



Social worker: Jane Smith

Registration number: SW21062

Fitness to Practise

Final Order Review Meeting

Date of meeting: 20 April 2026

Meeting venue: Remote

Final order being reviewed:
Interim suspension order (expiring 01 June 2026)

Meeting outcome:
Extend the current suspension order for a further 3 months with effect from the expiry of the current order

Introduction and attendees:

1. This is the second review of a final suspension order originally imposed for a period of 12 months by Case Examiners on 29 May 2024.
2. Ms Smith did not attend and was not represented.
3. Social Work England was represented by Capsticks LLP and their written submissions are set out within the notice of hearing letter.
4. The panel of adjudicators conducting this review (hereafter “the panel”) and the other people involved in it were as follows:

Adjudicators	Role
Debbie Hill	Chair
Rosemary Chapman	Social worker adjudicator

Hearings team/Legal adviser	Role
Paul Harris	Hearings officer
Lorna Lord	Hearings support officer
Esther Oladipo	Legal adviser

Service of notice:

5. The panel of adjudicators had careful regard to the documents contained in the final order review service bundle as follows:
6. A copy of the notice of the final order review dated 16 March 2026 and addressed to Ms Smith at both her email and postal address which she had provided to Social Work England;
7. A copy of the email dated 16 March 2026 sending the notice of review to Ms Smith at her email address;
8. An extract confirming Ms Smith’s registered address as held by Social Work England as at 16 March 2026;
9. A copy of a signed statement of service, on behalf of Social Work England, confirming that on 16 March 2026 the notice of review and related documents were sent to Ms Smith by email and post to the addresses referred to above.
9. The panel also noted supplementary correspondence between Capsticks and Ms Smith, including emails and a telephone attendance note relating to the provision of the case password and access to documents, together with correspondence regarding her attendance at the review dated between 16 March 2026 and 2 April 2026.
10. The panel accepted the advice of the legal adviser in relation to service of notice. The legal adviser advised that, in accordance with the Fitness to Practise Rules 2019 (as

amended), the social worker must be given notice of the review not less than 28 days before the date of the review, together with information regarding the date of the review and the opportunity to make written submissions or attend.

11. Having had regard to Rules 16, 44 and 45 of the Fitness to Practise Rules 2019 (as amended) (hereafter ‘the Rules’) and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Smith in accordance with Rules.

Proceeding with the final order review as a meeting:

12. The panel considered whether it was appropriate to proceed in the absence of Ms Smith.
13. The panel accepted the advice of the legal adviser in relation to the relevant legal framework. This included reference to Rule 43 of the Fitness to Practise Rules 2019 (as amended), and the principles set out in *R v Jones [2002] UKHL 5* and *General Medical Council v Adeogba [2016] EWCA Civ 162*. The panel also had regard to Social Work England guidance on ‘Service of notices and proceeding in the absence of the social worker’.

14. The panel heard and accepted the advice of the legal adviser with regard to Rule 16(c) of the Fitness to Practise Rules 2019 (as amended) which provides:

“Where the registered social worker does not state within the period specified by the regulator whether they intend to attend before the regulator, the regulator may determine whether to make an order by means of a meeting.”

15. The notice of final order review informed Ms Smith that the review would take place as a meeting. The notice stated:

“If you would like to attend before the adjudicators in order to make oral submissions, please confirm your intention by no later than 4pm on 31 March 2026. Unless we hear from you to the contrary, we shall assume that you do not want to attend a hearing and Social Work England may decide to deal with the review as a meeting. If Social Work England do hold a meeting, the adjudicators will be provided with a copy of this letter setting out Social Work England’s submissions and a copy of any written submissions you provide.”

16. The panel noted that notice of this review had been properly served in accordance with the Rules. The panel noted that the notice of review informed Ms Smith that, unless she indicated a wish to attend a hearing, the review could proceed as a meeting and that written submissions would be considered in her absence.

17. The panel further noted that Ms Smith had engaged with the regulator in advance of the review. In particular, the panel had regard to email correspondence contained within the service and supplementary bundle. On 16 March 2026, following receipt of the

notice of review, Ms Smith responded requesting that documents be sent to her by post as she experienced difficulty accessing documents electronically. Further, in response to an email from Capsticks dated 1 April 2026 requesting confirmation of attendance, Ms Smith replied on 2 April 2026, confirming that she would not be attending the review and had not provided any written submissions.

18. The panel was therefore satisfied that Ms Smith was fully aware of the date and nature of the review and had been provided with the opportunity to attend, be represented, and/or provide written submissions.
19. The panel concluded that Ms Smith had made a clear and voluntary decision not to attend the review. The panel considered whether an adjournment would be appropriate. However, in light of Ms Smith's explicit confirmation that she would not be attending, the panel determined that there was no reason to believe that an adjournment would secure her attendance on a future date.
20. In reaching this decision, the panel also took into account Ms Smith's wider level of engagement with the regulatory process. The panel noted that she had not attended the previous review and had provided no evidence of remediation or meaningful engagement since the Order was made. The panel also had regard to the information before it indicating that Ms Smith had expressed an intention to leave the register. In those circumstances, the panel considered that there was no realistic prospect that an adjournment would result in her future attendance or that there was any material before it to suggest that her non-attendance on this occasion was due to anything other than a voluntary decision.
21. The panel carefully balanced Ms Smith's interests in attending the review against the public interest in the timely and expeditious disposal of proceedings, particularly given the requirement to review the order before its expiry. The panel determined that it was fair and appropriate to proceed in the absence of Ms Smith and to conduct the review in the form of a meeting in accordance with Rule 16(c).

Review of the current order:

22. 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).
23. The purpose of this review is to review the current order, which is due to expire at the end of 01 June 2026. The order subject to review is a suspension order.

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

“Regulatory concern 1

You have health conditions as set out in schedule 1 which may impact on your ability to practise as a social worker.

Schedule 1

[PRIVATE]

Regulatory concern 2

Whilst registered as a social worker on or around 19 October 2023;

You were convicted of an offence of driving a motor vehicle whilst over the prescribed limit of alcohol.”

The previous final order review panel on 14 April 2026 determined the following with regard to impairment:

*“The panel noted that Ms Smith has not followed the recommendations of the case examiners and has not provided any evidence demonstrating remediation. The panel noted that recommendations were made at the time of the Accepted Disposal, and that the Ms Smith has failed to act upon these. The panel recognised that whilst Ms Smith had demonstrated some insight prior to the imposition of the suspension order, she has engaged minimally since. The panel concluded that without any evidence of Ms Smith’s current situation; further evidence of insight or remediation; health status; engagement with any support services; **[PRIVATE]**, it found that Ms Smith’s fitness to practise remains impaired, as previously found by the case examiners.”*

The previous final order review panel on 14 April 2026 determined the following with regard to sanction:

“The panel determined that the suspension order should be extended for a period of 12 months. The panel was satisfied that an extension of the current suspension order would be appropriate as it would give Ms Smith further opportunity to demonstrate remediation and insight, whilst at the same time protecting the public and maintaining public confidence in the profession. It would also enable Ms Smith sufficient time to fully engage with her regulator. In all circumstances, the panel noted that Social Work England had submitted that the suspension order be extended by 9 months. However, the panel considered that this would not allow sufficient time for Ms Smith to demonstrate remediation and insight. In coming to this conclusion, the panel took in to account that Ms Smith had not provided any up to date information or demonstrated any further insight or remediation.

Therefore, the panel consider that a future panel reviewing the case would be assisted by Ms Smith following the recommendations that were made at the point of the Accepted Disposal, namely:

- For the social worker to provide any up to date information or reports relating to their health condition;
- For the social worker to provide evidence from their occupational health advisor (if employed), should they be ready to return to work.
- For the social worker to provide a preventative and therapeutic recovery plan which would enable them to practice safely in the future.
- For the social worker to provide evidence of relevant continuing professional development, in order to demonstrate that they are able to return to practice.

Social Work England submissions:

24. The panel noted the written submissions from Social Work England as outlined in the notice of hearing dated 16 March 2026. The submissions, which sought for an extension of the existing suspension order, stated:
25. *“In the absence of the Social Worker providing evidence of remediation and current good health prior to the review, Social Work England invite the panel to extend the Suspension Order by at least 3 months. The Social Worker has not engaged with the Case Review Team regarding the recommendations made by the Case Examiners at Accepted Disposal, and the panel at the Final Order Review meeting. Therefore, there has been no engagement since the Order was made.*
26. *At present, the Social Worker has not provided evidence that she has further reflected on her practice or taken any additional steps to maintain her knowledge and skills. The evidence of the Social Worker’s current state of health is that it has deteriorated further. The Social Worker has made an application for voluntary removal which has been rejected because they applied using the wrong process. The social worker has stated it is still their intention to apply for voluntary removal but an application under the fitness to practise voluntary removal process is yet to be received.*
27. *The panel are invited to conclude that the Social Worker is unable and unwilling to remediate at present. In the circumstances and subject to any further information or evidence, the panel are invited to find that the Social Worker’s fitness to practise remains impaired, as it did at the time of the previous Final Order Review meeting.*
28. *Until there is further evidence of her current state of health, [PRIVATE] and ability to return to practice it will not be possible to formulate workable conditions of practice that will be sufficient to protect the public. A longer Suspension Order would not be appropriate given the Social Worker’s stated intention to leave the register, and in light*

of a further extension being provided by the previous panel with no subsequent engagement by the Social Worker.

29. *At present, a Removal Order is not available because the current Suspension Order has not been in place continuously for at least two years. The panel are invited to extend the Suspension Order by at least a 3-month period so that a further Review hearing can be held on a date at which a Removal Order will be available for consideration. A 3-month extension would also allow the social worker time to apply for voluntary removal under the fitness to practise process, if they wish to do so. In the interim the panel are invited to provide recommendations that would assist the Social Worker should she choose to engage in the interim or state an intention to return to practice.”*

Social worker submissions:

30. Ms Smith did not provide any written submissions for the panel to consider as part of today’s final order review.

Panel decision and reasons on current impairment:

31. The panel next considered whether Ms Smith’s fitness to practise remains impaired. In doing so, the panel carried out a fresh and independent assessment of current impairment, taking into account all of the evidence before it, the previous findings, and the relevant Social Work England guidance. The panel bore in mind that the purpose of the fitness to practise process is not to punish past conduct, but to protect the public, uphold proper professional standards, and maintain public confidence in the profession.

32. The panel had careful regard to the findings of the previous reviewing panel. That panel noted that Ms Smith had not followed the recommendations of the Case Examiners and had not provided any evidence demonstrating remediation. It further noted that, whilst Ms Smith had demonstrated some insight prior to the imposition of the Suspension Order, her engagement since that time had been minimal. In the absence of evidence relating to her current situation, including her level of insight, remediation, health, engagement with support services, and **[PRIVATE]**, the previous panel concluded that her fitness to practise remained impaired.

33. The current panel considered whether there had been any material change since that decision. The panel noted that Ms Smith had been given a clear opportunity during the period of suspension to demonstrate that her fitness to practise was no longer impaired. This included the opportunity to provide evidence of remediation, updated information regarding her health and **[PRIVATE]**, and evidence of maintaining or developing her professional skills.

34. However, the panel found that there was no new evidence before it to demonstrate any such progress. The panel had no information regarding Ms Smith's current health, including whether she has addressed the concerns relating to **[PRIVATE]**. There was no evidence of engagement with support services, no evidence of **[PRIVATE]**, and no evidence that Ms Smith has taken any steps to maintain or update her social work knowledge and skills.
35. The panel noted that Ms Smith had engaged only to the limited extent of confirming that she would not attend this review and had provided no written submissions. In the panel's view, this level of engagement did not assist in demonstrating remediation, insight, or any reduction in risk.
36. The panel also took into account information indicating that Ms Smith had expressed an intention to leave the register. The panel considered that this was relevant in assessing the likelihood of future engagement and remediation. It reinforced the absence of any evidence that Ms Smith had taken steps to address the concerns identified or that she intended to return to safe practice.
37. In the absence of any new or updated evidence, the panel concluded that there was nothing before it to suggest that the risk identified by the previous panel had reduced. The panel agreed with the previous panel's analysis and risk assessment, noting that the concerns identified were capable of remediation but that there remained no evidence that such remediation had taken place.
38. Accordingly, the panel determined that Ms Smith's fitness to practise remains currently impaired on both the personal and public components. In relation to the personal component, the panel considered that there remains a risk of repetition given the absence of evidence of insight, remediation, or sustained recovery. In relation to the public component, the panel concluded that a finding of impairment is necessary to uphold proper professional standards and maintain public confidence in the profession.
39. In all the circumstances, the panel was satisfied that Ms Smith's fitness to practise remains impaired.

Panel decision and reasons on sanction:

40. Having found that Ms Smith's fitness to practise is currently impaired, the panel next considered what, if any, sanction it should impose in this case.
41. The panel had regard to the submissions made on behalf of Social Work England, as set out within the notice of review, in which the panel was invited to extend the current Suspension Order by a period of at least three months. The panel also accepted the advice of the legal adviser and took into account the 'Impairment and sanctions guidance' published by Social Work England.

42. The panel was mindful that the purpose of any sanction is not to punish Ms Smith, but to protect the public and the wider public interest. This includes maintaining public confidence in the profession and in Social Work England as its regulator, and upholding proper professional standards. The panel applied the principle of proportionality, balancing Ms Smith's interests with the public interest.
43. The panel considered the available sanctions in ascending order of seriousness. The panel first considered that taking no further action or imposing a warning order would be wholly inappropriate in this case, given the nature and seriousness of the concerns and the absence of any evidence of remediation or reduction in risk.
44. The panel then considered whether a Conditions of Practice Order would be appropriate. The panel noted that Ms Smith is not currently practising and has indicated that she does not intend to return to practice. There was no evidence before the panel to suggest that she would be willing or able to comply with conditions. The panel therefore concluded that a Conditions of Practice Order would not be appropriate or proportionate.
45. The panel next considered a Suspension Order. The panel determined that a Suspension Order would protect the public and the wider public interest by preventing Ms Smith from practising whilst concerns remain unresolved. The panel noted that Ms Smith has not engaged with the process in any meaningful way since the Order was imposed and has provided no evidence of remediation.
46. The panel considered whether a Removal Order would be appropriate. The panel noted that, whilst Ms Smith has indicated an intention to leave the register, a Removal Order is not currently available in this case. The panel had regard to Schedule 2, paragraph 13(2)(b) of the Social Workers Regulations 2018, which provides that, in cases involving adverse physical or mental health, a Removal Order may only be imposed where the social worker's registration has been subject to a final Suspension Order continuously for a period of at least two years immediately preceding the making of the Removal Order. The panel noted that this threshold has not yet been met. The panel considered that, were it available, a Removal Order may have been appropriate in light of the absence of engagement and the lack of any realistic prospect of remediation. However, the panel was constrained by the statutory framework.
47. In those circumstances, the panel concluded that the appropriate and proportionate sanction was to extend the current Suspension Order.
48. The panel determined that the Suspension Order should be extended for a period of three months. The panel was satisfied that this period was appropriate as it represents the minimum necessary period to protect the public whilst allowing the matter to return for review at a point when a Removal Order may be available for consideration. The panel also considered that this short extension would provide Ms Smith with a final opportunity, should she choose to engage, to provide evidence of remediation or to clarify her intentions regarding voluntary removal.

49. The panel did not consider that a longer period of suspension would be appropriate, as there was no evidence to suggest that Ms Smith intends to engage with the process or return to practice, and it would not be proportionate to extend the period beyond what is necessary.
50. This panel cannot bind a future reviewing panel. However, a future panel would be assisted by any evidence demonstrating that Ms Smith has reflected on the concerns identified, addressed her health and **[PRIVATE]**, and taken steps to maintain or develop her professional skills. Evidence of engagement with relevant support services, medical professionals, or training would be of particular assistance.
51. Accordingly, the panel determined to extend the current Suspension Order for a further period of three months.

Right of appeal:

52. 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.
53. 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.
54. 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.
55. This notice is served in accordance with Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended).

Review of final orders:

56. 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).

57. 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

58. 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>