

Case Examiner Decision
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FTPS-23802

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The role of the case examiners

The case examiners perform a filtering function in the fitness to practise process, and their primary role is to determine whether the case ought to be considered by adjudicators at a formal hearing. The wider purpose of the fitness to practise process is not to discipline the social worker for past conduct, but rather to consider whether the social worker's current fitness to practise might be impaired because of the issues highlighted. In reaching their decisions, case examiners are mindful that Social Work England's primary objective is to protect the public.

Case examiners apply the 'realistic prospect' test. As part of their role, the case examiners will consider whether there is a realistic prospect:

- the facts alleged could be found proven by adjudicators
- adjudicators could find that one of the statutory grounds for impairment is engaged
- adjudicators could find the social worker's fitness to practise is currently impaired

If the case examiners find a realistic prospect of impairment, they consider whether there is a public interest in referring the case to a hearing. If there is no public interest in a hearing, the case examiners can propose an outcome to the social worker. We call this accepted disposal and a case can only be resolved in this way if the social worker agrees with the case examiners' proposal.

Case examiners review cases on the papers only. The case examiners are limited, in that, they are unable to hear and test live evidence, and therefore they are unable to make findings of fact.

Decision summary

Decision summary	
1 st Preliminary outcome	14 July 2026
	Accepted disposal proposed - warning order of 3 years' duration
2 nd Preliminary outcome	27 July 2026
	Accepted disposal proposed - warning order of 3 years' duration
Final outcome	3 August 2026
	Accepted disposal - warning order of 3 years' duration

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1(a & b) being found proven by the adjudicators. [REDACTED]
2. There is a realistic prospect of regulatory concern 1 (a & b) being found to amount to the statutory grounds of misconduct.
3. For regulatory concern 1 (a & b), there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

The case examiners did not consider it to be in the public interest for the matter to be referred to a final hearing and determined that the case could be concluded by way of accepted disposal.

As such, the case examiners requested that the social worker was notified of their intention to resolve the case with a warning order of 3 years' duration. The case examiners were subsequently informed that the social worker had requested an amendment to their proposed disposal. The social worker was advised that the case examiners did not support the requested amendment as they did not consider it to be material to their determination. The social worker was again notified of the case examiners' intention to resolve the case with a warning order of 3 years' duration.

The social worker responded that they accepted the terms of the proposed disposal in full.

The case examiners have considered all of the documents made available within the evidence bundle. Key evidence is referred to throughout their decision and the case examiners' full reasoning is set out below.

Anonymity and redaction

Elements of this decision have been marked for redaction in line with our Fitness to Practise Publications Policy. Text in [REDACTED] will be redacted only from the published copy of the decision, and will therefore be shared with the complainant in their copy. Text in red will be redacted from both the complainant's and the published copy of the decision.

In accordance with Social Work England's fitness to practise proceedings and registration appeals publications policy, the case examiners have anonymised the names of individuals to maintain privacy. A schedule of anonymity is provided below for the social worker and complainant, and will be redacted if this decision is published.

Child A

Child B

Person A

Person B	
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The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by way of a self-referral by the social worker.
Date the complaint was received	5 September 2024
Complaint summary	The social worker advised Social Work England (the regulator) that it had been alleged that they had sent a video to a friend in which a child (a service user) could be identified.

Regulatory concerns

Regulatory concerns are clearly identified issues that are a concern to the regulator.

The regulatory concerns for this case are as follows:

While registered as a social worker, on or around 27 August 2024

1. You failed to treat information about people with sensitivity and handle confidential information in line with the law by:

- a) Taking a video / photograph, using your personal mobile phone, of one or more children you were involved with in your capacity as a social worker.
- b) Sending a video / photograph of one or more of children with lived experience of social work to a third party via WhatsApp.

Grounds of impairment:

The conduct outlined at regulatory concern 1 amounts to the statutory ground of misconduct. Your fitness to practise is impaired by reason of misconduct.



Preliminary issues

Investigation		
Are the case examiners satisfied that the social worker has been notified of the grounds for investigation?	Yes	☒
	No	☐
Are the case examiners satisfied that the social worker has had reasonable opportunity to make written representations to the investigators?	Yes	☒
	No	☐
Are the case examiners satisfied that they have all relevant evidence available to them, or that adequate attempts have been made to obtain evidence that is not available?	Yes	☒
	No	☐
Are the case examiners satisfied that it was not proportionate or necessary to offer the complainant the opportunity to provide final written representations; or that they were provided a reasonable opportunity to do so where required.	Yes	☒
	No	☐

The realistic prospect test

Fitness to practise history

The case examiners have been informed that there is no previous fitness to practise history.

Decision summary

Is there a realistic prospect of the adjudicators finding the social worker's fitness to practise is impaired?

Yes



No



The case examiners have determined that there is a realistic prospect of regulatory concerns 1 (a & b) being found proven, that the concern could amount to the statutory grounds of misconduct, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

While registered as a social worker, on or around 27 August 2024

1. You failed to treat information about people with sensitivity and handle confidential information in line with the law by:

a) Taking a video / photograph, using your personal mobile phone, of one or more children you were involved with in your capacity as a social worker.

b) Sending a video / photograph of one or more of children with lived experience of social work to a third party via WhatsApp.

The case examiners have carefully considered all of the information presented to them in relation to the above concern (parts a & b), and have specifically noted the following key points:

Information from the employer:

This includes that the social worker, throughout their internal investigation, disputed having shared a video, describing it as ‘disappearing photograph’. The social worker also disputed that Person B (also a social worker), who was with Person A (a friend of the social worker in this case) when the image was sent, could have seen the face of a second child, and had exaggerated the facts of what they had seen.

The employer further advises that on 18 September 2024, the social worker shared with them a video of themselves with an image of one of the children (Child A or Child B) resting on their shoulder; the social worker advised they had been mistaken in describing the video as a photograph. Associated phone data noted by the employer, indicated that the video had been taken at around 1114hrs, and that an image was shared with Person A via WhatsApp at 1422hrs the same day (understood to be the day relevant to the concerns in this case, on or around 27 August 2024). The social worker denied having taken any other images of either child.

During the course of the employer investigation, it also became apparent that the social worker had deleted some of the messages shared with Person A via WhatsApp, and had also deleted the actual video shared in the relevant WhatsApp exchange.

The employer also advises that they had previously had cause to address inappropriate mobile phone use with the social worker, which included sharing an image of a child with another social worker; this resulted in the social worker subject to these concerns being placed on a formal capability action plan. The employer advises that this led to additional training and support being put in place to assist the social worker “*in making the right decisions*” and to ensure that they were fully aware of appropriate use of their mobile phone and General Data Protection Regulation (GDPR). The social worker is recorded as having completed GDPR training on 31 July 2023, and this training being reviewed on 19 February 2024.

Evidence from Person A:

In an email to the social worker’s employer, dated 30 August 2024, Person A advises that:

- they have a close relationship with the social worker, and are aware of personal struggles that the social worker has faced;
- on their first day back at work, the social worker informed them that they were having a “good but dramatic first day”, and was looking after █████ (Child A & Child B);

- the social worker sent them “a live photo” of their own face, and the head of a child facing “the other way”; they could not see the child’s “*identity whatsoever*”.
- they were with Person B, also a social worker, at the time the image was sent to them by the social worker
- Person B looked over their shoulder and “*saw the Live Photo and assumed it was a video revealing the children's identity. I told her that it didn't but later on that day she told me she had no choice but to report it, just in case it did*”.

Evidence from Person B:

In an undated statement, person B advises that on 27 August 2024, they were with person A, who shared with them that they had had a conversation with the social worker who was in work and looking after two babies who had been removed from their carers. Person A then showed them a “*selfie video*” sent by the social worker; this showed the social worker sat on a settee with a small baby on their shoulder whose face was facing away from the camera. During the course of the video the camera turned around and also showed a second small baby who was in a baby swing. The video appeared to have been taken in a house.

Evidence from the social worker:

In their self-referral to the regulator, dated 5 September 2024, the social worker advises that an allegation had been made claiming that they had sent a friend (Person A) a video that identified a child. The social worker states that:

- they “*did not send a video, I took a photo of my own face which had the back of a baby's head in the photo, on my personal phone*”;
- the photo was sent by them to Person A as a ‘live photo’ via WhatsApp, on their first day back in work after a period of absence;
- that they “*did not reveal (Child A or Child B’s) identity, why they were in care or where their placement was at, or where they are going to be placed*;
- the only information that was disclosed was Child A and Child B’s ages [REDACTED] and the children “*were placed in a lovely placement.*”
- They “*understand it is completely unacceptable to be using my personal phone during work times, especially when caring for a child.*”

In subsequent submissions to the regulator, the social worker further advises that:

- on 27 August 2024, they had returned to work after an extended period of absence, [REDACTED]
- person A had been a great support to them during their time off work, and that they sent them a video of their face and the back of a child's head in order to show how their first day back was going, and *“the reality of social work”*;
- they subsequently deleted the messages and the video they had sent as they felt it was completely unacceptable to have sent them, and recognise that they *“broke professional boundaries at the time”*
- at the time of their actions resulting in the alleged concerns, they were not *“in the correct frame of mind and (their) emotions were heightened”*.
- on reflection, they had returned to work too early, had not had a return to work meeting, and *“it was a really difficult and traumatic day”*. The Social worker considers that their judgement was affected by their emotional challenges.
- In a reflective statement, the social worker accepts that while the image they shared did not share a child's face, the child *“was identifiable within a social work context”*, and they *“had no professional justification for taking or sharing the image”*.

Having carefully considered the evidence as summarised above, the case examiners are satisfied that there is evidence to indicate that the social worker did, on or around 27 August 2024, both take a video and/or photograph of one or more children that they were involved with as a social worker and sent that image/images to a third party, i.e. Person A.

The case examiners have gone on to consider the stem of the concerns, i.e., that their alleged actions amount to them failing to treat information about people with sensitivity and handle confidential information in line with the law.

The case examiners are satisfied that sharing even limited information about Child A and/or Child B with Person A, i.e., that they were [REDACTED] their age, and an image of either child while with the social worker, and in someone else's home, would amount to not treating information about service users sensitively.

The case examiners have next gone onto consider whether the social worker's actions as alleged in the regulatory concerns would also amount to a failure to treat confidential information in line with the law. The case examiners consider that under GDPR legislation, images of a service user taken and shared by a social worker could potentially amount to a breach of confidentiality. While the social worker has denied sharing anything more than limited information and an image of the back of a child,

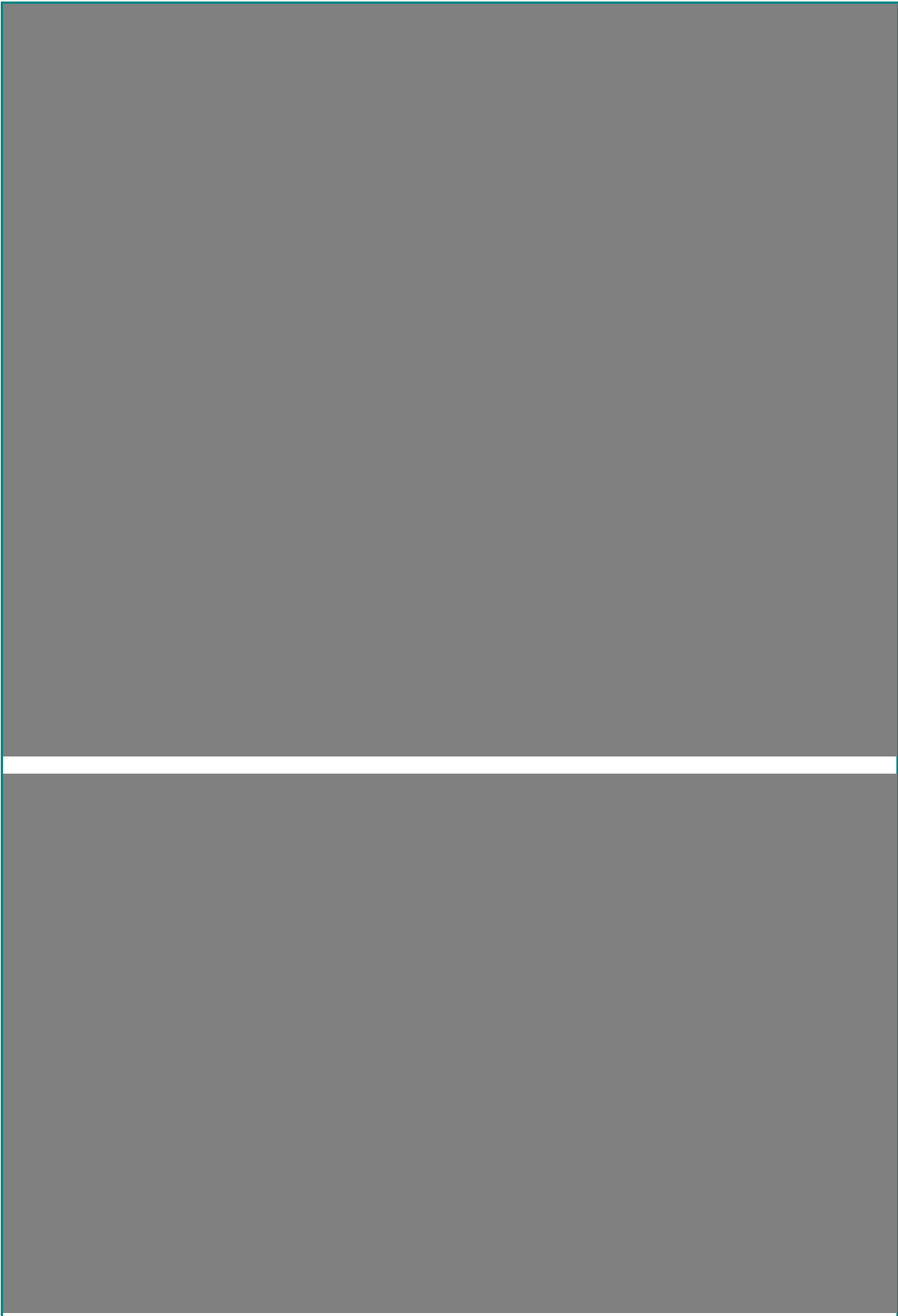
Person B has provided an account suggesting that they also saw a second child during the course of the images they saw on Person A's phone.

The case examiners note that the social worker appears to have provided inconsistent accounts to their employer regarding the nature of the image shared, for example, initially describing it as a photo, before subsequently acknowledging that it was a video. The social worker also appears to have deleted information and an image from the relevant WhatsApp chat history, prior to sharing its content with their employer. While the case examiners are of the view that if the social worker became aware that they had shared information and images inappropriately, then taking remedial action to remove such content shared with Person A at the earliest opportunity may have been the correct course of action, such action may also suggest that, as alleged by Person B, images of both children were shared, and that the social worker may have deleted this video.

However, even if, as asserted by the social worker, they only shared an image showing the back of a child with a third party, the case examiners consider that such an image, together with information about the child's precise age [REDACTED] and that the image was taken in a member of the public's home, could potentially provide enough context to make the children concerned identifiable.

The case examiners have further noted that there was no lawful basis on which the social worker should have shared information or an image regarding either child with Person A. As such, they are satisfied that there is some evidence to suggest that the social worker may have failed to treat confidential information in line with the law.

The case examiners are therefore satisfied that there is a realistic prospect of adjudicators finding concern 1 (a &/or b) proven, in relation to the facts.



Grounds

The case examiners have been asked to consider the grounds of misconduct, in relation to concern 1 (a & b).

The case examiners are aware that misconduct is generally considered to consist of serious acts or omissions, which suggest a significant departure from what would be expected of the social worker in the circumstances. This can include conduct that takes place in the exercise of professional practice, and also conduct which occurs outside the exercise of professional practice but calls into question the suitability of the person to work as a social worker.

To help them decide if the evidence suggests a significant departure from what would be expected in the circumstances, the case examiners have considered Social Work England's professional standards for social workers, which were applicable at the time of the concerns. Having done so, they are of the view that the social worker may have breached the following standards:

As a social worker, I will:

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

2.2 Respect and maintain people's dignity and privacy.

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

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

As a social worker, I will not:

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

5.6 Use technology, social media or other forms of electronic communication unlawfully, unethically, or in a way that brings the profession into disrepute.

The case examiners consider the concerns to be serious as they relate to using a personal device, a mobile phone, to capture and store potentially confidential data, and the potentially unlawful sharing of such data.

Social workers are entrusted with access to highly sensitive data about the people in their community; it is essential that the public can trust that this information will be kept safe and secure in line with local policy and legal frameworks to protect data. Accordingly, it is a serious departure from the standards for a social worker to share such data without professional reason or authorisation, particularly where it is alleged that the data relates to vulnerable service users.

The case examiners have taken into account mitigation presented by the social worker, including that they had returned to work after a period of absence on the day the concerns arose; that this absence was related to health and particularly challenging personal issues and events; and that in their opinion this impacted on their judgement at the time the concerns arose.

The case examiners have also noted that the social worker had previously been placed on a formal plan relating to other issues around personal mobile phone use, and that they had been given additional support and training to ensure that they understood the requirements of GDPR. The case examiners are not of the view that the mitigation put forward by the social worker would have prevented them from knowing that their actions, as alleged, were not in accordance with the professional standards expected of them, and which they had specifically been reminded of previously, or justifies the concerns raised in this case.

If the concerns at 1 (a & b) are subsequently found proven, the case examiners consider that the social worker's alleged actions are likely to be a significant breach of the professional standards outlined above.

Having considered the evidence, the case examiners are satisfied there is a realistic prospect of adjudicators finding the ground of misconduct proven.

Impairment

Assessment of impairment consists of two elements:

1. The personal element, established via an assessment of the risk of repetition.
2. The public element, established through consideration of whether a finding of impairment might be required to maintain public confidence in the social work profession, or in the maintenance of proper standards for social workers.

Personal element

With regards to the concerns before the regulator, the case examiners have given thought to their guidance, and they note that they should give consideration to whether the matters before the regulator are easily remediable, and whether the social worker has demonstrated insight and/or conducted remediation to the effect that the risk of repetition is highly unlikely.

Whether the conduct can be easily remedied

The case examiners do consider that the alleged conduct is remediable, for example by the social worker providing good evidence of insight and reflection on their conduct, a consideration of how they might respond differently in future, and completing further training in relation to data protection.

Insight and remediation

The case examiners do consider that the social worker has demonstrated a good understanding of why the concerns are serious, particularly given previous advice on not using a personal phone for work matters. They have provided a reflective statement detailing how their actions represented a breach of confidentiality, and accept “*full responsibility*” for having made the decision to use their personal phone to take and send an image of a child. The social worker further expresses an understanding of the required professional standards relating to ensuring that sensitive information is protected, and to how using a personal device represents a misuse of technology. While maintaining that the image shared “*was limited in what it showed*”, the social worker further acknowledges that this still amounted to a “*clear potential risk to the child’s privacy and dignity*”, and that “*a potential for harm existed*”. They further address how their actions impacted adversely on the child’s rights, their own relationship with their employer, and had the potential to undermine public trust and confidence.

The social worker expresses “*deep regret and shame*” for their actions. They provide some context for how the concerns might have arisen, in terms of their health and personal challenges at the time, but advise that they “*now recognise that emotional overwhelm does not excuse professional misconduct. I should have declared that I was not emotionally ready for that assignment*”.

In terms of remediation, the social worker details steps taken to improve their health, so that they are able to separate “*personal emotional responses from professional decision-making*”. They also assert that they have undertaken detailed reflection in relation to the professional standards, particularly in relation to confidentiality, digital professionalism, safeguarding ... and the use of professional power”. While

not currently in a social worker role, The social worker states that their current role requires them to manage sensitive safeguarding information and exercise sound judgement and that they have consistently demonstrated that they are able to do so.

The social worker concludes that while their fitness to practise was impaired at the time of the incident, they have remediated the concerns and significantly reduced any risk of reputation. They do not consider their current fitness to practise to be impaired.

The case examiners note, however, that the social worker has not provided any evidence of further training, for example in relation to GDPR.

Risk of repetition

The case examiners consider that the social worker has shown good insight in relation to the concerns raised in this case. However, they note that the social worker had received further support and training in respect of GDPR prior to these concerns arising, and as such they remain concerned that the social worker continued to act as alleged.

The case examiners have noted an absence of documentary evidence to support any further training by the social worker in relation to the GDPR, and no current employer evidence has been provided to support the social worker's assertions that they are adhering to the required standards in their current employment.

The case examiners also note the social worker does not appear to have worked in a social worker role since leaving their former employment where the concerns arose; as such the social workers ability to adhere the relevant professional standards while working in the challenging role of a social worker, has not yet been tested.

In the absence of fuller evidence of remediation, and in light of evidence that the social worker had already received support and training in relation to mobile phone use and confidential information when these concerns arose, the case examiners consider that some risk of repetition does remain at this time.

Public element

The case examiners have next considered whether the social worker's actions have the potential to undermine public confidence in the social work profession, or the maintenance of proper standards for social workers. Public interest includes the need to uphold proper standards of conduct and behaviour and the need to maintain the public's trust and confidence in the profession.

Concerns that a social worker has failed to treat information about people with sensitivity and handle confidential information in line with the law, if subsequently found proven, has the potential to undermine public confidence. The social worker's conduct, in this case, potentially impacted vulnerable service users and could have placed them at risk of harm.

Regulatory concerns regarding breaching confidentiality go to the heart of public confidence in the social work profession. They have the potential to undermine the public's trust in social workers. As such, it is likely the public would expect that a finding of current impairment is made by adjudicators to maintain public confidence in the regulation of the profession.

Having considered both the personal and public elements, the case examiners have concluded there is a realistic prospect that adjudicators would find the social worker to be currently impaired.

The public interest

Decision summary

Is there a public interest in referring the case to a hearing?	Yes	☐
	No	☒

Referral criteria

Is there a conflict in the evidence that must be resolved at a hearing?	Yes	☐
	No	☒
Does the social worker dispute any or all of the key facts of the case?	Yes	☐
	No	☒
Is a hearing necessary to maintain public confidence in the profession, and/or to uphold the professional standards of social workers?	Yes	☐
	No	☒

Additional reasoning

The case examiners have considered whether a referral to a hearing may be necessary in the public interest, and have noted the following:

- There is no conflict in the evidence in this case and the social worker has accepted the key facts.
- Whilst the social worker submits that their practice is not currently impaired, the accepted disposal process will provide the social worker an opportunity to review the case examiners' reasoning on impairment and reflect on whether they do accept a finding of impairment. It is open to the social worker to reject any accepted disposal proposal and request a hearing if they disagree that they are currently impaired.
- The case examiners are of the view that while there remains some risk of repetition, this can be managed through other sanctions available to them.

The case examiners are also of the view that the public would be satisfied to see the regulator take prompt, firm action in this case, with the publication of an accepted

disposal decision providing a steer to the public and the profession on the importance of adhering to the professional standards expected of social workers in England.

Interim order

An interim order may be necessary for protection of members of the public

Yes

☐

No

☒

An interim order may be necessary in the best interests of the social worker

Yes

☐

No

☒

Accepted disposal

Case outcome

Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☒
	Conditions of practice order	☐
	Suspension order	☐
	Removal order	☐
Proposed duration	3 years	

Reasoning

In considering the appropriate outcome in this case, case examiners have had regard to Social Work England's sanctions guidance (2022) and reminded themselves that the purpose of sanction is not to punish the social worker but to protect the public and the wider public interest. Furthermore, the guidance requires that decision makers select the least severe sanction necessary to protect the public and the wider public interest.

In determining the most appropriate and proportionate outcome in this case, the case examiners considered the available sanctions in ascending order of seriousness.

Before doing this, they have also noted the key mitigating and aggravating factors relevant to this case:

Mitigating:

- The social worker is otherwise of good character;
- Evidence of insight and remorse;
- Health and challenging personal issues leading to an extended period of absence immediately prior to the concerns arising.

Aggravating:

- Limited evidence of remediation ;
- That the social worker had previously been advised by their employer in relation to the use of their personal phone and data protection.

The case examiners first considered taking no further action but considered that this would not be appropriate in a case where a social worker did not handle information sensitively and/or in line with the law. Taking no further action would not provide the necessary level of public protection and would not satisfy the wider public interest.

The case examiners next considered whether offering advice would be sufficient in this case. An advice order will normally set out the steps a social worker should take to address the behaviour that led to the regulatory proceedings. The case examiners decided that issuing advice was not sufficient to mark the seriousness with which they view the social worker's conduct.

The case examiners went on to consider a warning order, which would provide a clearer expression of disapproval of the social worker's conduct than an advice order. The case examiners concluded that a warning order was the most appropriate and proportionate outcome in this case. While representing the minimum sanction necessary to adequately address the public's confidence in the profession, a warning order provides a signal to a social worker that they are highly likely to receive a more severe sanction if they were to repeat the behaviour leading to the concern.

The case examiners also considered that a warning order would sufficiently mark the seriousness with which the case examiners view the social worker's conduct, and would appropriately safeguard public confidence in the social work profession, and in the regulator's maintenance of professional standards for social workers. In reaching this conclusion, the case examiners also took into account that while they had found some risk of repetition, which might ordinarily suggest that a restrictive order would be appropriate, the social worker had demonstrated good insight and partial remediation, in terms of addressing personal issues and their emotional response in a professional setting.

To test whether a warning order was the most appropriate sanction, the case examiners went on to consider the next highest sanctions; conditions of practice or suspension order.

With regards to conditions of practice, which allow a social worker to practise while they are subject to restrictions, the case examiners note from their guidance that these are most commonly applied in cases of lack of competence or capability or ill health; they also need to be workable. In this case, the case examiners note that the social worker does not currently work in the social work profession, which may

suggest that conditions would be unworkable. After careful consideration, the case examiners considered that in all the circumstances of this case, a warning order rather than conditions of practice was the more appropriate sanction, and the minimum required to protect the public.

The case examiners also carefully considered the higher sanction of suspension, particularly given that they had identified the social worker's alleged conduct to have presented a potential risk of harm to the child/children concerned. However, in light of the mitigation noted above, the case examiners concluded that a suspension order would be disproportionate in all the circumstances of this case; they also did not consider this to be a case that had fallen only marginally short of requiring removal from practice.

The case examiners therefore moved on to consider the length of the warning order, with reference to the regulator's sanctions guidance. Warning orders can be imposed for one, three or five years. The case examiners, taking into account that the social worker's remediation was not yet complete, and the aggravating factors in this case, were not satisfied that a one-year warning order was sufficient to mark the seriousness of the conduct in question.

The case examiners went on to consider a three-year order, which their guidance suggests may be appropriate for more serious concerns, and also allows more time for the social worker to show that they have addressed any risk of repetition. Having noted good insight and partial remediation, the case examiners were of the view that three years was an appropriate length of warning order.

The case examiners also gave consideration to a five-year order, which they are guided to consider where a case has fallen only marginally short of requiring restriction of practice. While they are of the view that this is a case that has fallen only marginally short of requiring restriction of practice, the case examiners reminded themselves that any sanction must be the minimum necessary to protect the public and the wider public interest. Given the previous good character, insight and some remediation, the case examiners are satisfied that three years is sufficient to allow the social worker to remediate fully, and to address any risk of repetition. The case examiners are also of the view that three years is sufficient to protect the public, and to safeguard public confidence. The case examiners therefore determined that a three year warning was the most appropriate length.

The case examiners have therefore decided to propose to the social worker a warning order of three year's duration. They will now notify the social worker of their intention and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered 14 days to respond. If the social worker does not agree,

or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

Content of the warning

The case examiners formally warn the social worker as follows:

It is imperative that sensitive and confidential information is collected and handled sensitively and in line with the law.

The case examiners would draw the social worker's attention to the following professional standards:

As a social worker, I will:

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

2.2 Respect and maintain people's dignity and privacy.

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

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

As a social worker, I will not:

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

5.6 Use technology, social media or other forms of electronic communication unlawfully, unethically, or in a way that brings the profession into disrepute.

You must ensure that any future practice meets the professional standards. It is essential that you do this to ensure that service users receive the support and protection they require.

In relation to your ongoing practice, any further issues of a similar nature brought to the attention of the regulator are likely to be dealt with more seriously.

Response from the social worker

On 26 July 2026 the social worker requested an amendment to the case examiners' report, i.e. that they include additional context in their report, in relation to the circumstances in which a previous incident related to confidentiality occurred, and submitted this context. They outline that their "intention was to seek immediate management advice in order to safeguard the child, rather than to misuse confidential information".

Case examiners' response

The case examiners have carefully considered the request for an amendment made by the social worker. However, they have concluded that this amendment is not necessary on the following basis:

- There is no indication that the case examiners' have relied on any inaccurate information in their determination;
- The case examiners have highlighted, in their decision making, evidence of previous advice and training given to the social worker as a result of a previous GDPR issue, and consider that this is relevant to their decision in relation to this case;
- The case examiners have not relied on the actual circumstances of any alleged previous GDPR breach in their assessment of the facts, grounds, or impairment in this case.

The case examiners have therefore decided that it not appropriate for them to make any amendment to their decision. They do not consider the additional information provided by the social worker to be material.

The case examiners have decided that it remains proportionate and in the public interest to again propose to the social worker a warning order of three year's duration.

They request that the social worker is again notified of their intention to resolve this case with a warning order of three years' duration, and seek the social worker's

agreement to dispose of the matter accordingly. The social worker will again be offered 14 days to respond. If the social worker does not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

Response from the social worker

On 29 July 2026 the social worker accepted the proposed disposal, confirming that they had:

- read the case examiners' decision and the accepted disposal guide;
- admitted the key facts set out in the case examiner decision, and that their fitness to practise is impaired;
- understood the terms of the proposed disposal of their fitness to practise case and accepted them in full

Case examiners' response and final decision

The case examiners concluded that the social worker's fitness to practise was likely to be found impaired, but that the public interest could be met through a prompt conclusion, published decision and warning, rather than through a public hearing. They proposed a warning with a duration of 3 years and the social worker accepted in full the terms of this proposal.

In light of the social worker's acceptance of the warning, the case examiners have considered again whether there would be a public interest in referring this matter to a public hearing. They remain of the view that this is unnecessary for the reasons set out earlier in the decision.

Having been advised of the social worker's response, the case examiners have again turned their minds as to whether a warning remains the most appropriate means of disposal for this case. They have reviewed their decision, paying particular regard to the overarching objectives of Social Work England, i.e., protection of the public, the maintenance of public confidence in the social work profession, and the maintenance of proper standards. Having done so, they remain of the view that an

accepted disposal by way of a warning order of 3 years' duration is a fair and proportionate disposal, and is the minimum necessary to protect the public and the wider public interest.