

Social worker: Shajeda Dewan

Registration number: SW76728

Fitness to Practise

Final Hearing

Dates of hearing: 06 July 2026 to 21 July 2026

Hearing venue: Remote hearing

Outcome: Fitness to practise impaired, suspension order (12 months)

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 Dewan did not attend and was not represented.
3. Social Work England was represented by Ms Sharpe, case presenter from Capsticks LLP.
4. The panel of adjudicators conducting this hearing (hereafter “the panel”) and the other people involved in it were as follows:

Adjudicators	Role
Timothy Skelton	Chair
Natalie Pickles	Social worker adjudicator
Richard Weydert-Jacquard (stood down 16 July 2026)	Lay adjudicator

Hearings team/Legal adviser	Role
Kathryn Tinsley Molly-Rose Brown	Hearings officers
Asma Ansar	Hearings support officer
Dido Ofei-Kwatia	Legal adviser

Service of notice:

5. The panel was informed by Ms Sharpe that notice of this hearing was sent to Ms Dewan by email to an address provided by the social worker (namely their registered address as it appears on the Social Work England register). Ms Sharpe 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 04 June 2026 and addressed to Ms Dewan at her email address which she provided to Social Work England;
 - An extract from the Social Work England Register as of 04 June 2026 detailing Ms Dewan’s registered address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 04 June 2026 the writer sent by email to Ms Dewan at the address referred to above: notice of hearing and related documents;
7. The panel accepted the advice of the legal adviser in relation to service of notice.

8. Having had regard to Rules 14, 15, 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 Dewan in accordance with the Rules.

Proceeding in the absence of the social worker:

9. The panel heard the submissions of Ms Sharpe on behalf of Social Work England. In summary, Ms Sharpe outlined the exchange of communication that had taken place with Ms Dewan. She began with reference to the most recent email from Ms Dewan of 03 July 2026 in which Ms Dewan raises a number of complaints and allegations and states that she would not be attending today’s hearing.
10. Ms Sharpe also referred the panel to the case management meeting (“CMM”) decision of 18 June 2026 where Ms Dewan’s application for an in-person hearing was fully considered by adjudicators who decided that Ms Dewan’s needs and requests for reasonable adjustments could all be met by a hybrid hearing.
11. Ms Sharpe referred to Ms Dewan’s emails of 03 July 2026 and 01 July 2026 in which she objected to the outcome of the CMM. Ms Sharpe submitted that the CMM directions as to the format of the hearing were thoroughly reasoned and responsive to Ms Dewan’s stated needs. She explained that Ms Dewan had a further opportunity to respond to Social Work England’s proposals as to the format of the hearing following her application, prior to the hearing for consideration by the CMM panel, but chose not to do so.
12. Ms Sharpe invited the panel to reject Ms Dewan’s assertion that she has been prevented from participating in the hearing. On the contrary, arrangements have been put in place to enable Ms Dewan to participate.
13. Ms Sharpe also addressed Ms Dewan’s assertions that she has been prevented from accessing the documents for this hearing. Ms Sharpe set out the multiple options that had been given to Ms Dewan, and that on identifying a date of 30 March 2026 and location that would be convenient for her to collect the bundles, she failed to attend and declined to collect the bundles thereafter. Ms Dewan also objected to showing ID to collect the bundles, citing privacy and human rights concerns. Ms Sharpe submitted that in line with Capsticks’ data protection requirements, Ms Dewan would need to confirm her identity before the documents were handed to her at the office.
14. Ms Sharpe explained that in canvassing sending the documents to Ms Dewan via post, Ms Dewan said that her registered address does not allow post to be securely delivered to her and, as exhibited, she said *“I do not wish to receive any documents in the post because I require the evidence trail of emails with attached documents from your firm or Social Work England (SWE) as evidence.”*. In relation to email, Ms Dewan objected to opening documents which are password protected for various reasons that include the assertion that Social Work England and/or the Health and Care Professions Council (“HCPC”) have hacked her emails, she also alleged that they had deleted various items remotely and/or changed her 2 factor authentication details. Ms Sharpe submitted that

password protection is required for sensitive personal information which, in this case, includes information in respect of [PRIVATE] and their identities. Ms Sharpe also explained that Ms Dewan did not respond to the suggestion of a courier delivering the documents to an address personally identified by her.

15. Ms Sharpe submitted that Ms Dewan's repeated assertions that she has been prevented from accessing the bundles, and therefore participating in the hearing, are demonstrably false. Ms Sharpe stated that the CMM decision sufficiently addressed Ms Dewan's concerns and that as per Rule 29 of the Rules, the CMM directions were binding on the parties and today's subsequent panel, unless there has been a material change in circumstance or it was not in the interests of justice for that to be the case. Ms Sharpe explained that no such exceptions applied.
16. Ms Dewan's email of 03 July 2026 also set out a request that Social Work England should apply for an adjournment to today's hearing to "*restart the process*", to provide Ms Dewan with sensitive information in a non-secure fashion and to accede to Ms Dewan's application for an in-person hearing. Ms Sharpe, in response, stated that Social Work England is making no application for an adjournment in view of the CMM directions and attempts made to meet Ms Dewan's requests. Ms Sharpe submitted that there has been no change of circumstances and that Ms Dewan disagreeing with an outcome does not mean that it is no longer in the interests of justice for that decision to stand.
17. Ms Sharpe submitted that Ms Dewan's lack of attendance today amounts to a voluntary waiver of her right to attend and be represented as she is clearly aware of the final hearing listing. Ms Sharpe said there are no reasonable grounds for an adjournment of the final hearing and no good reason to delay the hearing as there is no reasonable suggestion that an adjournment, of any length, will secure Ms Dewan's attendance for the final hearing.
18. Ms Sharpe also explained that a number of witnesses, including members of the public and non-social workers, have made themselves available to give evidence this week. Adjourning the hearing at this late stage would cause significant inconvenience to the witnesses and Social Work England, as well as the incurring the detrimental cost implications of rescheduling a 12 day hearing. Ms Sharpe invited the panel to proceed in the interests of justice and in order to undertake the expeditious disposal of this hearing.
19. 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 Dewan's 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)*.

20. The panel also considered the CMM decision of 18 June 2026 which reads as follows:

“Hearing in person

The panel noted that Ms Dewan seeks a hearing in person [PRIVATE]. Ms Dewan states that she will not be able to participate in an online hearing and this will have an adverse effect [PRIVATE]. Also, Ms Dewan indicated that she does not have a laptop or computer.

The panel was satisfied that in view of the matters raised, Ms Dewan’s application to participate in the hearing in person should be granted.

Reasonable adjustments

The panel noted that Ms Dewan seeks reasonable adjustments that include ‘a. A large table to lay out the bundles and documents b. A space away from Capsticks or SWE presenters and legal advisers and barristers/counsel so that I am not intimidated by anyone c. An additional table and chair for a McKenzie friend (as yet not appointed / identified) d. From time to time, I may need breaks of 15 minutes and would request that these breaks are scheduled into the Hearing timetable e. Printed bundles f. Additional speakers at my desk connected to ensure that I am able to hear everything being said in the room’.

The panel carefully considered Social Work England’s response to the reasonable adjustments and was satisfied that Social Work England’s proposals (as summarised at paragraph 13 above) were entirely adequate in meeting both Ms Dewan’s [PRIVATE] associated reasonable adjustments ensuring that she would be able to fully participate in the hearing.

Hybrid hearing

In granting the application for Ms Dewan to attend the hearing in person and to have the reasonable adjustments as requested, the panel decided that this applied to Ms Dewan specifically. The panel decided that there was no need for any other party to attend the hearing in person and therefore concluded that the final hearing would proceed in a hybrid format to enable the remaining parties to join remotely.

The panel was satisfied that its decision for a hybrid hearing is fair and proportionate in the circumstances. The panel determined that not only will Ms Dewan’s important needs be met, but also the effective participation of the witnesses would be ensured as some had indicated that their circumstances are such that they will not be able to attend the hearing in person to give evidence.

The panel was confident that a hybrid hearing would be in the public interest as it would ensue that the case continued on schedule and that there would be no extra cost implications for Social Work England in terms of travel and accommodation.

Given its decision for a hybrid hearing, the panel saw no need for any further directions in relation to the witnesses.

Directions:

The panel made the following directions:

- a. The social worker will be given the opportunity to attend the hearing in person*
- b. All other parties will attend the hearing remotely*
- c. The social worker will be able to use the technology within the hearings suite, which will address her [PRIVATE] and/or lack of laptop and/or computer and/or internet connection.*
- d. The social worker will be provided with the private space she seeks, away from all other participants.*
- e. The social worker can be provided with a large table, as sought.*
- f. A McKenzie friend will be able to join the social worker in person, with tables and chairs being provided, as sought”.*
- g. Printed bundles will be provided to the social worker*
- h. The panel will be mindful of the social worker’s need for regular breaks to ensure she can fully engage throughout the hearing. If there is a need for further breaks, Ms Dewan shall make the panel aware.*

21. The panel also took note of the extensive correspondence and the consistent and significant endeavours which Social Work England has undertaken to support Ms Dewan in engaging in the process by providing various alternative means for Ms Dewan to access documents. The panel acknowledged that although Social Work England has sought a workable way to meet Ms Dewan’s needs and ensure confidentiality, none of these methods have been acceptable to Ms Dewan.
22. The panel considered all of the information before it, together with the submissions made by Ms Sharpe on behalf of Social Work England. The panel was satisfied that as per Rule 29 of the Rules, the CMM decision was binding as there has been no material change of circumstances and the decision remained in the interests of justice.
23. The panel decided that Ms Dewan was aware of today’s hearing and had indicated that she would not be attending in her latest email dated 03 July 2026 in which she stated “...No, I will not be attending any hearing designed to subject me to more injustice and discrimination”.
24. The panel therefore concluded on this basis, that Ms Dewan had chosen voluntarily to absent herself from these proceedings. The panel had no reason to believe that an adjournment would result in Ms Dewan’s future attendance. Having weighed the interests of Ms Dewan 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 as this could be done ensuring fairness.

Preliminary matters:

25. The panel was satisfied that parties had the same documentation presented in support of the final hearing, which consisted of;
- Hearing timetable – 7 pages
 - Identification key – 1 page
 - Statement of case – 39 pages
 - Statements bundle – 53 pages
 - Exhibits bundle – 978 pages
 - Social worker response bundle – 493 pages
 - Service and supplementary bundle – 50 pages
 - Correspondence bundle – 42 pages
 - Email from SW 3 July 2026 – 2 pages

Day 4

26. On 9 July 2026 at 1:26 pm Ms Dewan sent an email response to Social Work England which read, “...*Thank you for your email which I have read at 12.45 pm today...Would be grateful if you could email me a pdf of the Hearing Timetable/Schedule without any password so that I can have some understanding of what has been taking place since Monday and what else may be taking place to 21st July 2026. As you are aware, I have not accessed any online links of any bundles with passwords. Please may you confirm if I were able to raise funds to pay for transport to come to collect the 2 printed bundles from your Sheffield Offices, that they would be provided to me upon showing this email on my phone. As your organisation or Capsticks or both had confirmed that they were going to printed and ready for me and any McKenzie Friend*”.
27. The panel noted that Ms Dewan was responding to an email sent by Social Work England on 9 July 2026 at 12:38 pm which said, “*I am writing to update you that the panel determined it was appropriate to proceed with the hearing in your absence and has now moved on to its deliberations on facts. Once the panel has concluded its deliberations on the facts, the legal adviser will draft the factual findings section of the determination. This decision will then be sent to you for your information. The panel will resume on Monday morning at the earliest to proceed to the next stage of the hearing.*”

We will provide a further update once proceedings reconvene and any subsequent decisions have been made”.

28. The response to Ms Dewan’s requests included a copy of the estimated hearing timetable and confirmed that the panel was currently deliberating on facts. Ms Dewan was informed that the panel’s decision would be expected on Monday or Tuesday. The panel was satisfied that as per the CMM directions, it remained open for Ms Dewan to attend Social Work England’s Sheffield offices.

Day 8

29. The panel received an email from Ms Dewan dated 15 July 2026 in which she mentioned a recent [PRIVATE] and asked to be able to pick up the court bundles from the Sheffield office at 4:30pm. She also said, *“Then I can read the bundle and submit any written submissions next week”*.
30. In response to the email request Ms Sharpe addressed the panel and informed it that the bundles remain available for Ms Dewan’s collection. In relation to the written submissions, Ms Sharpe reminded the panel that Ms Dewan is aware that the hearing was listed to conclude on 21 July 2026 and that the facts stage has been completed. She added that Ms Dewan is also aware of the panel’s decision to proceed in absence as Ms Dewan had voluntarily absented herself. Notwithstanding its decision on proceeding in absence, Ms Sharpe highlighted that the panel had given Ms Dewan an opportunity to provide submissions, but she has not done so. Ms Sharpe said that the public interest lies in this matter continuing without further delay and being disposed of expeditiously. She said that Ms Dewan should not be granted any further time as she has had ample opportunity to engage. Ms Sharpe also added that the panel ought to have delayed providing Ms Dewan with the panel’s decision on facts and instead provide the full decision at the end of the hearing, but the panel’s desire to keep Ms Dewan abreast of its decision by sharing it earlier was understandable.
31. The panel heard advice from the legal adviser who reminded it of the CMM decision and its earlier decision on proceeding in absence. The panel was advised that unless there had been a material change of circumstances, then its earlier decision to proceed in absence should stand. The panel was also reminded that in her email Ms Dewan gave no definitive indication that she would actually provide written submissions or an expected timescale.
32. The panel concluded that there is nothing fundamentality new or any new information that changes its earlier decision to proceed in absence. It also noted Ms Dewan’s history of unreliability and that she had not actually made a request for an adjournment. The panel decided that it was in the interests of justice to proceed without further delay and in accordance with the hearing timetable.

Day 9

33. [PRIVATE], the lay adjudicator appointed to the panel was no longer able to partake in the hearing. The panel heard submissions from Ms Sharpe who submitted that the

remaining 2 person panel is quorate and as such ought to proceed with the hearing in the interests of justice and in view of the stage that the proceedings had reached.

34. The panel also heard legal advice and was reminded of Rule 34 which reads,

“(a) Where a case is to be considered under these Rules by the adjudicators or the case examiners, the regulator must appoint at least one lay person and at least one registrant.

(b) Where a case is to be considered by the regulator under these Rules, the person or persons appointed to determine the case must include at least one lay person.

(c) The chair of any hearing or meeting must be a lay person”.

35. The panel decided to proceed as a 2 person panel as they formed an acceptable composition with regard to Rule 34. The panel was satisfied that the alternative of an adjournment was unfavourable in the circumstances, as there is no indication as to when the lay adjudicator will be available to resume the role. The panel concluded it is fair and in the public interests for the hearing to proceed.

Allegations:

36. The allegation arising out of the regulatory concerns referred by the case examiners on 29 April 2025 is:

Whilst registered as a social worker:

1. [PRIVATE]:

a. [PRIVATE];

b. [PRIVATE]:

i. [PRIVATE];

ii. [PRIVATE];

iii. [PRIVATE]

2. *Following the end of your placement with Elysium Healthcare, you failed to maintain professional boundaries in respect of Child C, in that you:*

a. *Sent inappropriate WhatsApp messages to a former colleague asking for information;*

b. *[PRIVATE] without an invitation to do so;*

c. *Behaved inappropriately at [PRIVATE] towards members of Child C’s family;*

d. *Made inappropriate requests for information in respect of Child C to one or more of the following:*

i. *Child C’s family;*

ii. *[PRIVATE];*

iii. *NHS England*

- e. *You misrepresented your position relating to Child C to one or more of the following:*
 - i. *NHS England;*
 - ii. *[PRIVATE];*
 - iii. *Child C's family.*
- 3. *Your conduct at paragraph 2(e)(i) and / or 2(e)(ii) and / or 2(e)(iii) above was dishonest in that you knowingly misrepresented your position.*

The conduct at paragraph 1 – 3 above, amounts to misconduct.

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

Admissions:

37. Rule 32c(i)(aa) of the Rules states:

Where facts have been admitted by the social worker, the adjudicators or regulator shall find those facts proved.

38. The panel noted that Ms Dewan had not made any admissions and therefore considered all of the allegations to be in dispute.
39. In line with Rule 32c(i)(a) of the Rules, the panel then went on to determine the disputed facts.

Summary of evidence:

Social Work England

40. The panel read all the relevant documents including and not limited to the statement of case, statements bundle, exhibit bundle and Ms Dewan's social worker response bundle.
41. Ms Sharpe 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 and (various exhibits) in chief as follows;
- a. Ms Ruth Lacey – former Head of Service for Safeguarding Standards, Quality Assurance at Wandsworth London Borough council.
 - b. [PRIVATE]
 - c. Mrs Fraher-Vernon – former Hospital Director, Potters Bar Clinic, Elysium Healthcare.
 - d. Mr Swire – former Deputy Hospital Director, Potters Bar Clinic, Elysium Healthcare.
 - e. Mr Walker Matsviere – former Family Therapist at Potters Bar Clinic, Elysium Healthcare.
 - f. [PRIVATE].

- g. [PRIVATE].
- h. Ms Anna Craig – Solicitor at Capsticks, production statement only.

42. The panel also read the production witness statement of Ms Craig, a solicitor at Capsticks Solicitors LLP.

Ms Dewan

43. Whilst Ms Dewan did not formally respond to the allegations, it was evident from her social worker response bundle that she accepted that she had continued to work with [PRIVATE]. Also, she attended [PRIVATE], made requests for information and used a range of different professional titles. However, Ms Dewan did not accept that her actions were inappropriate, misleading or dishonest. In her defence Ms Dewan considered that she had been victimised and discriminated against and was being punished for whistleblowing when protecting the rights of children.

Finding and reasons on facts:

44. The panel accepted the advice of the legal adviser, who reminded it that where facts have been admitted they are to be found proved. 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.
45. In reaching its decision the panel was reminded to consider all of the documentary evidence before it and oral evidence from the live witnesses. The panel was reminded to give appropriate weight to contemporaneous documents, to treat witness demeanour with caution, and to assess hearsay evidence carefully, attaching weight in light of corroboration, reliability and fairness.
46. In relation to dishonesty, the panel was advised to apply the test as set out in *Ivey v Genting Casinos (2017) UKSC 67* and, in so doing, to first determine Ms Dewan's actual state of knowledge or belief as to the facts at the relevant time, and then to consider whether the conduct would be regarded as dishonest by the standards of ordinary decent people.
47. In reaching its decision the panel decided that the witness evidence was clear and consistent with their exhibits and where relevant, their oral evidence. When questioned by the panel there were no significant inconsistencies in the overall evidence provided. Furthermore, the evidence came from a wide range of lay and professional witnesses from different employers, many of whom did not know each other. The panel found no evidence of discrimination or victimisation. The panel was therefore able to give considerable weight to the evidence of the witnesses in reaching its determination on facts.

Background to Particular 1

48. [PRIVATE].

Particular 1a

[PRIVATE]

- 49. [PRIVATE];
- 50. [PRIVATE].
- 51. [PRIVATE].
- 52. [PRIVATE].
- 53. [PRIVATE]”.

Panel’s evaluation

- 54. [PRIVATE].
- 55. [PRIVATE].
- 56. [PRIVATE].
- 57. [PRIVATE].
- 58. [PRIVATE].
- 59. [PRIVATE].
- 60. [PRIVATE].

Particular 1b

[PRIVATE]:

- i.* [PRIVATE];
- ii.* [PRIVATE];
- iii.* [PRIVATE]

- 61. [PRIVATE];
- 62. [PRIVATE].
- 63. [PRIVATE].
- 64. [PRIVATE].
- 65. [PRIVATE].
- 66. [PRIVATE]
- 67. [PRIVATE]
- 68. [PRIVATE].
- 69. [PRIVATE]:

- a. [PRIVATE];

- b. [PRIVATE];
- c. [PRIVATE];
- d. [PRIVATE];
- e. [PRIVATE];
- f. [PRIVATE];
- g. [PRIVATE].

70. [PRIVATE].

71. [PRIVATE].

72. [PRIVATE].

73. [PRIVATE].

74. [PRIVATE]

75. [PRIVATE].

76. [PRIVATE].

77. [PRIVATE].

Panel's evaluation

78. [PRIVATE].

79. [PRIVATE].

80. [PRIVATE].

81. [PRIVATE].

Particular 1b(i)

82. [PRIVATE].

83. [PRIVATE].

84. [PRIVATE].

85. [PRIVATE].

Particular 1b(ii)

86. [PRIVATE].

87. [PRIVATE].

88. [PRIVATE].

Particular 1b(iii)

89. [PRIVATE].

90. [PRIVATE].

91. [PRIVATE].
92. [PRIVATE].

Background to Particular 2

93. On 14 February 2019, the HCPC received a referral from Elysium Healthcare in respect of Ms Dewan from Ms Andrew, the Regional Operation Director [PRIVATE] of Elysium Healthcare (“the hospital”). Ms Dewan had begun a placement with Elysium Healthcare, as a (senior) social worker based in their Potters Bar hospital on 8 January 2019, via Caritas, a recruitment agency.
94. On 9 January 2019, a care programme approach and action planning meeting took place in respect of Child C. Child C, various professionals and Child C’s father attended the meeting. Ms Dewan attended this meeting as the hospital’s newly appointed social worker. [PRIVATE]. Ms Dewan’s professional engagement at the hospital came to an end of 16 January 2019. The concerns raised involved Ms Dewan allegedly [PRIVATE] without invitation, engaging in inappropriate contact with family members on that occasion, requesting inappropriate information from colleagues and misrepresenting her position in relation to Child C.

Particular 2a

Whilst registered as a social worker: Following the end of your placement with Elysium Healthcare, you failed to maintain professional boundaries in respect of Child C, in that you: sent inappropriate WhatsApp messages to a former colleague asking for information;

95. Mr Matsvaire, a family therapist at the Potters Bar Clinic with whom Ms Dewan shared an office whilst working briefly at the hospital said that after Ms Dewan’s employment ended in January 2019, she exchanged messages with him.
96. The text messages via WhatsApp as exhibited are timed at 4.48am and 4.51am, are those in which Ms Dewan made a number of requests for information in respect of Child C, namely:
 - a. Whether Mr Matsvaire was aware that the social worker had not been contacted by Mrs Fraher-Vernon (the then Hospital Director) or Mr Swire (the then Deputy Hospital Director) [PRIVATE];
 - b. Whether Mr Matsvaire was aware that “apparently” Mr Swire had not provided Mrs Fraher-Vernon with the social worker’s telephone number;
 - c. Whether Mr Matsvaire was aware that Mr Swire had “*tried to place blame on me for his failure in completing Safeguarding Referrals/notifications in relation to [PRIVATE];*”
 - d. Whether Mr Swire had told Mr Matsvaire, “*anything about the concerns I have raised with him and Ginette [Fraher] from my observations at the clinic from one*

days [sic] training and 3.5 days spent on meetings/orientations at the clinic?” and “If you have been told, can you tell me what he has informed you?”

- e. [PRIVATE]
- f. [PRIVATE]
- g. Whether Mr Matsvaire knew that *“Dean [Swire] convinced Ginette [Fraher] and possibly also the Regional Director to not agree to the job title I requested, in order for me to effectively help the children, and to end my contract?”*
- h. [PRIVATE]
- i. [PRIVATE]
- j. [PRIVATE]
- k. A request for Mr Matsvaire to advise the social worker of when Mr Swire became *“a trained OT and when did he become Deputy Hospital Director?”*

- 97. Ms Dewan ended the messages by asking Mr Matsvaire not to share the message with anyone at the clinic as *“I am not staff there.”*. Ms Dewan said that she would be grateful to speak with Mr Matsvaire and would call him *“later on in the morning today”*.
- 98. Given the nature of the messages, Mr Matsvaire provided them to Mrs Fraher-Vernon, a senior manager.

Panel's evaluation

- 99. The panel noted and accepted Mrs Fraher-Vernon's written evidence that said *“At paragraph 12 of my first witness statement, I mention Elysium's General Data Protection Regulation (“GDPR”) policy. I now attach at Exhibit GF/02 a copy of the GDPR Data Protection and Confidentiality policy in place in June 2018 which was in force at the time and at Exhibit GF/03 a copy of the policy dated February 2019 which was also in force at the time...I understand that there were some text messages between Walker Matsvaire, Family Therapist, and the Social Worker following the [PRIVATE]...It is my understanding that you would not discuss patient's details on unsecured networks and this should have been done via work email, not via text message. Point 16 of the Data Protection and Confidentiality policy (Exhibit GF/02 and Exhibit GF/03) states “where Personal Data needs to be shared electronically safeguards must be in place to ensure confidentiality (such as, use of NHS.net (secure email) or encrypted devices or encrypting the email).”*
- 100. The panel also accepted the oral evidence of Mrs Fraher-Vernon who said that, at the material time, work phones did not have WhatsApp and as such Ms Dewan must have sent the messages to Mr Matsvaire from her personal phone. The panel further accepted the oral evidence of Mr Matsvaire who confirmed he received the messages on his personal phone.
- 101. The panel was satisfied that Ms Dewan's messages were not appropriately secured as they were sent via WhatsApp. The panel decided that this was inappropriate as it raised possible data protection concerns and was not a reasonable method to convey sensitive confidential information.

102. The panel decided that the messages sent by Ms Dewan were also inappropriate in that they were requesting information in respect [PRIVATE] and the hospital's investigations into it. The panel noted that Ms Dewan was no longer employed at the hospital when she sought the information and as such Mr Matsvaire would not have been in a position to discuss a patient with her. The panel was satisfied that Ms Dewan herself was aware of her inappropriate behaviour and the panel drew support for its position from Ms Dewan asking Mr Matsvaire not to share the message with anyone at the clinic as "*I am not staff there.*".
103. The panel also noted Mr Matsvaire's oral evidence in which he said that he did not reply to the messages as he felt it would have been inappropriate to do so. He explained that professional judgement led him to pass the messages on and that there would have been guidance and policies that they work with, that would have been in place at the time. This guidance would have highlighted the inappropriateness of Ms Dewan's actions.
104. The panel was satisfied that Ms Dewan had failed to maintain professional boundaries in respect of Child C by sending inappropriate messages to a former colleague asking for confidential information without good or justifiable reason, from her personal phone, using WhatsApp.
105. **The panel found allegation 2a proved by the documentary evidence and the witness evidence of Mr Matsvaire and Mrs Fraher-Vernon.**

Particular 2b

Whilst registered as a social worker: Following the end of your placement with Elysium Healthcare, you failed to maintain professional boundaries in respect of Child C, in that you: [PRIVATE]

106. Child C's father stated that Ms Dewan "*turned up*" to [PRIVATE], noting "*Nobody knew who she was...*" Child C's father said he was "*not too happy*" that Ms Dewan had attended [PRIVATE], given his perception of Ms Dewan's involvement in the days leading up to [PRIVATE].
107. Child C's father confirmed "*The Social Worker was not invited to [PRIVATE] and we certainly felt that she overstepped her mark.*" Child C's father telephoned the hospital to inform them that Ms Dewan had "*shown up*" at [PRIVATE].
108. Mrs Fraher-Vernon confirmed that she, and another member of Elysium staff, attended [PRIVATE]. Mrs Fraher-Vernon confirmed that Ms Dewan was also in attendance at [PRIVATE], though Mrs Fraher-Vernon did not interact with her, and that Mrs Fraher-Vernon understood that Ms Dewan had not been invited to [PRIVATE] and, on that basis, that it was very unprofessional for Ms Dewan to have attended.
109. [PRIVATE].

Panel's evaluation

110. [PRIVATE].
111. [PRIVATE].
112. The panel noted the contradiction in Ms Dewan's account in relation to whether or not she had been invited to [PRIVATE]. The panel preferred the consistent evidence of Father C, who in oral evidence maintained the position stated in his written evidence and was clear that he did not invite Ms Dewan to [PRIVATE].
113. The panel took note of the oral evidence of Father C who said he wanted Ms Dewan to go away and that she was redirected away from him and Child C's mother at [PRIVATE].
114. The panel found no evidence to suggest that Ms Dewan had been invited to [PRIVATE] and it was satisfied that Ms Dewan's limited engagement with Child C for only 2 days prior to [PRIVATE] was unlikely to have elicited an invitation. The likely absence of an invite was given further credence by Child C's father in his oral evidence when he [PRIVATE]. Therefore, he would not have wanted her attendance at [PRIVATE]. Further, the panel noted that Ms Dewan was provided with no detail about [PRIVATE], such that she had to access the information on the internet.
115. The panel was satisfied that Ms Dewan was no longer employed by the hospital and had no cause to have contact with Child C's family. As such the panel concluded that Ms Dewan failed to maintain professional boundaries in respect of Child C, in that she attended [PRIVATE] without an invitation to do so.
116. **The panel found allegation 2b proved by the documentary evidence and the witness evidence of Father C and Mrs Fraher-Vernon.**

Particular 2c

Whilst registered as a social worker: Following the end of your placement with Elysium Healthcare, you failed to maintain professional boundaries in respect of Child C, in that you: Behaved inappropriately at [PRIVATE] towards members of Child C's family;

117. Father C stated that whilst in attendance at [PRIVATE], Ms Dewan tried to "corner" Child C's mother and Father C saying that she had "*really important information*" for them and that she wanted to talk to them. Father C also describes Ms Dewan approaching members of the extended family, Child C's cousins, and asking them, in an accusatory manner "[PRIVATE]".
118. Child C's step-grandfather provided contact details to Ms Dewan which Father C described as an attempt to calm things down. On 3 February 2019, Ms Dewan wrote to Child C's step-grandfather, who forwarded the email to Father C the following day, 4 February 2019 as exhibited, with the message: "*This lady tried to talk to [PRIVATE] on [PRIVATE] but was told, quite rightly, 'not now' I did give her my card and received the following today. Up to you how you proceed. I do not have an e mail address for [Mother C]*"

119. Ms Dewan's email as exhibited read:

"[PRIVATE].

Due to confidentiality law-I do not think I am able to correspond with you via your work email address. However there were some important information [sic] that I came to know, and urgently need clarity by email from the Parents-as I am not able to undertake any direct discussions with them about the information on the phone [as I can be asked to give evidence to any investigation]. I am of course an Independent Professional Social Worker for the Child [C]-and I represent [PRIVATE] best interests. I am also a Professional Witness. I do not work for the Clinic or any NHS hospitals or Councils.

I would be grateful if you could please forward my email to both parents, and request them to contact me by email-so that I can request them [sic] the clarity I would like them to provide in respect to some information-which is very important in order to help other Children. And I would also like to provide some (free) professional assistance to them both through email-so that they have the information and will know what to do. Please let them know that I cancelled a trip to go abroad, [PRIVATE], and it is likely that I will reschedule to be away from the end of the next week for 2-4 weeks.

Best regards,

Shajeda Dewan,

Independent Consultant & Mediator (Family Law)

DipSW, DipHE, MSc [University College London]

Registered Professional"

Panel's evaluation

120. The panel noted the evidence of Mrs Fraher-Vernon who said *"In relation to Elysium's GDPR policy, if we are not in employment with Elysium, you do not contact service user's families. The Social worker was working outside of her role and she believed herself to be an independent social worker but that was not commissioned by us at Elysium"*.
121. The panel also took note of the evidence of Mr Swire who said that it was his understanding Ms Dewan attended [PRIVATE] of Child C and somehow got information about where and when [PRIVATE] was. He explained that it was his understanding that this was not requested by the agency or the hospital. Ms Swire said the expectation was that after Ms Dewan's employment was terminated there was no need to interact with any service users and/or their families. Any contact should be explicitly in relation to the role they were appointed to and obviously she ceased in her role as social worker.
122. The panel was satisfied that Ms Dewan's attempts to approach Child C's mother and other family members to discuss matters at [PRIVATE] was inappropriate, in that there was no professional reason for Ms Dewan to have done so and, even if there had been a

legitimate professional reason to do so, [PRIVATE] was not an appropriate time or place for Ms Dewan to have done so.

123. As such the panel concluded that Ms Dewan failed to maintain professional boundaries in respect of Child C, in that she behaved inappropriately [PRIVATE] towards members of Child C's family.
124. **The panel found allegation 2c proved by the documentary evidence and the witness evidence of Father C and Mrs Fraher-Vernon.**

Particular 2d

Whilst registered as a social worker: Following the end of your placement with Elysium Healthcare, you failed to maintain professional boundaries in respect of Child C, in that you: Made inappropriate requests for information in respect of Child C to one or more of the following:

- i. Child C's family;*
- ii. [PRIVATE];*
- iii. NHS England*

125. As set out at 2c above, Ms Dewan emailed Child C's step-grandfather "*urgently seeking clarity*" from Child C's parents.
126. As per the exhibits;
127. In a statement drafted by Ms Dewan to [PRIVATE], Ms Dewan stated that she had made requests for Child C's parents to contact her so that she could ascertain what information Child C's parents had been provided with by Elysium (namely, whether or not they had been provided with the social worker's statements) and because Ms Dewan considered that it was important that Child C's parents received the social worker's statement(s).
128. Ms Dewan of her own volition prepared two "witness statements" in respect of Child C, dated 17 January 2019 and 1 February 2019 respectively. Ms Dewan said in a fourth statement, prepared for [PRIVATE], that she had provided these statements to a number of bodies including OFSTED, the Care Quality Commission ("CQC") and the hospital.
129. On 16 January 2020, a member of staff of [PRIVATE] wrote to Ms Dewan by email and communicated that the [PRIVATE] requested a written statement in respect of her involvement with Child C within 4 weeks of receipt of the request.
130. On 17 January 2020, Ms Dewan responded asking whether a date had been scheduled for [PRIVATE]; requesting whether her previous "*submissions in previous statements and email to the Involved [PRIVATE]*" would be disclosed to Child C's family and legitimate interested parties; requesting information as to who would "*fall in the group of 'legitimate interested parties'*"

131. The [PRIVATE] answered Ms Dewan’s queries on 17 January 2020 and confirmed that [PRIVATE] would be sent on receipt of Ms Dewan’s statement.
132. On 17 January 2020, Ms Dewan enquired as to whether she could be granted anonymity at the [PRIVATE] and whether her statement would be disclosed to “*any member of the Public or Government Services*” on request. Ms Dewan commented that she was experiencing “*high levels of aggression and harm*” from the hospital. Ms Dewan signed off this email as an “*Independent Social Worker, Anthropologist & Family Mediator*”. [PRIVATE] answered Ms Dewan’s queries by an email dated 17 January 2020.
133. On 21 January 2020, the social worker made wide-ranging requests for information in respect of Child C from [PRIVATE], including:
- a. [PRIVATE];
 - b. Police investigation reports;
 - c. CQC investigation reports (the social worker noting she had accessed the published reports of inspection by the CQC and OFSTED);
 - d. GP records;
 - e. [PRIVATE];
 - f. [PRIVATE].
134. Ms Dewan stated that her access to this material prior to writing her statement was “*in Child C’s interests and in the public interest*”.
135. [PRIVATE] confirmed on 23 January 2020 that [PRIVATE] would review Ms Dewan’s requests for documents on receipt of her witness statement “*and not before*”. The email also attached a Schedule 5 Notice, pursuant to Schedule 5 part 1(2) of [PRIVATE], which compels the provision of a written statement.
136. On 23 January 2020, Ms Dewan responded to the Notice with further questions as to disclosure of any statement she may provide to the hospital and complaints about the treatment from the hospital.
137. On 24 January 2020, Ms Dewan sent an email to [PRIVATE] with the subject “Application to be granted “Legitimately Interested Party” status”.
138. On 30 January 2020, Ms Dewan sent further representations to [PRIVATE] in respect of the witness statement sought saying, in summary, that she was unable to provide a statement within the timeframe as she did not have “*sufficient time to consider all my previous correspondence, previous statements and my observations of evidence in respect to, and relating to the Child [C]*”. Ms Dewan also stated that it could not be reasonably expected for “*an independent professional person*” to provide a statement when they had not received copies of “*all the information, statements and reports already provided to [PRIVATE]*”. Ms Dewan suggested that the [PRIVATE] could be adjourned in order to provide her with 12 weeks to provide a statement once the entire bundle had been provided. Ms Dewan reiterated that it was not reasonable to ask her to provide a statement without providing “*copies of statements and evidence submitted by Elysium to [PRIVATE] and to the police*”. Ms Dewan asserted that public interest, and

the interests of children currently or previously placed at Elysium required that she be provided with *“the information and evidence which has and may further been received by [PRIVATE]”* so that she could consider it. Ms Dewan also wrote:

“It may be important, if Child C’s parents give permission, for me to meet with the parents before I write any statement. I do not have their contact details, and unable to contact them [sic]. But it seems important that I meet with them to understand some matters before I write a statement. I would do this as an Independent Professional.”

139. Ms Dewan reiterated *“I also request that [PRIVATE] consider that it may not be in the interests of the Public for me to provide a statement at this stage without me having sight of the statements and reports filed to [PRIVATE] process to date in respect of Child C”*
140. On 4 February 2020, [PRIVATE] responded to Ms Dewan and confirmed that [PRIVATE] would not adjourn the [PRIVATE] as it would be unfair to Child C’s parents and the other witnesses to do so and that the statement required was a factual account of any matters in Ms Dewan’s recollection in respect of the circumstances of [PRIVATE]. The statement should not include Ms Dewan’s opinions or recommendations and that it did not require references to any documents and that *“It is certainly neither necessary or appropriate for you to meet Child C’s parents before preparing the statement.”*
141. Ms Dewan subsequently provided her witness statement (described as the “fourth witness statement”) on 28 February 2019.
142. In a statement written by Ms Dewan dated 1 February 2019, accompanied by a statement of truth, she wrote:
- [PRIVATE].
143. [PRIVATE], Ms Carey attended the Potters Bar Clinic in order to conduct a walk through to assess the clinic’s adherence with national frameworks and to assess the support being provided to Child C’s family and frontline clinicians. Prior to entering the hospital, Ms Carey received a telephone call from Ms Dewan. Ms Carey was not made aware during this call that Ms Dewan was no longer working for the hospital.
144. In emails between 22 January 2019 and 11 February 2019, Ms Dewan made a number of requests for information into [PRIVATE] from Ms Carey, including:
- Whether Ms Carey had been provided with a copy of the social worker’s statement
 - Ms Carey to confirm *“the nature of actions or decisions you have considered or undertaken”* in respect of Child Protection concerns at Potters Bar.
 - Further requests for confirmation as to whether Ms Carey had been provided with a copy of the social worker’s statement; the date on which it was provided to her; whether Ms Carey had requested a copy of the social worker’s statement and if so, the date on which she had made the request; a repeated request for information in respect of *“the nature of actions or decisions you have considered*

or undertaken” in respect of Child Protection concerns at Potters Bar; whether Child C’s parents had been provided with a copy of the social worker’s statement.

- d. Further request for confirmation as to whether Ms Carey had been provided with a copy of the social worker’s statement; whether Child C’s parents had been provided with a copy of the social worker’s statement.
- e. [PRIVATE].

Panel’s evaluation

Particular 2d(i)

- 145. The panel noted and accepted Mrs Fraher-Vernon’s written evidence that said “*At paragraph 12 of my first witness statement, I mention Elysium’s General Data Protection Regulation (“GDPR”) policy. I now attach at Exhibit GF/02 a copy of the GDPR Data Protection and Confidentiality policy in place in June 2018 which was in force at the time and at Exhibit GF/03 a copy of the policy dated February 2019 which was also in force at the time. At paragraph 12 of my first witness statement I state “in relation to Elysium’s GDPR policy, if we are not in employment with Elysium, you do not contact service user’s families”. It was my understanding at the time that Elysium’s GDPR policy stated that if we are not in employment with Elysium, you do not contact service user’s families. However, I have been unable to locate where it states this in the policy itself...*”
- 146. Ms Dewan’s attempts to gain “clarity” namely, information from Child C’s parents in respect of what information had been provided to them by the hospital in particular, whether they had received the statements Ms Dewan had written of her own volition, was inappropriate in that she had no professional reason to attempt to make further direct contact with the family [PRIVATE].
- 147. The panel was satisfied that Ms Dewan’s email was sent when she was no longer employed by the hospital and that she had no professional reason to attempt to make further direct contact with the family.
- 148. The panel was satisfied that Ms Dewan sought sensitive, confidential information from Child C’s family without good or justifiable reason. It decided that in so doing Ms Dewan had failed to maintain professional boundaries in respect of Child C, by making inappropriate requests for information.

Particular 2d(ii)

- 149. The panel took note of the contemporaneous evidence as exhibited and was satisfied that approximately a year after she left the employment, Ms Dewan was making wide ranging requests for sensitive and highly confidential information. The panel noted that Ms Dewan delayed responding to [PRIVATE] clear direction and the limited request for information that was required of her.
- 150. The panel was satisfied that Ms Dewan sought sensitive confidential information that included Child C’s [PRIVATE] notes from [PRIVATE] without good or justifiable reason. It

decided that in so doing Ms Dewan had failed to maintain professional boundaries in respect of Child C, by making inappropriate requests for information.

Particular 2d(iii)

151. The panel was satisfied that Ms Dewan's contract with the hospital ended on 16 January 2019. As such the panel found no professional reason for Ms Dewan to contact hospitals and seek further information in respect of the date of [PRIVATE].
152. The panel was satisfied that Ms Dewan sought sensitive confidential information in relation to [PRIVATE] without good or justifiable reason. It decided that in so doing Ms Dewan had failed to maintain professional boundaries in respect of Child C, by making inappropriate requests for information.
153. **The panel therefore found allegations 2d(i), (ii) and (iii) proved by the documentary evidence and the witness evidence of Mrs Fraher-Vernon.**

Background to Particular 2e

154. Ms Dewan was recruited as a social worker via an agency, Caritas. She was interviewed by Mr Swire on 4 January 2019 and began her position at the hospital on 8 January 2019 with the completion of training off-site. Ms Dewan attended the hospital on 09 and 10 January 2019 during which time she completed an orientation including being shown around the hospital, provided with logins and a badge and met colleagues and patients.
155. On 08 January 2019 the agency provided Ms Dewan with a draft contract for her services wherein the "Consultancy Services" were recorded as "Designated Safeguarding Officer/Senior Social Worker". Ms Dewan responded to say that she was having the contract checked and would not sign it that day.
156. On 10 January 2019, Mr Swire emailed Ms Dewan setting out the responsibilities for the role. On or around 11 January 2019, Ms Dewan approached Mr Swire to discuss the terms of the agency contract, and Mr Swire confirmed that the role was for a social worker and that Ms Dewan should communicate with her agency in respect of the contractual terms, as Mr Swire would not discuss any changes to contractual terms with the worker directly.
157. On 15 January 2019, Ms Dewan emailed the agency and sought a change of title from social worker/senior social worker to "*Independent Safeguarding and Reviewing Officer*" stating that the title of social worker/senior social worker was not appropriate given: "*...my length of experience, higher levels of qualifications, skills, my broad professional background [including supervision of staff/students], and experience of working as an Independent Consultant & Court Expert in Care Proceedings and Private Proceedings. Such a Title would undermine my position and professional reputation going forward, which I have built through hard work and commitment, and my own personal time and financial investment in my professional development- over the last 30 years. I am very senior as a professional.*"

*Also, I have observed and assessed the business needs of the clinic, from a perspective of the social work related statutory policy and procedures, as applied to my professional duties, and my duties to the Law; in respect to the children's needs, including their safeguarding needs at the clinic, at a broader level [I cannot discuss anything with you about this due to confidentiality]. I am firmly of the belief that myself providing a service at the clinic with a Social Work Title will not effectively assist/support the Clinic staff, nor the Children therein, nor develop the Specialist Social Work Services at the Clinic. The clinic does require a Senior Social Work Professional Staff member with the role title of **Independent Safeguarding & Reviewing Officer** at the least, in order to meet the Children's Best Interests. I will further explain this when I meet with Dean and the Director.”*

158. Ms Dewan did not attend her shift on 15 January 2019 citing issues with the terms of her contract, in particular that she wished to be appointed as an independent safeguarding lead for the hospital. This title was not agreed by the hospital as it was not within the terms of her engagement as locum social worker/senior social worker. Ms Dewan attended the hospital for a short period of time on 16 January 2019 and met with Mr Swire, following this, she did not return to work.
159. Ms Dewan had therefore initially been recruited as a locum social worker and had objected to this and sought for her role to be independent safeguarding lead or similar. The hospital suggested the title of senior social worker/designated safeguarding officer. None of the draft contracts were ultimately signed or agreed between Ms Dewan and the hospital.

Particular 2e

Whilst registered as a social worker: Following the end of your placement with Elysium Healthcare, you failed to maintain professional boundaries in respect of Child C, in that you: You misrepresented your position relating to Child C to one or more of the following:

- i. NHS England;*
- ii. [PRIVATE];*
- iii. Child C's family.*

160. As per the exhibits;
161. In Ms Dewan's correspondence with Ms Carey, [PRIVATE], employed by NHS England, Ms Dewan stated that she had been “*recruited as the Safeguarding Officer*” when this was not the case. Ms Dewan confirmed 16 January 2019, that she had been informed that the hospital had a safeguarding officer and would therefore agree to the Ms Dewan's job title being “Senior Social Worker”.
162. Ms Dewan's email signatures in her correspondence with Ms Carey gave her positions, variously, as:

- a. “Independent Consultant and Mediator”

- b. “Independent Expert Assessor: Child Protection”
- c. “Accredited Mediator [Family Law]
- d. “Independent Consultant”

163. During correspondence with [PRIVATE], Ms Dewan identified her role in respect of Child C in the following ways:

- a. [PRIVATE].
- b. [PRIVATE].
- c. [PRIVATE]
- d. [PRIVATE].

164. Within the witness statement provided by Ms Dewan to [PRIVATE], dated 28 February 2020, she stated:

“I went to work at Potters Bar Clinic as an Independent Professional Safeguarding Lead. After arriving, on the 4th day, it appeared clear to me that the original contract terms were not agreed by Elysium. I tried negotiating contract terms to enable me to continue to be involved with the clinic in order to protect the children from further harm, and do what is required to help the clinic to meet their needs.”

165. Within Ms Dewan’s email to Child C’s step-grandfather, dated 3 February 2019, she stated:

“I am of course an Independent Professional Social Worker for the Child [C] -and I represent [PRIVATE] best interests. I am also a Professional Witness.”

Panel’s evaluation

166. The panel accepted the evidence of Mr Swire and decided that Ms Dewan had been employed as a social worker. It noted that whilst she had been offered the title senior social worker/designated safeguarding officer, there was no other evidence to suggest that she was officially employed in any other capacity during her time at the hospital.
167. The panel also accepted the corroborative evidence of Mr Swire and Ms Lacey. Mr Swire explained that an independent social worker works independently and is not employed. He said they are governed by their own regulatory body and offer independent services. He also explained that a permanent social worker is interviewed and offered a role, goes through “HR” processes and works a defined notice period, occupying the position until they resign, unless there are performance issues. Mr Swire also said that agency/locum social workers have a contract for a defined period whilst the employer is trying to replace a substantive permanent member of staff. He said their contracts have a shorter window but that they are expected to work in line with company procedures and would have to report to the employer. Mr Swire indicated that in describing herself as “Independent” Ms Dewan gives the impression she is working outside “MDT parameters”. Ms Lacey also explained that an experienced social worker

would understand what an independent social worker is. She said that it is a role that required a formal appointment, usually by the courts, and that they carry out tasks as instructed. It was explained that, when appointing an independent social worker, the social worker's CV is circulated for agreement between parties and subject to scrutiny to ensure that they are suitable.

168. Further, the panel was satisfied that Ms Dewan was not employed as a permanent member of staff and that she was a locum on a temporary contract through the agency. In addition, the panel found no evidence to suggest that she had been appointed and/or instructed as an independent social worker.
169. The panel was also satisfied that all of the representations made occurred after 16 January 2019, when Ms Dewan's employment with the hospital had come to an end.
170. The panel took note of and was satisfied that Ms Dewan understood that her role was solely for that of a social worker whilst she was at the hospital. The panel noted Ms Dewan's negotiations in relation to the job title and her email of 15 January 2019 in which she sets out her experience. The panel also noted Ms Dewan's own admission in relation to the negotiations where she stated *"The proposals were not agreed and therefore the contract was ended by Mr Dean [sic] and Mrs Fraher-Vernon on 16th January 2019. Mrs Fraher-Vernon stated that the hospital clinic already has a Safeguarding officer and that they only require someone to take on the title role of the Social Worker, but they agreed to the title Senior Social Worker"*
171. Given that there was a clear and unequivocal understanding that Ms Dewan was only employed as an agency/locum social worker on a short term contract, the panel was satisfied that any use of a professional term other than social worker and/or senior social worker to describe herself in respect of hospital work was a misrepresentation.

Particular 2e(i)

172. The panel was satisfied that at the time of all of these representations, Ms Dewan had no professional relationship with the hospital. Ms Dewan had no standing to refer to herself in the manner described and irrespective of whether these were roles that she previously held, the panel was satisfied that their use in these circumstances amounted to a misrepresentation.
173. The panel noted the evidence of Mr Swire who said that Ms Dewan had *"misrepresented her role when she...described herself as being an independent safeguarding lead/independent social worker. He also said that Ms Dewan contacted NHS England at that time and represented herself in the same way, as being independent."*
174. The panel was therefore satisfied that whilst registered as a social worker and following the end of her placement with the hospital, Ms Dewan failed to maintain professional boundaries in respect of Child C, in that she misrepresented her position relating to Child C to NHS England.

Particular 2e(ii)

175. The panel was satisfied that at the time of all of these representations, Ms Dewan had no professional relationship with the hospital. Ms Dewan had no standing to refer to herself in this manner as she had not been instructed as an independent professional/social worker in this instance. The panel was satisfied that describing herself in this manner amounted to a misrepresentation.
176. The panel was therefore satisfied that whilst registered as a social worker and following the end of her placement with the hospital, Ms Dewan failed to maintain professional boundaries in respect of Child C, in that she misrepresented her position relating to Child C to [PRIVATE].

Particular 2e(iii)

177. The panel noted the evidence of Mr Swire who said that Ms Dewan had “*misrepresented her role when she interacted with the family and described herself as being an independent safeguarding lead/independent social worker.*”.
178. The panel was satisfied that at the time of all of these representations, Ms Dewan had no professional relationship with the hospital. Ms Dewan had no standing to refer to herself in this manner as she had not been instructed as an independent professional/social worker in this instance. The panel was satisfied that describing herself in this manner amounted to a misrepresentation.
179. The panel was therefore satisfied that whilst registered as a social worker and following the end of her placement with the hospital, Ms Dewan failed to maintain professional boundaries in respect of Child C, in that she misrepresented her position relating to Child C’s family.
180. **The panel therefore found allegations 2e(i), (ii) and (iii) proved by the documentary evidence and the witness evidence of Mr Swire and Ms Lacey.**

Particular 3

Your conduct at paragraph 2(e)(i) and/or 2(e)(ii) and/or 2(e)(iii) above was dishonest in that you knowingly misrepresented your position.

Panel’s evaluation

181. In approaching the allegation of dishonesty, the panel first considered Ms Dewan’s knowledge or belief as to the facts at the time and then decided the question of whether Ms Dewan’s conduct was dishonest by applying the objective standards of ordinary decent people.
182. As explained at 2e above, the panel was satisfied that Ms Dewan knew she had been employed as a social worker through the agency. It noted that whilst she had been offered the title senior social worker, there was no other evidence to suggest that she was employed in any other capacity than social worker during her time at the hospital.
183. The panel found no evidence to suggest that Ms Dewan was any of the following whilst employed by the hospital;

- a. *“Independent Consultant and Mediator”*
- b. *“Independent Expert Assessor: Child Protection”*
- c. *“Accredited Mediator [Family Law]”*
- d. *“Independent Consultant”*
- e. *“Independent Safeguarding Officer and Independent Social Worker for Child C”*
- f. *“Independent Professional Safeguarding Lead.”*
- g. *“Independent Professional Social Worker for the Child [C]”*

184. Further, the panel was satisfied that as a practising social worker Ms Dewan knew that the role of social worker for the hospital did not include any of the specific descriptions as listed in the preceding paragraph. In the panel’s view Ms Dewan would have been aware of the specific responsibilities attached to the appointment of an independent social worker in relation to Family Court proceedings.
185. The panel noted that Ms Dewan misrepresented herself in correspondence to other professionals and institutions when making inappropriate attempts to gain information in respect of Child C. The panel concluded that the representations appeared to have been adopted to bolster Ms Dewan’s status in her attempts at gaining information that she knew she was not entitled to. The panel concluded that she sought to mislead those she corresponded with and create the impression that they could share information with her.
186. The panel noted that Ms Dewan was not able to provide a plausible explanation for her actions. Ms Dewan accepted that she made requests for information and used a range of different professional titles. She maintained that her actions were not inappropriate, misleading or dishonest as her defence was that she was being discriminated against and was being punished for whistleblowing when protecting the rights of children. The panel however concluded whistleblowing and protecting the rights of children are not acceptable explanations given the nature and extent of Ms Dewan’s misrepresentations.
187. The panel was satisfied that an ordinary person would find that Ms Dewan was dishonest in that she falsely described herself as working in roles with specific responsibilities, where she was neither contracted nor instructed to work by the hospital or any relevant parties.
188. The panel determined that in misrepresenting her role, Ms Dewan was being deliberately deceptive in a bid to cover up actions she knew she should not have been taking and attempting to access information that she was not entitled to.
189. The panel therefore concluded that Ms Dewan’s actions were dishonest.
190. **The panel found allegation 3 proved by the documentary evidence.**

[Application for the admission of stage 2 evidence](#)

191. The panel heard an application from Ms Sharpe to admit evidence of an open investigation from 2024 in relation to Ms Dewan. The investigation is ongoing and at present no date can be given as to when the investigation will conclude. Ms Sharpe

acknowledged that Ms Dewan has no previous fitness to practise history, furthermore she has provided positive testimonials from 2019 to 2024 and as such the investigation information is being provided prudently so as to provide a complete picture, as it would be wrong for the panel to conclude that Ms Dewan has had no concerns raised since the material period in question. Ms Sharpe informed the panel that Camden, the local authority concerned, had conducted an internal investigation and taken no further action against Ms Dewan.

192. Ms Sharpe said that the panel should consider what weight to give to the evidence and that if it decided under Rule 32(b) not to admit the evidence, as a professional panel, it should put the evidence out of its mind and continue in its consideration of the case. Ms Sharpe submitted that an adjournment to facilitate the conclusion of the investigation would be wrong and unfair in the circumstances, as it is likely to involve long delays and that the matters presently under consideration should be dealt with expeditiously. She added that the guidance also encouraged panels to refrain from adjournments where possible.
193. The panel received legal advice in which it was reminded of its power under Rule 32(b), where evidence may be admitted if it is considered fair to do so. It also received advice on the options available to it in response to the application. The panel was advised that it could reject the application to admit the evidence if it took the view that the evidence was highly prejudicial and its inclusion would be unfair in all the circumstances. The panel was also advised that it could admit the evidence and decide what weight, if any, to give it. Finally, it was indicated to the panel that if it felt that it had insufficient information before it and as such there would be difficulty in proceeding to make its decision, then it could adjourn the hearing for the outcome of the investigation. It was explained that any such adjournment would have ramifications ranging from Ms Dewan continuing to practise unrestricted, further expense to the public purse, more time elapsing in the determination of matters that took place over 8 years ago and it was again reminded of the guidance. The panel was also reminded that on 04 June 2026 Ms Dewan was given notice of Social Work England's intention to rely on the information as part of the hearing. Ms Dewan was given the option to object to its inclusion but has not done so.
194. The panel considered the submissions of Ms Sharpe and the legal advice given and it decided that the evidence was relevant up to date information that it would consider as part of its decision making. The panel indicated that it would consider the appropriate weight to give the evidence in the course of its deliberations.

Admission of an additional document

195. Ms Dewan submitted additional information in the form of an email dated 10 July 2026 entitled 'Letter before Action'. On 15 July 2026 Ms Dewan gave the direction that this email be put before the panel for consideration as part of her case. Ms Sharpe had no objection to the email being admitted, the panel therefore accepted the document into evidence.

Findings and reasons on grounds:

196. Ms Sharpe made submissions as outlined in Social Work England's statement of case and addressed the panel on the standards it believed Ms Dewan had breached. The panel was invited to find Ms Dewan's conduct was serious in nature and as such amounted to the statutory ground of misconduct. The panel took note of Ms Dewan's social worker response bundle.
197. The panel decided that Ms Dewan had breached the following HCPC standards;

HCPC – Standards of Conduct, Performance and Ethics (2016)

- 1.1 You must treat service users and carers as individuals, respecting their privacy and dignity.*
- 1.7 You must keep your relationships with service users and carers professional.*
- 5.1 You must treat information about service users as confidential.*
- 5.2 You must only disclose confidential information if: – you have permission; – the law allows this; – it is in the service user's best interests; or – it is in the public interest, such as if it is necessary to protect public safety or prevent harm to other people.*
- 9.1 You must make sure that your conduct justifies the public's trust and confidence in you and your profession.*
- 10.3 You must keep records secure by protecting them from loss, damage or inappropriate access.*

HCPC – Standards of Proficiency for Social Workers (2017)

- 2.7 understand the need to respect and so far as possible uphold, the rights, dignity, values and autonomy of every service user and carer*
- 2.9 recognise the power dynamics in relationships with service users and carers, and be able to manage those dynamics appropriately*
- 3.1 understand the need to maintain high standards of personal and professional conduct*
- 3.4 be able to establish and maintain personal and professional boundaries*
- 7.3 understand the principles of information governance and be aware of the safe and effective use of health and social care information*
- 10.2 recognise the need to manage records and all other information in accordance with applicable legislation, protocols and guidelines*

198. In respect of Ms Dewan's conduct that took place after 02 December 2019 (namely, paragraphs 2(e)(ii) and 3 of the allegation) the panel decided that Ms Dewan breached the following Social Work England Professional Standards (2019):

As a social worker, I will:

1.7 Recognise and use responsibly, the power and authority I have when working with people, ensuring that my interventions are always necessary, the least intrusive, proportionate, and in people's best interests.

2.1 Be open, honest, reliable and fair. Respect and maintain people's dignity and privacy.

2.6 Treat information about people with sensitivity and handle confidential information in line with the law.

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

As a social worker, I will not:

5.2 Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.

199. The panel decided that Ms Dewan's conduct both individually and collectively was so serious that it called into question her recognition and observance of fundamental tenets of social work.
200. [PRIVATE].
201. [PRIVATE].
202. Ms Dewan again repeated her behaviour of requesting confidential information that she was not entitled to in 2019, after she left the hospital. Using WhatsApp, she sent inappropriate messages to Mr Matsvaire asking for confidential information in relation to Child C. The panel referred to Mrs Fraher-Vernon's written evidence on the GDPR policies that were in place at the time. It noted that even though Ms Dewan had ceased work at the hospital these policies were instructive. The panel decided that observance of the spirit of the policies was integral to the very nature of social work practice, as confidential data is always to be processed safely irrespective of whether a social worker is employed or not. The panel considered that as a social worker Ms Dewan had a continuing duty to treat data appropriately. Ms Dewan herself was aware of the inappropriateness of her conduct in that when sending the messages she asked Mr Matsvaire not to share the message with anyone at the clinic as "*I am not staff there*". The panel also noted Mr Matsvaire's oral evidence in which he said that he did not reply to the messages as he felt it would have been inappropriate to do so. He explained that professional judgement led him to report the messages to his manager and that there would have been guidance and policies that they work with that would have been in place at the time. This guidance would have highlighted the inappropriateness of Ms Dewan's actions. The panel noted that Mr Matsvaire also found Ms Dewan's conduct inappropriate, as stated in his evidence.
203. [PRIVATE]

204. The panel was satisfied that Ms Dewan made inappropriate requests for information from Family C, NHS England and [PRIVATE] whilst misrepresenting herself. Ms Dewan had no right to request the wide ranging personal information that she sought as she had left the hospital. Ms Dewan sought information she was not entitled to and compounded the misconduct by using titles to bolster her status in order to provide credibility for her inappropriate requests for information.
205. The panel noted the persistent nature of Ms Dewan's conduct in relation to both [PRIVATE] and Child C and that it occurred after she left employment and as long as a year after the employments ceased. Ms Dewan's actions were serious as the sharing of and requests for personal information of service users compromised the integrity of the Regulator as she was in possession of data that she had no right to.
206. The panel was satisfied that Ms Dewan's conduct was a serious departure from the usual and accepted standards of social work practice. Ms Dewan failed to observe the tenets of honesty, integrity, dignity, protecting sensitive data and maintaining professional boundaries, and as such the panel was satisfied that Ms Dewan's conduct as assessed amounts to serious professional misconduct.
207. The panel noted that Ms Dewan has consistently defended her actions and behaviour by saying that she was raising genuine concerns about safeguarding failures at both Wandsworth and the hospital. However, the panel noted that these matters were outside of its remit and as such not for its consideration. The panel's task was solely to consider the allegations as set out above.

Findings and reasons on current impairment:

208. On the question of impairment, Ms Sharpe submitted that Ms Dewan's fitness to practise is currently impaired on both the personal and public grounds. She then outlined the serious conduct in question. Ms Sharpe stated that there is insufficient evidence of fully developed insight and that Ms Dewan had breached professional boundaries and brought the profession into disrepute. The panel was asked to find that Ms Dewan's fitness to practise is currently impaired.
209. The panel noted all the information within the social worker response bundle which included HCPC submissions written by Ms Dewan, dated 12 September 2018. Within this document Ms Dewan states "*Nevertheless, I do apologise that Managers at Wandsworth felt hurt by my disclosures of evidence to the Court, and by some of my emails*". There was also a document entitled "Reflections" dated 23 October 2018 and testimonials that predated the allegations. The panel also noted Ms Dewan's 'Data protection and the GDPR' certificate for data handling dated 23 October 2018.
210. 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 in question 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 Dewan 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 in the past and/or is she liable in the future to bring the profession into disrepute; and/or c) has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the profession; and/or d) has in the past acted dishonestly and/or is liable in the future to act dishonestly. Finally, the panel was also reminded of Social Work England's Impairment and Sanctions Guidance ("the guidance").

211. The panel considered Ms Dewan's current fitness to practise firstly from the personal perspective and then from the wider public perspective. The panel also had regard to whether the conduct in this case is easily remediable, whether it has been remedied and whether it was likely to be repeated.
212. In deciding current impairment, the panel considered whether:
- a) Ms Dewan has in the past and/or is liable in the future to place service users at unwarranted risk of harm.
 - b) Ms Dewan has in the past brought and/or is liable in the future to bring the profession into disrepute.
 - c) Ms Dewan has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the profession.
 - d) Ms Dewan has in the past acted dishonestly and/or is liable to act dishonestly in the future.
213. The panel took note of paragraph 20 and 21 of the guidance and was careful when assessing the actual harm caused by Ms Dewan's actions and its impact on the seriousness of the case. It noted that her actions caused actual harm and/or an unacceptable risk of serious harm to [PRIVATE] and actual harm to Family C as shared with the panel by Father C in oral evidence in relation to the distress and emotional harm caused on the day of [PRIVATE]. Further, the panel was satisfied that Ms Dewan should have foreseen the risk of harm and actual harm caused. The panel was satisfied that Ms Dewan should have anticipated the harm caused by sharing and requesting sensitive confidential information and attending [PRIVATE] uninvited and requesting information. The panel regarded Ms Dewan's conduct as serious because of the evidence of actual harm that was presented to it. The panel determined that based on the evidence before it, Ms Dewan acted in a way that placed service users at risk of harm.
214. In relation to the question of whether Ms Dewan has in the past brought the profession into disrepute, the panel determined she had. A significant aspect of public interest is upholding proper standards of behaviour so as not to bring the profession into disrepute. The panel took the view that members of the public would be extremely concerned to learn that a registered social worker had acted inappropriately to the family of a service user, sought access to highly sensitive and confidential information that she had no right to, shared confidential information and misrepresented herself. It

is a public expectation of the profession that a social worker does not misrepresent themselves and that they act appropriately by observing and maintaining professional standards.

215. In finding that Ms Dewan had failed to maintain professional boundaries after leaving both Wandsworth and the hospital, the panel determined that she had breached fundamental tenets of the social work profession. The panel considered that honesty and adherence to social work standards (including observing confidentiality) are fundamental tenets of social work practice.
216. The panel determined that Ms Dewan had in the past acted dishonestly, by virtue of her misrepresentations to various people and organisations. The panel was satisfied that all four limbs of *Grant* were engaged.
217. In deciding the question of Ms Dewan's current fitness to practise, the panel first considered the personal element of impairment. The panel considered the extent to which the misconduct in this case can be and has been remediated by Ms Dewan, and whether it is likely to be repeated.
218. The panel acknowledged that there has been some level of engagement by Ms Dewan, but that this has been uncooperative in nature and as such there has been no clear formal response to the allegations.
219. The panel considered that the misconduct found, bar dishonesty, is ordinarily remediable. The panel considered paragraph 43 of the guidance and that *"In some cases, the concerns may relate to the social worker's character. If so, it can be more difficult to evidence remediation that has reformed their character. For example, if the concerns relate to dishonesty, breaches of trust or abuses of position"*. The panel was satisfied that character concerns, evident from Ms Dewan's dishonest misrepresentations, are attitudinal in nature and indicative of poor judgement. The panel took the view that misconduct of such nature is often harder to remediate as per the guidance. Additionally, the panel noted that Ms Dewan denied the dishonesty and has consistently suggested that all the allegations are essentially a campaign of harassment against her.
220. The panel then went on to consider remediation and whether Ms Dewan has put right any deficiencies or shortfalls in the behaviour that led to the concerns. The guidance reminds the panel that *"remediation is best shown by objective evidence: successful completion of education or training courses; satisfactory performance appraisals and/or other positive feedback in relation to their professional practice... Remediation can include steps the social worker has taken to make things right, such as apologising."*
221. The panel took note that Ms Dewan's only documentary evidence of successful completion of a training course was her 'Data protection and the GDPR' certificate for data handling dated 23 October 2018. The panel was concerned, as this training

predated the concerns following her employment at the hospital in 2019 and as such appears to have had no impact on Ms Dewan's practise.

222. Ms Dewan relied upon the following testimonials as summarised;

- Waltham Forest dated 10 April 2024 who said *"Shajeda is a very caring person, she is able to actively listen, show empathy, and offer support and guidance to her families"* There were no concerns and they would re-employ Ms Dewan who was scored 'good' in all areas.
- Character reference from Dr Athar Yawar dated 26 September 2023 – who said, *"Shajeda is courageous, tenacious, meticulous, and hard-working. She is an honest social worker, who strives to provide the best outcome for her clients. She is highly intelligent. Her cultural awareness and sensitivity are outstanding. I would expect her to provide an excellent service to her employer and to her clients"*.
- London Borough of Hounslow dated 25 August 2023 – Ms Dewan was scored as 'excellent' and 'good' in everything apart from 'able to set and maintain appropriate professional boundaries', where she was scored 'competent'.
- MRKS Solicitors dated 05 May 2023 – who said *"Ms Dewan has been instructed by our firm on a number of occasions to assist with her independent expert assessment opinion on various matters including, providing reports and direct professional interventions to parents and their families. We have known Ms Dewan in a professional capacity. Her work standards and professionalism are at a high standard, and we have been pleased with the services she provides to our clients of a wide ranging legal, social work, expert and attending meetings with professionals from multi agencies. Ms Dewan report writing has been of great standard, which is very thorough and provides comprehensive assessments of needs. Ms Dewan has exemplary attitude and approaches towards members of staff and our clients. She works with honesty and integrity and her attitude towards work sometimes is beyond our expectations. In her reports, she provides an good understanding of legal case judgements and relevant research findings"*.
- Independent Court Assessments dated 01 November 2021 – who said there were no concerns and wrote *"Shajeda works to a high standard. I have seen/read the quality of her reports and have observed how committed she is in her work with both young adults and children/families during case discussions. She has a natural ability to develop rapport with both children and adults, which leads to positive working relationships with service users and professionals alike. She focuses on the tasks and outcomes in her work, and applies her knowledgebase and skills well in her work; she works with a strong empathy*

based approach. Shajeda has a good level of knowledge of legislation on the Children Act and other relevant legislation, and in statutory processes in Child protection/care proceedings work due to her long history in child protection/court work. I have found Shajeda to be an honest person, with skills in many areas which she has acquired from previous roles she has worked in”.

- Westminster City Council dated 05 July 2019 – who recorded Ms Dewan had demonstrated particular strength in “*Focusing on advocacy for families and children*”. Ms Dewan was scored ‘good’ in all areas apart from being marked satisfactory in the category of ‘ability to set and maintain appropriate professional boundaries with colleagues’.
- London Borough of Redbridge Legal and Constitutional services dated 19 January 2016 – who wrote “*Shajeda, Thank you for your work in this case. Not only has it delivered the outcome the Council wanted, but your work has attracted the specific praise of the Judge. Well done and thank you, It’s really good to see your professional skill and expertise recognised. It’s also a testament to the way you have conducted this case that the parents’ advocates expressed their appreciation of your work in the way that they have, given was a draconian step you were asking the Court to take. It makes our job much easier when we get such a well handles case to present. Thank you again.*”

223. From these testimonials the panel could deduce that Ms Dewan is a competent professional, who cares passionately for vulnerable service users. However, in considering Ms Dewan’s testimonial evidence the panel took note of the guidance which reads:

“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”.

224. The panel had no evidence to suggest that the authors of the testimonials knew the details of the concerns raised against Ms Dewan and none of them gave evidence. As such, the panel determined they were of limited evidential value.
225. The panel also noted that Ms Dewan has made 2 apologies, one to the family of Child C and the other to the managers at Wandsworth. However, the panel decided that the apologies did not go far enough and failed to demonstrate genuine remorse within the context they were made as Ms Dewan maintains that she has done no wrongdoing. Additionally, the panel noted that Ms Dewan's reflections as contained in her bundle were unstructured general reflections which do not reflect or engage with the allegations. The panel was satisfied that Ms Dewan had made no attempts to properly reflect and develop insight into her actions.
226. The panel was of the view that Ms Dewan's preoccupation with what she sees as the failings of both Wandsworth, and the hospital, in the safeguarding of children has prevented her from examining her own conduct. As such, the panel concluded Ms Dewan has not engaged with, assessed or taken responsibility for the impact her misconduct had on those around her at the material period.
227. The panel considered the evidence it had before it in relation to an open investigation from 2024 (currently at the very early case examiner stage) in relation to Ms Dewan. The panel noted that Camden, the employer concerned, had investigated Ms Dewan and decided to take no further action. The panel reminded itself that it could not and was not here to make any findings in relation to the matter. More importantly, the panel noted that there were no conclusions that could be drawn from the investigation, and as such the panel gave this evidence no weight in its findings above.
228. Taking all the relevant matters into account the panel was not satisfied that Ms Dewan had remediated her conduct. Furthermore, until she started to develop some insight into her failings, remediation would be impossible.
229. The panel then analysed whether there is risk of repetition (now or in the future). The panel considered the risk of repetition to be linked to Ms Dewan's insight and remediation. The misconduct in question is serious and, as detailed above, Ms Dewan has not demonstrated insight and remediation. The panel therefore concluded that the risk of repetition is high. The panel's view was strengthened by noting that there had already been repetition as the allegations from Wandsworth and the hospital occurred 15 months apart and was underpinned by dishonesty.
230. The panel found no evidence that Ms Dewan's conduct has been remediated and that she has conducted an in-depth reflection on what went wrong, why, and the impact her actions had on others. Bearing in mind the nature and gravity of the misconduct, together with the lack of insight, the panel decided that there remained an unacceptably high risk of repetition of the misconduct.
231. The panel concluded that Ms Dewan's fitness to practise is currently impaired from a personal perspective.

232. On the public element of current impairment, the panel decided that Ms Dewan, in making inappropriate requests for information and sharing highly confidential and sensitive information without reason, causing distress to the family of a service user at a particularly traumatic time and dishonestly misrepresenting herself, had brought the profession into disrepute. The panel was satisfied that the public is entitled to expect that social workers observe the position of trust that they hold and that they act with honesty and integrity in the course of their professional duties and personal lives.
233. The panel was satisfied an informed and reasonable member of the public would be concerned if there were no finding of impairment. The panel concluded that the finding of public impairment was necessary to maintain and declare the standards of the social work profession and uphold the public's confidence.
234. The panel concluded that Ms Dewan's acts brought the profession into disrepute and breached a fundamental tenet of the profession. A social worker should act with honesty and integrity and comply with their regulatory professional standards. Ms Dewan's conduct fell far below the standard expected of a registered social worker and the panel concluded that a finding of impairment is required to declare and uphold proper standards of conduct and behaviour. The panel also concluded that public trust and confidence in the profession and the regulatory process would be seriously undermined if there was no finding of impairment.
235. The panel concluded that the public interest requires a finding that Ms Dewan's fitness to practise is currently impaired.

Decision and reasons on sanction:

236. Ms Sharpe made submissions on sanction and asked the panel to refer to the guidance when coming to its decision. She said that Social Work England seeks either a removal order or a 12 month suspension order in the alternative, and that these are the most appropriate sanctions to protect the public and to maintain confidence in the profession and ensure professional standards are upheld.
237. Ms Dewan had not provided written representations specifically for this stage of the hearing, but the panel considered her social worker response bundle.
238. The panel accepted the advice of the legal adviser who reminded it that the purpose of a sanction was not to punish Ms Dewan but to protect the public and the wider public interest.
239. The panel was also advised in line with the cases of *Professional Standards Authority v The Health and Care Professional Council & Mohammed Ghaffar [2014] EWHC 2723 (Admin)* and *Abbas v GMC [2017] EWHC 51 (Admin)*. These cases highlighted the importance of honesty in health and care professions, and its importance is underlined by the fact that removal may be an appropriate sanction under the indicative sanctions

guidance. Also, it was advised that a finding of dishonesty is of particular significance, especially if it is persistent and combined with a lack of insight.

240. 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. Additionally, it was reminded that any sanction imposed must be proportionate, balancing the interests of the social worker with the interests of the social work profession and the public interest. The panel carefully considered the guidance.
241. The panel identified the following mitigation;
- absence of previous fitness to practise history
 - positive feedback and references
 - dedication and commitment to safeguarding children and families
242. The panel noted that Ms Dewan qualified as a social worker in 2001 and her curriculum vitae (CV) illustrates that she is not only an experienced social worker but a skilled individual who holds numerous qualifications that complement social work practice. The panel reminded itself of its earlier findings derived from the testimonials, that Ms Dewan is a competent professional who cares passionately for vulnerable service users.
243. The panel also took note of Ms Dewan's commitment to safeguarding children and families and it noted that her defence to the allegations was that she was whistleblowing to protect the safeguarding of [PRIVATE] and Child C. Whilst the panel's findings are clear that Ms Dewan's actions caused actual harm and/or an unacceptable risk of serious harm to [PRIVATE] and actual harm to Family C, the panel took the view that this was not Ms Dewan's intention or motivation.
244. The panel concluded that Ms Dewan's primary motivations for her actions were to raise what in her professional opinion were genuine safeguarding concerns regarding [PRIVATE] and Child C. Ms Dewan's secondary purpose was to secure witnesses for her own HCPC investigation; the panel noted that this was something that she had every right to do. However, the panel was satisfied that whilst Ms Dewan's motivations for her actions and behaviour may have been well intentioned, her approach to a resolution as identified was totally unacceptable and inappropriate.
245. The panel also identified the following aggravating factors;
- repetition of conduct occurring 15 months apart
 - lack of formal response to the allegations
 - obstructive and unhelpful engagement with the Regulator

- not listening to concerns raised by colleagues and, in particular, failing to respond to colleagues' attempts to signpost the social worker to an appropriate way of requesting information

246. The panel reminded itself of its earlier findings that Ms Dewan had engaged in unprofessional conduct in relation to [PRIVATE] Child C. Ms Dewan made inappropriate requests for information and also shared highly sensitive confidential information that she had no right to share. She misrepresented herself by using titles to bolster her status in order to provide credibility for her inappropriate requests for information. Further, Ms Dewan's conduct in relation to both [PRIVATE] and Child C occurred after she left employment and as long as a year after the employments ceased. Ms Dewan's actions were serious as the sharing of and requests for personal information of service users compromised the integrity of the Regulator, as she was in possession of data that she had no right to.

247. The panel took note of paragraph 156 and 157 of the guidance which reads;

"156. Social workers hold privileged positions of trust. Their role often requires them to engage with vulnerable people. It is essential to the effective delivery of social work that the public can trust social workers. Any abuse of trust by a social worker is a serious and unacceptable risk in terms of public protection and confidence in the profession.

157. A social worker may abuse their professional position in a number of ways, for example (by doing any of the following):...inappropriately accessing confidential information without professional reason".

248. The panel had assessed the misconduct in this case to be serious. Although a number of mitigating factors had been identified, the panel was mindful that the misconduct involved serious breaches of fundamental tenets of social work practice and that there were a number of aggravating factors present.

No action, advice or warning

249. As per its findings the panel concluded that Ms Dewan's fitness to practise is currently impaired on both the personal and public grounds and that there remains a high risk of repetition which poses a current risk to service users and the public. In the circumstances it decided to exercise its discretion and move beyond the lower sanctions of no action, advice or a warning based on its assessment of risk. The panel was satisfied that none of these outcomes would be sufficient to address the risks as identified, as they would not restrict Ms Dewan's ability to practise. 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 or the hearings process.

Conditions of practice

250. 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.*

251. Further the panel reminded itself of paragraph 116 of the guidance which states;

“When considering public protection, decision makers must fully assess insight and the social workers past engagement with the regulator and any employer. This should help to determine whether the social worker can comply with conditions of practice.”

252. The panel also took note of paragraphs 118 and 119 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”

119. For example, conditions are unlikely to be appropriate in cases of (any of the following):... dishonesty...”

253. The panel noted its findings that Ms Dewan has not provided any evidence that she has developed insight nor remedied her misconduct. Further, the panel was satisfied that the dishonesty was attitudinal in nature and demonstrated serious errors of judgement. The panel acknowledged that this aspect of her misconduct would be more challenging to remediate. The panel also noted that the guidance stated that a conditions of practice order is unlikely to be appropriate in cases involving dishonesty.

254. The panel decided that at present Ms Dewan’s conduct could not be managed by a conditions of practice order. She had exhibited behaviour in which she made inappropriate requests for and shared highly confidential information, failed to maintain professional boundaries and misrepresented herself all whilst not under a contract of formal employment, but rather when her respective employments had been terminated and as such had no standing to be involved in either of the cases. The panel was satisfied that a conditions of practice order would not address such actions, nor the behavioural issues that led to Ms Dewan acting in the way that she did.

255. The panel concluded that that it was not possible to formulate appropriate, proportionate, and workable conditions which would be sufficient to protect service users and the wider public interest. Such an order, to be effective in addressing the risk of harm as assessed by the panel, would need to be so restrictive it would be tantamount to a suspension.

256. Further, the panel was of the view that a conditions of practice order would be impractical in all the circumstances as it had no information in relation to Ms Dewan's current employment situation and no information to suggest that she would be willing or able to comply with a conditions of practice order.

Suspension order

257. The panel noted paragraphs 136 to 138 of the guidance which says;

"136. Suspension is appropriate where (both of the following apply):

- the decision makers cannot formulate workable conditions to protect the public or the wider public interest*
- the case falls short of requiring removal from the register (or where removal is not an option)*

137. Suspension may be appropriate where (all of the following):

- the concerns represent a serious breach of the professional standards*
- the social worker has demonstrated some insight*
- there is evidence to suggest the social worker is willing and able to resolve or remediate their failings*

138. 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"*

258. The panel was satisfied that Ms Dewan's misconduct falls within paragraph 136 of the guidance. The panel could not formulate workable conditions to protect the public or the wider public interest, but the case did not require removal from the social work register. The panel also acknowledged that Ms Dewan's misconduct fell short of paragraph 137 and rather fits within paragraph 138 of the guidance. Ms Dewan has not demonstrated insight and remediation due to her preoccupation with what she sees as the failings of both Wandsworth, and the hospital, in the safeguarding of children that has prevented her from examining her own conduct. Additionally, the panel had no evidence to suggest that Ms Dewan is willing or able to remediate her failings.

259. Notwithstanding Ms Dewan's misconduct falling outside of paragraph 137 of the guidance above, the panel formed the view that Ms Dewan had worked for many years with demonstrably safe and effective practice, she showed her passion for social work practice and had a positive impact on children and families. This was apparent from the absence of fitness to practise history pre 2017 and the testimonials which the panel decided were of more evidential value at this stage as most of them related to her social work practise prior to the allegations, as well as Ms Dewan's additional qualifications that complement social work practice.

260. The panel was also mindful of the likelihood that this is the first opportunity Ms Dewan will have had to confront the findings made on the shortfalls in her practise. In the

absence of any information to suggest there had been any investigations or interviews stemming from the allegations, the panel decided that this in-depth determination would be of great assistance to Ms Dewan in understanding and accepting the inappropriateness of her conduct, the impact it had on others and the risk the misconduct poses. The panel considered that the dishonesty in question, although repeated, was narrow in scope and in relation to only Child C. The panel further concluded that this dishonesty was not for personal gain but borne out of her desire to safeguard Child C albeit in a totally unacceptable manner.

261. Consequently, upon conducting its finely balanced exercise, the panel determined that a suspension order would enable Ms Dewan to step away from social work practice and thus provide her an opportunity to be able to reflect on her actions objectively. The panel was satisfied that a period away from practice will enable Ms Dewan to gain perspective. Ms Dewan can then work to accept the allegations and examine her behaviour to understand why she behaved the way she did and the effect that it had on those around her. The panel decided that this will be an invaluable period that will enable Ms Dewan to properly reflect and develop her insight sufficiently.
262. The panel decided that Ms Dewan, whilst misguided, had shown her potential to be a good social worker. The panel noted the public interest as per the guidance, *'in supporting a trained and skilled social worker to return to practice safely'* and was satisfied that this could be facilitated appropriately by the imposition of a suspension order.
263. The panel decided that a 12 month suspension order would be the most appropriate length as this would meet the aims of maintaining confidence in the profession and ensuring that professional standards are observed as per paragraphs 139 to 143 of the guidance. Ms Dewan would not be deskilled during this period; conversely, it would allow her time to demonstrate meaningful insight and remediation prior to the order being reviewed. The panel was also satisfied that such an order sends a sufficiently strong message to the public of the unacceptable nature of the misconduct in question and will maintain public confidence in the profession.
264. The panel also considered the guidance at paragraphs 143 and 144 but noted that this was not a case where there is no reasonable prospect of Ms Dewan regaining fitness to practise in the short term. The panel was satisfied that this was not a case that required the imposition of a longer period of suspension as there is no criminal conviction or chronic ill health, or any other matters that would point to the need for a longer period of suspension.
265. The panel therefore decided that a 12 month suspension order is the most appropriate and proportionate order. Such a length of order is necessary to facilitate Ms Dewan to:
 - develop and embed appropriate insight into the unacceptability of her misconduct
 - carry out sufficient remediation

Recommendations

266. Although not a mandatory requirement, the panel took the view that a future review panel may be assisted by Ms Dewan showing evidence that she had undertaken work that could include the following:
- i. A clear written reflective piece in which Ms Dewan focuses on her misconduct and recognises why her behaviour was unacceptable. The piece should also cover the impact her actions had on others. Such reflections should also highlight her learning and how such learning can be implemented into her practise and what she would do differently next time when faced with similar concerns.
 - ii. Evidence of the completion of continued professional development (CPD) that is relevant to the shortfalls in her practise.
 - iii. Positive constructive engagement with the Regulator
 - iv. Attendance at the review

Removal order

267. The panel thought it prudent to go on to consider the suitability of a removal order. In the first instance, as reasoned above the panel was satisfied that a suspension order is an alternative to removal that will be enough to protect the public, maintain confidence in the profession and maintain proper professional standards for social workers in England. As such Ms Dewan did not fit within any of the applicable mandatory circumstances that necessitated a removal order as set out in paragraph 148 of the guidance.
268. It also noted that although this is a case involving both an abuse of position of trust and dishonesty as per paragraph 149 of the guidance, given that the misconduct is remediable, albeit difficult to do, the panel was satisfied that Ms Dewan would have every opportunity to demonstrate insight and remediation. The panel decided that a period of suspension was the most fair and appropriate sanction and that a removal order would be disproportionate.
269. Given the reasons set out above, the panel decided that a removal order was not the necessary and proportionate sanction in the circumstances and that the public protection, confidence and maintenance of proper professional standards, could be met with a lesser sanction of a 12 month suspension order.

Interim order:

270. The panel next considered an application by Ms Sharpe for an 18 month interim suspension order to cover the appeal period before the final order becomes effective.

She submitted that this was necessary for the protection of the public, in light of the panel's findings at the impairment and sanctions stages.

271. Ms Dewan had not provided written representations specifically for this stage of the hearing.
272. The panel accepted the advice of the legal adviser who drew its attention to paragraphs 203 to 204 and 206 to 208 of the guidance. It was also emphasised that any order must be necessary for the protection of the public or in the best interests of Ms Dewan. The panel was also reminded of the need for it to have regard to its findings at the impairment and sanction stages, and any risks it had identified. The panel was reminded that it must apply the principle of proportionality and impose the least severe restriction necessary to address the risks as identified.
273. The panel was mindful that it had found a risk of repetition of misconduct, impaired fitness to practise and concluded that a final order of suspension was the appropriate and proportionate sanction in this case. Since the panel's final order of suspension would not come into effect until the expiry of the 28 day appeal period, or until any appeal is dealt with, it considered that an interim order was necessary to protect the public.
274. 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*".
275. The panel reminded itself that appropriate and workable conditions could not be formulated to address the risks in this case. Therefore, an interim order of conditions of practice order would be insufficient to protect the public. It therefore decided that the appropriate and proportionate type of interim order to impose at this stage was an interim suspension order.
276. Accordingly, the panel concluded that an 18 month interim suspension order will allow sufficient time for any appeal that might be lodged to be dealt with. 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 suspension shall take effect when the appeal period expires.

Right of appeal:

277. 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.
278. 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.
279. 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.
280. 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:

281. 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
282. 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:

283. 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>.