Social worker: Faith Varaidzo Le Maistre
Registration number: SW58901
Fitness to Practise
Final Hearing

Date of hearing: 15 October 2026

Hearing venue: Remote hearing

Hearing outcome:
Discontinuance application granted, fitness to practise not impaired, no further action

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) ("the regulations").
2. Ms Faith Varadizo Le Maistre did not attend and was not represented.
3. Social Work England was represented by Mr Adrian Harris, case presenter, from Capsticks LLP.
4. The panel of adjudicators conducting this hearing (hereafter "the panel") and the other people involved in it were as follows:

Adjudicators	**Role**
Debbie Hill	Chair
Tracey Newson	Social worker adjudicator
Louise Hall	Lay adjudicator

Hearings team/Legal adviser	**Role**
Hannah Granger	Hearings officer
Lorna Lord	Hearings support officer
Emma Boothroyd	Legal adviser

Service of notice:

5. The panel was informed by Mr Harris that notice of this hearing was sent to Ms Le Maistre by email to an address provided by Ms Le Maistre (namely their registered address as it appears on the Social Work England register) on 24 September 2026. Mr Harris submitted that Ms Le Maistre had consented to a shorter period of notice and it was clear from the documentation that she was aware of the hearing today. Mr Harris submitted that the notice of this hearing had been duly served in accordance with the Social Work England (Fitness to Practice) Rules 2019 ("the Rules") as amended.
6. The panel had careful regard to the documents contained in the final hearing service bundle as follows:

    - A copy of the notice of the hearing dated 24 September 2026 and addressed to Ms Le Maistre at their email address which they provided to Social Work England;
    - An extract from the Social Work England Register as of 24 September 2026 detailing Ms Le Maistre's registered email address;
    - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 24 September 2026 the writer sent by email to Ms Le Maistre at the email address referred to above: notice of hearing and related documents;

- Ms Le Maistre's email dated 4 September 2026 in which she confirmed she was willing to accept "short notice" of the hearing to discontinue together with Ms Le Maistre's email of 8 October 2026 enclosing her submissions and her request for the hearing to proceed in her absence.

7. The panel accepted the advice of the legal adviser in relation to service of notice.

8. Having had regard to Rule 14 and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Le Maistre in the manner required by Rule 44 and that the notice contained all the relevant information as set out in Rule 15. The panel was satisfied that Ms Le Maistre had consented to a shorter timeframe to enable the hearing to take place today.

Proceeding in the absence of the social worker

9. The panel heard the submissions of Mr Harris on behalf of Social Work England. Mr Harris submitted that notice of this hearing had been duly served, no application for an adjournment had been made by Ms Le Maistre and it could be seen from the correspondence that she was content for the hearing to proceed in her absence. He submitted that given the nature of the application, there was no prejudice to Ms Le Maistre. He therefore invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.

10. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to Rule 43 of the Rules and the cases of *R v Jones [2002] UKHL 5*; *General Medical Council v Adeogba [2016] EWCA Civ 162*. The panel also took into account Social Work England's guidance 'Service of notices and proceeding in the absence of the social worker'.

11. The panel considered all of the information before it, together with the submissions made by Mr Harris on behalf of Social Work England. The panel considered that it was clear that Ms Le Maistre had waived her right to attend the hearing, had provided submissions for the panel to consider and was content for the hearing to proceed in her absence.

12. Having considered the nature of the application and the circumstances above, the panel considered that it was in the interests of Ms Le Maistre and the public interest to proceed today.

Allegations:

13. The regulatory concerns referred by the Case Examiners on 22 July 2022 are as follows:

> *Whilst registered as a social worker:*
>
> *1. You were subject to an investigation by the CQC in your role as the registered manager of Glory Comfort Care Ltd, which resulted in your registration being removed on 4 October 2016.*

2. You did not inform the regulator of the matter outlined in regulatory concern (1).

3.Your actions at regulatory concern (2) were dishonest.

The matters outlined in regulatory concerns (1), (2) and (3) amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct.

Background:

14. Glory Comfort Care Limited ("Glory") was registered as a Registered Provider with the Care Quality Commission ("the CQC") on 7 April 2015. Glory was registered under the provisions of the Health and Social Care Act 2014 to provide personal care which is a regulated activity.

15. Ms Le Maistre was the Registered Manager of Glory and was registered with the CQC on 9 April 2015. A condition of registration for Glory was that the regulated activity (personal care) was required to be managed by the Registered Manager, pursuant to the requirements of the Health and Social Care Act 2008.

16. Registered managers oversee the day-to-day management of the service. As the Registered Manager, the Social Worker would be in day-to-day charge of staff carrying out the regulated activity and was the CQC's key point of contact.

17. The CQC undertook their first inspection of Glory in May 2016 in response to concerns raised at a multi-agency safeguarding meeting that Glory had not yet received a rating and that statutory notifications had not been received by the CQC since the company had been registered as a provider.

18. The inspection visit was unannounced. Glory was, at the relevant time, providing domiciliary care to a single service user ("Service User A").

19. On inspection the CQC identified a number of concerns in respect of breaches of the relevant Regulations and published their findings within the Inspection Report. As a result of the inspection, the service was rated as inadequate overall and having judged that Service User A was at risk of harm the support provided to Service User A was taken over by another agency from the date of the inspection.

20. On 20 June 2016, the CQC issued Notices of Proposals to both the Provider and the Social Worker as Registered Manager. The Notices of Proposal set out that the CQC proposed to cancel the Provider and Registered Manager's registrations. Glory submitted representations about that proposal on 11 July 2016.

21. On 4 October 2016, having considered the Provider's representations, the CQC wrote to the Provider to confirm that the Notice of Proposal to cancel registration was maintained.

22. Ms Le Maistre and Glory exercised its right of appeal of the CQC's decision on 24 October 2016. The First-Tier Tribunal heard the appeal in June 2017 and produced its written judgment dated 12 July 2017 which upheld the CQC's decision to cancel the Provider and the Social Worker's registrations.

23. Whilst investigating another matter an investigator at Social Work England identified the CQC proceedings and referred these to Social Work England's triage team as these matters had not been reported to either the HCPC or to Social Work England by Ms Le Maistre which it was alleged amounted to a dishonest failure to disclose concerns.

24. The Case Examiners found that there was a realistic prospect of the regulatory concerns being found proved; of the factual allegations amounting to the statutory ground of misconduct and of the Social Worker's fitness to practise being found to be impaired. The case was referred to a hearing.

25. Following the Case Examiners' decision further enquiries were made by Social Work England relating to the CQC investigation and information was obtained which related to the investigation report. However, because of the passage of time, the underlying supporting information is no longer available, and the inspectors have left the CQC. Social Work England consider that the fact of removal of registration does not by itself amount to misconduct and the underlying evidence needed to prove such misconduct is no longer available.

26. In relation to regulatory concerns 2 and 3 further information was obtained relating to the guidance that was in place at the time and it was considered that the evidence could not support a finding that there was a duty to report the CQC findings and subsequent removal of registration to the HCPC at the time and that in any event, in the light of Ms Le Maistre's reflections there was no realistic prospect of a finding of impairment.

Discontinuance application:

27. Social Work England applied to discontinue the case against Ms Le Maistre in full. Mr Harris provided to the panel a Statement of Case in accordance with the Rules and an extensive bundle of documents including witness statements and other correspondence relating to the original CQC proceedings and the steps taken by Social Work England since the Case Examiner's decision to secure additional material.

28. Mr Harris submitted that the following new information has been obtained since the Case Examiners' decision including:

    - Information from the CQC relating to the removal of Ms Le Maistre's registration.

- Information from Leanne Bentham-Hill relating to the declaration requirements of Social Workers between 2016 and 2021.

29. Mr Harris fully opened the facts and the background to the case. He submitted that the new evidence that had been obtained, which was not before the Case Examiners, did not support a factual finding beyond that Ms Le Maistre's registration was cancelled. He submitted that this fact alone would not amount to serious misconduct capable of impairing fitness to practise. He submitted that it was clear that Ms Le Maistre disputed the basis of the decision to cancel her registration and did not accept the concerns that sat behind that decision. Mr Harris submitted that it would be for Social Work England to prove those concerns and that a final hearing Tribunal could not simply adopt the decisions of the CQC and the First-Tier Tribunal. He submitted that the underlying supporting evidence was no longer available and so there was no longer any realistic prospect of a finding that regulatory concern 1 could amount to serious misconduct capable of impairing fitness to practice.

30. It was submitted that it would be disproportionate and inappropriate to take any further steps with regard to contacting the CQC witnesses given the passage of time since the events. In particular, it was submitted that the witnesses would be unlikely to have any independent recall of the circumstances and there was no supporting evidence to refresh memory.

31. Mr Harris outlined that there were difficulties with proving that Ms Le Maistre's non-disclosure of the CQC findings was a positive duty upon her as a professional given the lack of clarity within the guidance from the HCPC and Social Work England that was applicable at the time. He submitted that the CQC were not a regulatory body that were responsible for healthcare regulation and were not explicitly referenced in the guidance. He further submitted that given the lack of clarity within the guidance there was no realistic prospect of a finding of dishonesty based on the fact that Ms Le Maistre should have known she was required to disclose the findings.

32. In any event, Ms Harris submitted that even if the facts were capable of proof, Ms Le Maistre's reflections would not support a finding of impaired fitness to practise.

33. Mr Harris outlined the panel's powers under the Rules and submitted that it was open to the panel to take no further action, issue advice or a warning as to the social worker's future conduct.

34. The panel also noted Ms Le Maistre's submissions that she had taken on board the concerns and there was no intention to conceal matters, but this was an oversight. Ms Le Maistre confirmed that she was committed to ensuring there would be no repetition of such issues.

35. The legal adviser advised the panel that it could allow discontinuance of the case, or any part of it, or it could adjourn the hearing and issue directions for the case to proceed. The legal adviser reminded the panel that it should carefully consider the application in the light of the evidence, and it should be mindful of its role, as set out in

the cases of PSA v NMC & X [2018] EWHC 70 (Admin) and CHRE v GMC & Ruscillo [2004] EWCA Civ 1356 to ensure that the case is properly presented and the relevant evidence is placed before it. The legal adviser reminded the panel it should have regard to Social Work England's "Discontinuance Guidance" updated in December 2022.

36. The legal adviser advised the panel that if it decided there was insufficient evidence to make a finding of impairment it may impose an outcome in accordance with paragraph 12(1) of Schedule 2 of the Regulations including a warning to the social worker regarding their future conduct and performance, advice to the social worker on any matter related to the fitness to practise proceedings or it may take no further action.

Panel decision on discontinuance:

37. When making its decision the panel took into account Social Work England's 'Discontinuance guidance'.

38. The panel applied its consideration to each of the regulatory concerns although it recognised that regulatory concerns 2 and 3 are interlinked.

39. In relation to regulatory concern 1 the panel took into account the witness evidence in the case, and the steps that had been taken to obtain further evidence from the CQC following the Case Examiners' decision.

40. The panel agreed with the submissions of Mr Harris that it was not sufficient to rely on the evidence of the decision to cancel Ms Le Maistre's registration as evidence of serious professional misconduct. The panel considered that it would be required to consider the evidence which supported the decision to cancel registration which included evidence of missed calls and a failure to obtain references for care workers. The panel noted the steps taken by Social Work England to obtain that evidence. The panel noted that the CQC had explained that the evidence was no longer available and given the length of time that had passed the panel did not consider that was surprising. The panel noted that there was no other way of establishing the underlying facts and the original inspectors were no longer at the CQC. The panel considered it would be disproportionate to attempt to locate them.

41. In light of the conclusions regarding the evidential difficulties with the underlying CQC evidence the panel considered that although capable of proof as a fact that Ms Le Maistre's registration was cancelled, there was insufficient evidence to support any finding that this amounted to serious misconduct. It therefore determined that regulatory concern 1 should be discontinued.

42. For broadly similar reasons, the panel reached the same conclusions in relation to regulatory concerns 2 and 3. The panel noted that this concern was based largely on the assumption that it was a duty on Ms Le Maistre to disclose the CQC investigation and findings. The panel noted the evidence obtained from Ms Bentham-Hill which sets out what was required to be declared by Social Workers as part of the renewals process. The panel agreed with the submissions made by Mr Harris that the guidance does not explicitly require disclosure in these circumstances and at best it can be described as a

"grey area". The panel considered there was a lack of clarity in the guidance which did not mention the CQC and it is not a body that makes any determination relating to fitness to practise which would bring it within the provisions of the guidance.

43. In these circumstances the panel accepted the submissions of Mr Harris that there was insufficient evidence to support a factual finding that the failure to declare the information to either the HCPC or Social Work England was a failure that would amount to serious professional misconduct.

44. The panel noted the high bar to establish dishonesty and it could not identify any evidence that would realistically support such a finding in the light of the lack of clarity in the guidance that would establish that Ms Le Maistre knew or ought to have known such a disclosure was required. The panel noted Ms Le Maistre's position that this was an oversight and there was no intention to conceal any matters The panel considered that it could not identify any further steps for Social Work England to take that would resolve the evidential difficulties in relation to these regulatory concerns.

45. The panel noted the decision of the Case Examiners and considered that the outcome of all the subsequent enquiries undertaken by Social Work England amounted to significant new information which meant that regulatory concerns 1 and 2 and 3 were no longer capable of proof to the required standard that would amount to serious professional misconduct.

46. The panel therefore concluded that regulatory concerns 1 and 2 and 3 should be discontinued.

47. The panel considered that although regulatory concerns 1 and 2 could be proved as facts in that Ms Le Maistre's registration was cancelled and this was not reported to either HCPC or Social Work England, they could not amount to a significant breach of the standards required of a registered social worker for the reasons outlined above.

48. The panel had no evidence that the social worker had wilfully disregarded her obligations, and it appeared from the evidence that the social worker has apologised, reflected on the position and the panel was satisfied that she did not pose a significant risk of repeating this behaviour. In these circumstances, the panel did not consider any further action was warranted or appropriate.

49. The panel has therefore determined to take no further action.

The Professional Standards Authority

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.