Social worker: Hildegard Mansfield
Registration number: SW53342
Adjudicator Consensual Disposal Hearing

Dates of hearing: 26 October 2026 to 27 October 2026

Hearing venue: Remote hearing

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

Interim order: Interim suspension order (18 months)

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) ("the regulations").

2. Ms Mansfield did not attend and was not represented.

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

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

Adjudicators	**Role**
Frank Appleyard	Chair
Jill Wells	Social worker adjudicator
Douglas Thorpe	Lay adjudicator

Hannah McKendrick	Hearings officer
Ellie Roberts	Hearings support officer
Zill-e Huma	Legal adviser

Service of notice:

5. The panel was informed by Mr Carey that notice of this hearing had been sent to Ms Mansfield by email to her registered email address held by Social Work England. The panel was further informed that Ms Mansfield had expressly agreed to a shorter notice period of less than 28 calendar days. Mr Carey submitted that notice of the hearing had been duly served in accordance with the relevant provisions of the Social Work England Fitness to Practise Rules 2019 (as amended).

6. The panel noted the email dated 22 October 2026 where Ms Mansfield responded to receipt of the notice of hearing and explained she was unable to attend.

7. The panel had careful regard to the documents contained in the adjudicator consensual disposal hearing service bundle as follows:

- A copy of the notice of the adjudicator ACD, dated 20 October 2026, and addressed to Ms Mansfield at her email address which she provided to Social Work England;

- An extract from the Social Work England Register as of 20 October 2026 detailing Ms Mansfield's registered address;

- A copy of a signed statement of service, on behalf of Social Work England, confirming that on 20 October 2026 the writer sent by email at the address referred to above: notice of hearing and related documents;

- A copy of an email received from Ms Mansfield on 22 October 2026, confirming that she would be unable to attend the hearing and wished for the hearing to proceed in her absence;
- The panel was provided with a copy of an email received from Ms Mansfield on 19 October 2026, confirming her express consent to a shortened notice period of less than 28 calendar days for the ACD hearing;

8. The panel accepted the advice of the legal adviser in relation to service of notice.
9. Having had regard to Rule 14,15, 44 and 45 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 Mansfield in accordance with Rules.

Proceeding in the absence of the social worker:

10. Mr Carey, on behalf of Social Work England, invited the panel to proceed with the hearing in Ms Mansfield's absence. He referred to the principles established in *GMC v Adeogba*, which incorporated relevant principles from the criminal jurisdiction concerning proceeding in absence.
11. Mr Carey submitted that the key consideration in the present case was that Ms Mansfield had voluntarily absented herself from the hearing. He submitted that her communications made it clear that she consented to the hearing proceeding in her absence.
12. Mr Carey acknowledged that Ms Mansfield had provided a reason for her non-attendance. However, he submitted that it was clear from her communications that she wished the matter to progress, just as Social Work England did.
13. Mr Carey further submitted that Ms Mansfield had cooperated with Social Work England in bringing the proceedings to their present stage. He emphasised that, given her cooperation and her expressed wish for the hearing to proceed, there was no identifiable prejudice to her in proceeding in her absence.
14. Mr Carey submitted that, conversely, there would be greater prejudice in not proceeding with the hearing, given the resulting delay in progressing the matter.
15. In conclusion, Mr Carey invited the panel to exercise its discretion to proceed with the hearing in Ms Mansfield's absence.
16. The panel accepted the advice of the legal adviser, who referred to the principles established in *R v Jones* and *GMC v Adeogba*. The legal adviser advised that the decision to proceed in the absence of a social worker was a matter for the panel's discretion, which must be exercised with care and caution. The panel should consider all the circumstances of the case, including whether the social worker had voluntarily

absented herself, whether there was any indication that an adjournment would secure her attendance, and whether proceeding in her absence would be fair.

17. The legal adviser further advised that the panel should balance the interests of Ms Mansfield against the public interest in the expeditious disposal of regulatory proceedings. The panel should consider any potential prejudice to Ms Mansfield arising from her absence, while recognising that fairness did not necessarily require an adjournment where a social worker had voluntarily chosen not to attend. The overriding consideration was whether, having regard to all the circumstances, it was fair and appropriate to proceed in her absence.

18. The panel carefully considered the application made by Mr Carey on behalf of Social Work England to proceed with the hearing in Ms Mansfield's absence. In doing so, the panel took into account the submissions made by Mr Carey, the documentary evidence of Ms Mansfield's communications and the advice of the legal adviser, which it accepted. The panel had regard to the principles established in *R v Jones* and *GMC v Adeogba*, recognising that the discretion to proceed in the absence of a social worker must be exercised with care and caution, having regard to fairness and all the circumstances of the case.

19. The panel noted an email received on 22 October 2026, in which Ms Mansfield had explained that she was unable to attend the hearing [PRIVATE]. Ms Mansfield acknowledged that the adjudicator consensual disposal (ACD) process was taking place and expressed her hope that the investigation could be concluded as soon as possible.

20. The panel noted that Ms Mansfield had consistently communicated her intention not to attend the hearing and had expressly indicated that she wished the proceedings to continue in her absence. The panel was satisfied that her absence was voluntary and reflected a clear decision on her part. In reaching this conclusion, the panel also took into account her previous engagement and cooperation with Social Work England in progressing the matter.

21. The panel considered whether proceeding in Ms Mansfield's absence would cause her any prejudice. It concluded that there would be no identifiable detriment to her in circumstances where she had actively and consistently expressed her wish for the hearing to proceed without her attendance. The panel also considered the question of adjournment but concluded that, given Ms Mansfield's clearly stated position, there was no reason to believe that an adjournment would secure her attendance or serve any useful purpose.

22. The panel was mindful of the need to balance fairness to Ms Mansfield with the public interest in the timely progression and resolution of regulatory proceedings. It considered that proceeding with the hearing would be consistent with Ms Mansfield's expressed wishes and would avoid unnecessary delay. The panel was satisfied that, in the particular circumstances of this case, proceeding in her absence would not

compromise the fairness of the proceedings and would be in the interests of all concerned.

23. Accordingly, having considered all the circumstances, the panel determined that it was fair and appropriate to exercise its discretion to proceed with the hearing in Ms Mansfield's absence.

Allegations:

24. The allegation arising out of the regulatory concerns referred by the Case Examiners on 24 June 2022 is:

"While working as a social worker at Fusion Fostering between 17 July 2021 and 6 October 2021:

1) Between 17-18 July 2021, while acting as Supervising Social Worker to Service User 1's foster carers, (Person A and Person B), you failed to maintain clear professional boundaries by inviting and allowing Service User 1 to stay overnight at your personal home;

2) You asked Person A not to record the 17 July 2021 overnight stay at your home in their daily record;

3) On 18 July 2021 and/or 26 July 2021, you falsified records by changing Person A's daily log entries to remove information relating to Service User 1 staying overnight at your home address on 17 July 2021;

4) Your actions at Allegations 2) and 3) were dishonest.

5) You failed to inform Social Work England of something which you knew could affect your fitness to practise.

The matters outlined in Allegation Paragraphs 1 to 5 above amount to the statutory ground of misconduct.

Your fitness to practise is impaired as outlined at Allegation Paragraphs 1 to 5 by reason of misconduct."

Background:

25. On 24 October 2021, Social Work England received a referral from Fusion Fostering (FF) concerning Ms Mansfield, who had been registered as a social worker since 1 August 2012. Ms Mansfield commenced employment with FF on 19 November 2018 as a Supervising Social Worker, undertaking assessments of prospective foster carers and providing ongoing support to approved foster carers.

26. The referral arose from an incident on 17 July 2021, when Ms Mansfield permitted Service User 1, a looked after child placed with foster carers Person A and Person B, to stay overnight at her home without obtaining authorisation from her manager or FF. Ms Mansfield had previously provided daytime respite care for Service User 1. The overnight stay was described as a spontaneous arrangement following a request from Ms Mansfield's grandson, who had been playing with Service User 1.

27. On 18 July 2021, Ms Mansfield amended Person A's records relating to 17 and 18 July 2021, changing and deleting references to Service User 1's overnight stay. It was further alleged that she amended those records again on 26 July 2021. Person A brought the matter to FF's attention on 3 September 2021, following which an internal investigation was undertaken. During an investigation meeting on 15 September 2021, Ms Mansfield admitted the matters subsequently forming Allegations 1 and 2 but denied Allegation 3. She resigned from her employment with FF on 6 October 2021.

28. On 11 November 2021, Ms Mansfield provided her initial response to the regulatory concerns, acknowledging dishonesty and having overstepped professional boundaries. She subsequently responded to Social Work England's Case Investigation Report and Evidence Bundle on 14 March 2022. On 24 June 2022, the case examiners referred the matter to a substantive hearing.

29. On 10 August 2026, Ms Mansfield returned her signed Response Form, in which she admitted all the allegations, the statutory ground of misconduct and current impairment. The matter subsequently proceeded to the adjudicator consensual disposal (ACD) process and was listed for consideration by the panel at the present hearing.

Adjudicator Consensual Disposal Application:

30. The panel was provided with an adjudicator consensual disposal agreement, dated 19 October 2026 and signed by Ms Mansfield (hereafter “the agreement”).

31. In accordance with the agreement, Ms Mansfield had confirmed that the facts of the allegations, as outlined at paragraph 23, above, are admitted in their entirety and she did not dispute the evidence.

32. Ms Mansfield further accepted that the admitted facts amount to a breach of the following standards:

a. *"As a social worker, I will:*

2.1 Be open, honest, reliable and fair.

2.3 Maintain professional relationships with people and ensure that they understand the role of a social worker in their lives.

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

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

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

b. *As a social worker, I will not:*

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

5.3 Falsify records or condone this by others.

c. *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."

33. Ms Mansfield accepted that the admitted facts amounted to the statutory ground of misconduct. She acknowledged that her conduct involved breaches of professional boundaries and dishonesty, including allowing Service User 1 to stay overnight at her home without authorisation, asking Person A not to record the overnight stay, and subsequently falsifying records to conceal the incident from her employer. She also admitted failing to inform Social Work England of a matter that could affect her fitness to practise.

34. Ms Mansfield accepted that her fitness to practise was currently impaired by reason of misconduct. She acknowledged the seriousness of her actions, including the dishonesty involved, and expressed some insight and remorse for her conduct. She accepted that her actions fell below the professional standards expected of a registered social worker.

35. Ms Mansfield agreed to the proposed sanction of a 12-month Suspension Order. She accepted that the seriousness of the misconduct, particularly the breaches of

professional boundaries and dishonesty, warranted a restrictive sanction and that a Conditions of Practice Order would not be appropriate. She also agreed to the proposed 18-month Interim Suspension Order under Schedule 2, paragraph 11(1)(b) of the Social Workers Regulations 2018 (as amended).

Summary of evidence:

Social Work England:

36. Mr Carey, on behalf of Social Work England, invited the panel to consider the matters of facts, statutory grounds, current impairment and sanction together, addressing each stage in turn.

37. Mr Carey first invited the panel to record Ms Mansfield's admissions to allegations 1, 2, 3, 4 and 5 in their entirety, as set out in the agreement between the parties, and to find those allegations proved. He submitted that the documentary evidence contained in the witness statement bundle and exhibits bundle was not contested. Accordingly, there was no requirement for Social Work England to call the witnesses whose statements had been provided, and he invited the panel to find all five allegations proved on the basis of Ms Mansfield's admissions.

38. Mr Carey, on behalf of Social Work England, submitted that Social Work England relied upon the written witness statements and accompanying exhibits of Person A, the foster carer of Service User 1, Sara Warren, Billie Billington and Daniel Bond. He submitted that Ms Mansfield had confirmed that she did not require any of these witnesses to attend the hearing and that Person A had, in any event, indicated that she was unwilling to attend. Mr Carey submitted that, in light of Ms Mansfield's admissions to all five allegations, there were no disputed facts requiring oral evidence. Accordingly, he invited the panel to receive the witness statements and their accompanying exhibits as written evidence, to be considered in the context of the admitted facts and the panel's determination of misconduct and current impairment.

39. Turning to the statutory ground of misconduct, Mr Carey submitted that the admitted facts amounted to misconduct. He emphasised that dishonesty was the most serious aspect of the allegations and submitted that it would only be in the most exceptional circumstances that a finding of dishonesty would not amount to misconduct. He submitted that no such exceptional circumstances arose in the present case. He further submitted that the other admitted conduct also amounted to misconduct, representing a serious departure from the professional standards expected of a social worker, particularly having regard to the specific professional standards identified in Social Work England's statement of case.

40. Mr Carey acknowledged that whether the admitted facts amounted to misconduct remained a matter for the panel's independent professional judgement and could not be determined solely by admission. Nevertheless, he drew the panel's attention to the

fact that Ms Mansfield herself accepted that her conduct in relation to all five allegations amounted to misconduct. He invited the panel to reach the same conclusion.

41. Turning to current impairment, Mr Carey submitted that Ms Mansfield had also expressly accepted that her fitness to practise was currently impaired. He acknowledged that this admission was not determinative and that the question of current impairment remained a matter for the panel's independent judgement. He nevertheless invited the panel to find that Ms Mansfield's fitness to practise was currently impaired on both the public protection and wider public interest grounds.

42. In relation to public protection, Mr Carey submitted that Ms Mansfield had demonstrated some insight into her conduct but that her insight was not yet complete. Consequently, while there had been some remediation, this was also incomplete. He acknowledged that Ms Mansfield had not practised as a social worker since 2021 and that there was considerable uncertainty as to whether she would return to the profession. However, he submitted that her lack of any clear intention to return to practice should not, of itself, result in her removal from the register.

43. Mr Carey submitted that there remained further work for Ms Mansfield to undertake before full remediation could be established. He acknowledged that, since the initial referral and her earliest responses to the investigation, she had made progress in reflecting upon her conduct and accepting personal responsibility. He described a movement from initially being critical of others towards becoming more self-critical. He identified her admissions to all five allegations as a particularly significant and positive development. Nevertheless, he maintained that her insight and remediation remained incomplete and that further reflection was required.

44. In relation to the wider public interest, Mr Carey submitted that the considerations relevant to public protection were also applicable. He invited the panel to consider how a reasonable and well-informed member of the public would regard the admitted conduct and whether public confidence in the profession and its regulator could be maintained without a finding of current impairment. He submitted that such a finding was necessary to demonstrate that the conduct was unacceptable, maintain public confidence in the social work profession and uphold proper professional standards.

45. Turning to sanction, Mr Carey submitted that the allegations were serious and required careful consideration of Social Work England's Sanctions Guidance, particularly the guidance relating to dishonesty. He acknowledged at the outset that the seriousness of the conduct was such that a removal order warranted serious consideration. However, he submitted that, having regard to the particular circumstances of the case, a sanction short of removal would be appropriate and proportionate.

46. Mr Carey addressed the available sanctions in ascending order of seriousness. He submitted that taking no further action, providing advice or imposing a warning order would be insufficient to address either the outstanding risk of repetition or the wider public interest concerns. He emphasised that the Sanctions Guidance specifically

addressed cases involving dishonesty and submitted that these lesser outcomes would not adequately reflect the seriousness of Ms Mansfield's conduct or maintain public confidence in the profession.

47. Mr Carey then considered a conditions of practice order. He acknowledged that conditions could, in principle, restrict practice while providing an opportunity for a social worker to develop insight and demonstrate remediation. He submitted that, in relation to aspects of the conduct other than dishonesty, appropriate and workable conditions might be possible. However, dishonesty was the most significant and serious feature of the case and was attitudinal in nature. He submitted that such conduct was rarely, if ever, appropriately addressed through conditions of practice. Accordingly, conditions would not adequately address the outstanding concerns arising from Ms Mansfield's incomplete remediation.

48. Mr Carey further submitted that a conditions of practice order would be insufficient to satisfy the wider public interest. He argued that a reasonable and well-informed member of the public would be likely to lose confidence in the profession and its regulator if conditions were imposed in response to dishonesty of this seriousness. He therefore submitted that the remaining appropriate sanctions for consideration were suspension and removal.

49. In considering removal, Mr Carey emphasised that Social Work England had not overlooked this option and had given careful consideration to the relevant guidance on dishonesty. He acknowledged that Ms Mansfield's conduct involved serious concealment. However, he submitted that the dishonesty arose in the context of a particular episode rather than forming part of a pattern of behaviour throughout her lengthy professional career.

50. Mr Carey submitted that the original decision to allow the service user to stay overnight had been spontaneous and appeared to have been made in the genuine belief that it was in the service user's best interests. Although he accepted that this had been an inappropriate decision, he distinguished the circumstances in which it arose from the subsequent dishonesty and concealment. He also drew the panel's attention to the positive testimonials, evidence of remorse and Ms Mansfield's acceptance of the allegations in their entirety.

51. Mr Carey submitted that the progress Ms Mansfield had made towards remediation was a significant factor in favour of suspension rather than removal. He argued that her developing insight and acceptance of responsibility demonstrated a realistic prospect that she could achieve greater insight in the future. He submitted that these considerations supported the conclusion that the public could be adequately protected without imposing a removal order.

52. Addressing the wider public interest, Mr Carey submitted that a reasonable and well-informed member of the public would take account of Ms Mansfield's lengthy career, the fact that the conduct arose from an effectively isolated episode, and her original intention to act in the service user's best interests. He acknowledged that Ms Mansfield

had acted particularly poorly in attempting to conceal her mistake but emphasised that she now recognised and regretted her wrongdoing. He submitted that, in those circumstances, the public could be satisfied that a sanction short of removal was appropriate.

53. Mr Carey therefore invited the panel to impose a suspension order for 12 months. He submitted that such an order would be necessary and proportionate, providing sufficient protection to the public while also maintaining confidence in the profession and its regulator. He emphasised that a suspension order would reflect the seriousness of the misconduct without disregarding Ms Mansfield's positive professional history, developing insight and potential for further remediation.

54. Mr Carey acknowledged that the decision on sanction was entirely a matter for the panel. He nevertheless submitted that a careful application of the Sanctions Guidance would support a 12-month suspension order. He further suggested that, in the event of suspension, the panel might consider making recommendations concerning the evidence Ms Mansfield could provide at a future review. These could include a reflective piece addressing child safeguarding, professional boundaries, the consequences of dishonest recording for service users and colleagues, the importance of taking personal responsibility rather than blaming others, and her future intentions regarding social work practice.

55. In response to the panel's questions, Mr Carey was asked to explain why a period of 12 months' suspension was proposed and how that duration had been determined. He submitted that there was no precise formula for determining the appropriate period and that proportionality was the starting point. He explained that, in a case of this seriousness, a period of less than 12 months might be insufficient to satisfy the wider public interest. He submitted that 12 months would adequately reflect the seriousness of the misconduct while also providing sufficient time for Ms Mansfield to undertake further reflection and produce evidence of improved insight and remediation. He reiterated that the appropriate duration remained a matter for the panel.

56. In response to a further question concerning allegation 1, Mr Carey was asked to explain why allowing the service user to stay overnight crossed the threshold of seriousness required for misconduct, particularly given his submission that the incident was isolated and that Ms Mansfield had believed she was acting in the child's best interests. He was also asked to address whether the child had suffered or had been exposed to a risk of harm.

57. Mr Carey submitted that the conduct involved a serious breach of professional boundaries. He explained that it was difficult to envisage circumstances in which it would have been appropriate for a service user to stay overnight with a social worker involved in their case without the necessary authorisation. He emphasised that established approval mechanisms existed for important safeguarding reasons and that Ms Mansfield had bypassed those mechanisms, notwithstanding her professional

responsibilities for safeguarding children. He submitted that she had recognised that she was cutting corners.

58. Mr Carey acknowledged the mitigating circumstances, particularly that Ms Mansfield had genuinely believed the arrangement would be beneficial to the service user and the family involved. However, he submitted that, balancing those considerations against the seriousness of bypassing established safeguarding procedures, the conduct crossed the threshold for misconduct. He did not identify any established harm to the child and observed that whether allegation 1, considered in isolation, would also establish current impairment was a separate and hypothetical question.

59. In response to the panel's further question concerning impairment, Mr Carey was asked to elaborate upon his submission that Ms Mansfield had demonstrated some, but not full, insight, and to explain what further insight Social Work England considered necessary.

60. Mr Carey submitted that Ms Mansfield's initial responses had involved denial and attributing responsibility to others, including the foster carers involved. He explained that this demonstrated a failure to take personal responsibility for her conduct. He acknowledged that her subsequent acceptance of all the allegations represented a significant and positive development, demonstrating movement towards greater insight and accountability.

61. However, Mr Carey submitted that, when considering Ms Mansfield's written responses as a whole, there remained aspects of her conduct whose significance she did not appear fully to appreciate. In particular, he identified the seriousness of the subsequent concealment, the blaming of others and the potentially significant consequences of dishonest recording for service users and professional colleagues. He submitted that these matters required further reflection and a fuller appreciation of their implications.

62. Mr Carey acknowledged that the panel might reach a different assessment of the extent of Ms Mansfield's insight on the evidence before it. However, he maintained that Social Work England's position was that, although meaningful progress had been made, her insight and remediation remained incomplete.

Social worker:

63. The panel very carefully considered Ms Mansfield's written responses, in which she admitted allegations 1, 2, 3, 4 and 5 in their entirety, accepted that her conduct amounted to misconduct and acknowledged that her fitness to practise was currently impaired. The panel noted that Ms Mansfield had accepted that she had acted dishonestly and overstepped professional boundaries. She acknowledged that her professional boundaries had become blurred and that she had not conducted herself in the manner expected of a social worker. She maintained that her actions had been motivated by good intentions and that she had never intended to cause harm to anyone. The panel further noted that Ms Mansfield had reflected on her conduct and recognised that her desire to help others could be counterproductive. In relation to

impairment, she explained that the allegations had led her to resign and cease practising as a social worker in October 2021. She confirmed that she was now retired and had no intention of returning to social work.

Legal Advice:

64. The panel accepted the advice of the legal adviser, who referred to the Social Workers Regulations 2018, the Social Work England Fitness to Practise Rules 2019 (as amended), Social Work England's Adjudicator Consensual Disposal Guidance, and its Impairment and Sanctions Guidance.

65. The legal adviser explained that adjudicator consensual disposal was a procedure whereby Social Work England and the social worker jointly proposed an outcome to fitness to practise proceedings for the panel's independent consideration. The panel was advised that it was not bound by the agreement reached between the parties and must exercise its own independent professional judgement when determining the statutory ground, current impairment and the appropriate sanction.

66. The legal adviser advised that, pursuant to Rule 32(c)(i)(aa) of the Fitness to Practise Rules, the panel was required to find the facts expressly admitted by Ms Mansfield proved. Accordingly, there was no requirement for a contested determination of those facts. However, the panel was required to consider the signed agreement, the statement of case and the supporting documentary evidence to satisfy itself that there was a sufficient evidential basis for its determinations. The legal adviser emphasised that, although Ms Mansfield had admitted misconduct and current impairment, those matters remained for the panel's independent judgement.

67. In relation to the statutory ground of misconduct and current impairment, the legal adviser advised the panel to consider the seriousness of the admitted conduct and whether it amounted to misconduct. In determining current impairment, the panel should consider the principles established in *Cohen v General Medical Council* and *Council for Healthcare Regulatory Excellence v Nursing and Midwifery Council and Grant*, including the evidence of insight, remorse, remediation and any continuing risk of repetition. The panel was advised to consider both the personal component, concerning public protection, and the public component, concerning the maintenance of public confidence in the profession and the promotion and maintenance of proper professional standards.

68. In relation to sanction, the legal adviser advised that the purpose of a sanction was not punitive but protective. The panel was required to consider the available sanctions in ascending order of seriousness, having regard to Social Work England's Sanctions Guidance, the relevant aggravating and mitigating factors, and the principle of proportionality. The panel should identify the least restrictive sanction sufficient to protect the public and the wider public interest. The legal adviser emphasised that the proposed sanction and its duration required independent scrutiny and that the agreement of the parties, although relevant, was not determinative.

69. The legal adviser further advised that the panel could accept the proposed consensual disposal only if satisfied that the admitted facts established the statutory ground, that current impairment was established and that the proposed sanction was appropriate, proportionate and sufficient to meet the regulatory objectives. If the panel had concerns about the evidence, impairment or proposed sanction, it should invite further submissions. Where an alternative outcome was considered appropriate, the parties should be given an opportunity to agree to it. If the necessary information was unavailable, or the parties could not agree to an alternative outcome, the panel would be required to reject the proposed consensual disposal and provide reasons for doing so.

70. The legal adviser advised that, if the agreement was rejected, the matter should be adjourned and re-listed for a final hearing, with the admitted facts remaining admitted but the proposed sanction ordinarily not being disclosed to the subsequent panel.

71. Finally, the legal adviser reminded the panel of its obligation to ensure procedural fairness and to provide clear and sufficient reasons for its decision. If the proposed consensual disposal was accepted, the panel's determination should demonstrate its independent assessment of the admitted facts, misconduct, current impairment and sanction, including why the particular sanction and its duration were necessary and proportionate. Any application for an interim order would require separate consideration and reasons.

Finding and reasons on facts:

72. 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".

73. In accordance with the agreement, Ms Mansfield had confirmed that the facts of the allegations, as outlined at paragraph 16, above, are admitted in their entirety and did not dispute the evidence.

74. The panel was satisfied that the facts underlying the allegations, as set out in paragraph 16 above, had been admitted by Ms Mansfield. Accordingly, the panel found allegations 1, 2, 3, 4 and 5 proved on the basis of her admissions.

Finding and reasons on grounds:

75. The panel carefully considered all the information before it, including the agreed statement of facts, Ms Mansfield's admissions, the statement of case, the witness statements and accompanying exhibits, Ms Mansfield's written responses, the submissions made by Mr Carey on behalf of Social Work England, and the relevant professional standards. The panel also had regard to Social Work England's *Impairment*

and Sanctions Guidance and *Adjudicator Consensual Disposal Guidance*. It accepted the advice of the legal adviser and recognised that, notwithstanding Ms Mansfield's admission of misconduct, it was required to exercise its own independent professional judgement in determining whether the admitted facts amounted to misconduct.

76. The panel recognised that misconduct involved a serious departure from the standards of conduct expected of a registered social worker. It considered the nature, circumstances and seriousness of each allegation individually before assessing the admitted conduct collectively.

77. In relation to allegation 1, the panel considered Ms Mansfield's decision to invite and allow Service User 1 to stay overnight at her home. The panel accepted that this constituted a failure to maintain appropriate professional boundaries. It noted that Ms Mansfield's professional responsibilities concerned supporting and working with the foster carers, rather than acting as the child's allocated social worker. By inviting the child into her home and subsequently allowing an overnight stay, she had blurred the distinction between her professional role and a personal relationship with the child and the foster care. Furthermore, it may have given the foster carer the impression that a social workers role was to provide respite care which was misleading. It may also have impacted on future social workers who were working alongside them.

78. The panel considered that established safeguarding arrangements and approval mechanisms existed to protect children and ensure that decisions concerning their care were properly assessed and authorised. Ms Mansfield had acted outside those arrangements, creating the potential for confusion regarding professional responsibilities and the respective roles of the foster carers and herself.

79. The panel gave careful consideration to the circumstances in which the overnight stay had occurred. It acknowledged that this was a single incident, that there was no evidence of actual harm to Service User 1 and that Ms Mansfield had initially believed she was acting in the child's best interests. The panel regarded these as relevant mitigating considerations.

80. However, the panel also considered the subsequent events, particularly Ms Mansfield's request that the foster carer should not disclose the overnight stay or record it in the relevant documentation. The panel considered that this demonstrated an awareness on Ms Mansfield's part that the arrangement was inappropriate. It was therefore not simply an isolated error of judgement made without recognition of the professional boundaries involved.

81. The panel carefully considered whether allegation 1, viewed in isolation, crossed the threshold of seriousness required for misconduct. It recognised that, given the isolated nature of the incident, the absence of evidence of actual harm and Ms Mansfield's original intentions, the position was finely balanced. Nevertheless, the panel considered that the conduct could not properly be assessed without regard to the subsequent actions to which it gave rise. The panel concluded that, when considered

alongside the other admitted allegations, the breach of professional boundaries formed part of a course of conduct sufficiently serious to amount to misconduct.

82. In relation to allegation 2, the panel considered the admitted facts and their relationship to the events surrounding Service User 1's overnight stay. The panel was satisfied that the conduct formed part of the wider circumstances in which Ms Mansfield had failed to maintain appropriate professional standards. It considered the allegation in the context of her professional responsibilities and the subsequent attempts to conceal what had occurred.

83. In relation to allegation 3, the panel considered the admitted conduct involving dishonesty and the attempted involvement of others in the concealment of the overnight stay. The panel regarded dishonesty as a particularly serious matter, given the position of trust occupied by social workers and the importance of openness, honesty and accountability in professional practice. It considered that seeking to prevent accurate disclosure of events was fundamentally inconsistent with those obligations.

84. In relation to allegation 4, the panel considered the admitted conduct concerning dishonest recording and the integrity of professional documentation. It recognised that accurate and reliable records were essential to safeguarding, effective decision-making and accountability. Dishonest recording had the potential to mislead professional colleagues, undermine safeguarding arrangements and compromise the reliability of information upon which others might depend. The panel considered that such conduct represented a serious departure from the standards expected of a registered social worker.

85. In relation to allegation 5, the panel considered the admitted facts within the wider context of Ms Mansfield's conduct, including the concealment of events and the failure to demonstrate the honesty and accountability expected of a social worker. The panel considered that the dishonesty and associated conduct were serious matters which undermined professional trust and confidence.

86. Having considered the allegations individually, the panel then assessed the conduct collectively. It recognised that the initial decision to allow Service User 1 to stay overnight was different in nature from the subsequent dishonesty and concealment. However, the panel concluded that the matters were connected. The original breach of professional boundaries had been followed by attempts to conceal what had occurred, including the involvement of others and dishonest recording.

87. The panel considered that the seriousness of the conduct was substantially increased by the dishonesty that followed the original incident. It was particularly concerned that Ms Mansfield had sought to conceal an inappropriate professional decision rather than acknowledge it and take responsibility. The panel considered that this conduct was incompatible with the fundamental requirements of honesty, integrity and accountability expected of social workers.

88. The panel acknowledged Ms Mansfield's original intention to support Service User 1, the isolated nature of the events within her wider professional career and the absence of evidence of actual harm. However, it concluded that these mitigating factors did not diminish the seriousness of the subsequent dishonesty and concealment.

89. Accordingly, having considered the admitted conduct both individually and collectively, the panel was satisfied that the facts established a serious departure from the professional standards expected of a registered social worker and amounted to misconduct.

Finding and reasons on current impairment:

90. When considering the question of current impairment, including the seriousness of the misconduct and any continuing risk, the panel carefully considered all the information before it, including the consensual disposal agreement, the admitted facts, the witness statements and accompanying exhibits, Ms Mansfield's written responses throughout the investigation, her admissions to misconduct and current impairment, and the submissions made by Mr Carey on behalf of Social Work England. The panel also had regard to Social Work England's *Impairment and Sanctions Guidance* and *Adjudicator Consensual Disposal Guidance*. It accepted the advice of the legal adviser, including the principles established in *Cohen v General Medical Council* and *Council for Healthcare Regulatory Excellence v Nursing and Midwifery Council and Grant*.

91. The panel recognised that its task was to determine whether Ms Mansfield's fitness to practise was currently impaired, rather than merely whether her conduct had been unacceptable at the time. It considered both the personal component, concerning any continuing risk to the public, and the public component, concerning the maintenance of public confidence in the profession and the promotion and maintenance of proper professional standards.

92. The panel first considered the seriousness of the misconduct. It noted that the events arose from a particular episode rather than a pattern of misconduct throughout Ms Mansfield's lengthy professional career. It acknowledged that there was no evidence of actual harm to Service User 1 and that Ms Mansfield had initially believed she was acting in the child's best interests. Nevertheless, it considered that the subsequent dishonesty, concealment and dishonest recording were particularly serious because of their potential consequences for safeguarding, professional accountability and the reliability of information relied upon by others.

93. The panel next considered Ms Mansfield's insight. It noted that, in her earlier responses, she had been critical of others, particularly the foster carer, and had attributed some responsibility for the circumstances to the influence and actions of others. The panel considered that these responses demonstrated a limited appreciation of the power imbalance, her own professional responsibilities, and the importance of accepting personal accountability for her conduct.

94. The panel acknowledged that Ms Mansfield's position had developed over time. She had subsequently admitted all five allegations, accepted that her conduct amounted to misconduct and acknowledged that her fitness to practise was currently impaired. She had also recognised that she had acted dishonestly, overstepped professional boundaries and made errors of judgement. The panel regarded these admissions and acknowledgements as significant and positive evidence of developing insight.

95. However, the panel was not satisfied that Ms Mansfield had demonstrated full insight. It noted that references to the foster carer's influence and alleged controlling behaviour continued to feature in her written responses. Although Ms Mansfield had accepted responsibility through her admissions, the panel considered that the available evidence did not demonstrate that she had fully moved away from attributing some responsibility to others. In particular, the panel was not satisfied that she had demonstrated a sufficient understanding of the wider consequences of her dishonesty, including the potential impact of concealment and inaccurate recording upon service users, professional colleagues and safeguarding arrangements. It therefore concluded that, although meaningful progress had been made, her insight remained incomplete.

96. The panel then considered remediation. It noted that Ms Mansfield had not practised as a social worker since October 2021 and had indicated that she was retired and did not intend to return to the profession. The panel was careful not to treat her decision to cease practising as an adverse factor. It acknowledged her explanation that the allegations had influenced her decision to leave social work.

97. Nevertheless, the panel considered that the absence of subsequent professional practice meant that there was limited evidence upon which it could assess whether Ms Mansfield had successfully remediated the concerns. There was no evidence of relevant training, self-study, supervised practice or subsequent professional experience demonstrating that the concerns relating to honesty, professional boundaries and accountability had been fully addressed.

98. The panel recognised that dishonesty could be difficult to remediate and that evidence of sustained honest and accountable professional conduct might have assisted in demonstrating remediation. However, no such evidence was available. It considered that Ms Mansfield's admissions, expressions of remorse and developing insight were positive factors, but were not, of themselves, sufficient to establish full remediation.

99. In assessing the risk of repetition, the panel took into account the isolated nature of the events, the absence of evidence of actual harm, Ms Mansfield's previous professional history, her admissions and her stated intention not to return to social work. The panel also noted a positive testimonial dated 23 March 2023 from a previous foster carer. It considered that these factors were relevant to the assessment of any continuing risk.

100. However, the panel remained concerned that, in the absence of full insight and sufficient evidence of remediation, it could not be satisfied that the underlying attitudinal concerns associated with dishonesty had been fully addressed. It considered that, should Ms Mansfield return to practice, there remained a risk of

repetition and consequent potential harm arising from dishonest conduct or failures in professional accountability.

101. The panel therefore concluded that the personal component of impairment was engaged. However, having regard to the isolated nature of the incident, the absence of evidence of actual harm and Ms Mansfield's cessation of professional practice, it considered that the concerns arising under the personal component were less pronounced than those relating to the wider public interest.

102. Turning to the public component, the panel considered whether a finding of current impairment was necessary to maintain public confidence in the social work profession and uphold proper professional standards.

103. The panel attached considerable weight to the seriousness of the dishonesty and concealment. It considered that social workers occupied positions of trust and were expected to demonstrate honesty, integrity and accountability, particularly where their decisions concerned vulnerable children and safeguarding arrangements. It recognised that dishonest recording and attempts to conceal inappropriate conduct had the potential to undermine confidence not only in the individual practitioner but also in the profession more widely.

104. The panel concluded that a reasonable and well-informed member of the public, aware of the admitted facts and the circumstances of the case, would be seriously concerned if Ms Mansfield's conduct did not result in a finding of current impairment. It considered that such an outcome would fail to adequately recognise the seriousness of the dishonesty and would risk undermining public confidence in the profession and the standards expected of registered social workers.

105. The panel therefore determined that the public component of impairment was strongly engaged. While it had considered both components with equal care, it concluded that the evidence gave rise to more significant concerns under the public component, particularly the need to maintain public confidence and uphold proper professional standards.

106. Having considered all the circumstances, including Ms Mansfield's admissions, developing insight, the absence of sufficient evidence of remediation, the remaining risk of repetition and the wider public interest, the panel concluded that Ms Mansfield's fitness to practise was currently impaired on both the personal and public components.

Decision and reasons on sanction:

107. Having determined that Ms Mansfield's fitness to practise was currently impaired, the panel carefully considered what sanction, if any, was necessary and proportionate. It had regard to the consensual disposal agreement, the submissions made by Mr Carey, the evidence before it and Social Work England's *Impairment and Sanctions Guidance*.

The panel accepted the advice of the legal adviser that the purpose of a sanction was not to punish Ms Mansfield but to protect the public, maintain public confidence in the profession and uphold proper professional standards.

108. The panel recognised that, notwithstanding the agreement between Social Work England and Ms Mansfield proposing a 12-month suspension order, it was required to exercise its own independent judgement. It considered the available sanctions in ascending order of seriousness, seeking to identify the least restrictive sanction sufficient to meet the regulatory objectives.

109. The panel first considered the seriousness of the misconduct and the relevant aggravating and mitigating factors. It identified the dishonesty, concealment, attempted involvement of others and dishonest recording as particularly serious features. It considered that these matters demonstrated a failure to uphold fundamental professional obligations and had the potential to undermine safeguarding arrangements and professional accountability.

110. In mitigation, the panel took into account Ms Mansfield's lengthy professional career, the fact that the conduct arose from an effectively isolated episode, her original intention to act in Service User 1's best interests, the absence of evidence of actual harm, the positive testimonials, her expressions of remorse and her eventual acceptance of all five allegations. It also acknowledged the progress she had made in developing insight, although it remained incomplete.

111. The panel first considered taking no further action or providing advice. It concluded that neither outcome would adequately reflect the seriousness of the misconduct or address the wider public interest concerns arising from dishonesty and concealment.

112. The panel next considered a warning order. It determined that a warning would be insufficient given the seriousness of the dishonest conduct, the incomplete insight and remediation, and the importance of maintaining public confidence in the profession. It considered that a warning would not adequately mark the seriousness of the misconduct or address the remaining concerns.

113. The panel then considered a conditions of practice order. It noted that Ms Mansfield had not practised as a social worker since October 2021 and had indicated that she did not intend to return to the profession. The panel considered that conditions would therefore have limited practical application in her circumstances.

114. Furthermore, the panel considered that the principal concerns related to dishonesty and professional accountability, rather than identifiable deficiencies in professional skills or competence that could readily be addressed through workable conditions. It concluded that conditions of practice would neither adequately address the outstanding concerns nor sufficiently satisfy the wider public interest.

115. The panel therefore considered whether a suspension order would be appropriate. It recognised that suspension would prevent Ms Mansfield from practising during the

period of the order and would also provide a clear indication of the seriousness with which the regulator regarded her conduct.

116. The panel gave particular consideration to the purpose of suspension in circumstances where Ms Mansfield had indicated that she did not intend to return to social work. It recognised that the practical protective effect of suspension might be limited if she remained outside professional practice. However, it considered that the wider public interest remained an important and independent justification for sanction.

117. The panel concluded that a suspension order would appropriately mark the seriousness of the dishonesty and concealment, maintain public confidence in the profession and uphold proper professional standards. It considered that the public would expect a significant regulatory response to conduct involving dishonesty and the falsification or concealment of professional information.

118. The panel also considered whether a suspension order would be proportionate in light of Ms Mansfield's personal circumstances and her stated intention not to return to practice. It concluded that the absence of any intention to resume social work did not remove the need for an appropriate sanction. Equally, it recognised that this factor did not justify imposing a more restrictive sanction than was otherwise necessary.

119. The panel carefully considered whether a removal order was required, particularly having regard to the seriousness of the dishonesty. It acknowledged that removal was a sanction warranting consideration in cases involving serious breaches of honesty and integrity.

120. However, the panel considered that removal would be disproportionate in the particular circumstances of this case. It attached weight to the fact that the misconduct arose from an isolated episode within a lengthy professional career, rather than an established pattern of dishonesty. It also took into account Ms Mansfield's original intentions, the absence of evidence of actual harm, the positive testimonials, her admissions and the progress she had made towards insight.

121. The panel recognised that Ms Mansfield had not demonstrated full remediation. Nevertheless, it considered that her acceptance of the allegations and developing insight indicated that further reflection and remediation remained possible. It was not satisfied that the circumstances required her permanent removal from the register in order to protect the public or maintain public confidence in the profession.

122. The panel therefore concluded that a suspension order represented the appropriate and proportionate sanction.

123. The panel then considered the duration of the suspension. It noted that the parties had proposed a period of 12 months and carefully considered whether that period was necessary and proportionate, rather than accepting it merely because it had been agreed.

124. The panel recognised that the misconduct arose from a particular episode and that Ms Mansfield did not intend to return to practice. It considered whether a shorter period might adequately address the regulatory concerns. However, it attached significant weight to the seriousness of the dishonesty and the need for the sanction to reflect the wider public interest.

125. The panel concluded that a suspension order for 12 months would provide an appropriate and proportionate response to the seriousness of the misconduct. It considered that a shorter period would not adequately reflect the gravity of the dishonesty and concealment or sufficiently maintain public confidence in the profession.

126. The panel further considered that a 12-month period would provide Ms Mansfield with an opportunity to undertake further reflection and, should she wish to return to practice in the future, to demonstrate improved insight and remediation. It recognised that her stated intention not to return to social work might limit the practical significance of that opportunity, but concluded that this did not diminish the importance of imposing a sanction sufficient to meet the wider public interest.

127. Having balanced the seriousness of the misconduct, the mitigating circumstances, the remaining concerns regarding insight and remediation, and the need to protect the public and maintain professional standards, the panel was satisfied that a 12-month suspension order was the least restrictive sanction sufficient to achieve the regulatory objectives.

128. Accordingly, the panel determined that a suspension order for 12 months was appropriate and proportionate and accepted the proposed outcome under the adjudicator consensual disposal procedure.

Interim order:

129. The panel next considered the application made by Mr Carey, on behalf of Social Work England, for an interim suspension order for a period of 18 months to cover the appeal period before the substantive suspension order takes effect. The panel noted that the proposed interim suspension order had been agreed by both Social Work England and Ms Mansfield. The panel heard and accepted the advice of the legal adviser concerning its powers under paragraph 11(1)(b) of Schedule 2 to the Social Workers Regulations 2018.

130. The panel had regard to its earlier findings on misconduct, current impairment and sanction, together with Social Work England's *Impairment and Sanctions Guidance*. It recognised that, notwithstanding the agreement between the parties, it was required to exercise its own independent judgement as to whether an interim order was necessary and proportionate.

131. The panel was mindful that, in the absence of an interim order, Ms Mansfield would be entitled to practise without restriction during the appeal period, notwithstanding its determination that her fitness to practise was currently impaired and that a 12-month suspension order was necessary and proportionate.

132. The panel considered that it would be inconsistent with its earlier findings to permit Ms Mansfield to practise without restriction during that period. In particular, it had identified a continuing risk of repetition arising, particularly in relation to dishonesty and professional accountability. Although the wider public interest concerns were more significant than those relating to public protection, the panel remained satisfied that unrestricted practice would present a risk to the public and undermine public confidence in the profession.

133. The panel therefore concluded that an interim suspension order was necessary for the protection of the public. The panel was satisfied that an interim suspension order for 18 months was appropriate and proportionate, having regard to the need to cover the appeal period and the possibility of any appeal proceedings.

134. Accordingly, the panel imposed an interim suspension order for 18 months. The interim order will cease to have effect upon expiry of the appeal period if no appeal is lodged, at which point the substantive 12-month suspension order will take effect. If an appeal is lodged, the interim order will remain in force pending the determination of the appeal, subject to its maximum duration and any further order of the court.

Right of appeal:

135. 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.

136. 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.

137. 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.

138. 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:

139. 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

140. 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:

141. 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.