Social worker: Rodney Muhammad
Registration number: SW31294
Fitness to Practise
Final Hearing

Dates of hearing: 05 October 2026 to 13 October 2026

Hearing venue: Remote hearing

Hearing outcome:
Fitness to practise impaired, suspension order (6 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. Mr Muhammad attended and was not represented.

3. Social Work England was represented by case presenter Ms Nanayakkara, counsel instructed by Capsticks LLP.

4. The panel of adjudicators conducting this hearing (hereafter "the panel") and the other people involved in it were as follows:

Adjudicators	**Role**
Nigel Westwood	Chair
Joma Wellings-Longmore	Social worker adjudicator
Alan Meyrick	Lay adjudicator

Hearings team/Legal adviser	**Role**
Lauryn Green / Jenna Keats	Hearings officer
Asma Ansar	Hearings support officer
Jane Lakin	Legal adviser

Documentation:

5. The panel received and considered the below documentation prior to the commencement of the hearing:

   - Hearing Timetable comprising of 5 pages;
   - Statement of Case comprising of 24 pages;
   - Hearing Bundle – Statements comprising of 19 pages;
   - Hearing Bundle – Exhibits comprising of 213 pages;
   - Social Worker's Response Bundle comprising of 82 pages;
   - Additional Bundle – comprising 31 pages;
   - Service and Supplementary Bundle comprising 29 pages.

Preliminary matters:

6. The panel considered and approved an anticipatory application for those parts of the hearing that might engage Rule 38(b)(i) or (ii) Fitness to Practise Rules 2019 (as amended) (hereinafter "the Rules ") to be heard in private. The panel was mindful of the public interest in proceedings being conducted openly but also recognised the need, where appropriate, to protect information concerning a person's private life. The panel determined that it was just and fair to grant the application on a contingent basis. Accordingly, should evidence arise during the hearing which met the criteria contained

within Rule 38(b), the panel would move into private session for the consideration of that evidence only. All remaining parts of the hearing would be heard in public.

Allegations:

7. The allegations arising out of the regulatory concerns referred by the Case Examiners on 27 June 2022 are:

> *Whilst registered as a social worker and employed at Wandsworth Council, you:*
>
> 1. *Failed to disclose to the Regulator that you:*
>   a. *Were arrested on 12 May 2020;*
>   b. *Were released under investigation in respect of criminal offences on 13 May 2020*
> 2. *Maintained a relationship with Person A, a director of an organisation which had previously provided placements for children within Wandsworth Council's care and who had previously been subject to an investigation, in that you:*
>   a. *In 2019, provided advice relating to Person A's properties, which could amount to consultancy work; and/ or*
>   b. *From around December 2019 onwards, had an arrangement to lease a car from Person A.*
> 3. *Your relationship with Person A as set out at paragraphs 2a and/or 2b, was inappropriate because it was a potential conflict of interest under Wandsworth Council's Code of Conduct for Employees;*
> 4. *From around December 2019 to June 2020 you undertook consultancy work for Holmdene Housing;*
> 5. *Your consultancy work set out at paragraph 4 was a potential conflict of interest under Wandsworth Council's Code of Conduct for Employees;*
> 6. *You did not declare your relationship with Person A as set out at paragraphs 2a and/ or 2b, and/ or your consultancy work set out at paragraph 4, to Wandsworth Council;*
> 7. *Your actions at paragraph 6 were dishonest in that you knew that you were required to disclose the matters at paragraphs 2a and/ or 2b, and/ or 4 to Wandsworth Council;*

The matters outlined in paragraphs 1-7 amount to the statutory ground of misconduct.

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

Admissions:

8. 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.

9. Mr Muhammad was taken through the allegations and confirmed that he admitted allegations 2(b), 4 and 6. The panel was satisfied that the admissions were clear, unequivocal and made voluntarily. Accordingly, the panel accepted those admissions and found allegations 2(b), 4 and 6 proved by way of admission.

10. The panel noted that Mr Muhammad denied allegations 1, 2(a), 3, 5 and 7.

11. In line with Rule 32(c)(i)(aa) of the Rules, the panel then went on to determine the disputed facts.

Background to the allegations

12. Ms Nanayakkara, on behalf of Social Work England, outlined the background to the allegations.

13. On 19 August 2020, Social Work England received a referral from the Local Authority Designated Officer ("LADO") Chantel Langenhoven at Wandsworth Council ('the Council') regarding Mr Muhammad. At the relevant time, Mr Muhammad was employed by the Council as a Placement Team Manager in the Children's Services Department. According to his job description his duties included commissioning placements for children and young people who were Looked After by the Council and complying with "relevant Codes of Practice, including the Code of Conduct…".

14. Mr Muhammad was responsible for the procurement and allocations of placements and accommodation for children and young people. In his role, Mr Muhammad conducted placement searches where social work teams were looking for suitable homes for a particular child.

15. Mr Muhammad was arrested on 12 May 2020 at his home as part of a police investigation activity. Mr Muhammad was released by police under investigation on 13 May 2020 and reported his arrest and the circumstances of it to his employer the following day. His employer suspended him while an internal investigation was undertaken.

16. The police found no link to criminality and a lack of evidence to suggest that Mr Muhammad was involved in illegal operations. The police investigation identified that Mr Muhammad's car had been leased from an individual referred to as Person A. Person A told police he had leased it to Mr Muhammad as Mr Muhammad had told him he was bankrupt and Person A had overcommitted himself financially. The police conducted financial background checks on the social worker, which revealed that he was in debt, but police did not consider that further enquiries into the social worker's finances were justified.

17. The police ultimately concluded the investigation without charge and wrote to Mr Muhammed on 23 September 2020 advising him that he was "being subjected to No Further Action". Mr Muhammed was never charged with any criminal offences.

18. In the course of Mr Muhammad's employer's investigation, it became apparent that Person A was known to the Council, having been a contractor who provided semi-independent residential accommodation. Several young people in the Council's care had been placed in Person A's accommodation in 2017, when concerns about Person A's conduct resulted in a LADO investigation and the re-housing of 20 young people. The social worker had been involved in that re-housing and had been included in email communications about it. Further concerns had been reported to the Council in 2018 about Person A's sister-in-law, which were investigated by the Council, during which concerns about Person A were again raised. While Mr Muhammed had been involved in that investigation, he had not disclosed any connection with Person A.

19. The Council conducted a disciplinary hearing in February 2021. The outcome of that hearing was Mr Muhammed was given a final written warning and was permitted to return to work in his role in April 2021 with enhanced supervision.

Summary of evidence- Social Work England

20. The panel considered written evidence and in person evidence from Ms Ruth Lacey. Ms Lacey gave evidence under affirmation. At the material time, Ms Lacey held the position of Head of Service for Safeguarding and Quality Assurance at the Council. She was responsible for investigating the allegations concerning Mr Muhammed and examining the circumstances of his relationship with Person A. During that investigation, she obtained accounts from a number of relevant individuals, including Mr Muhammad's line manager, Mr Paul Coke, and Local Authority Designated Officer (LADO), Ms Chantelle Langenhoven.

21. Ms Lacey described Mr Muhammad as a *"well-regarded"* and "*hard-working"* social worker who had been employed by the Council since 2015. This was initially in an agency placement, then locum interim manager and subsequently, from 2019, as a permanent manager within the Placement Team.

22. Ms Lacey also confirmed that a Council's Code of Conduct for Employees, the relevant iteration dated February 2019, was in force at the material time. She stated that this

was available to employees via the Council's intranet and was sent out to employees with their employment contracts. Mr Muhammad would therefore have received a copy of the Code of Conduct in 2019

23. Ms Lacey outlined Social Work England's professional standards applicable to social workers during the period of the alleged misconduct. She explained that these standards governed the conduct and behaviour expected of social workers both within their professional role and, where relevant, in their private lives.

24. Ms Lacey gave evidence regarding the safeguarding investigation conducted in relation to Person A. [PRIVATE] Ms Lacey explained that, following the allegations, approximately 20 children and young people in the care of the Council were removed from accommodation provided by Person A as a safeguarding measure.

25. Ms Lacey stated that the removal and re-accommodation of approximately 20 children and young people from accommodation provided by Person A would have been a significant safeguarding event for Mr Muhammad to have been involved in. She stated that, as a result of his involvement in that process, Mr Muhammad would have been aware that safeguarding concerns had prompted the urgent need to relocate the young people. He may not necessarily have been aware of the specific details of the allegations concerning Person A, having not been involved in the meetings convened by the LADO to investigate this. Ms Lacey's evidence was that the scale and urgency of the exercise, involving the LADO and Head of Quality Assurance, would have made it clear that the move was being undertaken in response to serious safeguarding concerns.

26. Ms Lacey outlined her investigation into the consultancy work undertaken by Mr Muhammad on behalf of Person A. She concluded that there was no evidence that Mr Muhammed had received any remuneration for the advice he provided. The only financial arrangement identified between Mr Muhammad and Person A related to the vehicle leased by Mr Muhammad from Person A.

27. Ms Lacey further explained that Mr Muhammad had entered into a formal consultancy arrangement with Holmdene housing, a provider of semi-independent accommodation in London for the provision of advice, which was in place for a period of approximately six months during 2020.

28. During cross-examination, Ms Lacey confirmed that she had enjoyed a positive working relationship with Mr Muhammad and recognised the improvements and positive developments he had driven within his team.

29. Ms Lacey clarified that Mr Muhammad would not have been involved in the strategic response to the allegations concerning Person A in 2017 and would not have been privy to the specific details of those allegations, which remained confidential. However, she maintained that Mr Muhammad would have been aware that safeguarding concerns existed in relation to Person A as an accommodation provider, notwithstanding that he may not have known the precise nature of those concerns.

30. Ms Lacey confirmed during cross-examination that she had not had access to Mr Muhammad's personnel records and was therefore unaware of any occasions on which he may have been reminded to complete an annual declaration of interests form. Ms Lacey maintained that Mr Muhammad's work with Holmdene should have been disclosed to Mr Muhammad's line manager.

31. Ms Lacey further confirmed that it is not uncommon for a LADO or a line manager to make a referral to Social Work England where concerns arise about a social worker's conduct.

32. She also confirmed that her investigation did not identify any evidence that Mr Muhammad had inappropriately disclosed personal, confidential, or commercially sensitive information to any individual.

33. Ms Lacey confirmed that Mr Muhammad returned to his substantive role following the conclusion of her investigation and that he was provided with additional management oversight upon his return.

34. The panel sought clarification from Ms Lacey as to whether she had been able to determine the precise nature and extent of the work undertaken by Mr Muhammad for Person A. Ms Lacey confirmed that she had not specifically investigated the detail of that work. Her understanding, based on the information available to her, was that Mr Muhammad had provided ad hoc general advice to Person A, and she had not concluded that the arrangement involved anything more substantial than the provision of such advice.

35. The panel sought clarification as to the basis upon which Ms Lacey had formed the view that Mr Muhammad had been traumatised by his arrest and detention by police on 12-13 May 2020.

36. Ms Lacey explained that this opinion had been informed by her experience as a social worker, her trauma-informed approach to practice, and her observations of Mr Muhammad during the course of her interview with him. She stated that his presentation during the interview was markedly different from her previous experiences of him, during which she had known him to be a resilient, composed, and professional manager. It was this contrast in his demeanour and presentation that led her to conclude that he had been adversely affected by the police actions.

37. Ms Lacey further stated that she considered Mr Muhammad's personal background and lived experience to be relevant contextual factors. She explained that people may perceive and be affected by police intervention differently depending on their individual circumstances and experiences, including ethnicity. In her view, these factors were relevant when considering the impact that the police actions had upon Mr Muhammad and his subsequent presentation.

Social Work England statements

38. The following witness statements were submitted into evidence by Social Work England following Mr Muhammad's confirmation that he accepted their evidence and did not wish to cross-examine them.

(i) Ananya Edmunds

Ms Edmunds, the Lead Investigator for Social Work England, confirmed within her statement that Social Work England received notification on 19 August 2020 from Mr Muhammad's employer regarding his arrest on 12 May 2020. She details that she had checked with the Social Work England Triage Team (where referral would be received) and was satisfied that no earlier referral concerning the matter had been made to Social Work England. Ms Edmunds further confirmed that she was unaware of any prescribed or standard timeframe within which concerns must be referred to Social Work England.

(ii) DS Mark Brockman

The evidence of DS Brockman provided background information regarding the police investigation that underpinned a number of the allegations before the panel. His evidence confirmed that Mr Muhammad was detained by the police between 12 and 13 May 2020 and was interviewed in relation to criminal matters. Mr Brockman further confirmed that the police subsequently took no further action in respect of the matter, a decision which was communicated to Mr Muhammad by letter dated 23 September 2020.

(iii) **Louise Jones**

Ms Jones, the Lead Safeguarding Officer at the Council, chaired the Allegations against Staff and Volunteers (ASV) Meetings convened in response to the concerns relating to Mr Muhammad. Her evidence provided an overview of those meetings and included contemporaneous minutes, which documented the discussions, considerations, and decisions arising from the safeguarding process.

Mr Muhammad's evidence

39. Mr Muhammad gave evidence under affirmation.

40. Mr Muhammad's two witness statements (one signed and dated 18 August 2026; the other unsigned and undated) were admitted into evidence after Mr Muhammad confirmed that the contents were true and accurate to the best of his knowledge, information and belief and that he did not seek to amend them. He was then cross-examined in relation to the matters set out within those statements.

41. Mr Muhammad confirmed that he was a registered social worker in May 2020 and accepted that he was bound by the Social Work England professional standards at that

time. He stated that he understood those standards and accepted that compliance with them was a threshold requirement of his role as a social worker. Mr Muhammad was referred to Standard 6, and in particular Standard 6.6, which requires social workers to *'advise employers or relevant authorities of any criminal proceedings or other matters that may call into question their suitability to practise*.'

42. Mr Muhammad stated that he considered the regulations to be open to interpretation, particularly in relation to the meaning of 'criminal proceedings'. He stated that he did not consider his circumstances to fall within the wording of the standard. However, he accepted that a review of the accompanying guidance would have made it clear that his circumstances were covered by the standard and that in hindsight he should have checked the guidance or sought clarification if he was uncertain as to their applicability to his case. He stated that he now had a much better understanding of his obligations.

43. Mr Muhammad stated that he did not appreciate at the time that it was necessary for him to disclose his dealings with Person A or with Holmdene, and that this was the reason he had not disclosed that information.

44. He confirmed that he had used the vehicle leased from Person A to commute to and from work, and occasionally for work visits. He explained that the majority of his work visits were undertaken using public transport with a travel warrant provided by his employer. He conceded that the opportunity to lease the car was an opportunity to obtain a benefit for himself, although he stated that he could have leased a car from a commercial organisation.

45. Mr Muhammed did not accept Person A's characterisation of him as a consultant, although he accepted that he had provided advice to Person A on an ad hoc basis. He further accepted that he had told the police during interview that this could be viewed as consultancy work.

46. It was put to Mr Muhammad that he had exaggerated the length of his detention in custody, in that it had not been the 72 hours he had asserted to Ms Lacey, and that he had done nothing to correct this erroneous information which had formed part of Ms Lacey's investigation. Mr Muhammad stated that being in police custody had been very stressful for him and that this had blurred his recollection of the timings involved. He accepted that the police Custody Record was accurate (arrest 12/05/2020 at 05:46; release 13/05/2020 at 20:25) and that he had contacted his manager Mr Coke on his return to home the morning after his release. He knew, therefore, that he was not in custody for 72 hours.

47. It was further put to Mr Muhammad that he had not informed his manager of the arrest as soon as he returned home, as he had claimed, but had in fact done so the following day. Mr Muhammad stated that this was because it was too late in the evening to contact Mr Coke. When he stated that he had contacted his manager of the arrest as soon as he returned home, he meant as soon as possible after he returned home.

48. It was put to Mr Muhammad that his arrangements with Person A and Holmdene gave rise to conflicts of interest which ought to have been declared to his employers.

49. Mr Muhammad stated that he had not been aware of the full extent of the allegations relating to Person A; only that they involved safeguarding matters concerning his organisation. He explained that he had not been a manager at the time concerns regarding Person A arose in 2017 and would therefore not have been privy to the details. Mr Muhammad confirmed that he had been in attendance at a meeting relating to an individual connected to Person A in 2018, during which the nature of the concerns had been described as a '*serious safeguarding matter*'.

50. Mr Muhammad was asked about his dealings with Person A and indicated that these were limited, amounting to only a handful of interactions—approximately one to "less than five" passing conversations. It was put to Mr Muhammad in cross-examination that he had stated in his police interview that such interactions could amount to consultancy. He accepted that this was the case.

Legal advice at facts stage

51. The legal adviser confirmed that the burden of proving the facts rests entirely on Social Work England, and there is no burden on Mr Muhammad disprove any aspect of the allegations. The applicable standard of proof is the civil standard, namely the balance of probabilities. The panel must determine each allegation by considering all of the documentary and oral evidence, together with the submissions made by the parties, and must reach its own independent conclusions. The panel should avoid speculation, only draw inferences where supported by reliable evidence, and consider only evidence that is relevant and fair. Particular care should be taken when assessing evidence that cannot readily be challenged, such as hearsay or the findings of other bodies, and the panel must ultimately determine only those factual issues necessary to decide whether the allegations are proved.

52. Mr Muhammad admitted allegations 2(b), 4 and 6, which were therefore found proved pursuant to Rule 32(c)/ Allegations 1, 2(a), 3, 5 and 7 were denied and therefore left for determination by the panel. In assessing the disputed facts, the panel should evaluate the credibility and reliability of the evidence as a whole, recognising that the events in question date back several years and that memories may have faded over time. The panel may take account of Mr Muhammad's agreed previous good character, including evidence regarding his positive professional reputation, insofar as it assists in assessing credibility. The panel should also approach hearsay evidence with appropriate caution, applying the principles in *Thorneycroft v NMC* [2014] EWHC 1565 (Admin) when determining what weight, if any, should be attached to it. In relation to the dishonesty allegation, the panel must apply the two-stage test in *Ivey v Genting Casinos* [2017] UKSC 67, first determining Mr Muhammad's actual knowledge or belief at the relevant time and then considering objectively whether ordinary decent people would regard the conduct as dishonest. The panel's conclusions should be fully

explained in its written determination, with the legal adviser assisting only as to law and procedure and playing no part in the decision-making process.

Finding and reasons on facts:

Allegation 1

53. The panel first considered the wording of Allegation 1, namely that Mr Muhammad "failed to disclose to the Regulator" that he had been (a) arrested on 12 May 2020 and (b) subsequently released under investigation on 13 May 2020. The panel noted that the allegation was framed in terms of a failure and the panel therefore considered that they were required to determine whether, at the material time, Mr Muhammad was under a duty or other professional obligation to notify Social Work England of those matters. The panel considered that it could not properly find the allegation proved unless it was satisfied that such a duty existed.

54. In addressing that issue, the panel considered the obligations placed upon registered social workers by the professional standards applicable at the relevant time. The panel was satisfied that all registered social workers are required to act openly and honestly with their regulator and to provide information which may be relevant to their ongoing registration and fitness to practise. The panel had particular regard to Standard 6.6 of Social Work England's Professional Standards, which states "As a social worker, I will: 6.6 Declare to the appropriate authority and Social Work England anything that might affect my ability to do my job competently or may affect my fitness to practise, or if I am subject to criminal proceedings or a regulatory finding is made against me, anywhere in the world". Social Work England's document "Professional standards guidance - Social Work England" (last updated: 9 April 2020) states under the heading "Duty of Candour: "Social workers are open and honest... They must also tell us if they're being investigated for a criminal offence in the UK... or if there is anything that might affect... their fitness to practise. The panel considered that these professional obligations are not dependent upon a specific request being made by the regulator but are pervasive and continuous and arise by virtue of an individual's status as a registered social worker. As an experienced social worker registered since 2012, the panel found that Mr Muhammad had a professional duty to be conversant with this obligation.

55. The panel concluded that, whilst registered with Social Work England and employed by the Council, Mr Muhammad was under a professional duty to notify his regulator of matters of the nature described in Particulars 1(a) and 1(b), namely his arrest and his subsequent release under investigation in respect of criminal offences. The panel was satisfied that this obligation arose from the standards of professional conduct and behaviour to which all registered social workers are subject and which require transparency with the regulator in respect of matters capable of having regulatory significance.

56. The panel had regard to Mr Muhammad's own evidence, in which he accepted that he had not personally notified Social Work England of either his arrest on 12 May 2020 or his release under investigation on 13 May 2020. This evidence was consistent with that of Ms Ananya Edmunds, whose evidence confirmed that Social Work England had not received any notification from Mr Muhammad concerning either of those matters. The panel was therefore satisfied that Mr Muhammad had not made any direct disclosure to his regulator in respect of the matters set out at Particulars 1(a) and 1(b).

57. The panel carefully considered Mr Muhammad's explanation for that omission. He had stated that he did not consider that he had failed in his duty to notify Social Work England because he had informed his employer of the arrest and believed that the responsibility for notifying the regulator would rest with his employer.

58. However, the panel identified a significant inconsistency within Mr Muhammad's evidence. On the one hand, he maintained that he did not notify Social Work England of his arrest and release under investigation because he believed that his employer would do so on his behalf. On the other hand, the panel noted Mr Muhammad's response to Social Work England's initial triage report following the referral by the LADO in August 2020 in which Mr Muhammad stated "It is my view that the local authority Wandsworth Borough Council have acted with prejudice by reporting this incident to Social Work England before the police had finished their investigation". It was therefore evident to the panel that in 2020, Mr Muhammad was not in fact relying on his employer to report matters to Social Work England and, on the contrary, positively objected to the LADO referral. Moreover, there was a three-month lacuna between Mr Muhammad's arrest in May 2020 and the LADO referral in August 2020. Whilst Social Work England's Professional Standard 6.6 does not specify a timescale for self-reporting, it should have been, in the panel's assessment, self-evident that his obligation required prompt self-referral.

59. The panel further considered that any uncertainty on Mr Muhammad's part regarding the circumstances in which notification was required ought reasonably to have been resolved by reference to the professional guidance available to him at the relevant time. The accompanying guidance to the Professional Standards made clear that social workers should disclose involvement in police investigations to their regulator and that such disclosure was expected even where no charging decision had been made and the outcome of the investigation remained unknown.

60. In these circumstances, the panel was not persuaded by Mr Muhammad's explanation that he believed self-referral was not required. The panel instead concluded that the obligation to notify Social Work England rested with Mr Muhammad himself and was not obviated merely because he had informed his employer of the relevant matters. The panel was satisfied that Mr Muhammad was aware, or ought to have been aware, of his professional obligation to notify Social Work England directly of his arrest and subsequent release under investigation, and that he failed to do so.

61. Whilst the panel noted the evidence of Ms Lacey suggesting that a referral made by the Local Authority Designated Officer (LADO) might, in some circumstances, negate the need for a registrant to make a separate self-referral, it did not accept that proposition on the facts of this case. The panel considered that the professional obligation to notify the regulator rested with Mr Muhammad personally and could not be discharged by reliance upon the possibility that another individual or agency might choose to make a referral. Whilst the panel accepted that Ms Lacey was a very experienced social worker and a credible witness, it appeared that she had been provided with incorrect information regarding the custody time periods, as set out in the findings on allegation 6. The panel therefore concluded that her evidence was not reliable in this respect, as her investigation had been compromised by reliance on inaccurate information. The panel also considered that the proximity of Ms Lacey's working relationship with Mr Muhammed and high regard for areas of his practice, presented a difficulty for her in being entirely objective when assessing his actions. Her conclusion that Mr Muhammad had suffered trauma—formed in part on the basis of incorrect information—may have led her to be more reluctant to be appropriately critical in areas of her assessment where such scrutiny was warranted.

62. The panel attached particular significance to the timing of the LADO referral, which was not made until August 2020, several months after Mr Muhammad's arrest and release under investigation in May 2020. The panel found that it would be inconsistent with the overarching objective of public protection, and the regulator's need to be informed of potentially relevant matters at an early stage, to conclude that such a substantial period could elapse without any notification to Social Work England. The panel regarded the resulting gap in regulatory awareness as wholly incompatible with the purpose of the notification requirements.

63. Accordingly, the panel was satisfied that any subsequent referral by the LADO did not absolve Mr Muhammad of his own obligation to notify Social Work England promptly. The panel concluded that the duty to provide timely disclosure remained with Mr Muhammad throughout, irrespective of whether a third party ultimately chose to bring the matter to the regulator's attention. The panel therefore found allegation 1 proven in its entirety.

Allegation 2

64. In relation to the Allegation 2, the panel noted that Mr Muhammad had made an admission in relation to 2(b) in that he accepted that he maintained a relationship with Person A, a director of an organisation which had previously provided placements for children within the Council's care and who had previously been subject to an investigation; in that from around December 2019 onwards, he had an arrangement to lease a car from Person A.

65. The panel then went onto consider allegation 2(a) which required the panel to decide if Mr Muhammad maintained a relationship with Person A and that "In 2019, provided advice relating to Person A's properties, which could amount to consultancy work."

66. The panel determined that it would be assisted in determining this aspect of the allegation by adopting a baseline definition of the term "consultancy". Whilst the panel recognised that the reference to consultancy originated from Mr Muhammad's own description of the work undertaken, it considered it necessary to identify an agreed definition in order to ensure a common and consistent understanding of the term when assessing the evidence.

67. This issue was raised with the legal adviser and canvassed with all parties during the hearing. Following discussion, it was agreed by all parties that the panel should apply the Oxford English Dictionary definition of "Consultancy", namely: *"a professional practice that gives expert advice within a particular field"* and *"Consultant"; "a person qualified to give professional advice or services..."*.

68. The panel adopted this definition as a neutral and objective starting point for its assessment of the evidence. In doing so, the panel was mindful that the task before it was not to determine how the parties themselves may have characterised the work in question, but rather to evaluate, on the evidence, whether the activities undertaken by Mr Muhammad properly fell within the ordinary meaning of consultancy so defined.

69. The panel agreed with the submission from Social Work England that Mr Muhammad's admission relating to allegation 2(b) was materially significant to its determination of allegation 2(a). The panel determined that for Person A to have leased his car, an asset of some value, without any surety other than a nominal deposit to Mr Muhammad necessarily presupposed a relationship of trust had been established between the parties. This was an ongoing arrangement which required confidence that regular payments would be made for the continued use of the vehicle and that the vehicle would be used with due care. The panel decided that the means by which this trust had been developed was through the provision of consultancy.

70. The panel rejected the characterisation of the relationship given by Mr Muhammad that the conversations had been restricted to less than five ad hoc conversations. The panel considered that it was more likely than not, taking into account the arrangements for the car, that the there was an established pattern of engagement between Mr Muhammad and Person A, during which Mr Muhammad had provided advice regarding Person A's business as a provider of accommodation for children under the care of local authorities within London. This was the very sector in which Mr Muhammad had professional expertise and knowledge as a team manager within a local authority's placements team.

71. The panel rejected the social worker's assertion that "consultancy" required payment or some other form of consideration to be exchanged. The panel was satisfied, applying

the Oxford English Dictionary definition, that the social worker's provision of advice within his area of professional expertise amounted to consultancy. The panel therefore found that allegation 2(a) was proved in addition to allegation 2(b) which has been found proved by way of admission.

Allegation 3

72. In order to determine allegation 3, the panel considered the relevant iteration of the Council's Code of Conduct, dated February 2019, which had been provided to them as an exhibit within the statement of Ms Lacey. The panel noted that the Code of Conduct sets out clear expectations regarding conflicts of interest, including the requirement that employees must avoid situations where personal interests could conflict, or be perceived to conflict, with their professional duties; must declare any potential conflict promptly; and must not use their position, professional relationships, or access to information for personal gain. The panel further noted that the Code of Conduct emphasises transparency, integrity, and the need to maintain public confidence in the Council's decision-making. Having considered these provisions, the panel proceeded to assess whether the social worker's conduct engaged the conflict-of-interest requirements set out in the Code of Conduct.

73. The panel also considered section 8, which deals with personal interests. Section 8.2 requires employees to declare, in writing, *'any financial interests* or non-financial interests in the event of there being a potential conflict with the Councils' interests,' so that consideration can be given to whether further action is required. The panel noted that the Code of Conduct makes clear that both financial and non-financial interests fall within the scope of this requirement.

74. The panel further noted the Code of Conduct's general provisions designed to address any uncertainty. These include the instruction that 'if you are in any doubt, it is wise to err on the side of caution and declare the interest,' and the requirement that 'in the event of any difficulty or uncertainty arising on the operation or interpretation of any provision in this Code, the matter must be referred to the employing Director.'

75. Mr Muhammad stated in his evidence and submissions that he found the Code unclear and open to interpretation. The panel did not accept this. It considered that the Code of Conduct was sufficiently clear, and that where any uncertainty arose, the mechanisms for obtaining clarification were explicitly set out. The panel noted that Mr Muhammad had not sought to obtain any such clarification.

76. The panel determined that, by engaging in the matters found proved at allegations 2(a) and 2(b), a potential conflict of interest had arisen. Person A's business interests concerned provision of accommodation for children under the care of local authorities in London and whilst the lease of the car was ostensibly a private arrangement, the very fact that Person A had been investigated by the Council over safeguarding concerns meant that there was at the least a significant reputational risk should a council

employee enter into an arrangement involving the lease of a valuable asset from Person A. The panel further determined that the failure to manage this conflict in accordance with the requirements of the Code of Conduct contributed to the relationship being perceived as inappropriate. The panel also considered the relationship to be inappropriate in substance. There had been serious safeguarding concerns relating to the business interests of Person A which were sufficiently serious to cause the council to re-locate twenty young persons in their care. Mr Muhammad was aware that there were serious safeguarding concerns regarding Person A, even if he was not privy to the details of those concerns.

77. In those circumstances, it was wholly inappropriate for him to be engaging with Person A, providing consultancy services to him, and leasing a vehicle owned by Person A.

78. The panel therefore found allegation 3 to be proven.

Allegation 4

79. The panel found this allegation to be proved by way of admission in accordance with Rule 32 (c) of the Rules.

Allegation 5

80. The panel noted that the consultancy arrangement found proved at allegation 4 had not been disclosed in accordance with the Council's Code of Conduct. As a result, there had been no management oversight of the arrangement and no mitigations put in place to address any potential areas of conflict. The panel observed that the arrangement between Mr Muhammad and Holmdene involved payments of approximately £1,000 per month, which indicated more than minimal engagement. Mr Muhammad stated that the work involved the provision of advice and operating-model guidance, undertaken over two to three evenings per week, and sometimes weekends, across a six-month period.

81. The panel noted that Holmdene provided semi-independent accommodation for young people, including young people who were looked after by local authorities. The close nexus between this service and Mr Muhammad's main role created a potential conflict of interest. Although Mr Muhammad maintained that the provider was not currently operating within the Council's geographical area, the panel found that this position could change. The panel understood placements for children and young children to be determined by their needs rather than on strict geographical boundaries. The fact that the Council did not use the service at that time did not negate the potential conflict. A perception of a team manager being remunerated by a provider offering similar services gave rise to a potential conflict of interest. The failure to manage this potential conflict of interest in accordance with the Code of Conduct meant that there was no independent assessment of this risk or determination of whether appropriate mitigations could be put in place to manage this risk.

The panel found this allegation 5 to be proven.

Allegation 6

82. The panel found this allegation to be proved by way of admission in accordance with Rule 32 (c) of the Rules.

Allegation 7

83. In determining this allegation, the panel carefully considered the test set out in *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67. The panel sought to determine actual state of Mr Muhammad's knowledge or belief as to the facts at the time of the alleged conduct, before assessing whether his conduct was dishonest by the standards of ordinary decent people. The panel noted that Mr Muhammad's position was that he had not acted dishonestly because, at the time of failing to disclose the matters set out in allegations 2(a) and (b) and 4, he genuinely believed disclosure was not required. He maintained that his understanding was that only actual conflicts needed to be declared and he did not perceive there to be an actual conflict. Social Work England's position was that Mr Muhammad was familiar with the requirement to notify his employer of these matters, but chose not to do so.

84. In resolving these disputed facts, the panel considered Mr Muhammad's credibility and the extent to which his previous good character could assist in determining the issues. The panel accepted that Mr Muhammad was a person of previous good character, with no previous adverse regulatory findings or criminal convictions. It also recognised that matters arising in the current proceedings should be discounted for this purpose, so as to avoid the risk of double-counting the same conduct when assessing credibility in a separate context. Having done so, the panel considered the weight that Mr Muhammad's good character could properly bear in determining the factual disputes before it.

85. The panel considered whether Mr Muhammad's evidence had been credible during the course of the proceedings. It evaluated Social Work England's submission that Mr Muhammad's assertion that he had been held in custody for 72 hours, and his continued reliance on that assertion, should cause the panel to exercise caution when assessing his credibility. The panel accepted that detention in police custody for approximately 40 hours would undoubtedly have been impactful and disorientating. However, Mr Muhammad's continued assertion that he had been detained for 72 hours, notwithstanding that the custody record demonstrated this to be inaccurate, and his subsequent inference of police misconduct based on this assertion, was a matter of concern for the panel. The panel noted that evidence within the case—particularly that of Ms Lacey—had been, in part, based on the information that the detention had lasted 72 hours and may therefore have been unlawful or otherwise inappropriate. This inaccuracy diminished the reliability of her evidence, as it was founded upon incorrect information provided by Mr Muhammad.

86. The panel noted that the search of Mr Muhammad's home commenced at 05:46 on 12 May 2020 and that Mr Muhammad was admitted into custody at approximately 11:00

that day, although he had been effectively detained by the police since 05:46 am. He was released from custody at 20:18 on 13 May 2020, amounting to a total period of under 40 hours in police control. The panel accepted that this would have been a distressing experience; however, it was substantially different from a detention of 72 hours. The panel noted that throughout the process Mr Muhammad has promulgated the incorrect information about his detention and made no attempt to disabuse Ms Lacey of this misinformation despite the fact that she relied on it in her assessment that Mr Muhammad was experiencing "trauma" following the arrest and detention.

87. The panel also considered Social Work England's submission that the redaction of Mr Muhammads's custody record, specifically the removal of reference numbers, indicated a lack of transparency and an attempt to obfuscate the details of his arrest. The panel noted that Mr Muhammad indicated that he had no intent to obstruct when redacting the information, but the panel did consider that this did demonstrate a lack of candour and took this into account when assessing Mr Muhammad's overall credibility and the reliability of the information he had provided.

88. The panel found Mr Muhammad's reluctance to give direct answers to certain questions to be discursive and noted that this tendency hindered the panel's ability to obtain clear and straightforward evidence from him. The panel factored into this assessment that Mr Muhammad was not represented at the hearing and dealing with unfamiliar, and undoubtedly, stressful proceedings. However, his inability to provide a clear answer appeared, at times, to be a reaction to his discomfort with the answer he would have had to give, and an attempt to conceal this. Taking these points in the round the panel considered Mr Muhammad to be broadly credible; however, it noted that there were instances in which he had obscured or obfuscated information in a manner that appeared designed to advance his position, such as the timescale for his detention in police custody.

89. The panel considered that Mr Muhammad, as an experienced social worker working in an area where secondary employment was common, would have understood the requirements associated with taking on additional work. He would also have been aware of the need to be candid about such employment and to engage with senior managers to assess any risks arising from it. The panel noted that Mr Muhammad's area of specialism involved the sourcing of placements and accommodation for vulnerable children and young people, a role that necessarily required engagement with external providers and compliance with the financial regulations inherent in local authority practice. The panel did not therefore accept Mr Muhammad's assertion that it was only necessary to declare actual conflicts of interest. If an actual conflict of interest has arisen, it is arguably already too late to manage it effectively. The purpose of the policy is therefore to identify and address potential conflicts before they materialise. This is a matter of common sense and fundamental professional practice.

90. The panel therefore preferred the submission from Ms Nanayakkara on behalf of Social Work England that Mr Muhammad was aware of the requirement to notify of his employer of those matters found at allegations 2(a) and (b) and 4. The panel determined that Mr Muhammad had chosen not to tell his employer as he was aware that his employer would have had concerns had they know about this arrangement. Ms Lacey had confirmed in her evidence that his employer would have been concerned had they know this information and Ms Lacey confirmed that she had worked alongside Mr Muhammad on matters with the same authority which suggests it is more likely than not that Mr Muhammad would have known this to be the position of his employer.

91. Having determined the actual state of Mr Muhammad's knowledge or belief as to the facts, the panel went on to consider the second limb of the test in Ivey v Genting Casinos (UK) Ltd t/a Crockfords [2017] UKSC 67. The panel considered that , applying the objective standard of ordinary decent people, that they would consider it dishonest of a social worker not to inform their employer of those matters detailed at allegations 2(a), 2(b) and 4, when they knew that they should do so in accordance with the prevailing code of conduct and prevailing professional standards and guidance.

92. The panel therefore found Allegation 7 to be proved.

Finding and reasons on grounds:

Submissions from Social Work England

93. Ms Nanayakkara submitted that the facts which had been found proved, which comprised all the allegations which had been put to Mr Muhammad, amounted to misconduct. She referred the panel to the statement of case prepared by Social Work England and the exposition of the law detailed therein. Ms Nanayakkara referred the panel to the prevailing social work Standards, and she invited the panel to consider that the findings made evidenced a breach of those standards. She referred the panel to the following standards:

> *"2.1: As a social worker, I will be open honest, reliable and fair*
>
> *2.7: As a social worker, I will consider where conflicts of interest may arise, declare conflicts as early as possible and agree a course of action*
>
> *3.1: As a social worker, I will work within legal and ethical frameworks, using my professional authority and judgement appropriately*
>
> *5.2: As a social worker, I will not behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.*
>
> *5.4: As a social worker, I will not ask for or accept any money, gifts or hospitality which may affect or appear to affect my professional judgement.*

6.6: As a social worker, I will declare to the appropriate authority and Social Work England anything that might affect my ability to do my job competently or may affect my fitness to practise, or if I am subject to criminal proceedings or a regulatory finding is made against me, anywhere in the world."

94. In relation to the first finding (allegation 1), Social Work England submitted that Mr Muhammad's failure to notify the regulator of his arrest on 12 May 2020 and subsequent release, whilst remaining subject to a criminal investigation on 13 May 2020, constituted a breach of Standards 2.1, 3.1, 5.2 and 6.6 of the Professional Standards.

95. In relation to the findings under allegations 2 and 3 concerning Mr Muhammad's relationship with Person A, it was submitted that his conduct breached Standards 2.1, 3.1, 5.2 and 6.6 of the Professional Standards and fell significantly short of the standards expected of a registered social worker.

96. Ms Nanayakkara for Social Work England further submitted that Mr Muhammad's undertaking of consultancy work for Holmdene Housing and Person A, his failure to comply with the requirements of the Council's Code of Conduct, and the dishonesty associated with that conduct, amounted to breaches of Standards 2.1, 2.7, 3.1, 5.2, 5.4 and 6.6 of Social Work England's Professional Standards.

97. The panel was referred to Social Work England's Impairment and Sanctions Guidance dated 23 April 2026, in particular paragraphs 175, 182 and 183. It was submitted that the guidance emphasises the importance of integrity within the social work profession, given the reliance placed upon social workers by service users, colleagues, employers and the wider public. The guidance further recognises that dishonesty is likely to undermine public confidence in the profession:

"Dishonesty is likely to threaten public confidence in the social work profession. This is the case both in professional practice and in the social worker's private life."

98. The panel was invited to consider its findings of dishonesty when determining whether Mr Muhammad's conduct amounted to misconduct. It was submitted that the seriousness of the dishonest conduct, together with the importance of maintaining integrity within the profession, supported a finding of misconduct. The panel was further invited to have regard to those findings when considering whether Mr Muhammad's fitness to practise is currently impaired.

99. It was submitted that the findings demonstrated a failure to uphold the fundamental tenets of social work practice. It was argued that the conduct was not limited to a single isolated incident but instead reflected a pattern of behaviour characterised by a lack of honesty and integrity. It was further submitted that this conduct had the potential to

place service users at risk, in that commissioning decisions may have been improperly influenced by factors which ought not to have been taken into account.

100. The panel was invited by Ms Nanayakkara to have regard to the overarching objectives of Social Work England regulation, namely the protection of the public, the maintenance of public confidence in the profession, and the upholding of proper professional standards. It was submitted that the seriousness and repetition of the conduct found proved engaged all three limbs of the public interest and supported a finding of misconduct.

101. On behalf of Social Work England, it was submitted that Mr Muhammad had failed to demonstrate adequate insight into his misconduct and that any remediation identified had developed only later in the proceedings. It was submitted that these factors indicated that the risk of repetition had not been sufficiently addressed and that the panel should therefore find Mr Muhammad's fitness to practise currently impaired on both personal and public grounds.

Submissions by Mr Muhammad

102. Mr Muhammad outlined the difficulties he had experienced in representing himself throughout the hearing, explaining that he was unfamiliar with the relevant procedures and processes. He confirmed that, having reflected upon the panel's findings, he now accepted that his conduct had fallen below the standards expected of a registered social worker. Mr Muhammad invited the panel to take into account that he had continued to practise as a social worker for six years since the events giving rise to the findings and to have regard to his conduct and performance in his subsequent professional roles.

103. He accepted that he ought to have declared his dealings with Person A and acknowledged that, notwithstanding that he had paid for the use of the vehicle, he now understood why the arrangement should have been declared. He recognised the perception that this may have created regarding the nature of his relationship with Person A. Mr Muhammad stated that, were he to find himself in a similar situation in the future, he would immediately disclose the matter to his employer and discuss it openly and transparently.

104. Mr Muhammad acknowledged the seriousness of the panel's finding of dishonesty and invited the panel to take into account the remorse he had expressed, together with the significant personal impact that these proceedings had had upon him, personally, professionally and financially. He asked the panel to note that the matters found proved did not involve theft, the falsification of records, nor did they result in any direct harm to a service user. Mr Muhammad submitted that his employer had reinstated him following its own investigation and invited the panel to conclude that the shortcomings identified in his practice were capable of remediation. He further submitted that he had

taken meaningful steps to address those shortcomings and had, in fact, remediated the concerns arising from his conduct in relation to his ability to practise as a social worker.

105. Mr Muhammad stated that he accepted all of the panel's findings. Whilst acknowledging the seriousness of those findings, he invited the panel to consider that the concerns identified were not reflected in his current practice. He submitted that there had been no repetition of the behaviour since the events in question in 2019/2020 and that his subsequent practice demonstrated that he had addressed the deficiencies identified by the panel. Mr Muhammad therefore contended that the matters found proved were historical in nature and were no longer indicative of his current professional conduct.

106. Mr Muhammad accepted that he ought to have notified Social Work England of his arrest and the subsequent police investigation, notwithstanding his belief at the time that the matter would ultimately be discontinued. He also accepted that he was aware of the serious safeguarding concerns relating to Person A and acknowledged that, in those circumstances, he should have been fully transparent regarding any dealings he had with that individual.

107. Mr Muhammad further acknowledged that he should have declared his consultancy work, should have made a direct referral of the police investigation to Social Work England. Whilst not a specific allegation he acknowledged that he should not have redacted information provided during the regulatory investigation and should have not stated that he was detained by the police for 72 hours when this was incorrect. He accepted that those actions hindered and delayed the effective investigation of the concerns.

108. The panel sought clarification from Mr Muhammad regarding the work he had undertaken following the conclusion of his employer's investigation and his return to social work employment in March 2021. Mr Muhammad outlined a range of social work roles and responsibilities, including placement commissioning, multi-agency partnership commissioning, regulatory functions within services for looked after children, and the development of strategic partnership and commissioning arrangements. He explained that a number of these positions required him to be a registered and practising social worker and carried additional regulatory accountability, including oversight by OFSTED (for example a Responsible Individual for a children's home).

109. Mr Muhammad outlined the enhanced supervision arrangements that had been put in place following his return to social work employment at the Council in March 2021 and his satisfactory compliance with the same. He also described the training he had undertaken to develop and strengthen his understanding of his professional responsibilities as a social worker, particularly in relation to identifying and managing potential conflicts of interest and maintaining appropriate professional boundaries. In addition, Mr Muhammad submitted that had engaged in relevant reading and research

and explained that his understanding had been further enhanced through reflective discussions within supervision. He told the panel that these measures had assisted him in developing greater insight into the concerns identified and in ensuring that his practice remained open, transparent and professionally accountable.

110. Mr Muhammad outlined that he had undertaken a range of Continuing Professional Development (CPD) activities aimed at strengthening his understanding of professional responsibilities, including the management of conflicts of interest, professional boundaries, and ethical decision-making.

111. Mr Muhammad did not provide any documentary evidence of these rehabilitative endeavours nor did he give evidence under affirmation at the impairment stage of the hearing. The panel duly gave limited weight to his submissions in this regard.

112. The panel explored Mr Muhammad's assertion that he was remorseful. Mr Muhammad stated that he was deeply remorseful for the events that had led to the findings and described the significant personal impact that the regulatory process had had upon him. He explained that the proceedings had weighed heavily on him and had prompted substantial reflection on his conduct. Mr Muhammad told the panel that, with the benefit of hindsight, he would approach matters very differently were he to encounter a similar situation in the future. In particular, he stated that where any potential conflict of interest arose, or matter requiring disclosure, he would ensure that he acted with complete transparency and would promptly disclose and discuss the matter with both his employer and regulator.

Legal advice

113. The legal adviser confirmed that they agreed with the analysis of the relevant authorities advanced by Social Work England and the reference to *Roylance v GMC (no.2) [2000] AC 311, R (Remedy UK Ltd) v GMC [2009] EWHC 2294 (Admin)* and *CHRE v NMC & Grant [2011] EWHC 927 (Admin*) *Cohen v GMC [2008] EWHC 581* (*Admin), Meadow v GMC [2007] 1 WB 462* and *Yeong v GMC [2009] EWHC 1923* and to the regulatory standards (as set out above). The Legal Advisor agreed that there is no settled definition of misconduct, and it is for the panel to say in the circumstances of the case, based on it judgment, whether the behaviour crossed the threshold properly to be categorised as misconduct.

114. The panel could approach the question by deciding whether an act or omission on the part of Mr Muhammad represented a serious falling 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. The panel was also referred to the cases of *Ryan c v Solicitors Regulation Authority [2020] EWHC 3231 (Admin),* which addresses the requirement for conduct occurring in a registrant's private life to bear a sufficiently close nexus to their professional role, and *Sawati v*

General Medical Council [2022] EWHC 283 (Admin), regarding the appropriate approach to a defence that has been rejected following findings of fact.

Panel decision

115. The panel at all times had in mind the overriding objective of Social Work England which includes its duty to protect the public, promote and maintain public confidence in social workers in England and to promote and maintain proper professional standards for social workers in England.

116. The panel evaluated each of the factual findings separately. In doing so, the panel had regard to the professional standards applicable to registered social workers at the time of the events.

117. The panel concluded that the matters found proved represented departures from those standards, in that they involved failures to act with honesty and integrity, to maintain appropriate professional boundaries, to manage and declare conflicts of interest, to be open and transparent with both an employer and regulator, and to cooperate fully with a regulatory investigation.

118. The panel determined that such failings undermined fundamental tenets of the social work profession, including trustworthiness, professional accountability, and the maintenance of public confidence. The panel thereafter evaluated the findings individually and in the round and was satisfied that, whether considered individually or cumulatively, the proven conduct fell seriously below the standards expected of a registered social worker and therefore amounted to misconduct.

119. In relation to the facts found in connection with Allegation 1 the panel noted that the requirement to inform the regulator is to ensure public safety by declaring any changes which would impact on an ability to work safely and effectively as a registered social work professional. By not informing Social Work England of his arrest and release under police investigation, Mr Muhammad deprived the regulator of an opportunity to consider what, if any, action it needed to take to ensure public protection in accordance with the overarching objective. Failing to disclose information of this nature to the regulator, in a timely manner, erodes public trust in the profession and the regulator body. Therefore, the panel found Mr Muhammad's omissions at allegation 1 to have been serious departures from what was expected of him in the circumstances and these departures amounted to misconduct.

120. In relation to the findings under Allegations 2, 3 and 6 concerning Mr Muhammad's relationship with Person A the panel found that these represented a departure from Professional Standards 2.1, 2.7, 3.1, 5.2, 5.4 and 6.6 and fell seriously short of the standards expected of a registered social worker.

121. In relation to allegations 4 ,5, and 6 involving consultancy work for Holmdene Housing and Person A, and Mr Muhammad's failure to comply with the requirements of the

Council's Code of Conduct, amounted to serious breaches of Standards 2.1, 2.7, 3.1, 5.2, 5.4 and 6.6 of the Professional Standard and amounted to misconduct.

122. In relation to allegation 7 this concerned a finding of dishonesty. The panel considered that the finding of dishonesty was serious. Honesty and integrity are fundamental tenets of the social work profession and are essential to maintaining trust and confidence in both individual practitioners and the profession as a whole. The panel determined that Mr Muhammad's dishonest conduct breached the professional standards applicable at the relevant time, including Standards 2.1, 2.7, 3.1, 5.2, and 6.6. The panel concluded that Mr Muhammad's dishonest conduct represented a serious departure from the standards expected of a registered social worker. The panel was satisfied that the conduct fell well below the standards expected of the profession and amounted to misconduct

123. The panel reminded itself that, when considering current impairment, it was required to assess Mr Muhammad's fitness to practise as at today's date. The panel had regard to the guidance in *Grant* (CHRE v NMC and Grant [2011] EWHC 927 (Admin)) and considered whether Mr Muhammad had, in the past and/or was liable in the future to act so as to put service users at unwarranted risk of harm, bring the profession into disrepute, breach fundamental tenets of the profession, or act dishonestly. The panel assessed the extent of the Mr Muhammad's current insight, remorse and remediation, together with the risk of repetition.

124. The panel noted that Mr Muhammad had stated within his submissions that he conceded current public impairment in relation to the totality of the findings against him.

125. The panel had careful regard to Social Work England's 'Impairment and Sanctions Guidance' and in adhering to that, did not treat Mr Muhammad's denial as evidence of a lack of insight. The panel considered that Mr Muhammad's submissions had demonstrated insightful reflection on conflicts of interest, professional boundaries and ethical practice.

126. The panel assessed Mr Muhammad's current fitness to practise firstly having regard to the personal element and secondly with regard to the public element.

127. In relation to the personal element of impairment, the panel assessed whether the conduct in this case is easily remediable, whether it has been remedied and whether it was highly unlikely to be repeated. The panel found that there was persuasive evidence of insight, remediation and reflection developed during the period following Mr Muhammad's return to work, The panel found that this made the risk of repetition of those matters detailed at allegations 1- 7 low. In reaching this decision the panel gave careful consideration to the submissions made by Mr Muhammad in relation to the reflective and ethical supervision which he had undertaken. The panel also placed great weight on the fact that that Mr Muhammad has practised as a social worker for more

than five years since these matters came to light. Indeed, Mr Muhammad has advanced his career since 2020 by taking on more senior positions, the duties of which he has apparently discharged without criticism. Social Work England has offered no evidence to gainsay that Mr Muhammad has practiced lawfully, safely and effectively since 2019/2020.

128. The panel was mindful of paragraph 34 of Social Work England's Impairment and Sanctions Guidance, which states "Decision-makers must take care to assess the quality of any insight. A social worker may accept they have acted wrongly. However, simply asserting this is unlikely to be enough to demonstrate genuine insight. Decision makers must carefully look for and assess any objective evidence that might confirm the social worker's insight. For example, reports from employment." Mr Muhammad did not provide any testimonials, training certificates or a reflective statement for the purposes of this hearing. Nevertheless, the panel noted that Mr Muhammad has practised safely and effectively since his misconduct came to light in 2020. The panel also accepted the content of his witness statements, which he adopted under affirmation, as a genuine acceptance of, and insight into, his misconduct and that during the hearing he gave persuasive evidence and submissions that he would behave differently should similar circumstances arise in the future. The panel took into account that Mr Muhammad was not represented, legally or otherwise, in these proceedings and may not have appreciated the value of documentary evidence attesting to his current insight. The panel was therefore content that Mr Muhammad currently expresses a satisfactory level of insight into his misconduct and that he is highly unlikely to repeat his failings in the future.

129. The panel noted a lack of contrition in Mr Muhammad's statements and submission before the panel. However, Mr Muhammad acknowledged under questioning by the panel that he had put his employer (the Council) and his regulator (Social Work England) to considerable effort and expense in dealing with his misconduct. The panel accepted that Mr Muhammad did not have the benefit of professional representation at the hearing and may not have appreciated the weight given by panels to expressions of remorse.

130. The panel accepted that the proceedings themselves had had a salutary effect upon Mr Muhammad. The panel considered that the experience of being subject to a fitness to practise investigation and hearing had prompted some meaningful reflection.

131. In conclusion, the panel decided that in relation to the personal element, Mr Muhammad's fitness to practise is not currently impaired.

132. The panel next considered public impairment. The panel was mindful that the public interest encompassed not only public protection but also the declaring and upholding of proper standards of behaviour as well as the maintenance of public confidence in the profession.

133. It took into account the guidance in the case of *CHRE v NMC & Grant [2011] EWHC 927 (Admin)* at paragraph 74:- '*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.*'

134. The panel had regard to its findings that Mr Muhammad had been dishonest, had failed to notify Social Work England of his involvement in a criminal process, had placed himself in situations where he may have had a conflict of interest and had not complied with his Employee Code of Conduct. The panel considered that all the findings and especially the finding of dishonesty brought the profession into disrepute and breached fundamental tenets of the profession.

135. The panel concluded that the public interest would be undermined if there were to be no finding of impairment in this case. Social workers hold privileged positions of trust. It is essential to the effective delivery of social work that the public can trust social workers to practise with honesty, integrity and respect for the law.

136. In conclusion, the panel determined that Mr Muhammad's fitness to practise is currently impaired on the public impairment element in relation to the misconduct found arising from its findings of fact pursuant to paragraphs 1-7 of the allegation.

Decision and reasons on sanction:

Social Work England submissions

137. Ms Nanayakkara submitted that the panel had already determined that Mr Muhammad's fitness to practise was currently impaired on public interest grounds in respect of Allegations 1 to 7. She therefore invited the panel to have regard to those findings when determining the appropriate sanction and outcome.

138. She invited the panel to consider that the finding of dishonesty placed the case at the higher end of the spectrum of seriousness. She submitted that dishonesty is inherently serious, as it undermines public confidence in the profession and the regulatory process, and therefore constituted a significant aggravating feature in this case.

139. Ms Nanayakkara referred the panel to the authorities of Tait v Royal College of Veterinary Surgeons [2003] UKPC 34 and Bolton v Law Society [1994] 1 WLR 512 (CA). She invited the panel to have regard to the following passage from Bolton:

> *"The reputation of the profession is more important than the fortunes of any individual member. Membership of a profession brings many benefits, but that is part of the price."*

Ms Nanayakkara submitted that the panel should bear this principle in mind when considering the appropriate sanction, particularly considering its finding of dishonesty.

140. Ms Nanayakkara further submitted that the panel's findings at Stage 2 correctly identified a lack of contrition on the part of Mr Muhammad. She further submitted that Mr Muhammad had not provided any testimonials attesting to his character or professional practice, nor had he produced a written reflective statement demonstrating insight into his misconduct. Ms Nanayakkara invited the panel to regard these matters as indicative of a continuing lack of insight.

141. The panel was referred by Ms Nanayakkara to specific paragraphs within the Social Work England Impairment and Sanction Guidance (2026). They were referred to paragraph 174 onwards relating to dishonesty:

> *"Honesty is key to good social work practice. Social workers are routinely trusted with access to private spaces, such as people's homes, and highly sensitive and confidential information, such as case notes."*

It was submitted that the findings relating to dishonesty justified the imposition of the most severe sanctions.

142. The panel were referred to paragraphs 182 ad 183 in relation to a finding of dishonesty and the matters which the panel should consider when evaluating the seriousness of the dishonesty:

> *"Dishonesty is generally recognised as one of the most serious forms of misconduct. However, decision makers should consider that dishonest behaviour is nuanced and can take different forms. They should consider it on a scale of seriousness."*

143. In relation to aggravating factors, it was submitted that the facts found amounted to sustained dishonesty, evidenced by a pattern of behaviour over a prolonged period. It was further submitted that this conduct had the potential to cause harm to service users and that Mr Muhammad had demonstrated only limited insight into the seriousness of their actions. Ms Nanayakkara also invited the panel to take into account the fact that the misconduct came to light only as a consequence of an ancillary police investigation, rather than through any voluntary admission or self-reporting by Mr Muhammad.

144. It was submitted by Ms Nanayakkara that the panel should also consider any mitigating factors. These might include evidence of remediation on the part of Mr Muhammad. However, Ms Nanayakkara noted the panel's earlier observation that it had limited written evidence before it and that there was an absence of evident contrition. Ms Nanayakkara invited the panel to note that, whilst Mr Muhammad had not been

represented, this would not have prevented him from being proactive in expressing remorse or apologising for his actions. It was further submitted that the panel should give careful consideration to the weight that could properly be attached to any purported remediation in the absence of supporting written evidence.

145. Ms Nanayakkara referred the panel to paragraph 104 of the Guidance, which states:

> *"Decision-makers must consider imposing the minimum action necessary to protect the public and uphold confidence in the profession. They should start by considering advice for one year and only move on to the longer periods if they consider this to be insufficient."*

146. Ms Nanayakkara then took the panel through the available sanctions in ascending order of seriousness. In doing so, she drew the panel's attention to paragraph 119 of the Guidance, which identifies certain findings, including dishonesty, as matters that may be incompatible with the imposition of a Conditions of Practice Order.

147. Ms Nanayakkara confirmed that Social Work England's position was that, having regard to the panel's findings, the appropriate sanction was a Removal Order. She submitted that such an order was necessary to maintain public confidence in the profession and to uphold proper professional standards. Ms Nanayakkara further submitted that, should the panel not consider a Removal Order to be appropriate, the next most suitable sanction would be a Suspension Order for a period of 12 months in order to maintain public confidence. Notwithstanding that submission, Social Work England's position remained that a Removal Order was the appropriate and proportionate outcome in all the circumstances of the case.

Mr Muhammad's submissions

148. Mr Muhammad reiterated that he was self-represented and indicated that he would seek to present his thoughts to the panel. He stated that he was genuinely remorseful and apologetic in relation to the panel's findings; and that his remorse was not solely attributable to the personal impact that the proceedings had had upon him. He stated that he understood and regretted the consequences of his actions and apologised for the additional work and resources that this had necessitated on the part of both his former employer and his regulator, Social Work England.

149. He confirmed that he was aware that Social Work England was seeking a Removal Order. He submitted that a less restrictive sanction would be appropriate, particularly in light of his acceptance of the panel's findings in their entirety and the remorse that he had demonstrated during the course of the hearing.

150. He stated that he now recognised where conflicts of interest might exist and understood the need to notify his employer regarding this and to make appropriate declarations as required by an employee or Council Code of Conduct.

151. Mr Muhammad stated that the panel should take into consideration the work which he undertaken over the last six years. He had practised without any similar concerns. He reiterated that the findings made had not involved harm to a child, the panel had not found that he had manipulated any placements. He submitted that there had been no previous regulatory findings against him during his 35 years of working in the care sector and having been a qualified social worker for 26 years.

152. Mr Huhammad submitted that the sanction applied to him should be proportionate and that a Removal Order should only be considered if none of the other sanctions were considered appropriate. He submitted that a finding of dishonesty did not automatically mean that he needed to be removed from the Social Work Register.

153. He submitted that to maintain public confidence in the regulatory system, it was important that the panel's decisions were fair, proportionate and appropriately reflected the circumstances of the case. He reminded the panel of the potential risk that he would become deskilled if he was prohibited from practising and asked that, if the panel were minded to consider suspension, that this should be for as short a period as possible.

Legal Advice

154. The panel were advised by the Legal Adviser to approach the determination of sanction (if any) in accordance with the principle of proportionality, bearing in mind that the purpose of sanction is not to punish a social worker but to protect the public, maintain confidence in the profession and uphold proper professional standards. The panel were advised to consider the available sanctions in ascending order of seriousness and to impose the least restrictive sanction necessary to meet the regulatory objectives.

155. The panel should identify and balance all relevant aggravating and mitigating factors when assessing the seriousness of the misconduct and determining the appropriate and proportionate sanction. This should include consideration of matters such as insight, remorse, remediation, risk of repetition, previous regulatory history, and any factors increasing or reducing the impact of the misconduct on public confidence in the profession. The panel should consider Social Work England's Sanction and Impairment Guidance. The Legal Advisor confirmed that she concurred with the authorities and principles which had been cited being Tait v Royal College of Veterinary Surgeons [2003] UKPC 34 and Bolton v Law Society [1994] 1 WLR 512 (CA)

Panel Decision

156. The panel accepted that Mr Muhammad had demonstrated a number of mitigating factors. He now accepted the panel's findings in their entirety, had made admissions in relation to allegations 2(b), 4 and 6, prior to the commencement of the final hearing. He

had expressed remorse for his misconduct and demonstrated developing insight into its impact on his employer, the regulator and public confidence in the profession. The panel also took account of his engagement with the regulatory process (both with Wandsworth Council and Social Work England) and the apologies he offered during the second and third stages of the hearing. The panel had noted the positive comments from Ms Lacey and Paul Coke regarding Mr Muhammad's practice whilst at Wandsworth Council.

157. The panel identified a number of aggravating factors. The misconduct occurred over a sustained period of time and involved a failure to maintain appropriate professional boundaries. The panel noted that Mr Muhammad had acted dishonestly on more than one separate occasion. It also considered that insight and remediation developed only at a later stage in the proceedings. Further, there was limited independent evidence before the panel regarding current practice, as no recent testimonials or recent professional references had been provided. The panel noted that the misconduct came to light as a result of a police investigation, rather than through any self-reporting, admission, or direct referral by Mr Muhammad.

158. The panel considered the available sanctions in ascending order and applied the principles set out in Social Work England's Impairment and Sanctions Guidance (2026).

(i) No further action, advice or warning:

159. The panel had concluded that Mr Muhammad's fitness to practice is currently impaired on the public grounds and that there remains a low risk of repetition. 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 public impairment considerations. Based on its assessment of impairment, a lower sanction would not appropriately restrict or remediate Mr Muhammad's practice. Further, the clear evidence of misconduct and finding of dishonesty 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.

(ii) Conditions of practice order:

160. The panel noted the sanctions guidance had particular regard to paragraph 114 which outlines that a condition of practice order may be appropriate in cases where all of the following are engaged:

1. the social worker has demonstrated insight;
2. the failure or deficiency in practice is capable of being remedied;
3. appropriate, proportionate, and workable conditions can be put in place;

4. decision makers are confident the social worker can and will comply with the conditions;

5. the social worker does not pose a risk of harm to the public by being in restricted practice.

161. The panel also noted paragraphs 116, 118 and 119 of the guidance. The panel noted that, when considering public protection, conditions of practice are only appropriate where there is sufficient insight, engagement and willingness to comply, and are generally less suitable in cases involving attitudinal or behavioural concerns or where wider public interest considerations arise.

162. It was the panel's finding that Mr Muhammad has provided some evidence that he is developing insight in relation to his misconduct. Mr Muhammad has also now admitted to being dishonest in relation to his relationship with Person A and his consultancy work with Holmdene Housing. The panel noted that the guidance states that a condition of practice order is unlikely to be appropriate in cases involving dishonesty. The panel also considered that Mr Muhammand's work (which may not be in a social work role) and the interim/ locum nature of this might not be conducive with effective conditions of practice.

163. The panel decided that at present, Mr Muhammad's conduct could not be managed by a Condition of Practice Order. It was not possible to formulate appropriate, proportionate, and workable conditions which would be sufficient to protect the wider public interest. The panel was also of the view that a Condition of Practice Order would be impractical to enforce, given limited information in relation to Mr Muhammad's current employment situation and the variety and range of roles WITH which Mr Muhammad has been engaged.

(iii) Suspension order:

164. The panel noted paragraphs 136 to 138 of the sanction's 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"*

165. The panel was satisfied that Mr Muhammad'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.

166. The panel formed the view that Mr Muhammad had worked as a social worker since 2000, he had no previous sanctions recorded against him and had demonstrated some remorse through his oral submissions to the panel.

167. The panel was also mindful that there was no evidence to suggest that further incidents of dishonesty have taken place.

168. Consequently, upon conducting its finely balanced exercise, the panel determined that a suspension order would enable Mr Muhammad' to step away from social work practice and provide him with a further opportunity to be able to reflect on his 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 6 month suspension order.

169. 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.

170. The panel decided that a 6-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.

171. 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.

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

Recommendations:

173. The panel has no intention or power to bind the hands of any future panel but does make the following recommendations that Mr Muhammad should engage with in readiness for any future review process. In particular with reference to the Social Work England professional standards 2.1, 2.7,3.1,5.2,6.6.

174. Mr Muhammad should consider providing evidence that demonstrates his ability to manage professional boundaries and managing conflicts of interest and to demonstrate how he has reflected on the findings of the panel and changed his practice accordingly.

175. This may usefully include:

- A written reflective practice piece of work setting out Mr Muhammad's developing insight in relation to the facts found by the panel.
- A minimum of 2 professional testimonials from qualified professionals evidencing Mr Muhammad's practice.
- Evidence of training courses which have been completed relating to those matters referred to within he panel's decision above and a reflective practice statement evidencing how his practice has adapted following these training courses.
- Evidence of the completion of continued professional development (CPD) that is relevant to the shortfalls in his practice (in line with professional standards 3.1 and 3.2 in particular).

176. The panel concluded that the appropriate sanction was a suspension order for 6 months. The panel noted that there is no prescribed minimum period for a Suspension Order. It therefore determined the appropriate period by reference to the need to protect the public, maintain public confidence in the profession and uphold proper professional standards.

Interim order:

177. In light of the panel's findings on sanction, Ms Nanayakkara applied for an interim suspension order to cover the appeal period before the final order of suspension becomes effective. Ms Nanayakkara submitted that in accordance with the findings the panel has made thus far, an interim order is necessary for the protection of the public which includes the public interest.

178. Ms Nanayakkara outlined that Social Work England is not required to give notice of an application for an interim order in these circumstances, but Mr Muhammad had been notified of the prospect of such an application during the parties meeting, were a restrictive order to be made.

179. Mr Muhammad confirmed that he had no submissions in response to the imposition of an interim order.

180. 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.

181. Considering its decision on sanction the panel decided that it would be wholly incompatible with its earlier findings if an interim suspension order was not made.

182. Accordingly, the panel concluded that an interim suspension order is necessary for the protection of the public, including the wider public interest. It concluded that 18 months would be an appropriate and proportionate length to enable an appeal to be dealt with.

183. 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:

184. 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.

185. 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.

186. 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.

187. 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:

188. 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

189. 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:

190. 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.