest, I feel I really struggled to accept this loss. I engaged in this wrong behaviour and should not have. I threw myself into work (working in excess of 50 hours) and was working all the hours I possibly could always looking for an escape instead of addressing my loss accordingly. I should have sought professional help as I was struggling with [PRIVATE].not being here anymore. For the avoidance of any doubt, I do not state this to generate any sympathy. My actions were wrong and not excusable, and I fully accept that.*

*Prior to this I had an unblemished work record.*

*My final comment is the evidence bundle indicates there were 62 pseudo applications; however, compass accepted reimbursement for 60. Please note that again I am not minimising my actions; but setting out the facts.*

*I am seeking for voluntary removal from the register as I need to be held accountable for my actions which means the end of my career. I brought the profession into disrepute, I have let my colleagues, family members and friends down for which I must be held to account. I have accepted that my career is over. Please note that I submitted a voluntary removal request on Thursday the 1st of June.*

*I do not consider that an [redacted] is necessary as I am not currently practising [PRIVATE]. I have attached my most recent sick note and the report from [PRIVATE]. [PRIVATE] I have resigned from my current employment post, [PRIVATE] Please note that I am not in any way minimising my actions [redacted] I made the self-referral to*

SWE in February 2023, and I have not acted as a social worker since as I have been unfit to practice. The evidence bundle stated that there is a real risk of my behaviour repeating. While I fully understand why this would be a concern, I would say that I am not practising and every intention to leave the profession in order to do the right thing.

I accept that my fitness is impaired, and I need to be removed from the register as I have compromised the integrity of the profession and for that I am truly sorry.

### **Legal advice on fact-finding stage**

35. The panel heard and accepted the advice of the Legal Adviser on the fact-finding stage. That advice included reference to Rule 32(c) of Social Work England's Fitness to Practise Rules, regulation 25(4) of Social Workers Regulations 2018 and the case of *Miller v Minister of Pensions [1947] 2 All ER 372*. The panel noted, in particular, that it was for Social Work England to prove each of the disputed particulars on the balance of probabilities.
36. In terms of assessing the credibility of the witnesses and considering the evidence generally, the Legal Adviser referred the panel to the cases of *Suddock v Nursing and Midwifery Council [2015] EWHC 3612 (Admin)* and *Sri Lanka v SSHD [2018] EWCA Civ 391*, *R (on the application of Dutta) v General Medical Council [2020] EWHC 1974 (Admin)* and *Khan v General Medical Council [2021] EWHC 374 (Admin)*. The panel understood from the Legal Adviser's advice that:
- In most cases, witness evidence is not the only relevant evidence and its reliability should not be considered in isolation.
  - Objective evidence, such as contemporaneous documents, should be considered before other factors.
  - The confident delivery and demeanour of a witness is not a reliable guide as to whether they are telling the truth.
  - The only objective and reliable approach is to focus on the content of the witness' testimony and to consider (i) whether the witness' account fits with any non-contentious evidence, agreed facts or contemporaneous documents; (ii) whether it is internally consistent and consistent with other evidence (including evidence of what the witness has said on other occasions); and (iii) whether it is inherently probable or improbable and consistent with known or probable facts.
  - It is open to panels not to rule out the whole of a witness's evidence on the basis of credibility. (In other words, credibility can be divisible and it is open to a panel to accept some parts of a witness' evidence but not others.)
37. As the Allegation involved dishonesty, the Legal Adviser referred the panel to the two-stage test for dishonesty in *Ivey v Genting Casinos [2017] UKSC 67*, in which the court stated:

- *The fact-finding tribunal must first ascertain (subjectively) the actual state of the registrant’s knowledge or belief as to the facts. The reasonableness or otherwise of the registrants’ belief is a matter of evidence (often in practice determinative) going to whether the registrant held that belief but it is not an additional requirement that the registrant’s belief must be reasonable: the question is whether the registrant’s belief was genuinely held.*
- *When, once the registrant’s actual state of mind as to their knowledge or belief regarding the facts has been established, the question of whether their conduct was honest or dishonest is to be determined by the panel by applying the (objective) standards of ordinary decent people. There is no requirement that the registrant must appreciate that what they have done was, by those standards, dishonest.*

38. As Ms Pompey-Peters had not attended this hearing, the Legal Adviser advised the panel on whether it could draw an adverse inference from her not giving evidence. In that regard, the Legal Adviser referred the panel to the principles set out in cases of *R (Kuzmin) v General Medical Council [2019] EWHC 2129 Admin*) and *General Medical Council v Udoye [2021] EWHC 1511 (Admin)* and to the section on drawing an adverse inference from a social worker’s absence in *Guidance on Service and Proceeding in Absence* (Dec 2022).

**Panel’s decision on the facts**

**Paragraph 1(a): With respect to one or more of the enquiries made under the names identified in Schedule 1, which were submitted to Compass Community Children’s Services in the period between June 2021 and January 2023, you caused and/or allowed the enquiry to be submitted - PROVED**

39. In relation to Allegation 1(a), the panel noted the evidence of Ms Munton regarding the Agency’s business, the application process for would-be foster carers and Ms Pompey-Peters’ role in that process.
40. With regard to the Agency’s business, Ms Munton explained that the Agency made its money by recruiting potential foster carers and placing with them children in the care of local authorities and the Agency would receive a fee from for each placement from the relevant local authority.
41. With regard to the process for recruiting foster carers, Ms Munton explained in her witness statement that:
- An enquiry from a prospective foster goes to one of the Agency’s recruitment officers, who performs an initial review and decide on the applicant’s potential to be a foster carer.
  - If approved by a recruitment officer, an independent social worker contracted to the Agency, such as Ms Pompey-Peters, is allocated to make an initial visit to the applicant. This visit may be performed remotely.

- Applications from individuals with experience or qualifications in supporting adults or children are treated as priority applications and allocated for an initial visit without being screened by a recruiting officer.
- Visits to applicants are allocated on the basis of the availability of the independent social workers with whom the Agency has contracts. For this purpose, those independent social workers provide the Agency with dates and times of when they are available to undertake visits.
- Once the visit has taken place, the independent social worker writes a report and submits it to the Agency. The report recommends whether the application should (i) proceed immediately to the assessment process; (ii) be subject to a pre-assessment check; or (iii) be closed because the applicant is unsuitable or because they have decided not to proceed with their application.
- The independent social worker then invoices the Agency for performing the visit and writing the related report.

42. The panel also noted Ms Munton's evidence of how the concerns about Ms Pompey-Peters' conduct arose, namely that:

- It was the Agency's practice to have its recruitment team and an organisation named Carers for Carers make "re-visit" calls to applicants who had withdrawn after an initial visit.
- When attempts were made to call the applicants who had withdrawn after being visited by Ms Pompey-Peters, it was discovered that the numbers were out of use or the calls went through to an EE voicemail rather than a personal voicemail and, when messages were left, no replies were received. By contrast, from experience, the Agency would expect to talk to between 15% and 20% of enquiry revisits and around 15% would have personal voicemails.
- It was also discovered that the applicants "*were all female, single, had backgrounds working with vulnerable children or adults, knew someone who fostered, had [PRIVATE] postcodes and each applicant had decided not to proceed with the process and so the application was closed following the initial visit*".
- In addition, 42 out of 62 applications requested a specific date and time for their initial visit (which the Agency found "highly unusual") and those dates and times matched Ms Pompey-Peters' availability.
- When the Agency checked the electoral register none of the names and addresses for the applicants given on the applications were found to correspond to the names of the residents of the relevant addresses at the time when the applications were made. (Ms Munton produced a spreadsheet to evidence this.)
- It was also discovered that the enquiries for which an IP address was available originated from the same IP address, which was a Haringey IP address.

(Following enquiries by Social Work England, it was subsequently discovered that this was the external IP address for the Council.)

43. Ms Munton, in her witness statement, went on to state that:

- On 30 January 2023, Ms Munton had a telephone conversation with Ms Pompey-Peters in which Ms Munton raised the concerns mentioned above and Ms Pompey-Peters made no admissions.
- On 10 February 2023, Ms Munton held an investigatory meeting with Ms Pompey-Peters where Ms Munton set out the Agency's concerns in more detail (and Ms Munton exhibited the notes of that meeting to her witness statement). Again, Ms Pompey-Peters made no admissions and was unable to provide an explanation for the concerns raised. At the end of the meeting, she is reported to have said. *"I need to speak to my advising solicitor, I'm happy to give you some information, I feel I'm being set up."*
- A further meeting was arranged for 20 February 2023 but did not take place. Instead, the Agency received an emailed letter dated 28 February 2023 from solicitors acting for Ms Pompey-Peters. That letter mentioned that Ms Pompey-Peters' solicitors had received *"a schedule of 'cases' where it is alleged that the parties named were fictitious, and where invoices were paid to our client"* (and Ms Munton later confirmed that this was the Agency Spreadsheet). The letter went on to state, *"Ms Pompey-Peters is genuinely mortified that she has tarnished that reputation and that her conduct has instigated this investigation... Our client has reflected at length on the matters alleged and is keen to put right, any wrongs by reimbursing Compass with all payments made on the schedule provided in a bid to bring this matter to a close. With reference to the schedule provided, it appears that all but 2 were paid, bringing the total amount paid out by Compass to £4500 (£75x60)." Ms Munton produced a copy of a bank statement showing that the Agency had received a sum representing that amount less amounts properly due from the Agency to Ms Pompey-Peters.*

44. Having considered the evidence in the exhibits bundle and the evidence given by Ms Munton and Ms Pike in their witness statements and at this hearing, the panel found that the fostering enquires identified in the Allegation had most probably been fabricated and submitted by Ms Pompey-Peters. The reasons for that finding were as follows:

- (a) None of the applicants were contactable on the telephone numbers given on their enquiry form or in Ms Pompey-Peters' report of her initial visit to them. Although calls to some applicants went through to voicemail, this was a generic voicemail rather than a personal voicemail and, although in such case messages were left, none of the applicants replied. This was unusual given the Agency's experience that it was able to make telephone contact with 15 to 20% of applicants who had withdrawn their application and that 15% of such applicants had personal voicemails.

- (b) The Agency checked the address given for each applicant identified in the Allegation using a service named “192 Premium Service”, which sourced information from a variety of sources including the electoral role. The note of Ms Munton’s meeting with Ms Pompey-Peters on 10 February 2023 records that Ms Munton stated that the Agency had “*cross-referenced over 100 people who have applied to foster, all of the names and addresses matched up with those reported by 192. Of the ones we believe are falsified by yourself, not one match up but had completely different names and addresses.*”
- (c) All of the applicants were female, single and had occupations working with children or experience of dealing with children in their work. In addition, 50% of applicants knew someone who had fostered and 50% had made a fostering application to a local authority or another fostering agency. According to Ms Munton, this profile would ensure that each application would be put forward for an initial visit without any initial screening by a recruitment officer at the Agency.
- (d) Forty-four of the applications gave specific dates or times at which the applicant would be available for an initial visit. The Agency considered that this was unusual. The panel also noted that the enquiry form did not invite applicants to provide that information and the applicants had inserted it in the box for their personal statement. In addition, the dates and times specified were typically in the evening or at weekends and coincided with the dates and times when Ms Pompey-Peters was available to undertake initial visits. Of the 19 remaining applications, there were 14 for which the enquiry form was not available and only five which did not specify the applicant’s availability.
- (e) Each of the applications for which the enquiry form was available was fully completed, thus reducing the likelihood of the Agency attempting to contact the applicant for further information.
- (f) The Agency could only trace the IP addresses for the eight most recent applications (items 54 to 61 in Schedule 1 to the Allegation). Of those applications, seven shared the same IP address and emails from the Council’s IT department produced by Ms Pike confirmed that this was the Council’s external IP address (which would indicate that those seven applications had been sent by someone, like Ms Pompey-Peters who had access to the Council’s IT system). The application for applicant 57 in Schedule 1 came from a different IP address but Ms Munton’s evidence was that this application was sent when Ms Pompey-Peters was on holiday in [PRIVATE].
- (g) The panel recognised that not all of the above factors were applicable to each application identified in Schedule 1 to the Allegation. However, what the panel regarded as the key factors, namely those set out at (a), (b) and (c) above, were present in all cases. Moreover, Ms Pompey-Peters, through her solicitors, had agreed to repay the amounts which she had received in respect of 60 applications. This corresponds to the panel’s finding below that Ms Pompey-

Peters submitted reports for 60 of the 63 applications specified in Schedule 1. The panel considered that this acceptance of responsibility on the part of Ms Pompey-Peters reinforced its decision with regard to those 60 applications. The panel considered that the remaining three applications (items 30, 62 and 63 in Schedule 1) had been fabricated and submitted by Ms Pompey-Peters as the factors identified in paragraphs (a) to (e) were present in respect of those applications.

(h) Having determined that the applications identified in Schedule 1 had been fabricated, the factors on which the panel relied in finding that Ms Pompey-Peters was their author and sender were as follows:

- The panel considered that the applications had been fabricated by someone with knowledge of the Agency's procedures so as to ensure that they would be allocated for an initial visit without being screened by a recruitment officer, who might attempt to contact the applicant and discover that they were uncontactable.
- Virtually all of the applications for which the enquiry form was available specified that the applicant was available for an initial visit at the time when Ms Pompey-Peters was available to conduct one.
- Those of the applications for which an IP address was available had been sent from the external IP address of the Council, where Ms Pompey-Peters was employed as a Service Manager.
- By repaying the amounts which she had received in respect of those 60 applications for which she had written a report and by apologising for her actions (both via her solicitors and in her written submissions), Ms Pompey-Peters had implicitly accepted that those applications were fabricated and that she had submitted them. As explained above, the panel considered that the evidence in relation to the remaining three applications was sufficient to lead it to find that Ms Pompey-Peters had fabricated and submitted those applications as well.

45. Accordingly, the panel found paragraph 1(a) of the Allegation proved.

**Paragraph 1(b): With respect to one or more of the enquiries made under the names identified in Schedule 1, which were submitted to Compass Community Children's Services in the period between June 2021 and January 2023, you produced reports which indicated that you had completed an initial visit – PROVED except in relation to items 30, 62 and 63 in Schedule 1**

46. In relation to Allegation 2, the panel noted that Ms Munton had produced copies of the reports which had been written and submitted to the Agency by Ms Pompey-Peters for all of the applications identified in Schedule 1 with the exception of items 30, 62 and 63. Each of those reports indicated that Ms Pompey-Peters had completed an initial visit to

the applicant to which it related. In the circumstances, the panel that paragraph 1(b) of the Allegation was proved in relation to all of the applications identified in Schedule 1 except for items 30, 62 and 63.

47. In relation to item 30, Ms Munton, in her witness statement, explained that the original enquiry was allocated to another social worker, who was unable to get in touch with the applicant and therefore an initial visit did not take place. This evidence reflected a note against the relevant application on the Agency Spreadsheet.
48. In relation to items 62 and 63, Ms Munton stated that no initial visit reports were undertaken “due to not being able to contact these applicants”. The panel noted from the Agency Spreadsheet that those two applications had been received on 29 January 2023, which was the day before Ms Munton’s spoke with Ms Pompey-Peters over the telephone in order to inform her of the Agency’s concerns about the fabrication of fostering applications. Accordingly, the panel considered it likely that Ms Pompey-Peters may have refrained from submitting an initial visit report in respect of those applicants.

**Paragraph 1(c): With respect to one or more of the enquiries made under the names identified in Schedule 1, which were submitted to Compass Community Children’s Services in the period between June 2021 and January 2023, you provided an invoice for payment in relation to the enquiry - PROVED except in relation to items 30, 62 and 63 in Schedule 1**

49. With regard to paragraph 1(c):
  - Ms Munton had produced invoices submitted by Ms Pompey-Peters in relation to all but 11 of the items in Schedule 1.
  - The panel concluded that Ms Pompey-Peters had submitted an invoice in relation to two of those 11 items as the Agency Spreadsheet stated that a payment had been made to Ms Pompey-Peters in respect of them.
  - The panel concluded that Ms Pompey-Peters would have submitted an invoice in relation to another four of those 11 items as payments to her in respect of those items were shown on a printout of supplier activity produced by Ms Munton.
  - Three of those 11 items were items 30, 62 and 63 and, as, in relation to paragraph 1(b) of the Allegation, the panel had found that Ms Pompey-Peters had probably not written a report in respect of those items, the panel also concluded that she had probably not submitted an invoice in respect of them either.
  - As far as the remaining two of the 11 items were concerned, the panel noted that Ms Munton had not produced an invoice for either of them and there was no reference to any payment having been made to Ms Pompey-Peters in respect of those items in the Agency Spreadsheet or the printout of supplier activity. However, given that Ms Pompey-Peters had submitted a report for an initial visit to each of those applicants and that, in her solicitors’ letter, she had implicitly

accepted that she had claimed payment in respect of 60 fabricated applications and visits, the panel considered that it was more likely than not that she had submitted an invoice, and received payment, in respect of initial visits to those two applicants.

50. In the circumstances, the panel found paragraph 1(c) of the Allegation 3 proved except in relation to items 30, 62 and 63 in Schedule 1.

**Paragraph 2: Your conduct as set out at 1a and/or 1b and/or 1c above was dishonest, in that you knew that: (a) the enquiry / enquiries were not genuine; and/or (b) you had not completed an initial visit - PROVED**

51. In relation to paragraph 1(a) of the Allegation, the panel had found that it was likely that Ms Pompey-Peters had fabricated and submitted all 63 of the applications identified in the Allegation. It therefore followed that she would have known that those applications were not genuine as the applicants did not exist. It also followed that she would have known that she could not make, and had not made, an initial visit to any of them. Accordingly, the panel found the facts alleged in sub-paragraphs (a) and (b) of Allegation 2 proved.

52. In relation to the stem of paragraph 2 of the Allegation:

- The panel applied the two-stage test for dishonesty set out in *Ivey v Genting Casinos*.
- In relation to the first stage of that test, given its findings in relation to Allegation 1, the panel concluded that Ms Pompey-Peters would have known that (i) all 63 of the applications identified in the Allegation were fabricated as she had fabricated both the applications and the applicants; (ii) she had not made an initial visit to any of the applicants as they did not exist; and (iii) she was therefore not entitled to create a report or submit an invoice to the Agency in respect of a purported visit to any of those applicants.
- In relation to the second stage of the test, the panel considered that ordinary decent people would regard it as dishonest for Ms Pompey-Peters to seek payment from the Agency for visits which she had not made on the basis of fabricated reports of such visits. The panel also considered that ordinary decent people would regard it as dishonest for Ms Pompey-Peters to fabricate and submit to the Agency applications from non-existent applicants with a view to subsequently seeking payment for completing visits to them which had not occurred and making reports of those visits.
- The panel therefore found that, in submitting fabricated reports of purported visits to 60 of the applicants identified in Schedule 1 and submitting invoices for payment in respect of those visits, Ms Pompey-Peters had acted dishonestly. The panel also found that Ms Pompey Peters had acted dishonestly in fabricating and submitting applications from the remaining three non-existent applicants as this

was a precursor to her submitting fabricated reports of visits to those applicants and seeking payment for those visits.

53. For the reasons given above, the panel found paragraph 2 of the Allegation proved.

### Finding and reasons on grounds:

#### **Submissions on grounds on behalf of Social Work England**

54. After referring the panel to the description of misconduct in the case of *Roylance* (cited below), Ms Atkin submitted that Ms Pompey-Peters' conduct breached the following of Social Work England's Professional Standards:

Standard 2.1: [As a social worker, I will] *Be open, honest, reliable and fair.*

Standard 4.8: [As a social worker, I will] *Reflect on my own values and challenge the impact they have on my practice.*

Standard 5.1: [As a social worker, I will not] *Abuse, neglect, exploit or harm anyone, or condone this by others.*

Standard 5.2: [As a social worker, I will not] *Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.*

Standard 5.3: [As a social worker, I will not] *Falsify records or condone this by others.*

55. In addition, Ms Atkin referred the panel to, and summarised, the written submissions on grounds in Social Work England's Statement of Case, which were as follows:

*“Social Work England considers that the Social Worker has acted in contravention of a basic and fundamental requirement of social work, namely by failing to act with honesty and integrity. Social Work England submits that the threshold for a finding of misconduct is clearly met in the circumstances.*

*Social Work England consider the Social Worker's dishonest conduct in this case to be particularly serious. The Social Worker's actions clearly would have required a significant degree of planning and organisation, involving the fabrication of applicant details, the contents of the initial visit, and the reasons for closure. The conduct was repeated and persisted over a significant period of time, resulting in personal financial gain (albeit that this turned out to be temporary given that monies were subsequently repaid to the Agency). Whilst there is no evidence of direct harm to children or vulnerable adults, Social Work England additionally note that the Social Worker's conduct would have diverted a proportion of the Agency's time and resources away from progressing enquiries with genuine applicants, for the benefit of children requiring foster care.”*

#### **Submissions from Ms Pompey-Peters**

56. Ms Pompey-Peters provided no written submissions for the purposes of this hearing but the panel took account of the submissions which she had previously provided to Social Work England.

### **Legal Advice on grounds**

57. The panel heard and accepted the Legal Adviser's advice on misconduct. The panel understood from that advice that:
- Whether facts proved or admitted amount to misconduct is a matter of judgment for the panel rather than a matter of proof. [*Council for the Regulation of Health Care Professionals v GMC and Biswas* [2006] EWHC 464]
  - Misconduct is, in essence, a serious departure from the standards of conduct expected of social workers as professionals and what would be proper in the circumstances of the case. [*Roylance v General Medical Council (No.2)* [2000] 1AC]
  - Whether a breach of professional rules should be treated as professional misconduct depended on whether it would be regarded as serious and reprehensible by competent and responsible registrants and on the degree of culpability. [*Solicitors Regulatory Authority v Day & ors* [2018] EWHC 2726 (Admin)]
  - There is a high threshold of gravity for misconduct. Behaviour which is trivial, inconsequential, a mere temporary lapse or something otherwise excusable or forgivable does not constitute misconduct. [*Khan v Bar Standards Board* [2018] EWHC 2184(Admin)] Similarly, as stated in paragraph 8 of SWE's Impairment and Sanction Guidance, "*The purpose of the fitness to practise process is not to punish social workers for mistakes.*"
  - The courts have "*repeatedly recognised that, for all professional men and women, a finding of dishonesty lies at the top end of the spectrum of gravity of misconduct*" [*Tait v Royal College of Veterinary Surgeons* [2003] UKPC 34]

### **Panel's decision on grounds**

58. The panel found that Ms Pompey-Peters' actions, as set out in the Allegation, amounted to misconduct for the following reasons:
- Ms Pompey-Peters' actions breached several of Social Work England's Professional Standards, specifically standard 2.1 (*I will... be open, honest, reliable and fair*); standard 5.2 (*I will not... behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work*); and standard 5.3 (*I will not... falsify records*).
  - Those breaches were serious as they arose from an elaborate, calculated and prolonged scheme of dishonesty for personal gain, involving 63 instances of

fabricating fostering applications and reports of initial visits submitted over a period of 18 months.

- Ms Pompey-Peters' actions involved serial acts of dishonesty. Honesty and integrity are fundamental tenets of all professions and, as stated in *Tait v Royal College of Veterinary Surgeons*, "a finding of dishonesty lies at the top end of the spectrum of gravity of misconduct".

## Finding and reasons on current impairment:

### **Social Work England's submissions on impairment**

59. In relation to personal impairment, Ms Atkin submitted that Ms Pompey-Peters' persistent dishonesty carried a risk of future harm, if repeated. She went on to say that that there was a significant risk of repetition for the following reasons:
- Ms Pompey-Peters' dishonest conduct had been repeated on multiple occasions and had occurred over a prolonged period.
  - Ms Pompey-Peters had failed to demonstrate sufficient insight into her dishonest conduct. Although, in her written submissions, Ms Pompey-Peters had acknowledged some responsibility for her actions and had said that she was "*undertaking a thorough self-reflection process to understand the factors that led to my lapse in judgment*", she had not detailed the outcome of that process or explained what led her to behave as she did. In the latter regard, [PRIVATE], she did not explain why that had caused her to act dishonestly. Moreover, Ms Pompey-Peters' submissions minimised the significant degree of planning and organisation which lay behind her dishonest conduct.
  - In terms of remediation, Ms Atkin referred the panel to paragraph 43 of the Guidance, which states that, in the case of concerns relating to a social worker's character, it can be more difficult to evidence remediation that has reformed their character. She added that this was especially true of the present case as it involved repeated dishonesty.
  - Ms Pompey-Peters lack of insight and remediation outweighed the absence of previous regulatory findings against her.
  - Similarly, Ms Pompey-Peters had admitted to dishonestly obtaining payments from the Agency and had repaid the amounts which she said that she had received as result of her dishonesty. However, she had not made her admission until after her second meeting with Ms Munton about the matter and it was arguable that she had offered to repay the relevant amounts to avoid the matter being escalated to the police.

60. In relation to the public component of impairment, Ms Atkin referred the panel to paragraphs 172, 173 and 174 of Social Work England’s Impairment and Sanctions Guidance (the “**Guidance**”), which stated, among other things, that honesty is key to good social work practice; that dishonesty is likely to threaten public confidence in the social work profession; and that concerns that raise questions of character, such as dishonesty, may be harder to remediate. She added that case law shows that dishonesty is likely to warrant a finding of impairment.

### **Ms Pompey-Peters’ submissions on impairment**

61. In relation to impairment, the panel again had regard to Ms Pompey-Peters’ previous written submissions to Social Work England and to the letter from her solicitors to the Agency dated 28 February 2023.

### **Legal Advice on Impairment**

62. The panel heard and accepted the advice of the Legal Adviser on impairment. That advice included reference to the Guidance as well as the following points:
- The existence of impairment is a matter for the panel’s own independent judgment or assessment and, in considering whether Ms Pompey-Peters’ fitness to practise was impaired, the panel should take account of the Guidance.
  - According to the Guidance, a social worker is fit to practise when they have the skills, knowledge, character and health to practise their profession safely and effectively without restriction. If a panel decides that a social worker’s fitness to practise is impaired, this means that it has serious concerns about the social worker’s ability to practise safely, effectively, or professionally.
  - The purpose of fitness to practise proceedings is to protect the public against those who are not fit to practise. Protection of the public, as defined in s.37 of the Children and Social Work Act 2017, comprises protecting, promoting and maintaining the health, safety and well-being of the public, promoting and maintaining public confidence in social workers and promoting and maintaining proper professional standards for social workers. The panel should consider whether a finding of impairment is required for any or all of those three purposes.
  - When assessing whether a social worker’s fitness to practise is impaired in terms of the need to protect the health, safety and well-being of the public, the panel should consider the extent to which the social worker’s misconduct gave rise to harm or a risk of harm and the likelihood of that conduct being repeated. Assessment of the risk of repetition involves consideration of (i) the nature of the misconduct; (ii) the social worker’s level of insight into their misconduct; and (iii) the extent to which the social worker has remedied their misconduct.
  - The panel should also consider whether a finding of impairment is required in order to maintain public confidence and proper professional standards. In that regard, paragraph 174 of the Guidance states that dishonest conduct is highly damaging to

public confidence in social work and is therefore likely to warrant a finding of impairment. Paragraph 176 of the Guidance goes on to say that dishonest behaviour is nuanced and can take different forms and panels should consider it on a scale of seriousness, taking account of the following factors: (i) the duration of any dishonesty; (ii) whether the dishonesty was an isolated instance or part of a larger problem or pattern of behaviour; (iii) whether the social worker admitted dishonest behaviour at an early opportunity, or if they tried to purposefully hide their dishonesty; (iv) whether the dishonesty was for the social worker's own personal gain; and (v) any other relevant aggravating or mitigating factors.

### **Panel's decision on Impairment**

63. In terms of impairment, the panel first considered whether Ms Pompey-Peters' fitness to practise was currently impaired in terms of the need to protect the health, safety and well-being of the public. For that purpose, the panel considered (i) whether Ms Pompey-Peters' misconduct had caused any harm to the health, safety and well-being of the public or given rise to a risk of such harm being caused; and, if so, (ii) whether her misconduct was likely to be repeated.
64. With regard to the first of those questions:
- There was no evidence any actual harm being caused to the health, safety and well-being of service users or others as a result of Ms Pompey-Peters' misconduct.
  - Furthermore, the panel did not consider that there was sufficient information before it to support a conclusion that Ms Pompey-Peters' misconduct, if repeated, would pose a risk of harm to the health, safety and well-being of children in need of foster care or others. In particular, Ms Munton had not expressed any concerns about Ms Pompey-Peter's dishonest conduct having any impact on the Agency's ability to supply foster carers or on the supply of foster carers generally. Nor was there sufficient information for the panel to infer such an impact, given the limited monthly volume of the fabricated applications, their short duration and that they appeared to require little processing and given the very limited impact of Ms Pompey-Peters' misconduct on the Agency's finances, [PRIVATE]. There was also no evidence of any dishonest conduct in other areas of Ms Pompey-Peters' work. On the contrary, the note of the meeting on 10 February 2023 recorded that she had been working for the Agency since 21 October 2014 with no previous concerns and Ms Pike had said that the Head of Service at the Council felt that Ms Pompey-Peters was a very good practitioner and manager.
65. Given the above conclusions, the panel found that Ms Pompey-Peters' misconduct had not impaired her fitness to practise in terms of the need to protect the health, safety and well-being of the public.

66. Notwithstanding the above finding, the panel nevertheless went on to consider whether Ms Pompey-Peters' misconduct was likely to be repeated in case this had a bearing on its decision on impairment in terms of the need to maintain public confidence and proper professional standards or on its decision on sanction, should this hearing proceed to that stage. Having considered the matter, the panel found that there was a real risk of Ms Pompey-Peters' misconduct being repeated for the following reasons:
- In her written submissions to Social Work England, Ms Pompey-Peters had apologised and accepted responsibility for her actions and recognised that she had "*brought the profession into disrepute*" and had "*let my colleagues, family members and friends down*". However, she had not demonstrated meaningful insight into how and why her life circumstances had led to her pursuing a deliberate and sophisticated scheme of dishonesty over a prolonged period and into how a repetition of that conduct could be avoided in the future.
  - In the absence of evidence of such insight and other evidence of remediation, the panel could not be satisfied that Ms Pompey-Peter's misconduct had been remedied such that it was highly unlikely to be repeated.
  - This lack of insight and remediation far outweighed the absence of any previous criminal or regulatory findings against Ms Pompey-Peters and her remorse and acceptance of responsibility for her actions (which had, in any event, only emerged after two meetings with the Agency at which she denied any wrongdoing).
67. The panel next considered whether Ms Pompey-Peters' fitness to practise was impaired by reason of her misconduct in terms of the need to maintain public confidence of proper professional standards.
68. In order to inform its decision in that regard, the panel, in line with paragraph 176 of the Guidance, first evaluated the seriousness of Ms Pompey Peters' dishonest conduct. In that regard, the panel considered that Ms Pompey-Peter's dishonest conduct was of an elevated level of seriousness because: (i) it had persisted for a year and half; (ii) it involved repeated instances of dishonesty as part of a planned and elaborate pattern of deception; (iii) it was for her own personal gain at the expense of her corporate employer; and (iv) although, in her solicitors' letter of 28 February 2023, Ms Pompey-Peters had accepted her dishonest conduct and offered to repay the amounts obtained through it, she had failed to do so when first confronted with that conduct during her telephone conversation and subsequent meeting with Ms Munton on 30 January and 10 February 2023 respectively.
69. As honesty is fundamental to professional conduct and as the panel had found that Ms Pompey-Peters' misconduct involved serious, repeated and elaborate dishonest conduct for personal gain over a prolonged period, the panel considered that professional standards for social workers would be seriously compromised if a finding of impairment were not made in respect of her. The panel therefore found that Ms

Pompey-Peters' fitness to practise was currently impaired in terms of the need to maintain proper professional standards for social workers in England.

70. For the same reasons, the panel considered that the confidence of informed and reasonable members of the public in social workers would be seriously undermined if a finding of impairment were not made in respect of Ms Pompey-Peters. The panel therefore found that Ms Pompey-Peters' fitness to practise was currently impaired in terms of the need to maintain public confidence in social workers in England.
71. The panel considered that, because of its nature, seriousness and duration, Ms Pompey-Peters' dishonest conduct was of itself sufficient to merit its findings of impairment in terms of the need to maintain public confidence and proper professional standards. However, those factors were aggravated by its finding on the risk of that conduct being repeated.

## Decision and reasons on sanction:

### **Social Work England's submissions on sanction**

72. Referring the panel to Guidance, Ms Atkin invited the panel to make a removal order in respect of Ms Pompey-Peters. In support of this request, Ms Atkin made the following submissions:
  - There were no exceptional or mitigating factors in the present case which would justify taking no further action.
  - Giving advice would not be appropriate as, when undertaking her dishonest conduct, Ms Pompey-Peters could not have been in any doubt that what she was doing was wrong.
  - In line with paragraph 108 of the Guidance, a warning order would not be suitable as Ms Pompey-Peter's acts of dishonesty had not been isolated or limited, she had not demonstrated meaningful insight and there was a risk of her dishonest conduct being repeated.
  - In line with paragraph 119 of the Guidance, a conditions of practice order would not be appropriate as Ms Pompey-Peters' misconduct involved repeated and deliberate dishonesty over a significant period of time.
  - In accordance with paragraph 138 of the Guidance, a suspension order would not be appropriate because Ms Pompey-Peters had not demonstrated adequate insight and remediation and there was limited evidence to suggest she was willing or able to remediate her misconduct.
  - As recognised by paragraph 149 of the Guidance, a removal order would be appropriate and proportionate as Ms Pompey-Peters had shown a persistent lack of insight into the seriousness of her actions and their consequences.

### **Ms Pompey-Peters' submissions on sanction**

73. When considering sanction, the panel took account of the written submissions which Ms Pompey-Peters had sent to Social Work England in or around June 2023. It also noted that, the letter from her solicitors to the Agency of 28 February 2023 stated, “*Our client wished to reiterate to you that she deeply regrets the position she has put Compass in. At the time of these claims, [PRIVATE] She has dedicated her professional life to her career and she is extremely sorry for the issues she has caused. As you know, she has self reported to both Social Work England, and her employer and will have to deal with subsequent investigations with them, once this particular matter is brought to a close.*”

### **Legal Advice on Sanction**

74. The panel heard and accepted the advice of the Legal Adviser on sanction, in which he referred the panel to the section on sanction in the Guidance.
75. The Legal Adviser advised that:
- Pursuant to paragraphs 12(3) and 13 of Schedule 2 to the Social Worker’s Regulations 2018, as the panel had found that Ms Pompey-Peters’ fitness to practise was impaired, it could (i) take no further action; (ii) give advice; or (iii) make a final order.
  - A final order could be (a) a warning order (which, pursuant to rule 48 of the FTP Rules, must be of one, three or five years duration; (b) a conditions of practice order of up to three years’ duration; (c) a suspension order, again of up to three years’ duration; or (d) as there has been a finding of misconduct, a removal order.
76. Referring to the Guidance, the Legal Adviser then summarised the principles which the panel should apply when deciding upon sanction and the matters to which the panel should have regard when considering the appropriateness of each available sanction in the circumstances of the present case.
77. The Legal Adviser then referred the panel to cases relevant to the question of sanction where registrants have acted dishonestly. The cases referenced by the Legal Adviser included *PSA v GDC and Hussain [2019] EWHC 2640 (Admin)*, in which the court summarised that case law and the principles derived from it as follows:
- *Findings of dishonesty lie at the top end of the spectrum of gravity of misconduct: Theodoropolous v General Medical Council [2017] EWHC 1984 (Admin).*
  - *Where dishonest conduct is combined with a lack of insight, is persistent, or is covered up, nothing short of erasure is likely to be appropriate: Naheed v General Medical Council [2011] EWHC 702 (Admin).*
  - *The sanction of erasure will often be proper even in cases of one-off dishonesty: Nicholas-Pillai v General Medical Council [2009] EWHC 1048 (Admin).*

- *The misconduct does not have to occur in a clinical setting before it renders erasure, rather than suspension, the appropriate sanction: Theodoropoulos v GMC (cited above).*
- *Misconduct involving personal integrity that impacts on the reputation of the profession is harder to remediate than poor clinical performance: Yeong v General Medical Council [2009] EWHC 1923 and General Medical Council v Patel [2018] EWHC 171 (Admin).*
- *Personal mitigation should be given limited weight, as the reputation of the profession is more important than the fortunes of an individual member: Bolton v Law Society [1994] 1 WLR 512 and General Medical Council v Stone [2017] EWHC 2534 (Admin).*

78. The Legal Adviser also referred the panel to Abbas v General Medical Council [2017] EWHC 51 (Admin), in which the court stated that erasure was not necessarily inevitable and necessary in every case of dishonest conduct and that there have been cases where a lesser sanction is the appropriate sanction bearing in mind important balance of the interests of the profession and those of the individual. However, the court cautioned. *“It is likely that, for such a course to be taken, a panel would normally require compelling evidence of insight and a number of other factors upon which it could rely that the dishonesty in question appeared to be out of character or somewhat isolated in its duration or range and accordingly there was the prospect of the individual returning to practice without [the profession’s] reputation being disproportionately damaged for those reasons.”*

### **Panel’s decision on Sanction**

79. In determining the appropriate sanction, the panel first considered the aggravating and mitigating factors in the present case.
80. The panel identified the following aggravating factors:
- Ms Pompey-Peters’ misconduct not only involved dishonesty, which is serious in itself, but for the reasons given in its findings on impairment, her dishonest conduct was of an elevated level of seriousness.
  - Ms Pompey-Peters’ dishonest conduct evidenced a pattern of behaviour which had persisted for an extended period of time.
  - Ms Pompey-Peters conduct was highly devious in that she had used her experience of working for the Agency as an independent social worker and her knowledge of its procedures in order to deceive the Agency into believing that it had received genuine fostering applications and reports of actual initial visits.
  - Ms Pompey-Peters had falsified records, which misled the Agency about the numbers of people applying for foster care.

- Ms Pompey-Peters had demonstrated only limited insight into her misconduct, its causes and how to avoid its being repeated and also its impact on the Agency and on public confidence in the profession.
- Ms Pompey-Peters was an experienced social worker and manager and, as such, she was expected to model honesty, integrity and professional values.

81. The panel identified the following mitigating factors:

- There were no previous regulatory findings against Ms Pompey-Peters and she had what she described in her written submissions as an “unblemished work record”. (However, the panel bore in mind that paragraph 174 of the Guidance stated, “*Evidence of professional competence cannot mitigate serious or persistent dishonesty*”.)
- At the time when her dishonest conduct occurred, Ms Pompey-Peters had suffered two family bereavements (although she had failed to explain how these had a bearing on her dishonest conduct).
- After a telephone conversation and a meeting with Ms Munton at which she had not admitted submitting any fabricated fostering applications and reports of initial visits, Ms Pompey-Peters, through her solicitors, had accepted responsibility for those matters and subsequently made a payment in respect of the amounts which she had received as result of her dishonest conduct. In her written submissions, she also acknowledged that her actions would “*undermine the integrity of the profession*”.

82. The panel next considered each of the available sanctions in turn.

83. The panel considered that the options of taking no further action, giving advice or making a warning order would not be appropriate in the circumstances of the present case, because those measures would be wholly insufficient to reflect the nature and seriousness of Ms Pompey-Peters’ misconduct and to maintain public confidence and proper professional standards in the light of the panel’s findings on impairment.

84. Bearing in mind the circumstances set out in paragraph 114 of the Guidance in which a conditions of practice order may be appropriate, the panel concluded that such an order would not be workable or appropriate in the present case for the following reasons:

- As indicated in paragraphs 115, 118 and 119 of the Guidance, conditions of practice are better suited to cases of ill-health or lack of competence or capability rather than cases involving behavioural failings such as dishonesty. In the present case, there were no concerns about Ms Pompey-Peters’ competence as a social worker and there was no allegation that her fitness to practice was impaired on health grounds. Moreover, conditions of practice would not be adequate to manage the risk of her dishonesty being repeated, especially given her limited level of insight.

- Given that, in her written submissions, Ms Pompey-Peters had accepted that her career as a social worker was over and that she had submitted an application for voluntary removal from the Register, the panel doubted whether she would be motivated to comply with any conditions which it might impose.
  - In any event, given the nature and seriousness of Ms Pompey-Peters, dishonest conduct the panel did not consider that a conditions of practice order would be adequate for the purposes of maintaining public confidence and proper professional standards.
85. Similarly, in line with paragraph 138 of the Guidance, the panel did not consider that a suspension order would be appropriate in the present case because:
- Ms Pompey-Peters had demonstrated only limited insight into her dishonest conduct; nor, in the three years since she was made aware that her dishonesty had been discovered, did she appear to have made any attempt at, or shown any interest in, remedying it.
  - There was little evidence to suggest that Ms Pompey-Peters was willing or able to remedy her misconduct and return to social work practice. On the contrary, as can be seen from her written submissions to Social Work England, she considered her career to be over and wished to be removed from the Register.
86. In addition, given the nature, seriousness and prolonged duration of Ms Pompey-Peters' misconduct, the panel considered that a suspension order would be insufficient to maintain public confidence and proper professional standards. In arriving at that view, the panel considered that none of the factors mentioned in *Abbas v General Medical Council* (as cited and quoted above) as justifying a lesser sanction were present in Ms Pompey-Peters' case.
87. Accordingly, as the panel had decided that, in the present case, no other measure would be sufficient to maintain public confidence and proper professional standards, the panel concluded that a removal order was the appropriate and proportionate order.
88. In arriving at that conclusion, the panel had regard to paragraph 149 of the Guidance, which states, "*A removal order may be appropriate in cases involving... persistent lack of insight into the seriousness of their actions or consequences...*" or "*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)*". The panel considered that both of those circumstances applied in Ms Pompey-Peters' case. In the circumstances, and especially given her apparently firm intention not to return to social work, the panel considered that suspending Ms Pompey-Peters would serve no useful purpose as it was highly unlikely that she would have a change of heart and use the suspension period as a pathway to develop insight into, and remedy, her misconduct.
89. The panel recognised that, notwithstanding her intention not to return to social work, a removal order would prevent Ms Pompey-Peters from working as a social worker and

might therefore adversely affect her financially, reputationally and otherwise. However, given its findings regarding her misconduct, the panel considered that any detriment to Ms Pompey-Peters which might be caused by the removal order was outweighed by the need to maintain public confidence and proper professional standards.

90. **FINAL ORDER: that Ms Pompey-Peters' entry be removed from the Register.**

### Interim order

91. Ms Atkin, on behalf of Social Work England, made an application for an 18-month interim suspension order to cover the period during which Ms Pompey-Peters may make an appeal against the removal order and the period required for any such appeal to be concluded.
92. The panel heard and accepted the advice of the Legal Adviser on its power to make an interim order under paragraph 11(1)(b) of Schedule 2 to the Social Workers Regulations 2018.
93. As the panel had decided that a removal order was necessary in order to maintain public confidence and proper professional standards, it likewise decided that an interim suspension order was necessary for the same reasons. To reach any other conclusion would have been inconsistent with the panel's substantive findings. The panel also decided that the interim suspension order should run for a period of 18 months, as this should be sufficient to cover the making and conclusion of any appeal against the removal order.
94. **INTERIM ORDER: that Ms Pompey-Peters be suspended from practising for a period of 18 months.**

### Right of appeal:

95. Under Paragraph 16(1)(a) of Schedule 2 to the Social Workers Regulations 2018 (the "**Regulations**"), 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.

96. Under paragraph 16(2) of Schedule 2 to the Regulations an appeal must be filed before the end of the period of 28 days beginning with the day after the day on which the social worker is notified of the decision complained of.
97. Under regulation 9(4) of the Regulations this order may not be recorded until the expiry of the period within which an appeal against the order could be made or, where an appeal against the order has been made, before the appeal is withdrawn or otherwise finally disposed of.
98. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to practise Rules 2019 (as amended).

### The Professional Standards Authority:

99. 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>.