



Social worker: Tracey Davis

Registration number: SW70479

Fitness to Practise

Final Hearing

Dates of hearing: Tuesday 14 April 2026 to Wednesday 22 April 2026

Hearing venue: Remote hearing

Hearing outcome:
Fitness to practise impaired, removal order

Interim order:
Interim suspension order (18 months)

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) (“the regulations”).
2. Ms Davis did not attend and was not represented.
3. Social Work England was represented by Mr Harris instructed by Capsticks LLP.
4. The panel of adjudicators conducting this hearing (hereafter “the panel”) and the other people involved in it were as follows:

Adjudicators	Role
Timothy Skelton	Chair
Christine Moody	Social worker adjudicator
Angela Duxbury	Lay adjudicator

Hearings team/Legal adviser	Role
Kathryn Tinsley	Hearings officer
Chiugo Eze	Hearings support officer
Dido Ofei-Kwatia	Legal adviser

Service of notice:

5. The panel was informed by Mr Harris that notice of this hearing was sent to Ms Davis by next day delivery service and email to addresses provided by Ms Davis (namely her registered respective addresses as they appear on the Social Work England register). Mr Harris submitted that the notice of this hearing had been duly served.
6. The panel had careful regard to the documents contained in the final hearing service bundle as follows:
 - A copy of the notice of the final hearing dated 09 March 2026 and addressed to Ms Davis at both the email and postal address which she provided to Social Work England;
 - An extract from the Social Work England Register as of 09 March 2026 detailing Ms Davis’ email and postal addresses;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 09 March 2026 the writer sent by email and postal service to Ms Davis at the addresses referred to above: notice of hearing and related documents.
7. The panel accepted the advice of the legal adviser in relation to service of notice. Having had regard to Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended), (“the Rules”), and all of the evidence before it, the panel was satisfied that notice of this hearing had been served on Ms Davis in accordance with the Rules.

Proceeding in the absence of the social worker:

8. The panel heard the submissions of Mr Harris on behalf of Social Work England. Mr Harris, in summary, submitted that notice of this hearing had been duly served; no application for an adjournment had been made by Ms Davis and as such there was no guarantee that adjourning today's proceedings would secure her future attendance. Mr Harris submitted that there was no good reason to delay the hearing and therefore invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.
9. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to Rule 43 of the Rules and the cases of *R v Jones [2002] UKHL 5*; *General Medical Council v Adeogba [2016] EWCA Civ 162*. The panel also took into account Social Work England's guidance 'Service of notices and proceeding in the absence of the social worker'. The panel was also reminded that in the event it decided to proceed in Ms Davis' absence, it must discharge its duty to take reasonable steps to test the evidence on her behalf as per the case of *McDaid v NMC [2013] EWHC 586 (Admin)*.
10. The panel considered all of the information before it, together with the submissions made by Mr Harris on behalf of Social Work England. The panel was satisfied that Ms Davis was aware of today's hearing and had not provided any reason for her absence. The panel, therefore concluded that Ms Davis had chosen voluntarily to absent herself from these proceedings and she had not sought a postponement. The panel had no reason to believe that an adjournment would result in Ms Davis' future attendance. Having weighed the interests of Ms Davis in regard to her non-attendance at the hearing with those of Social Work England, public protection and the public interest in an expeditious disposal of this hearing given the passage of time, the panel determined to proceed with the hearing.

Preliminary matters:

Application to hear part of the proceedings in private

11. Mr Harris made an application for any parts of the hearing that referred to Ms Davis' health to be held in private due to its personal and sensitive nature. He relied upon Rule 38(a)(ii) of the Rules. The panel heard the advice of the legal adviser, and it decided to grant the application.

Acronyms that appear in the allegations

12. In response to clarification sought from the panel, Mr Harris confirmed that the acronyms used within the allegations are as follows;
 - "LAC" - Looked after child

- “MARAC - Multi agency risk assessment conference
- “DV” - Domestic violence

Background:

13. On 15 December 2021, Social Work England received a referral from Persis Callaghan, service manager at Brent Council (“the Council”) regarding Ms Davis. Ms Davis was an agency social worker who was employed by the Council from March 2021 until October 2021 as a senior social worker within the Children and Young People’s Service, she was supervised by Ms Ramirez.
14. Ms Davis was allocated children/families and part of her role was to conduct visits to children within required timescales and to conduct Section 47 investigations. Ms Davis was unable to undertake some of the work expected of her and she raised IT issues that she experienced during her employment as an explanation.
15. Most of the IT support provided to Ms Davis related to connectivity from her laptop to the corporate network and issues with using and accessing the 8x8 telephony application. Additionally, Ms Davis had issues logging into Mosaic (Mosaic is the case file system adopted by the Council). Ms Davis had ongoing issues with IT when she was at the Council, she had issues with logging on to the systems and using her laptop in general. Ms Davis had both a laptop and a phone, which was all the necessary equipment to be able to work. Ms Davis had one of the newest laptops because of the issues she reported.

Allegations:

16. The allegations arising out of the regulatory concerns referred by the case examiners on 6 July 2023 are:

Whilst registered as a social worker you:

1. *Were allocated the case of Family A on or around 11 March 2021 and you:*
 - Failed to carry out statutory visits in the required timescales on one or more occasions between March and May 2021;*
 - Failed to make records for each statutory visit that you made to Family A;*
 - Failed to see Family A face-to-face during statutory visits on one or more occasions, as required;*
 - Failed to conduct one or more of the following tasks at all and/or within the requisite timescales and/or in a timely manner:*
 - write up notes for the core group meeting 7 June 2021;*

- ii. *complete a Review Child Protection Conference ('RCPC') report within a timely manner ahead of a RCPC scheduled for 16 August 2021;*
 - iii. *undertake work around substance misuse as set out in the Child Protection Plan in place at the time.*

- 2. *Were allocated the case of Family B on or around 11 March 2021 and you:*
 - a. *Failed to carry out statutory visits in the required timescales on one or more occasions after 28 May 2021;*
 - b. *Failed to make records for all of the statutory visits that you made to Family B;*
 - c. *Failed to ensure a child in need review meeting was held;*
 - d. *Failed to make sufficient appropriate referrals in respect of domestic violence issues.*

- 3. *Were allocated the case of Family C on or around 21 September 2021 and you:*
 - a. *Failed to conduct any statutory visits at all/within the required timescales;*
 - b. *Failed to make records for all of the statutory visits that you made to Family C;*
 - c. *Failed to conduct one or more of the tasks as outlined in the LAC Review on 27 October 2021.*

- 4. *Were allocated the case of Family D on or around 11 March 2021 and you:*
 - a. *Failed to carry out statutory visits within the required timescales;*
 - b. *Failed to make records for all of the statutory visits that you made to Family D.*

- 5. *Were allocated the case of Family E on or around 26 March 2021 and you:*
 - a. *Having been instructed by your manager to carry out one or more of the following actions, you failed to adequately:*
 - i. *follow up MARAC progress;*
 - ii. *conduct safety planning with the family;*
 - iii. *obtain written agreement in regard to father's contact with the children;*
 - iv. *ensure mother is engaging with DV services and other interventions recommended by social care;*

 - b. *Failed to provide Ealing Council with the following documents within a timely manner, and/or at all:*
 - i. *A chronology;*
 - ii. *Child in Need plan;*

6. *Were allocated the case of Family F on or around 20 August 2021 and you:*
 - a. *Failed to undertake:*
 - i. *A Child and Family Assessment; and/or*
 - ii. *Other work on the case as included in the case allocation instructions;*
 - b. *Failed to carry out visits in the required timescales on one or more occasions;*
 - c. *Failed to make records for all of the visits that you made to Family F.*

The matters described at paragraphs 1-6 amount to misconduct.

Admissions:

17. Rule 32c(i)(aa) Fitness to Practise Rules 2019 (as amended) (the 'Rules') states:
Where facts have been admitted by the social worker, the adjudicators or regulator shall find those facts proved.
18. The panel noted that Ms Davis had not made any admissions and therefore considered all of the allegations to be in dispute.
19. In line with Rule 32c(i)(a) of the Rules, the panel then went on to decide the disputed facts.

Summary of evidence:

Social Work England

20. The panel read all the relevant documents including and not limited to the statement of case, final statements bundle, final exhibit bundle and Ms Davis' final response bundle.
21. Mr Harris opened on behalf of Social Work England by summarising the statement of case. Oral evidence was given by the witnesses, who adopted their witness statements in chief as follows;
 - a) Ms Ramirez – Team manager to Ms Davis at Brent Council at the material period;
 - b) Ms Callaghan – Service manager for Brent Council at the material period;
 - c) Mr Ginn – Head of Operations at Shared technology Services ("STS") which is a shared IT service that provided IT support to the Council.
22. Ms Ramirez confirmed that she is a team manager at the Council and she has been in this role since approximately 2015, but has worked in the Council for 22 years. She explained that within her role at the material period, she managed four social workers one of whom was Ms Davis. Ms Ramirez said her role involves reviewing case files, conducting case supervision, attending strategy meetings, statutory meetings,

managing budgets, allocating cases and general day to day oversight and guidance of Child Protection and Child in Need work.

23. Ms Ramirez said that she conducted case supervision with Ms Davis and oversaw her work. Case supervision would be conducted every six to eight weeks, depending on the type of case. Ms Ramirez explained that during case supervision she and Ms Davis would go through her visits to ensure that they had been done and to check whether there were any issues on the case. If there were issues, Ms Davis would usually raise these with her. The case supervision notes would be saved on the case file of the case discussed. Ms Ramirez stated that she was also always available for ad-hoc supervision, and she had an open-door approach where social workers could always just run things passed her, and that staff did not have to wait for supervision. She also said that she mainly just conducted case supervision with Ms Davis as they did not have separate personal supervision sessions.
24. Ms Ramirez indicated that the material period fell within the pandemic and that it was sometimes hard to contact Ms Davis. She stated that she was aware that Ms Davis reported having frequent IT issues and that she could not log onto Mosaic. Ms Ramirez said that the IT issues should not have affected Ms Davis' work as she could have used Word documents that could be uploaded later.
25. In October 2021 Ms Ramirez said that she carried out a review of Ms Davis' work following concerns raised in regard to other areas of Ms Davis' work. Ms Ramirez explained that when she checked each case, it became apparent that visits and meeting minutes had not been recorded. Ms Ramirez then arranged a meeting with Ms Davis to discuss the issues on 13 October 2021, however Ms Davis did not attend. Ms Ramirez stated that she assigned a social work assistant within the team to help Ms Davis with case progression and that Ms Davis received this support.
26. Ms Ramirez explained the requirements that needed to be met for statutory visits to children and for Section 47 investigations, she highlighted the underpinning legislation that covered these matters. Ms Ramirez further explained that social workers had access to online manuals that included internal guidance for social workers and that as a senior social worker, Ms Davis had the experience and training and so was aware of the standard requirements.
27. Ms Ramirez outlined the difficulties that occurred in relation to Ms Davis carrying out the work expected in relation to Families A, B, C and D. She also explained that Ms Davis failed to complete essential tasks on the cases of Families E and F.
28. [Private]
29. In response to questions from the panel Ms Ramirez said Ms Davis' caseload was quite high at the time and above 18 children. When Ms Davis' assertion that she had a caseload of 38 was put to her, Ms Ramirez said she had no recollection of that number and she was very surprised. Ms Ramirez said a caseload of 15 to 20 would be expected for a senior social worker.

30. Ms Ramirez also said that she accepted what Ms Davis had told her about case progression and did not go into files and to check. At the time there was a lot of pressure on the team but other social workers got the visits done and seemed to manage. In response to questions by the panel, Ms Ramirez confirmed that no action had been taken regarding extra supervision or performance review following the safeguarding alert received on 16 August 2021 and the independent reviewing officer on 20 October 2021.
31. Ms Callaghan stated that she is a service manager in the Children and Young People's Service at the Council and that she has been in this role since 07 September 2020 and knew Ms Davis in 2021 when she joined the Council. Ms Callaghan confirmed that she oversees five social work teams which consist of a team manager, five social workers, a practice consultant and a social work assistant. She explained that she manages the budget, recruitment for the team and the quality of practice and performance. Ms Callaghan confirmed that she was not the one who interviewed Ms Davis for the role and that she was not responsible for Ms Davis' supervision.
32. Ms Callaghan explained that at the material period Ms Davis had a caseload of 38, although a lot of the cases needed to be closed down or progressed so that they could be closed but that Ms Davis did not action this so her caseload on paper remained high. Caseloads were high at the time as it was during the Covid-19 pandemic and they were struggling with recruitment. She confirmed that the benchmark for case holding was between 15-18 children. There were 2 vacancies in the team in particular at the material period and some workers off sick. When the problems with Ms Davis became apparent, Ms Callaghan explained that some of Ms Davis' work had to be reallocated. This was because it had been decided that Ms Davis' agency contract would not be extended.
33. Ms Callaghan explained that social work assistants were allocated to assist with social work caseloads as were administrative staff. Also, team managers were on hand if needed. Ms Callaghan confirmed that Ms Davis would not have known that this support was available to her. However, she explained that she would have expected Ms Davis to ask for support if she was struggling.
34. Ms Callaghan confirmed that Ms Davis did have some mandatory training when she joined the Council. She exhibited a schedule of the training that Ms Davis had completed which included the mandatory Mosaic training and the certificate of completion. Ms Callaghan confirmed that after undertaking and passing the Mosaic training a social worker should be able to use the system, if there were any problems a social worker could ask a colleague for assistance, or a team manager and that extra 30 min training sessions could be arranged. Ms Callaghan explained that a social worker cannot start to work on the system unless the Mosaic course has been passed and a certificate issued. Ms Callaghan recalled a recent incident in which there was a problem with Mosaic and she explained that the social workers used Microsoft Word to make recordings so that the children could still be kept safe.

35. Ms Callaghan stated that in the 11 years that she has been at the Council she was not aware of Mosaic having persistent breakdowns and that the problems Ms Davis was reporting appeared to be exclusive to her.
36. Ms Callaghan explained the requirements that needed to be met for statutory visits to children, and essential tasks relating to children including LAC review meetings and Section 47 investigations. She also highlighted the underpinning legislation that covered these matters and explained that Ms Davis would have been aware of all of the requirements as an experienced social worker.
37. [Private]
38. Ms Callaghan refuted any suggestion that, as alleged by Ms Davis, she had made a malicious referral to Social Work England. She explained that the initial concerns were raised by an IRO (independent reviewing officer) which then triggered a wider review of Ms Davis' work. She further stated that if Ms Davis had demonstrated any reflection or taken some responsibility for her shortcomings, she would not have made the referral. Ms Callaghan also added that Ms Davis did some good work and she recounted an instance of a young person that passed away and the excellent work of Ms Davis did on this case. However, she also recounted an instance in which a child had suffered a significant loss but Ms Davis did not visit the child, and instead chose to conduct a video call with the child. Ms Callaghan said that this response that was inappropriate in the circumstances.
39. Mr Ginn in evidence confirmed he was the head of operations at Shared Technology Services ("STS"). He said that he had been in this role since 01 January 2020 and retired last year, he was in post at the material period. He explained that STS is a shared IT service that provides IT support to "the Council" and that he has overall responsibility for the IT service desk and IT infrastructure support.
40. As Head of IT Operations, Mr Ginn said he did not directly provide Ms Davis with IT support. Mr Ginn explained the support his IT team were providing to Ms Davis which was to do with connectivity from her laptop to the corporate network and issues with using and accessing the 8x8 telephony application. He was unable to comment on requests logged that were related to the Mosaic Social Care system as this was not supported by STS but by the Council's own application support teams.
41. Mr Ginn explained the spreadsheet he had exhibited that logged the issues raised by Ms Davis during her employment. In terms of how the IT issues raised by Ms Davis would have impacted upon her day to day work, Mr Ginn said he was unable to comment on the Mosaic-related issues. However, for the issues supported by STS, it does appear that Ms Davis faced issues with connectivity to the corporate network. This would impact Ms Davis' ability to carry out any work that involved requiring access via her laptop. Issues with the 8x8 telephony application may have impacted on Ms Davis being able to receive telephone calls via the 8x8 application, but calls could still be made and received directly rather than through the application.

42. In response to the panel's question about whether Ms Davis' 20 issue logs in a period of approximately six months was unusual, Mr Ginn said whilst the logs were more than expected, a lot of the issues were down to the Mosaic system which were responded to quickly. Mr Ginn said that although the issues were intermittent, they would cause user frustration as there would always be a short delay in getting the issues fixed. There were a number of issues that required direct action to resolve, some of the issues took some time to resolve but were intermittent and would have had an impact of Ms Davis' work.
43. When asked about what he thought was the root cause of Ms Davis' problems, Mr Ginn was unsure but recounted one incident where examination of her laptop revealed the problem was with Ms Davis' at home internet provider. Mr Ginn explained that nothing could be done to resolve home internet service issues and that the social worker would need to come into the office. Mr Ginn stated that as far as he was aware there was no corporate policy at the time to support a social worker's home internet access. He stated that there was nothing in the logs that indicated that a check was done on Ms Davis home internet access through speed testing.

Ms Davis

44. Ms Davis provided written comments which, when summarised, expressed her view that she had been provided with a faulty laptop and faulty mobile phone equipment. She said that her contract had been extended in July 2021 (to October 2021) and this did not reflect a situation where there had been concerns about her practice. Ms Davis stated that the concerns being raised about her practice coincided with her expressing her concerns about the lack of support she received from her team manager, IT services and the senior manager regarding ongoing IT problems and that, in addition, other members of staff experienced problems with 'faulty, substandard equipment'.
45. Ms Davis asserted that the concerns had been raised maliciously. In respect of specific concerns, she wrote that she made every effort to visit within appropriate and statutory timescales; however; this was not always possible with hard to engage and non-compliant parents and young people. She also said the Council informed staff retrospectively about policies and procedures including timescales for completing visits; assessments etc following them being in post instead of sharing this information during an induction session. Ms Davis denied alleged failures to visit in-person. In response to the concerns raised about her ability including to visit, assess and produce reports within timescales, to ensure meetings and minutes were completed and keep sufficient records, Ms Davis said the concerns were raised maliciously.
46. Ms Davis submitted copies of email messages, which she had annotated. In these she referred to 'intermittent IT problems' being the fundamental cause of work being outstanding.
47. Ms Davis also stated that she had 30 years' experience in social work, fundamentally in frontline child protection. She held a caseload of 32 cases at the Council, including high profile cases and that cases were allocated to her up to October 2021. Ms Davis said there was no evidence to support the allegations made against her. Ms Davis also

said that the complaint was made maliciously by Ms Callaghan in her ‘deliberate vendetta’ against her. She asserted that issuing faulty equipment to social workers was part of the ‘culture’ at the Council.

Finding and reasons on facts:

48. The panel accepted the advice of the legal adviser, who reminded the panel that where facts have been admitted they are to be found proved and where facts are in dispute the panel is required to go on to decide those facts. The burden to prove each allegation rests with Social Work England and the panel must be satisfied on the balance of probabilities.
49. In reaching its decision the panel carefully considered all of the documentary evidence relied upon by both parties and the oral evidence from the live witnesses. The panel found that the witnesses did their best to recall events that occurred approximately five years ago, and accepted that there were some gaps in memory.
50. The panel noted Ms Davis’ absence and did not draw any adverse inference from this.

Particular 1a

Whilst registered as a social worker you: Were allocated the case of Family A on or around 11 March 2021 and you: Failed to carry out statutory visits in the required timescales on one or more occasions between March and May 2021;

51. Ms Ramirez stated in her witness statement that Ms Davis was allocated this case from 11 March 2021 until 8 November 2021. She explained that the child in Family A was on a child protection plan so should have been visited by Ms Davis every ten working days.
52. Ms Ramirez exhibited case notes for Family A that show the visits Ms Davis entered on the system. The case notes show visits taking place face-to-face on 22 March 2021, virtually on 06 April 2021 and 13 May 2021 and were recorded as Child Protection statutory visits by Ms Davis.

Panel’s evaluation

53. The panel took note of the ‘Council Guidance’ exhibit which states “*Visits to children should be as per statutory guidance as a minimum: Child Protection visits in accordance with their plan but usually every 2 weeks (10 working days)*”.
54. The panel also noted paragraph 4.5 in the section CP5 ‘Implementation of Child Protection Plans’ of the exhibit ‘relevant policies for visiting requirements’ which stated that “*The lead social worker should: see the child (infants and babies to be seen awake) at a minimum of every two weeks; in exceptional circumstances, a child protection conference may specify that visits should take place more or less often together with the reasons for that decision*”.

55. The exhibited formal supervision case notes of Ms Ramirez of a session of 28 May 2021 recorded “*CP visits to continue every 10 days*”. The panel noted that Ms Davis had recorded the visits as CP statutory visits and had identified the next action as a further CP visit by herself.
56. The panel decided that as a senior social worker with 30 years of experience, Ms Davis ought to have known and be familiar with the relevant timescales surrounding visits.
57. The panel was also satisfied that Ms Davis had access to the relevant guidance and also received a reminder in supervision of the need to visit the child every two weeks (ten working days).
58. The panel accepted the evidence and was satisfied that Ms Davis was supposed to see the child every two weeks. The panel had no evidence before it that any visits took place other than the recorded visits already noted. There was also no evidence to suggest there were any Child Protection conference notes permitting that the two week requirement be altered.
59. The panel concluded that Ms Davis had failed to see the child every two weeks as required by the timescales.
60. **The panel therefore found allegation 1a proved.**

Particular 1b

Whilst registered as a social worker you: Were allocated the case of Family A on or around 11 March 2021 and you: Failed to make records for each statutory visit that you made to Family A;

61. Ms Ramirez’s exhibited case notes for Family A show Ms Davis entered visits taking place face-to-face on 22 March 2021, virtually on 06 April 2021 and 13 May 2021, 07 June 2021, face-to-face on 23 June 2021, 30 July 2021 and 23 August 2021.

Panel’s evaluation

62. The panel accepted that the recorded visits undertaken by Ms Davis did not take place within the two week (ten working day) required timescales of statutory visits.
63. As reasoned in 1a above, the panel had no evidence to suggest that there were any additional visits that Ms Davis had conducted.
64. The panel thus concluded that the visits that were undertaken were recorded and furthermore there were no visits that took place that were not recorded. Therefore there could be no expectation for Ms Davis to make records of visits that she did not undertake in the first instance.
65. **The panel therefore did not find allegation 1b proved.**

Particular 1c

Whilst registered as a social worker you: Were allocated the case of Family A on or around 11 March 2021 and you: Failed to see Family A face-to-face during statutory visits on one or more occasions, as required;

66. Ms Ramirez's evidence as recorded at 1b above is repeated. Ms Davis' visits on 06 April 2021, 13 May 2021 and 07 June 2021 were all conducted virtually, not face-to-face.
67. Ms Callaghan exhibited the email sent on 05 January 2021 of the home visiting guidance for staff during Covid-19 sent via email on 05 January 2021. This required children subject to a child protection plan to be seen in-person.
68. Ms Ramirez also exhibited the COVID-19 visiting guidance which she sent out via email to the team, including Ms Davis on 09 March 2021 and again on 19 July 2021. This highlighted that the guidance had changed and that home visits should be in-person unless there was a risk assessment with a clear rationale as to why a home visit could not take place physically.

Panel's evaluation

69. The panel noted paragraph 4.5 of the exhibit 'relevant policies for visiting requirements' which stated that "*The lead social worker should: see the child (infants and babies to be seen awake) at a minimum of every two weeks; in exceptional circumstances, a child protection conference may specify that visits should take place more or less of the together with the reasons for that decision; See the child on their own on at least alternate occasions;...See the child's bedroom as agreed in the plan but not less than alternate occasions*".
70. The panel also took note of the emails sent by both Ms Callaghan and Ms Ramirez of the relevant home visiting guidance. The panel was satisfied that Ms Davis was included in the list of email recipients and as such she would have received the guidance.
71. The panel considered Ms Ramirez's exhibited case supervision notes in which on 08 April 2021 she wrote "*SE was permitted to undertake a virtual home visit with the family as she reported that she had a developing cough and due to physical health of the family this was granted. Actions; next home visit to be completed face-face...*". The panel decided that this indicated that it was more likely than not that Ms Davis knew that there was an expectation that she was required to conduct face to face visits and that she would need permission if she was to depart from this course of action.
72. The panel was satisfied that Ms Davis knew or ought to have known that visits were to take place face-to-face. The panel concluded that Ms Davis' visits of 13 May 2021 and 07 June 2021 were both conducted virtually without authorisation. Ms Davis failed to see Family A for statutory visits on one or more occasions.
73. **The panel therefore found allegation 1c proved.**

Particular 1d(i)

Whilst registered as a social worker you: Were allocated the case of Family A on or around 11 March 2021 and you: Failed to conduct one or more of the following tasks at all and/or within the requisite timescales and/or in a timely manner: write up notes for the core group meeting 7 June 2021;

74. Ms Ramirez in her witness statement explained that Core Group Meetings should have taken place for Family A every six weeks. Ms Davis would be expected to chair these meetings and the parents and other professionals involved with the child would attend. The Core Group Meetings are an opportunity to go through the child protection plan and discuss any progress or concerns in regard to the plan. Minutes for these meetings should be written up as soon as possible as the notes need to be shared with the others in attendance after the meeting has taken place. Ms Ramirez said she does not have a copy of the guidance which was in force at the time for recording meeting minutes.
75. Ms Ramirez also stated that a Core Group meeting was held on 07 June 2021 but the notes of that meeting were not completed by Ms Davis until 14 July 2021 and Ms Davis later verified the notes at 17:19 on 16 August 2021

Panel's evaluation

76. The panel took note of the exhibited 'Safeguarding alert from the RCPC chair' dated 16 August 2021. This stated "*The Core Group Meetings have not been completed within timescales. The last recorded Core Group Meeting is on the 19th January 2021 indicating there have been no recorded Core Group Meetings held since the Review Child Protection Conference on 22nd February 2021*".
77. The panel considered Ms Ramirez's exhibit of the 'Core Group meeting notes of 07 June 2021' and was satisfied that the minutes of meeting were dated 14 July 2021, some five weeks after the event.
78. Additionally, the panel noted that Ms Davis did not verify the notes until the safeguarding alert and the observations raised within the alert on 16 August 2021.
79. The panel concluded that Ms Davis did not write up the minutes of the Core group meeting of 07 June 2021 in a reasonable time.
80. **The panel therefore found allegation 1d(i) proved.**

Particular 1d(ii)

Whilst registered as a social worker you: Were allocated the case of Family A on or around 11 March 2021 and you: Failed to conduct one or more of the following tasks at all and/or within the requisite timescales and/or in a timely manner: complete a Review Child Protection Conference ('RCPC') report within a timely manner ahead of a RCPC scheduled for 16 August 2021;

81. Ms Ramirez explained that Ms Davis would have also had to complete a Review Child Protection Conference ("RCPC") report for Family A. Ms Davis needed to ensure that

the RCPC report was completed and shared with the parents five working days prior to the conference so that any amendments or discrepancies could be made in good time.

82. Ms Ramirez exhibited the written guidance in respect of completing and sharing RCPC reports from the London Safeguarding children procedures. She explained that Ms Davis would be expected to outline all visits and progress, providing an update as to what has been done and what is outstanding plus any new concerns. The report informs any decision as to what remains part of the action plan. Ms Davis would then present the report at the RCPC to the parents of the child, the attending professionals and the conference Chair. Ms Ramirez said that good practice would be that the RCPC report was completed at least a week before the conference is due to take place.

Panel's evaluation

83. The panel accepted the evidence of Ms Ramirez which was supported by the exhibited 'Safeguarding alert from the RCPC chair' dated 16 August 2021 which said, "*The Review Child Protection Conference arranged for today, 16th August 2021, could not go ahead as there was no Social Work report for the conference. The Social Worker is required to complete a report for a Review Child Protection Conference at least 5 days before the conference. The report was not available for the Conference Chair, professionals or parents*".
84. The panel noted Ms Ramirez's exhibited 'Notification sent of RCPC for Family A on 28 May 2021'. The panel was satisfied that Ms Davis would have received this invite as she was on the list of recipients.
85. The panel was satisfied that having received advance notice of the date that the RCPC conference was scheduled for 16 August 2021, Ms Davis ought to have completed the review report prior to the conference within the timescales as expected.
86. The panel concluded that Ms Davis did not complete the report within a timely manner ahead of a RCPC scheduled for 16 August 2021.
87. **The panel therefore found allegation 1d(ii) proved.**

Particular 1d(iii)

Whilst registered as a social worker you: Were allocated the case of Family A on or around 11 March 2021 and you: Failed to conduct one or more of the following tasks at all and/or within the requisite timescales and/or in a timely manner: undertake work around substance misuse as set out in the Child Protection Plan in place at the time.

88. Ms Ramirez said that the child protection plan (as exhibited) from an Initial Child Protection Conference on 30 November 2020 referred to a required action on "*Work around substance misuse to be discussed with A1 and referral to specialist agency*" with the allocated social worker to be responsible for this and carried out by 8 March 2021".

Panel's evaluation

89. Notwithstanding the 08 March 2021 date by which Ms Davis was supposed to have carried out the referrals, the panel noted that as of 18 August 2021 no 'progress achieved' had been recorded by Ms Davis in her report dated 18 August 2021 to the RCPC..
90. Additionally, the exhibited 'Safeguarding alert from the RCPC chair' dated 16 August 2021 said *"In light of concerns relating to A1's older brother and alcohol misuse by A2 it is concerning to hear that work around substance misuse and gang prevention work in the Child Protection Plan do not appear to have been completed"* .
91. The panel concluded that Ms Davis failed to undertake work around substance misuse as set out in the Child Protection Plan in place at the time, by 08 March 2021.
92. **The panel therefore found allegation 1d(iii) proved.**

Particular 2a

Whilst registered as a social worker you: Were allocated the case of Family B on or around 11 March 2021 and you: Failed to carry out statutory visits in the required timescales on one or more occasions after 28 May 2021;

93. Ms Ramirez in her witness statement said that Family B were open to the Council due to issues around misuse of alcohol and drugs, plus domestic abuse. Ms Davis was allocated this case between 26 March 2021 and 21 October 2021. The children of Family B were on a CIN (Child In Need) plan so visits should take place every four weeks. However, there were no visits recorded on the children's case file whatsoever.
94. Ms Ramirez exhibited her case notes for Family B in which her management note of 21 October 2021 summarises her decision to close the case as *"no further actions [since allocation] have been recorded on the case file. No CIN visits or CIN review meetings have been held in line with statutory guidelines of 4-weekly"*.
95. An email sent from Ms Davis to Ms Ramirez on 26 October 2021 as exhibited by Ms Ramirez said *"I can confirm the children were seen 'virtually' however, as you are aware during supervision when I requested for the case to be closed, you instructed that parents should complete the Freedom and RISE Programs respectively before you would consider closing the case, which is the work that I was doing with the parents as instructed"*.
96. In addition, Ms Ramirez also exhibited a predictive risk assessment of 26 February 2021, prior to Ms Davis' allocation, which recorded that there was no information suggesting any risk to a social worker undertaking a home visit.

Panel's evaluation

97. The panel took note of the 'Council Guidance' exhibit which states *"Visits to children should be as per statutory guidance as a minimum: Child in Need visits every 4 weeks"*.

98. The panel considered the exhibited supervision case notes of Ms Ramirez of formal supervision sessions of 28 May 2021 and 30 June 2021, both of which had clear information of the requirement for Ms Davis to carry out visits every 4 weeks to the children. The formal supervision notes of 10 August 2021 recorded *“Child in Need visit to be carried out...ASAP as there is no CIN visits recorded on the case file...CIN visits to be carried out 4 weekly”*.
99. The panel decided that as a senior social worker with 30 years of experience, Ms Davis ought to have known and be familiar with the statutory timescales surrounding visits.
100. The panel was also satisfied that Ms Davis had access to the relevant guidance and had also received reminders in supervision sessions of the need to visit the children every four weeks.
101. The panel accepted the evidence and was satisfied that Ms Davis was supposed to see the children every four weeks.
102. In the absence of any evidence to the contrary, the panel concluded that Ms Davis failed to carry out statutory visits in the required timescales on one or more occasions after 28 May 2021.
103. **The panel therefore found allegation 2a proved.**

Particular 2b

Whilst registered as a social worker you: Were allocated the case of Family B on or around 11 March 2021 and you: Failed to make records for all of the statutory visits that you made to Family B;

104. Ms Ramirez exhibited her case notes for Family B in which her management note of 21 October 2021 summarises her decision to close the case as *“no further actions [since allocation] have been recorded on the case file. No CIN visits or CIN review meetings have been held in line with statutory guidelines of 4-weekly”*.

Panel’s evaluation

105. As reasoned in 2a above, the panel accepted the evidence of Ms Ramirez that Ms Davis had not recorded any four weekly statutory visits to the children.
106. The panel thus concluded that there could be no expectation for Ms Davis to make records for visits that she did not undertake in the first instance.
107. **The panel therefore did not find allegation 2b proved.**

Particular 2c

Whilst registered as a social worker you: Were allocated the case of Family B on or around 11 March 2021 and you: Failed to ensure a child in need review meeting was held;

108. Ms Ramirez exhibited her case notes for Family B in which her management note of 21 October 2021 summarises her decision to close the case as *“no further actions [since*

allocation] have been recorded on the case file. No CIN visits or CIN review meetings have been held in line with statutory guidelines of 4-weekly”.

109. Ms Ramirez’s supervision note of 28 May 2021 identified that CIN review meetings needed to happen every four weeks. This was repeated in the supervision note of 30 June 2021. A supervision note of 10 August 2021 had recorded there had been no CIN review and the action points were identified for Ms Davis to update and to organise a CIN meeting urgently. This was repeated in the case note of 07 October 2021.

Panel’s evaluation

110. The panel considered Ms Ramirez’s witness statement in which she explained that as well as conducting statutory visits, Ms Davis should have also been holding CIN review meetings every four weeks. Ms Ramirez said it was Ms Davis’ responsibility to organise these meetings and invite the professionals involved with the child and the child’s parents. CIN meetings are held to review the progress of the child’s plan. The requirement that the CIN meetings need to be held every four weeks was outlined in the exhibited case supervision Ms Ramirez had with Ms Davis on 28 May 2021 and 30 June 2021 so Ms Davis knew these meetings needed to take place. Ms Ramirez also asked for the CIN review meeting to be held “ASAP” during the supervision of 10 August 2021 as “there is no CIN review meeting held and recorded on the case file”. Ms Ramirez said Ms Davis held no CIN review meetings for Family B.
111. The panel decided that as a senior social worker with 30 years of experience, Ms Davis ought to have known and be familiar with her role in organising a CIN review meeting.
112. The panel was also satisfied that Ms Davis was reminded on at least three occasions in her formal supervision sessions of the need to arrange the CIN review meeting.
113. The panel accepted the evidence of Ms Ramirez that Ms Davis was supposed to arrange a CIN review. In absence of any evidence to the contrary, the panel concluded that Ms Davis failed to ensure a CIN review meeting was held as required.
114. **The panel therefore found allegation 2a proved.**

Particular 2d

Whilst registered as a social worker you: Were allocated the case of Family B on or around 11 March 2021 and you: Failed to make sufficient appropriate referrals in respect of domestic violence issues.

115. Ms Ramirez explained in her witness statement supported by exhibits, that when the case was allocated to the previous social worker there was a recommendation made for the Mother to be referred to the Freedom Programme and for the Father to be referred to DVIP (RISE programme). Ms Davis should have actioned the referrals.
116. Ms Ramirez added that Ms Davis completed the Child and Family Assessment and recommended that a referral for the Mother should be made to the Freedom

Programme and a referral should be made for the Father to attend a DVIP programme and that Ms Ramirez agreed with this.

117. Referral forms for an alternative domestic violence support agency were sent to Ms Davis on 26 March 2021 by Ms Ramirez who also sent Ms Davis an email on 11 May 2021 asking her to follow up on the referrals as recommended in the Child and Family Assessment. Further copies of referral forms were sent again on 21 May 2021 and on 06 July 2021 in order to facilitate a referral.
118. In an exhibited supervision note of 28 May 2021 Ms Ramirez identified that Ms Davis should refer the parents to the Freedom and RISE programmes (being two domestic violence programmes). This was reiterated in another exhibited supervision note of 30 June 2021. Additionally in a supervision note of 10 August 2021 Ms Ramirez recorded that Ms Davis needed to ensure that necessary referrals were made to prevent further reports of domestic violence. On 22 September 2021, Ms Ramirez sent an email to Ms Davis enclosing new referral forms for the Freedom programme as exhibited.

Panel's evaluation

119. The panel noted the contents of the exhibited Child and Family Assessment for Family B, completed by Ms Davis and contributed to by Ms Ramirez. This states *"I would agree a referral to the Freedom Programme needs to be made for mother and father needs to be engaged in a DV programme...I would agree with the social worker that a referral should be made for mother to attend the Freedom Programme and for father to attend a perpetrators programme as this will be beneficial to the family in the longer term and no further action will be taken by the department on that basis"*.
120. The panel also considered Ms Ramirez's exhibited email sent to Ms Davis on 11 May 2021, in which Ms Ramirez says *"I have reviewed your CFA which gave me insight into the family and how they function and how the parents feel...I will agree to the case being closed to our department once the referrals have been made to the recommended agencies outlined in the CFA"*.
121. The panel accepted the evidence of Ms Ramirez that referrals were supposed to be made in respect of the domestic violence issues. The panel acknowledged that the previous social worker made the recommendations and was satisfied that these referrals should have been progressed by Ms Davis.
122. The panel was satisfied that Ms Davis knew of the need for the referrals to be made and that she recorded them herself in the Child and Family Assessment. Additionally, the panel decided that Ms Davis had been reminded on several occasions, in supervision and through emails, of the need to make the referrals.
123. In the absence of any evidence to the contrary, the panel concluded that Ms Davis failed on or around 11 March 2021 to make sufficient appropriate referrals in respect of domestic violence issues.
124. **The panel therefore found allegation 2d proved.**

Particular 3a

Whilst registered as a social worker you: Were allocated the case of Family C on or around 21 September 2021 and you: Failed to conduct any statutory visits at all/within the required timescales;

125. Ms Ramirez said Family C were open to the Council due to issues of neglect and the children were placed into Police protection. Ms Davis was allocated this case from 20 September 2021 until 28 October 2021. As both children were placed in care on 18 September 2021, a LAC visit should have been completed within 7 days as per the exhibited 'Council Guidance'. Ms Ramirez further explained the children of Family C were on LAC plans, so should have been visited at least once per week to start with, then should have been visited by Ms Davis every four weeks according to the 'Council Guidance'. Ms Ramirez said that assistance was available from colleagues to clarify anything if required.
126. Ms Callaghan in her witness statement stated that she informed Ms Davis that she needed to go and see Family C as it was out of timescale. She said Ms Davis still did not conduct the visit, despite being told she needed to go. Ms Callaghan said that she told Ms Davis orally to visit the children on the Friday (22 October 2021) but Ms Davis said she could not go until Monday (25 October 2021). Ms Callaghan explained that she told Ms Davis that she needed to go as the visit was already six weeks out of timescale, but she was refusing. Ms Callaghan then told Ms Ramirez that the case needed to be re-allocated as no work had been done on the case. The case was re-allocated on 28 October 2021.
127. Ms Callaghan also said that the first contact Ms Davis had with the children was over the phone on 04 October 2021 as recorded in her exhibit 'Case notes for Family C'. Ms Callaghan explained the first visit should have been conducted the next day or at the latest by 23 September 2021.
128. Ms Ramirez also stated in evidence that an Independent Reviewing Officer ('IRO') sent an email, as exhibited, on 20 October 2021, raising a concern that the children had not been seen since they were accommodated on 18 September 2021, that no care plan had been received and there was no signed Section 20 on file.
129. Ms Ramirez explained that Ms Davis completed a visit at the home address for the Mother to sign a Section 20 document on the 21 September 2021 but did not visit the placement to see the children until the 25 October 2021 which was recorded only on the eldest child's case notes. Ms Ramirez said that it appears from the notes that only the younger child was seen during the visit, with the older child not seen as she was at school.

Panel's evaluation

130. The panel accepted the evidence of both Ms Ramirez and Ms Callaghan. It was satisfied that Ms Davis was allocated the case on 20 September 2021 and that the children were placed in care on 18 September 2021.
131. The panel acknowledged Ms Davis' visit to the home address for the Mother to sign a Section 20 document on the 21 September 2021 but noted that this was not a visit to the placement to see the children.
132. The panel decided that as per the exhibited 'Council Guidance' there was no evidence to suggest that Ms Davis visited the children within the required seven working days. The panel thus concluded that Ms Davis failed to conduct any statutory visits within the required timescales.
133. **The panel therefore found allegation 3a proved.**

Particular 3b

Whilst registered as a social worker you: Were allocated the case of Family C on or around 21 September 2021 and you: Failed to make records for all of the statutory visits that you made to Family C;

134. Ms Ramirez in her witness statement exhibited Ms Davis' case notes for Family C. Ms Ramirez said that there were no notes of visits entered by Ms Davis (prior to the 25 October 2021). If visits had been completed, then Ms Ramirez would have expected the notes to be on the case file as these should be entered as soon as possible after a visit has taken place.

Panel's evaluation

135. The panel accepted the evidence of Ms Ramirez that Ms Davis had not recorded any statutory visits to the children prior to 25 October 2021.
136. As reasoned in 3a above, in the absence of any evidence to the contrary, the panel determined that Ms Davis had not conducted any statutory visits.
137. The panel thus concluded that there could be no expectation for Ms Davis to make records for visits that she did not undertake in the first instance.
138. **The panel therefore did not find allegation 3b proved.**

Particular 3c

Whilst registered as a social worker you: Were allocated the case of Family C on or around 21 September 2021 and you: Failed to conduct one or more of the tasks as outlined in the LAC Review on 27 October 2021.

139. Ms Ramirez in her witness statement explained that a LAC review was held for Family C on 27 October 2021. In the exhibited LAC review meeting notes at page 5 there is a 'recommendations' section, with a list of tasks that Ms Davis was expected to carry out after the review.

140. Ms Callaghan’s evidence was that after a conversation with Ms Davis in late October 2021, Ms Callaghan told Ms Ramirez that the case needed to be re-allocated as no work had been done on the case. The case was re-allocated on 28 October 2021.
141. Ms Ramirez in evidence confirmed that Ms Davis left the Council shortly after this LAC Review and was not in their employment to complete the tasks.

Panel’s evaluation

142. The panel accepted the evidence that a LAC review was held for Family C on 27 October 2021 and that Ms Davis was allocated with tasks to carry out.
143. The panel also accepted the evidence of both Ms Ramirez and Ms Callaghan that the case was reallocated on 28 October 2021.
144. The panel noted the supplementary evidence of Ms Ramirez in which she states “*At paragraph 39 of the Statement, I refer to a list of tasks that the Social Worker would have been expected to complete following the Looked After Child (“LAC”) review taking place. As the Social Worker left the service shortly after the LAC review, she would not have been able to complete the outlined tasks prior to her departure. A new social worker was allocated to the case file on 28 October 2021*”.
145. The panel considered the exhibited review meeting notes and recognised that Ms Davis was expected to have carried out the recommendations by 29 October 2021.
146. The panel concluded that in view of the fact that the case was reallocated on 28 October 2021 and in the absence of any evidence to the contrary, Ms Davis was no longer responsible for carrying out any work on the case.
147. The panel also accepted Ms Ramirez’s concession that Ms Davis would not have been able to complete the tasks prior to her departure.
148. **The panel therefore did not find allegation 3c proved.**

Particular 4a

Whilst registered as a social worker you: Were allocated the case of Family D on or around 11 March 2021 and you: Failed to carry out statutory visits within the required timescales;

149. Ms Ramirez explained that Family D were open to the Council due to concerns around domestic violence and a non-molestation order was in force. Ms Davis was allocated this case from 11 March 2021 (informed by email on 12 March as exhibited) until 5 November 2021. Ms Ramirez said the case was re-allocated to another social worker as work had not been completed by Ms Davis and that her last entry on this case was on 3 November 2021 to inform the family she was leaving the service (ahead of her final day on 5 November 2021).
150. Ms Ramirez further stated in evidence that Family D were subject to a CP plan (due to safeguarding concerns), so should have been visited by Ms Davis every 10 working

days. Ms Davis undertook visits on dates as demonstrated by the case notes she entered for Family D which include notes of these visits. Ms Ramirez said that the visits were all out of the required timescale and as exhibited the visits took place on;

- a. 22 March 2021;
- b. 13 May 2021 (+34 working days);
- c. 03 June 2021 (+14 working days);
- d. 25 June 2021(+16 working days);
- e. 27 July 2021 (+22 working days);
- f. 20 October 2021 (+60 working days).

Panel's evaluation

151. The panel took note of the 'Council Guidance' exhibit which states "*Visits to children should be as per statutory guidance as a minimum: Child Protection visits in accordance with their plan but usually every 2 weeks (10 working days)*".
152. The panel also noted paragraph 4.5 of the exhibit 'relevant policies for visiting requirements' which stated that "*The lead social worker should: see the child (infants and babies to be seen awake) at a minimum of every two weeks; in exceptional circumstances, a child protection conference may specify that visits should take place more or less of the together with the reasons for that decision*".
153. The panel decided that as a senior social worker with 30 years of experience, Ms Davis ought to have known and be familiar with the relevant timescales surrounding visits. The panel was also satisfied that Ms Davis had access to the relevant guidance.
154. The panel accepted the evidence and was satisfied that Ms Davis was supposed to see the family every two weeks.
155. The panel concluded however that the recorded visits clearly demonstrated that Ms Davis had failed to carry out statutory visits within the required timescales.
156. **The panel therefore found allegation 4a proved.**

Particular 4b

Whilst registered as a social worker you: Were allocated the case of Family D on or around 11 March 2021 and you: Failed to make records for all of the statutory visits that you made to Family D.

157. Ms Ramirez's exhibited case notes for Family D show the dates Ms Davis visited the family as set out at 4a above.

Panel's evaluation

158. As reasoned in 4a above, the panel decided that the visits undertaken by Ms Davis as recorded, did not take place within the two week (ten working day) required timescales of statutory visits.

159. The panel thus concluded that there could be no expectation for Ms Davis to make records of visits that she did not undertake in the first instance.

160. **The panel therefore did not find allegation 4b proved.**

Particular 5a(i)

Whilst registered as a social worker you: Were allocated the case of Family E on or around 26 March 2021 and you: Having been instructed by your manager to carry out one or more of the following actions, you failed to adequately: follow up MARAC progress;

161. In evidence, Ms Ramirez said Family E were open to the Council due to concerns around the mother's ability to meet the children's needs. Ms Davis was allocated this case on 26 March 2021 to complete the Child and Family Assessment. The case was allocated to Ms Davis as there was a drift due to the previous allocated social worker failing to complete the Child and Family Assessment within timescales, as the assessment was originally due to be completed by 04 February 2021.

162. Ms Ramirez said that a Multi-Agency Risk Assessment Conference ("MARAC") was held for Family E on 17 May 2021. This is a multi-agency meeting where high-risk domestic abuse cases are discussed and an approach is agreed as to how best to safeguard the individuals involved. A MARAC was needed for this family as the mother was a victim of verbal abuse, physical abuse and coercive control. Ms Davis failed to follow up on the steps outlined by MARAC for this case. The action was outlined in the minutes which needed to be completed within five working days i.e. by 21 May 2021.

163. Ms Ramirez exhibited the MARAC minutes which set out the actions to be completed. Ms Davis was required to ensure a safety plan was completed with the family, to obtain a written agreement in respect of Father's contact with the children and to ensure that Mother was engaging with domestic violence services and other interventions. There is no record of any such action being taken before Family E left the Borough. Ms Ramirez also stated that she emailed Ms Davis on 12 July 2021 requesting she carries out the actions from the MARAC as the actions had still not been completed, Ms Ramirez also exhibited this email.

Panel's evaluation

164. The panel accepted the evidence of Ms Ramirez and took note of the content of the MARAC minutes as exhibited. The panel was satisfied that Ms Davis was required to action the matters outlined above by 21 May 2021.

165. The panel was also satisfied, as per the exhibit, that Ms Ramirez chased Ms Davis asking her to follow up on the MARAC actions on 12 July 2021.

166. In the absence of any evidence to the contrary, the panel concluded that Ms Davis failed to follow up the MARAC progress.

167. **The panel therefore found allegation 5a(i) proved.**

Particular 5a(ii)

Whilst registered as a social worker you: Were allocated the case of Family E on or around 26 March 2021 and you: Having been instructed by your manager to carry out one or more of the following actions, you failed to adequately: conduct safety planning with the family;

168. Ms Ramirez's evidence as recorded at 5a(i) is repeated.

Panel's evaluation

169. The panel accepted the evidence of Ms Ramirez and took note of the content of the MARAC minutes as exhibited. The panel was satisfied that Ms Davis was required to action the matters outlined above by 21 May 2021.

170. The panel was also satisfied, as per the exhibit, that Ms Ramirez chased Ms Davis asking her to follow up on the MARAC actions on 12 July 2021.

171. In the absence of any evidence to the contrary, the panel concluded that Ms Davis received instructions from her manager to conduct safety planning with the family, and that she failed to do so.

172. **The panel therefore found allegation 5a(ii) proved.**

Particular 5a(iii)

Whilst registered as a social worker you: Were allocated the case of Family E on or around 26 March 2021 and you: Having been instructed by your manager to carry out one or more of the following actions, you failed to adequately: obtain written agreement in regard to father's contact with the children;

173. Ms Ramirez's evidence as recorded at 5a(i) is repeated.

Panel's evaluation

174. The panel accepted the evidence of Ms Ramirez and took note of the content of the MARAC minutes as exhibited. The panel was satisfied that Ms Davis was required to action the matters outlined above by 21 May 2021.

175. The panel was also satisfied, as per the exhibit, that Ms Ramirez chased Ms Davis asking her to follow up on the MARAC actions on 12 July 2021.

176. In the absence of any evidence to the contrary, the panel concluded that Ms Davis received instructions from her manager to obtain a written agreement in regard to the Father's contact with the children, and that she failed to do so.

177. **The panel therefore found allegation 5a(iii) proved.**

Particular 5a(iv)

Whilst registered as a social worker you: Were allocated the case of Family E on or around 26 March 2021 and you: Having been instructed by your manager to carry out one or more

of the following actions, you failed to adequately: ensure mother is engaging with DV services and other interventions recommended by social care;

178. Ms Ramirez's evidence as recorded at 5a(i) is repeated.

Panel's evaluation

179. The panel accepted the evidence of Ms Ramirez and took note of the content of the MARAC minutes as exhibited. The panel was satisfied that Ms Davis was required to action the matters outlined above by 21 May 2021.

180. The panel was also satisfied, as per the exhibit, that Ms Ramirez chased Ms Davis asking her to follow up on the MARAC actions on 12 July 2021.

181. In the absence of any evidence to the contrary, the panel concluded that Ms Davis received instructions from her manager to ensure the Mother is engaging with DV services and other interventions recommended by social care, and that Ms Davis failed to do so.

182. **The panel therefore found allegation 5a(iv) proved.**

Particular 5b(i)

Whilst registered as a social worker you: Were allocated the case of Family E on or around 26 March 2021 and you: Failed to provide Ealing Council with the following documents within a timely manner, and/or at all: A chronology;

183. Ms Ramirez in evidence explained that when Family E left the Borough, they moved to the Ealing area. The case therefore had to be referred to Ealing Council. The normal process for referring a family to another Council would be to telephone that Council and make an inter-agency referral. The receiving Council would then inform the social worker making the call of which process to follow and what documents they will need to make a decision. These processes varied so would always be checked. In this case, Ms Davis wrote a letter to Ealing Council dated 11 June 2021 referring to the family moving to Ealing on 6 June 2021 as exhibited.

184. Additionally, Ms Ramirez indicated that Ealing Council sent an email to Ms Davis on 21 June 2021 asking for the families' chronology and CIN plan to inform a decision as to whether they still needed social care involvement. This email was also exhibited.

185. Ms Ramirez said she checked the case file in October 2021 and noticed that Ms Davis had not sent the documents Ealing had requested in June 2021. On 7 October 2021 and 21 October 2021, Ms Ramirez sent email messages to Ms Davis to ask whether she had sent the documents sought. Ms Ramirez's intention was to be able to close the case and remove it from Ms Davis' allocation. Ms Ramirez exhibited the email from Ms Davis of 21 October 2021, in which Ms Davis did not refer to having supplied the documents sought, and indicated that the Council had sought different information. Ms Ramirez also explained that Ms Davis wrote a letter dated 27 October 2021 asking whether Ealing Council were working with Family E but, as exhibited, made no reference to

supplying documents. Ms Ramirez said that the requested documents were not sent by Ms Davis to the requesting local authority.

Panel's evaluation

186. The panel accepted the evidence of Ms Ramirez and the exhibits.
187. The panel was satisfied that a receiving Council would request documents to enable them to assess a prospective referral.
188. The panel decided that the request for a chronology was entirely reasonable in the circumstances and that it was something that Ms Davis ought to have been able to provide. Further, the panel noted that Ms Ramirez chased Ms Davis twice enquiring whether the documents had been sent.
189. In the absence of any evidence to the contrary, the panel concluded that Ms Davis, without any reason, failed to provide Ealing Council with a chronology as requested.
190. **The panel therefore found allegation 5b(i) proved.**

Particular 5b(ii)

Whilst registered as a social worker you: Were allocated the case of Family E on or around 26 March 2021 and you: Failed to provide Ealing Council with the following documents within a timely manner, and/or at all: Child in Need plan;

191. Ms Ramirez's evidence as recorded at 5b(i) is repeated.

Panel's evaluation

192. The panel accepted the evidence of Ms Ramirez and the exhibits.
193. The panel was satisfied that a receiving Council would request documents to enable them to assess a prospective referral.
194. The panel decided that the request for the Child in Need plan was entirely reasonable in the circumstances and that it was something that Ms Davis ought to have been able to provide. Further, the panel noted that Ms Ramirez chased Ms Davis twice enquiring whether the documents had been sent.
195. In the absence of any evidence to the contrary, the panel concluded that Ms Davis, without any reason, failed to provide Ealing Council with the Child in Need plan as requested.
196. **The panel therefore found allegation 5b(ii) proved.**

Particular 6a(i)

Whilst registered as a social worker you: Were allocated the case of Family F on or around 20 August 2021 and you: Failed to undertake: A Child and Family Assessment;

197. Ms Ramirez said that Family F were open to the Council because of concerns over reported domestic abuse that the Mother had been locked in a bedroom and items had been thrown at her. There were consequent concerns over the children’s emotional wellbeing. The family had previously been known to the Council in relation to similar concerns. Ms Davis was allocated the case on 20 August 2021 by a Deputy Team Manager. The exhibited case allocation notes sets out that there is no indication of any risk to Ms Davis of undertaking a home visit as part of a CFA. Ms Davis was given actions to complete, including:
- a. CFA to be undertaken – by 21 September 2021 (21 working days);
 - b. Complete Chronology – to be started immediately;
 - c. Social Worker to contact referrer to obtain further information about their concerns;
 - d. Social Worker to undertake a home visit to the family within 5 days;
 - e. Social Worker to speak to the children to ascertain views, wishes and feelings.
198. Ms Ramirez’s evidence was that Ms Davis did not complete any work on this case beyond a letter to the family to arrange a visit recorded on 23 August 2021 and that she did not complete the Child and Family Assessment.
199. Ms Ramirez’s exhibited case note entry on Mosaic of 23 November 2021; indicates that the child was subject to a CP plan since June 2022 and says “*The previous social worker Tracey Davis did not complete the recording of her work on this case and did not complete the child and family assessment allocated to her. Having reviewed this case, I have reallocated the case...*”. Ms Ramirez added that a Child Protection plan was not in place because Ms Davis had not yet completed the prerequisite Child and Family Assessment and it was subsequently completed by a different social worker, as exhibited.

Panel’s evaluation

200. The panel accepted the evidence of Ms Ramirez and the exhibits.
201. The panel decided that Ms Davis would have been aware of the actions that she was given to complete upon case allocation, and that this was clear from Ms Ramirez’s exhibited case allocation notes.
202. The panel was thus satisfied that Ms Davis knew that she had to undertake a Child and Family Assessment. In the absence of any evidence to the contrary, the panel concluded that Ms Davis failed to undertake a Child and Family Assessment.
203. **The panel therefore found allegation 6a(i) proved.**

Particular 6a(ii)

Whilst registered as a social worker you: Were allocated the case of Family F on or around 20 August 2021 and you: Failed to undertake: Other work on the case as included in the case allocation instructions;

204. Ms Ramirez's evidence as recorded at 6a(i) is repeated.

Panel's evaluation

205. The panel accepted the evidence of Ms Ramirez and the exhibits.

206. The panel decided that Ms Davis would have been aware of the actions that she was given to complete upon case allocation, and that this was clear from Ms Ramirez's exhibited case allocation notes.

207. The panel was thus satisfied that Ms Davis knew that she had to complete a chronology – to be started immediately; to contact referrer to obtain further information about their concerns and to speak to the children to ascertain views, wishes and feelings.

208. In the absence of any evidence to the contrary, the panel concluded that Ms Davis failed to undertake other work in the case allocations and that she specifically did not contact referrer to obtain further information about their concerns and speak to the children to ascertain views, wishes and feelings.

209. **The panel therefore found allegation 6a(ii) proved.**

Particular 6b

Whilst registered as a social worker you: Were allocated the case of Family F on or around 20 August 2021 and you: Failed to carry out visits in the required timescales on one or more occasions;

210. Ms Ramirez's evidence as recorded at 6a(i) is repeated.

Panel's evaluation

211. The panel accepted the evidence of Ms Ramirez and the exhibits that Ms Davis did not complete any work on this case beyond a letter to the family to arrange a visit recorded on 23 August 2021.

212. The panel decided that Ms Davis would have been aware of the actions that she was given to complete upon case allocation, and that this was clear from Ms Ramirez's exhibited case allocation notes.

213. The panel was thus satisfied that Ms Davis knew that she had to undertake a home visit to the family within 5 days. The panel noted that Ms Davis wrote to the family to arrange a home visit on 23 August 2021, however there was no evidence that any such visit took place. The panel concluded that Ms Davis failed to carry out a visit within the timescale.

214. **The panel therefore found allegation 6b proved.**

Particular 6c

Whilst registered as a social worker you: Were allocated the case of Family F on or around 20 August 2021 and you: Failed to make records for all of the visits that you made to Family F.

215. Ms Ramirez’s evidence as recorded at 6a(i) is repeated.

Panel’s evaluation

216. As reasoned in 6b above, in the absence of any evidence to the contrary, the panel determined that Ms Davis had not carried out a visit in the required timescale.

217. The panel thus concluded that there could be no expectation for Ms Davis to make a record of a visit that she did not undertake in the first instance.

218. **The panel therefore did not find allegation 6c proved.**

Finding and reasons on grounds:

219. Mr Harris made submissions as outlined in Social Work England’s statement of case and addressed the panel on the standards it believed Ms Davis had breached. The panel was invited to find that Ms Davis’ conduct was serious in nature, and as such amounted to the statutory ground of misconduct.

220. The panel heard and accepted the advice of the legal adviser. The panel was reminded that the question of misconduct is a matter for its judgement and ‘that the standard of propriety may often be found by reference to the rules and standards ordinarily required to be followed by a practitioner in the particular circumstances’ as per *Roylance v General Medical Council (No 2) 2000 1 AC 311*. In line with *Roylance* the panel was advised to decide for itself the professional standards it believed Ms Davis had breached.

221. The panel decided that Ms Davis had breached the following paragraphs of Social Work England’s Professional Standards (July 2019):

As a social worker, I will:

3.1 Work within legal and ethical frameworks, using my professional authority and judgement appropriately.

3.2 Use information from a range of appropriate sources, including supervision, to inform assessments, to analyse risk, and to make a professional decision.

3.3 Apply my knowledge and skills to address the social care needs of individuals and their families commonly arising from physical and mental ill health, disability, substance misuse, abuse or neglect, to enhance quality of life and wellbeing.

3.8 Clarify where the accountability lies for delegated work and fulfil that responsibility when it lies with me.

3.9 Make sure that relevant colleagues and agencies are informed about identified risks and the outcomes and implications of assessments and decisions I make.

3.11 Maintain clear, accurate, legible and up to date records, documenting how I arrive at my decisions.

3.12 Use my assessment skills to respond quickly to dangerous situations and take any necessary protective action.

222. The panel decided that Ms Davis' conduct both individually and collectively was so serious that it called into question her recognition and observance of fundamental tenets of social work. The panel was satisfied that Ms Davis' conduct was a serious departure from the usual and accepted standards of social work practice. Ms Davis failed to observe statutory safeguarding duties and failed to respond to reminders and prompts from management.
223. Ms Davis' caseload was such that she was responsible for families that had multiple vulnerabilities and thus needed the required statutory safeguarding, and face to face, visits. Additionally, their care needs were such that the families in question needed the appropriate follow up work that had been flagged to be actioned so that they could access the appropriate support. In failing to carry out her duties, in a timely manner or at all, Ms Davis failed to safeguard the families under her care and as such there were a significant number of failures for several families over a period of approximately eight months.
224. Further, Ms Davis' actions increased in seriousness, and the intensity of her misconduct became increasingly problematic as it negated and comprised all the checks and balances embedded into social work practice. Ms Davis repeatedly conducted visits outside of timescales and, whilst this might occur on occasions in day to day practice, the frequency and length of delay was concerning in these circumstances. Also, Ms Davis failed to carry out any visits at all to some of the families in her care. This development was particularly problematic as these were child protection, looked after children and child in need cases, all of which involved service users with a high level of need and risk. The panel concluded that Ms Davis displayed unacceptable conduct for a highly experienced senior social worker of 30 years standing, who the panel decided ought to have known and understood the importance of the need to conduct statutory visits and undertake key tasks in a timely fashion.
225. The panel considered Ms Davis' claim that IT failures and/or faulty equipment was a reason for her failures. The panel noted there was one incident where Ms Davis failed to complete the core group meeting notes in a timely manner, which may have been impacted by deficiencies in the IT system. However, regarding all the other shortfalls, the panel was entirely satisfied that no IT failures or equipment issues would have caused Ms Davis to repeatedly fail to carry out statutory visits or to progress required tasks. The panel also noted that whilst IT issues were raised by Ms Davis on multiple occasions, the concerns were resolved very quickly. Further, the panel noted that it was always open to Ms Davis to complete work in Word format or indeed make notes to be later uploaded, in those instances where she was experiencing IT difficulties. The panel noted that Ms Davis herself admitted the IT issues were intermittent and the exhibited

Mosaic logs also illustrated that Ms Davis logged on frequently and also logged in to complete other work on the system. The panel was further satisfied from the training log and certification as exhibited, that Ms Davis had been assessed as competent in her use of Mosaic. The panel took account of the case notes and assessments, as exhibited, that illustrated Ms Davis' capability to produce good work and to access and use Mosaic. The panel therefore found that there was no reasonable explanation for her claims. In any event, the panel concluded that the nature of Ms Davis' failures as identified were not concerned with her ability to access the IT systems.

226. [Private]

227. The panel was further satisfied that there was no evidence of any efforts by Ms Davis to raise with management any difficulties she was having in relation to meeting the requirements of her caseload. The panel concluded that if indeed Ms Davis was experiencing genuine difficulties she ought to have sought assistance to ensure that the families under her care would have been appropriately safeguarded.

228. The panel concluded that Ms Davis failed to observe the tenets of safeguarding, including not carrying out statutory visits and key safeguarding tasks in a timely fashion or at all, despite repeated prompts. The panel determined that Ms Davis repeatedly displayed conduct which amounted to serious professional misconduct.

Finding and reasons on current impairment:

229. On the question of impairment, Mr Harris submitted that Ms Davis' fitness to practise is currently impaired on both the personal and public grounds. He then outlined the serious conduct in question. Mr Harris stated that Ms Davis had demonstrated limited insight and that she had breached professional standards and brought the profession into disrepute. The panel was asked to find that Ms Davis' fitness to practise is currently impaired.

230. The panel heard and accepted the advice of the legal adviser, who referenced *Cohen v GMC [2008] EWHC 581 (Admin)* in that it should consider if the conduct is easily remediable, has already been remediated, and that it is highly unlikely to be repeated. Further, as per the case of *Council for Healthcare and Regulatory Excellence v NMC and Grant [2011] EWHC 927 (Admin)* the panel was reminded to consider the following questions; a) If Ms Davis has in the past acted and/or is liable in the future to act so as to put a service user at unwarranted risk of harm; and/or b) has Ms Davis in the past and/or is she liable in the future to bring the profession into disrepute; and/or c) has Ms Davis in the past breached and/or is she liable in the future to breach one of the fundamental tenets of the profession. Finally, the panel was also reminded of Social Work England's Impairment and Sanctions Guidance ('the guidance').

231. The panel took note of paragraph 20 of the guidance and was careful when assessing the actual harm caused by Ms Davis' actions and its impact on the seriousness of the case. It noted that whilst her actions had not appeared to have caused harm, they still

represent an unacceptable risk of serious harm if repeated. The panel did not regard Ms Davis' conduct as any less serious because no evidence of actual harm was presented to it.

232. In deciding the question of Ms Davis' current fitness to practise, the panel first considered the personal element of impairment. The panel had no evidence to suggest that Ms Davis' behaviour was anything other than attitudinal. The panel was satisfied that Ms Davis' conduct was such that she exposed the families and children under her care to an unacceptable risk of harm by failing to carry out mandatory safeguarding requirements. The panel noted that Ms Davis' conduct was widespread as it was repeated across her caseload and occurred throughout her time at the Council.
233. The panel also noted that although Ms Davis had no previous Fitness to Practise concerns raised against her, her engagement in this process has been somewhat limited to date. The panel took note of Ms Davis' right to deny the allegations and put forward a defence, however it concluded that she had failed to demonstrate any kind of insight into the issues raised, either at the material period or in the four years since. The panel determined that Ms Davis' attitude to the underlying allegations sought to attribute blame, and in so doing she failed to examine her own conduct or take any responsibility for her actions. The panel was satisfied that Ms Davis had shown no understanding of, or reflection on, the impact her actions could have had on very vulnerable service users. Ms Davis failed to demonstrate that she possessed the ability to critically evaluate her own performance.
234. The panel took the view that the misconduct in question was easily remediable and that as a senior social worker Ms Davis had been afforded every opportunity since the material period to reflect on her actions and demonstrate her remediation. The panel decided however that Ms Davis had failed to utilise the passage of time to demonstrate that she had in fact remediated the shortfalls in her practice. Ms Davis had provided no evidence of work or continuing professional development undertaken since the material period.
235. The panel took note of Ms Davis' testimonial evidence and in so doing considered the guidance which states,

“Testimonials

52. Testimonials that provide up to date, credible information about the social worker's current practice can be relevant when exploring current impairment. The social worker will have an opportunity to provide any testimonials when responding to the regulatory concerns. Testimonials can be submitted by anyone. However, they are most helpful when they come from people with knowledge of the social worker's practice or character.

53. Testimonials should include (all of the following):

- *what the author knows of the concerns that have been raised*
- *an explanation of the author's relationship to the social worker*

- *any declarations of conflict of interest*
- *whether the author is willing to give evidence in-person in support of the testimonial*

54. Decision makers should give little weight to testimonials from persons not aware of the fitness to practise proceedings or the actions behind them”.

236. The panel had no evidence to suggest that the author of the testimonial, knew the details of the concerns raised against Ms Davis nor was she called to give evidence. The panel concluded that the testimonial did nothing to mitigate Ms Davis’ conduct and thus afforded it little weight.
237. The panel was satisfied that, in the absence of any evidence of remediation to consider, and given the circumstances as explained, Ms Davis poses a high likelihood of repeating her misconduct as it had nothing before it to suggest the pattern of behaviour displayed will not be repeated. The panel therefore concluded that Ms Davis’ fitness to practise is currently impaired on the personal element.
238. On the public element of impairment, the panel was clear that Ms Davis, in failing to carry out basic and statutory duties, breaching several professional standards and failing to respond to management instructions, had brought the profession into disrepute. The panel noted that whilst Ms Davis’ actions did not appear to have caused actual harm, they put very vulnerable service users at an unwarranted risk of harm.
239. The panel was satisfied that an informed and reasonable member of the public would be concerned if there were no finding of impairment. Any such finding would substantially reduce the public’s confidence in the social work profession. The panel concluded that the finding of public impairment was necessary to maintain the standards of the social work profession and uphold the public’s confidence.

Decision and reasons on sanction:

240. Mr Harris made submissions on sanction and asked the panel to refer to the guidance when coming to its decision. He said that Social Work England seeks a removal order as this is the most appropriate sanction to protect the public and to maintain confidence in the profession and ensure that professional standards are upheld.
241. Mr Harris submitted the options of no further action, advice and a warning are not proportionate given the serious nature of the misconduct. He also explained that the misconduct coupled with the impairment finding on both elements, made a conditions of practice order unworkable and a suspension order insufficient to protect the public, given the findings of the panel. Mr Harris stated that because of Ms Davis’ limited insight into her actions, their possible consequences and how widespread her misconduct was, a removal order is the only appropriate sanction.

242. The panel accepted the advice of the legal adviser who reminded it that the purpose of a sanction was not to punish Ms Davis but to protect the public and the wider public interest. The panel was reminded of the sanctions available and of the need to consider any aggravating and mitigating factors it sees fit. The panel was also asked to ensure that when considering sanctions, it begins with the lowest sanction and moves through all the available sanctions in ascending order of seriousness, before identifying the sanction it agrees is sufficient to protect the public and maintain confidence in the profession and uphold professional standards. The panel carefully considered the guidance in coming to its decision.

243. Viewing the case as a whole and as canvassed in its findings above, the panel summarised the relevant mitigating and aggravating factors as follows;

244. The panel noted the following mitigation;

- absence of previous fitness to practise history
- IT/equipment issues
- Covid-19 pandemic period in which the social work service as a whole was under pressure
- The Council was short of social workers and Ms Davis had a high caseload
- [Private]

245. The panel identified the following aggravating factors;

- repetition of the concerns and a persistent dismissive attitude to the concerns
- lack of insight and remorse
- lack of remediation
- risk of harm to vulnerable families and children under her care

246. Regarding the mitigating factors, the panel had already discounted the IT equipment issues and [Private]. In relation to the absence of previous fitness to practise history, the panel considered that an experienced social worker should have known the importance of her statutory duties. Finally, regarding the Covid-19 pandemic and the high caseload, the panel recognised that these factors were impacting on all social workers at the time. As stated earlier in this decision, there was no evidence of any efforts by Ms Davis to raise with management any difficulties she was having in relation to her caseload. Therefore the panel found that this did not excuse the misconduct found.

247. Regarding the aggravating factors, the panel took them into consideration when determining misconduct and impairment and revisited them in determining its sanction.

No action, advice or warning

248. The panel concluded that Ms Davis' fitness to practise impairment poses a current risk to public safety and the panel was satisfied there was ample evidence of this. In the

circumstances it decided to exercise its discretion and move beyond the lower sanctions of no action, advice or a warning on this basis. It was satisfied that none of these outcomes would be sufficient to address the risk to the public, as they would not restrict Ms Davis' ability to practice. It would also send the wrong message about the seriousness of this misconduct and therefore not be in the public interest nor maintain public confidence in the profession.

Conditions of practice

249. With reference to the paragraph 114 of the guidance the panel noted that a conditions of practice order may be appropriate in cases where all of the following are engaged;

- *“The social worker has demonstrated insight*
- *the failure or deficiency in practice is capable of being remedied*
- *appropriate, proportionate, and workable conditions can be put in place*
- *decision makers are confident the social worker can and will comply with the conditions*
- *the social worker does not pose a risk of harm to the public by being in restricted practice”.*

250. The panel also took note of paragraph 118 of the guidance which reads;

“118. Conditions of practice are less likely to be appropriate in cases of character, attitude or behavioural failings. They may also not be appropriate in cases raising wider public interest issues”.

251. The panel was satisfied that Ms Davis not only fell short of the requirements of paragraph 114 of the guidance, but also it could not be satisfied that Ms Davis is willing and capable of complying with any conditions. The panel was mindful that although Ms Davis' serious misconduct as identified may not be the most egregious and is easily remediable, in this particular instance, the panel concluded that it was Ms Davis' persistent dismissive attitude to the allegations and her lack of insight that has amplified her overall misconduct. In the absence of any evidence of reflection, retraining and remediation, the panel concluded that there were no workable conditions that could be formulated which would be sufficient to protect service users and the wider public interest given the unaddressed attitudinal failings.

Suspension Order

252. The panel noted paragraph 138 of the guidance which says;

“Suspension is likely to be unsuitable in circumstances where (both of the following):

- *the social worker has not demonstrated any insight and remediation*
- *there is limited evidence to suggest they are willing (or able) to resolve or remediate their failings”*

253. The panel was satisfied that Ms Davis had not demonstrated any insight or remediated her conduct. The panel noted it had no evidence of her current circumstances or and evidence to suggest that she had practised in the last four years or undertaken comparable work or any training. The panel also had nothing to suggest that Ms Davis was ‘willing and able to resolve her failings.’ The panel further considered the fact that Ms Davis had not developed insight over the passage of time and her defence consistently sought to shift the blame and responsibility for her actions. Furthermore, Ms Davis claimed she was the victim in these proceedings and that the concerns were raised maliciously. Ms Davis’ response to the allegations has persistently lacked any element of self-evaluation and/or reflection. The panel had no evidence to suggest that Ms Davis is working towards remediation, has any insight or recognises the ramifications of her actions. The panel concluded that the imposition of a suspension order would not serve any useful purpose or be suitable in these circumstances.

Removal Order

254. The panel was clear that a removal order was the necessary and proportionate sanction in the circumstances. It was satisfied that as per paragraph 148 of the guidance no other outcome would be enough to protect the public, maintain confidence in the profession and maintain proper professional standards for social workers in England. In particular the panel noted Ms Davis’ persistent lack of insight into the seriousness of her actions and the fact that she appears unwilling and/or unable to remediate, given the lack of evidence to the contrary.
255. The panel took note of the case of *Bolton v Law Society [1994] 1 WLR 512*, and carefully considered Ms Davis’ interests but decided they were outweighed by the need to protect the public and the wider public interest. It was satisfied that the imposition of a removal order was necessary and proportionate to achieve this legitimate aim.

Interim order:

256. The panel next considered an application by Mr Harris for an 18-month interim suspension order to cover the appeal period before the final order becomes effective.
257. Having heard from the legal adviser, the panel next considered whether to impose an interim suspension order. It was mindful of its earlier findings and concluded that an interim suspension order is necessary for the protection of the public. The panel concluded that not to impose an interim suspension order would be wholly incompatible with the serious misconduct that it had found and Ms Davis’ current fitness to practise impairment.

258. The panel referred to paragraph 207 of the guidance which highlighted that “*an interim order may be necessary where the adjudicators have decided that a final order is required, which restricts or removes the ability for the social worker to practise...without an interim order, the social worker will be able to practise unrestricted until the order takes effect. This goes against our overarching objective of public protection*”. The panel concluded the interim suspension order was the most prudent way to ensure the protection of the public.
259. Accordingly, the panel concluded that an 18-month interim suspension order is necessary for the protection of the public. When the appeal period expires, this interim order will come to an end unless an appeal has been filed with the High Court. If there is no appeal, the final order of removal shall take effect when the appeal period expires.

Right of appeal:

260. Under Paragraph 16(1)(a) of Schedule 2 of the regulations, the social worker may appeal to the High Court against the decision of adjudicators:
- 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.
261. Under Paragraph 16(2) of Schedule 2 of 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.
262. 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.
263. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to Practice Rules 2019 (as amended).

Review of final orders:

264. Under Paragraph 15(1), 15(2) and 15(3) of Schedule 2 of the regulations:

- 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), and a final order does not have effect until after the expiry of that period

265. Under Rule 16(aa) of the rules 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:

266. 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>.