Social worker: Kerry-Louise Cleaver
Registration number: SW129220
Fitness to Practise
Final Hearing

Dates of hearing: 21 September 2026 to 24 September 2026

Hearing venue: Remote hearing

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 Cleaver attended and was not represented.

3. Social Work England was represented by Mr Ed Carey, case presenter instructed by Capsticks LLP.

Adjudicators	**Role**
Shaun Donnellan	Chair
Anna Racher	Social worker adjudicator
Louise Wallace	Lay adjudicator

Ruby Wade	Hearings officer
Ryan Torr/Lorna Lord	Hearings support officer
Sarfraz Ahmad	Legal adviser

Service of notice:

4. The panel of adjudicators (hereafter "the panel") note that notice of this hearing was sent to Ms Cleaver by special delivery and email to an address provided by the social worker (namely their registered address as it appears on the Social Work England register).

5. The panel of adjudicators 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 31 July 2026 and addressed to Ms Cleaver at their postal and email address which they provided to Social Work England;
   - An extract from the Social Work England register as of 31 July 2026 detailing Ms Cleaver's registered address;
   - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 31 July 2026 the writer sent by next day special delivery service to Ms Cleaver at the address referred to above: notice of hearing and related documents;
   - A copy of the Royal Mail Track and Trace document indicating "signed for" delivery to Ms Cleaver's address at 10.04am on 1 August 2026.

6. Having had regard to rule 14, 15, 44 and 45 of the Fitness to Practise Rules 2019 (as amended), ("the Rules"), and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Cleaver in accordance with the Rules.

Preliminary matters:

7. The panel considered whether to hold part of the hearing in private, due to matters concerning the health of Ms Cleaver, and matters concerning her private life and that of her family.

8. Mr Carey submitted an application as follows:

> *"The hearing shall be held in private pursuant to rule 38(a)(ii) of the Fitness to Practise Rules 2019 for any part of the proceedings in which the physical or mental health of the Social Worker is considered, including [PRIVATE] and any related evidence or submissions."*

9. The panel were directed to rule 38 of the Rules, by the legal adviser, which include that a hearing, or part of a hearing, shall be heard in private where the proceedings are considering the health of the social worker, and that the adjudicators may determine to hold part of or all of proceedings in private where they consider that to do so would be appropriate having regard to the vulnerability, interests or welfare of any participant in the proceedings.

10. No objections were made on behalf of Social Work England in regards to holding the hearing partly in private, or by Ms Cleaver. The panel determined that, in the interests of Ms Cleaver's private and family life, the hearing shall be heard partly in private when dealing with matters concerning her health and matters concerning her private life and that of her family.

11. As Ms Cleaver was not legally represented, she was given the opportunity of some additional time which she accepted to collate information which included details of her health concerns, details of her current employment and training courses completed since the allegations.

12. On day 1 of the final hearing, an email containing an interim order review for Ms Cleaver was inadvertently sent to the chair and the social worker adjudicator by email. Both the chair and social worker adjudicator confirmed that they did not open the email, had not read its contents and had reported the matter straight away.

13. Mr Carey submitted that the allegations had been proved by virtue of the admissions in the social worker's response and that there was no material prejudice. Ms Cleaver confirmed that she was content to continue.

14. The legal adviser advised the panel that both parties were content to proceed, no additional information had been seen by the panel, and the circumstances should be objectively assessed. In the case of Porter v Magill [2001] UKHL 67, it established the definitive common law test for apparent bias and conflict of interest and the court ruled that bias exists if a 'fair minded and informed observer, having considered the facts, would conclude that there was a real possibility that the tribunal was biased.'

15. The panel concluded that having applied the test in the above case, there was no conflict and were content to proceed.

Allegations:

16. The allegations arising out of the regulatory concerns referred by the case examiners on 28 March 2025, and following a case management meeting held on 29 June 2026, are as follows:

Whilst registered as a social worker between November 2019 – May 2023 you:

1. Accessed the social work records of one or more of the service users in Schedule A without professional reason to do so.

2. On or around 28 April 2023, you sought to influence social work intervention in relation to Service User A, in that you provided advice to Service User R (mother of Service User A) and/ or spoke to Service User A's allocated social worker in relation to Service User A's social care when you were not the allocated social worker to either service user.

3. On or around 2 – 3 May 2023, you failed to follow a management instruction when you accessed Service User A's social care records after being expressly instructed not to do so.

4 a. In a meeting on or around 4 May 2023, when asked if you had accessed the files of any individuals known to you besides Service User A and Service User R, you incorrectly denied that you had done so.

4b. In a meeting on or around 2 August 2023, when asked if you had accessed information on Mosaic relating to persons known to you in a personal capacity, you incorrectly stated that you had only accessed the records of Service User A.

5. Your conduct at paragraph 4 is dishonest.

The matters outlined at paragraphs 1-5 amount to the statutory ground of misconduct.

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

Admissions:

17. Rule 32c(i)(aa) Fitness to Practise Rules 2019 (as amended) (the 'Rules') states:

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

18. Following the reading of the allegations, the panel chair asked Ms Cleaver whether they admit any of the allegations and whether they admit that their fitness to practise is currently impaired.

19. Ms Cleaver informed the panel that they admitted all of the allegations.

20. The panel therefore found all the allegations proved by way of Ms Cleaver's admissions.

Summary of evidence:

21. As set out in the statement of case,

> "*On 6 May 2023, Social Work England received a referral from Warwickshire County Council ("WCC") regarding the Respondent social worker, Kerry-Louise Cleaver ("the Social Worker").*
>
> *Between 4 November 2019 and 4 December 2023, the Social Worker was employed by WCC as a Senior Practitioner (a social worker role).*
>
> *On 14 and 15 November 2019, the Social Worker completed Mosaic and information compliance training. On 18 November 2019, the Social Worker accessed social care records belonging to [PRIVATE] and herself within minutes of gaining access.*
>
> *From 18 November 2019 to 3 May 2023, the Social Worker repeatedly accessed the social work records of several individuals—including family members, people living on her street, individuals allegedly involved in a local murder, [PRIVATE] and herself—without valid professional reason.*
>
> *Concerns about the Social Worker's conduct were first raised on 25 April 2023 during a management meeting at WCC.*
>
> *Between 28 April 2023 and 2 May 2023, the Social Worker accessed the records of three young people in Nuneaton who had been arrested for murder, despite not being their allocated worker and having no personal link to the victim.*
>
> *The Social Worker also spoke with Louise Bishop, the allocated social worker for Service User A – via [PRIVATE] (Service User R) phone – discussing the case in a way that appeared to undermine the relationship between Ms Bishop and Service User R.*
>
> *On 3 May 2023, management at the Council became aware that the Social Worker had accessed Service User A's records on 26 occasions. On 4 May 2023, a Suspension Risk Assessment was completed, her Mosaic access was revoked,*

and she was suspended from her role. On 6 May 2023, the referral to Social Work England was made.

A disciplinary process by WCC took place between July – December 2023.

On 18 July 2024, the Social Worker provided initial comments to Social Work England regarding the concerns. She received the Case Investigation Report on 20 January 2025, and provided further observations and admissions on 8 February 2025. On 28 March 2025, the Case Examiners referred the matter to a Final Hearing. On 29 June 2026, at a Case Management Meeting, a panel of two adjudicators granted Social Work England's application to expand the scope of the regulatory concerns so that all five allegations are properly advanced."

22. The panel notes that the conduct took place between November 2019 and August 2023. Ms Cleaver looked at records of 18 service users on 790 separate occasions. The records including those of close family members and other service users to which Ms Cleaver was not the allocated social worker.

23. The panel considered the witness statements within the bundles of Ms Jay Olukoya, (Service Manager at Warwickshire County council and Investigating Officer for the Social Worker's disciplinary investigation), Ms Louise Bishop, (previously a safeguarding social worker within the Nuneaton and Bedworth team in Warwickshire, and was allocated to Service User A), Ms Michelle Schentke (previously a Team Manager in the Duty and Assessment team at Warwickshire County council, and was the Social Worker's manager) and Ms Claire Reynolds (previously Operations Manager for the Initial Response Team at Warwickshire County council).

24. As the allegations had been admitted in full and the panel found them proved, the panel still had some questions for Mrs Schentke who gave evidence. The panel did not have any questions for the remaining 3 witnesses listed above.

25. Mrs Schentke was Ms Cleaver's manager from 2021. Mrs Schentke confirmed that it was not uncommon for social workers to come into the office when not on duty, there were 4 teams and there were at times a change of managers which was not always consistent.

26. Mrs Schentke outlined that the culture in the team could be pressured at times with a normalised culture of 'toxic positivity' in relation to coping with stress. She also confirmed that there were several social workers who worked and lived in the same area as service users, and that this was well known to managers. She could not confirm if the conflicts of interest policy included conflicts of interest with supporting service users as opposed to conflicts of interest between staff.

27. Mrs Schentke confirmed there was no specific support plan in place resulting from a [PRIVATE] and confirmed that the service was not aware of any problems prior to [PRIVATE]. Mrs Schentke was not Ms Cleaver's line manager between 2019-21 and there was nothing passed to her on file from 2019-2021 regarding any additional support or supervision being needed for Ms Cleaver.

28. [PRIVATE].

29. Ms Cleaver confirmed that she did not wish to give any evidence and did not wish to make any submissions beyond her responses provided in the social worker's response bundle.

30. Mr Carey made submissions as outlined in Social Work England's statement of case and addressed the panel on the professional standards it believed Ms Cleaver had breached, namely 1.7, 2.1, 2.2, 2.6, 3.1 and 5.2 of the Social Work England Professional Standards (2019).

31. The statement of case also referred to the Health and Care Professions Council – Standards of Conduct, Performance and Ethics (2016) that it believed Ms Cleaver had breached, namely, 1.1, 5.1, 9.1, 9.4 and 10.3.

32. The panel was invited to find Ms Cleaver's conduct was serious in nature which involved the most confidential of information including children's social care records and as such amounted to the statutory ground of misconduct. He also alluded to the 2 episodes of dishonesty in denying accessing records.

33. Ms Cleaver did not make any submissions specifically for this stage of the hearing either, but the panel considered her response bundle. The panel also considered the training courses that Ms Cleaver had completed, details of her current employment with Dudley Council and [PRIVATE].

34. The panel accepted the advice of the legal adviser that, in relation to misconduct, the legal adviser referred the panel to the case of Roylance v GMC (no.2) [2000] AC 311, and to the Social Work England and Health and Care Professions Council standards. The panel was advised that there is no settled definition of misconduct, and it is for the panel to say in the circumstances of the case whether the behaviour crossed the threshold properly to be categorised as misconduct. The panel could approach the question by deciding whether an act or omission on the part of Ms Cleaver represented a serious failing short of the standards to be expected of a registered social worker. However, it is important to note that not every omission or wrongdoing necessarily constitutes misconduct.

35. The panel was satisfied that the conduct found proved was a departure from the usual and accepted standards of social work practice. The panel decided that Ms Cleaver had 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.*

2.2 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.

2.7 Consider where conflicts of interest may arise, declare conflicts as early as possible and agree a course of action.

3.1 Understand the need to maintain high standards of personal and professional conduct.

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.

36. The panel also decided that Ms Cleaver had breached the following Health and Care Professions Council – Standards of Conduct, Performance and Ethics (2016):

1.1 You must treat service users and carers as individuals, respecting their privacy and dignity.

5.1 You must treat information about service users as confidential.

9.1 You must make sure that your conduct justifies the public's trust and confidence in you and your profession.

9.4: Declare issues that might create conflicts of interest and ensure they do not influence your judgement.

10.3 You must keep records secure by protecting them from loss, damage or inappropriate access.

37. The panel decided that Ms Cleaver's conduct found proved was so serious that it called into question her recognition and observance of fundamental tenets of social work. Ms Cleaver also acted dishonestly on 2 separate occasions by denying she had access to service users' records. The conduct was made more serious as it continued over an extended period of time between November 2019 to August 2023.

38. The panel concluded that Ms Cleaver's conduct as proved was so serious it amounts to the statutory ground of misconduct.

Findings and reasons on current impairment:

39. In relation to impairment, Mr Carey submitted that Ms Cleaver's fitness to practise is currently impaired on both the personal and public grounds.

40. Mr Carey acknowledged some of the relevant training courses completed but submitted that remediation in cases involving dishonesty is harder to remediate.

41. Mr Carey submitted that Ms Cleaver's [PRIVATE] do not establish a causal link to the allegations, there are no testimonials from any professional person, her personal

reflection does not go far enough, she has shown only partial insight and there remain question marks as to why Ms Cleaver acted the way she did.

42. Mr Carey submitted that members of the public would be deeply concerned at learning of these allegations and invited the panel to conclude that Ms Cleaver's fitness to practise is currently impaired.

43. Although Ms Cleaver still did not wish to give formal evidence, she submitted that she [PRIVATE].

44. Ms Cleaver further submitted that in relation to her reflections, she was not good at writing things down and had done everything she could to make changes.

45. The panel heard and accepted the advice of the legal adviser. It took into account the guidance in the case of CHRE v NMC & Grant [2011] EWHC 927 (Admin):

> *'In determining whether a practitioner's fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.'*

46. The panel were also referred to the case of 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. The panel was also reminded of Social Work England's 'Impairment and sanctions guidance' ('the guidance').

47. The panel firstly considered the personal element of impairment and the extent to which the misconduct can be remediated by Ms Cleaver and whether it is likely to be repeated. The panel also note that the admitted misconduct included dishonesty.

48. The panel note the certificate of compliance completed by Ms Cleaver from 2025 onwards which has included Generative AI usage policy, Personal data breaches and security, Email and internet acceptable usage policies, Gov data acceptable usage policy, Dudley MBS software, Handling subject access requests, A to Z of anti-racism, Freedom of information, Special category and criminal conviction data policy, Data protection, Law enforcement, Records management policy, USB memory stick policies, UK GDPR, EDI training, Code of conduct for employees and Managing records as an information asset owner. The panel note that 15 of the subjects were completed on 28 July 2025 and a further 2 on 21 September 2026.

49. The panel recognised that whilst this is demonstrating some practical response to enhancing knowledge and skills, it does not demonstrate substantial personal reflection in relation to practice, potential harm or impact.

50. The panel note that there were a number of years where the misconduct took place, with limited meaningful insight. The panel have not had sight of any character references or testimonials, there has been no insight demonstrated into the manner of

the conflicts of interest and the lack of separation between home and work, and the relationship of these with the [PRIVATE]. The panel notes that Ms Cleaver had been accessing service user's records since 2019.

51. The panel note, in the absence of any other evidence to the contrary, it is highly likely that the conduct could be repeated again. The panel have seen no record of current safe practice; the panel have a limited understanding of what caused the initial conduct or what could stop it again. Moving to a different area for work is unlikely to prevent future risk. The panel has not seen any evidence of how Ms Cleaver would put any new skills or knowledge into practice.

52. The panel concluded that Ms Cleaver's fitness to practise is currently impaired from the personal perspective.

53. In relation to the public element, based on its findings, the risk to service users, bringing the profession into disrepute, the breaching of the fundamental tenets of the profession, and the dishonesty, the panel concluded that public confidence would be undermined if there were to be no finding of impairment and that all 4 limbs of Grant have been engaged.

54. Social workers hold privileged positions of trust. It is essential that the public can trust social workers to practise with honesty. The panel considered that not to make a finding of current impairment of fitness to practise in relation to the dishonest misconduct would seriously undermine public trust and confidence in the profession and would fail to uphold and declare proper standards.

55. The panel therefore decided that in relation to the wider public interest, Ms Cleaver's fitness to practise is currently impaired.

Decision and reasons on sanction:

56. When considering the question of sanction, the panel took into account Social Work England's 'Impairment and sanctions guidance'.

57. Mr Carey submitted that in light of the panel's findings, Social Work England was seeking a removal order. This was in light of the seriousness of the conduct and a removal order was the only appropriate sanction.

58. Mr Carey reminded the panel that the purpose of the sanction is not to punish Ms Cleaver, but to protect the public.

59. Mr Carey did note some mitigation on Ms Cleaver's behalf which included her engagement in proceedings, the admissions to the allegations, no previous findings on any fitness to practise hearings and some evidence of certificates of compliance.

60. Mr Carey alluded to Ms Cleaver's limited insight and reflection, disobeying management instruction, that the conduct spanned a period of 3.5 years involving 18 service users and 2 instances of dishonesty. As a result, repetition was highly likely.

61. Ms Cleaver was given a further opportunity to provide submissions to the panel. She submitted that in relation to her dishonesty, she was not in the right frame of mind, [PRIVATE].

62. Ms Cleaver further submitted that there had been no other concerns raised in her current employment with her current practice where she goes above and beyond. She further confirmed that she is currently choosing employment outside of social work as, [PRIVATE], she now knows her limits and knows when to say no, submitting that she has tried to make changes.

63. The panel accepted the advice of the legal adviser who reminded them that their powers at this stage are set out in Paragraphs 12 and 13 of Schedule 2 of the regulations.

64. The panel may take no further action, give advice, give a warning order, impose a conditions of practice order, impose a suspension order, or remove the social worker from the social work register. The purpose of a sanction was not to punish Ms Cleaver, but to protect the public and the wider public interest.

65. The panel was also reminded of relevant caselaw, in particular 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, such that striking off may be an appropriate sanction, if the dishonesty is combined with a lack of insight under the indicative sanctions guidance. It was also reminded that as in the case of Atkinson v GMC [2009] EWHC 3636 (Admin) erasure is not necessarily inevitable and a lesser sanction may suffice where the panel had compelling evidence of insight and a number of other factors upon which it could rely on that the dishonesty in question appeared to be out of character or somewhat isolated in its duration or range.

66. The panel was advised to consider any aggravating and mitigating factors it sees fit. When considering sanctions, it should begin with the lowest sanction and move 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.

67. The panel were 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.

68. The panel identified the following mitigating factors;

- The admissions made
- Engagement with Social Work England and the investigation process
- Some reflective work completed
- There have been no known concerns since 2023
- [PRIVATE]
- [PRIVATE]

- Evidence of certificates of training compliance from her current employer

69. The panel identified the following aggravating factors;

- The length of the misconduct (3.5 years)
- The number of individuals (18) and individual instances (790) cases were inappropriately accessed
- Evidence of actively seeking to influence the outcomes of a case allocated to another social worker, based on unauthorised access
- The extent to which the above represents an abuse of trust
- Not maintaining professional boundaries
- Dishonesty on 2 separate occasions
- Limited meaningful insight and remediation
- Lack of testimonials and professional references

No further action, advice or warning:

70. The panel had concluded that Ms Cleaver's fitness to practice 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 considering the lower sanctions of no further action, advice or a warning, the panel agreed that none of these outcomes would be sufficient to address the risks as identified. Based on its assessment of risk, a lower sanction would not appropriately restrict or remediate Ms Cleaver's practice. Further, the clear evidence of misconduct and seriousness of the aggravating factors necessitate a clear message to the public regarding the seriousness of this misconduct. A lower sanction was agreed not to be in the public interest nor maintain public confidence in the profession.

Conditions of practice:

71. The panel noted the sanctions guidance and in particular had regard to paragraph 114 which outlines 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.

72. The panel also noted paragraph 116, 118 and 119 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."

"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"

Conditions are unlikely to be appropriate in cases of dishonesty and abuses of trust which are evident in Ms Cleaver's case.

73. In the panel's findings, Ms Cleaver has not provided any evidence that she has developed sufficient insight nor remedied her misconduct. Ms Cleaver has also admitted to being dishonest on 2 separate occasions. The panel noted that the guidance states that a conditions of practice order is unlikely to be appropriate in cases involving dishonesty.

74. The panel decided that at present, Ms Cleaver's conduct could not be managed by a conditions of practice order. It was not possible to formulate appropriate, proportionate, and workable conditions which would be sufficient to protect service users and the wider public interest. The panel was also of the view that a conditions of practice order would be impractical to enforce, given limited information in relation to Ms Cleaver's current employment situation. Ms Cleaver has indicated that she will be leaving the social work profession for a period of time. The panel also heard no submissions in relation to whether she would be willing or able to comply with a conditions of practice order.

Suspension order:

75. The panel noted paragraphs 136 to 138 of the sanctions guidance which states;

"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"*

76. The panel was satisfied that Ms Cleaver's misconduct falls within paragraph 136 of the guidance in that 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.

77. The panel formed the view that Ms Cleaver had worked as a social worker since 2019, she has no previous sanctions recorded against her and has demonstrated some remorse through her reflective summary. The panel also noted that the large majority of service users files that Ms Cleaver was looking at were her [PRIVATE].

78. The panel was also mindful that although Ms Cleaver admitted being dishonest on 2 occasions, these were at the lower end of the scale in seriousness in the panel's opinion. As in the case of Atkinson v GMC [2009] EWHC 3636 (Admin) noted above, the panel found that the 2 incidents of dishonesty were out of character or somewhat isolated in its duration or range. No further incidents of dishonesty have taken place that the panel are aware of and Ms Cleaver has reflected on her conduct.

79. Ms Cleaver has identified steps to prevent a similar situation occurring again, she provided reflections on her conduct in her response bundle as follows:

> *"I am now aware of my limitations and know when I need to step away if things get to much. Looking back, I knew what I did was wrong and understood that working within my area that I live was not appropriate due to conflict of interest.*
>
> *I now work away from my area, so I don't know anyone. I know what I did was wrong, and I shouldn't have looked at family files, I cannot say why I did it, but I do know that I have never and will never put a child at risk. I am finally in a good place, so I have been able to reflect on the past year. I have always been honest with what I did and knew I shouldn't have looked.*
>
> *I never shared any information I had access to. I am committed to continuing my development as a social worker. I have taken these lessons to heart and will use them to guide my future practice. I am confident that the changes I've made—and continue to make—will support safe, ethical, and effective social work. I will remain open to feedback, seek supervision when needed, and maintain transparency in all aspects of my role."*

80. Consequently, upon conducting its finely balanced exercise, the panel determined that a suspension order would enable Ms Cleaver to step away from social work practice and provide her with further opportunity to be able to reflect on her actions objectively. 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.

81. The panel also found that a period of suspension is necessary to protect the public and uphold the standards of the profession given the panel's findings that the concerns represent a serious breach of the professional standards.

82. 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.

83. 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.

84. The panel notes that in the absence of improved insight or other remediation upon review at the end of the suspension order, a removal order may be an appropriate sanction at that stage.

Recommendations:

85. The panel has no intention or power to bind the hands of any future panel but does make the following recommendations that Ms Cleaver should engage with in readiness for any future review process. In particular with reference to the Social Work England professional standards 2.6, 2.7, 3.1, 3.2, 4.1 – 4.8.

- Provide evidence that demonstrates Ms Cleaver's ability to manage professional boundaries, managing conflicts of interest and handle confidential information.

This would most usefully include:

- A minimum of 2 professional testimonials from qualified professionals evidencing Ms Cleaver's practice (in relation to upholding professional standards 2.6 and 2.7 in particular).
- Evidence of reflective training completed on the handling of confidential data.
- Evidence of pro-active engagement with management oversight and supervision, including any management advice, including evidence of reflective supervision from either volunteering or practice roles (in line with professional standards 4.1 – 4.8).
- Evidence of the completion of continued professional development (CPD) that is relevant to the shortfalls in her practice (in line with professional standards 3.1 and 3.2 in particular).
- [PRIVATE].

Interim order:

86. In light of its findings on sanction, the panel next considered an application by Mr Carey for an interim suspension order to cover the appeal period before the final order becomes effective.

87. The panel next considered whether to impose an interim order. It was mindful of its earlier findings and decided that it would be wholly incompatible with those earlier findings if an interim suspension order was not made.

88. The panel heard and accepted the advice of the legal adviser in relation to the test for interim orders at a final hearing stage. To impose an interim order in the present circumstances it needed to be satisfied that such an order was necessary for the protection of the public which includes the public interest. The panel was also referred to the 'Impairment and sanctions guidance' and in particular to paragraphs 205 – 210.

89. Accordingly, the panel concluded that an 18-month interim suspension order is necessary for the protection of the public and in the best interests of the social worker. 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.

90. Mr Carey also submitted that the current holding interim conditions of practice order that is in place was no longer necessary and should be revoked.

91. The panel notes that in circumstances where a Schedule 2, Paragraph 8(2) interim order is still in effect at the conclusion of the final fitness to practise hearing, Social Work England will usually seek to revoke the existing interim order.

92. Ms Cleaver confirmed that she was content to waive her right to the notice period.

93. As a result, the panel decided that the interim conditions of practice order should be revoked.

Right of appeal:

94. 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.

95. 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.

96. 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.

97. 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:

98. 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

99. 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:

100. 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.