Case Examiner Decision
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FTPS-23765

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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	
Preliminary outcome	24 June 2026
	Accepted disposal proposed – warning order (5 years)
Final outcome	15 July 2026
	Accepted disposal – warning order (5 years)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1, 2 and 3 being found proven by the adjudicators.

2. There is a realistic prospect of regulatory concerns 1, 2 and 3 being found to amount to the statutory ground of misconduct.

3. For regulatory concerns 1, 2 and 3 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 be notified of their intention to resolve the case with a warning order of 5 years duration. The social worker accepted the proposed outcome on 14 July 2026.

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.

The complaint and our regulatory concerns

The initial complaint	
The complainant	The complaint was raised by the social worker's former employer.
Date the complaint was received	19 June 2024
Complaint summary	The social worker's Assessed and supported year in employment ("ASYE") supervisor alleges the social worker plagiarised their portfolio. It is also alleged that the social worker stated they would change the portfolio, however on review there was still evidence of plagiarism.

Regulatory concerns recommended for closure

The case examiners note that the concerns have been submitted by the investigator as recommended for closure. The case examiner's decision and reasoning is set out in full in the substantive sections of the decision form.

Paragraph 4 (1) (d) of the Social Work England Appointment Rules 2019 allows for investigators to recommend that a case be closed if, for example, they have not been able to find evidence to support the concerns or if they believe the statutory grounds has not been met.

Whilst registered as a social worker between January 2023 and February 2024:

RC1. You plagiarised your ASYE portfolio by copying information from RP's portfolio.

RC2. You did not remove the plagiarised material in relation to RC1 despite stating you would.

RC3. Your conduct in RC1 and RC2 above was dishonest.

Grounds of impairment:

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

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, 2 and 3 being found proven, that those concerns could amount to the statutory ground of misconduct and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

RC1. You plagiarised your ASYE portfolio by copying information from RP's portfolio.

RC2. You did not remove the plagiarised material in relation to RC1 despite stating you would.

The case examiners have considered regulatory concerns 1 and 2 together because they rely on the same evidence.

The case examiners note the concerns were referred to the regulator by the social worker's ASYE supervisor ("the complainer"), they state:

"I was [the social worker's] ASYE supervisor and when he submitted his portfolio for my reflections and comments I found (by accident) that he had copied and pasted a lot of information from another social worker's portfolio and represented this as his

own…[the social worker] denied doing this but did say that the social worker had been instrumental/integral in him completing his portfolio. He then said he would change the portfolio. The ASYE co-ordinator said she would download the portfolio as it was and for transparency did this in front of the [social worker and myself]. The social worker then changed the portfolio…the ASYE coordinator went through all of [the social worker's] portfolio and found evidence of plagiarism throughout, and this was still evident in the portfolio on 29th despite [the social worker] advising it had been changed".

The complainer also states that they asked the former ASYE colleague if they had shared their portfolio with the social worker and they told the complainer that they had shared their whole portfolio with them.

The case examiners have seen the portfolio submitted by the social worker on 27 February 2024 and the portfolio submitted by the former ASYE colleague dated 28 August 2021.

The social worker's portfolio dated 27 February 2024 has yellow highlighted sections. On 9 January 2025 the complainer confirmed the yellow highlighted sections are the plagiarised sections and these were applied by the ASYE Co-ordinator. The case examiners have compared these highlighted sections to the corresponding sections in the former ASYE colleague's portfolio. The case examiners note the evidence that the former ASYE colleague's portfolio was submitted over 2 years prior to the social workers submission.

The case examiners note the following are highlighted as plagiarised:

- A reflection from the social worker on a direct observation – the reviewer notes the social worker states they had booked onto Child Protection training, but no booking was made through Suffolk Child Protection department.
- The social worker's comments on the 3-month foundational review.
- Critical reflection log (6-12 months).

In relation to regulatory concern 1 the case examiners consider that there is evidence to support that the above sections of the social worker's portfolio have been plagiarised. The case examiners note the same wording appears in the social worker's reflection on a direct observation and the portfolio submitted by the former ASYE colleague. They also note the screenshot of training completed by the social worker which does not include Child Protection training. The case examiners also note that the wording used in the social worker's comments on the 3-month foundational review are the same as those of the former ASYE colleague. The case

examiners consider there is further evidence of the concern as the social worker included reflections on working during COVID-19 when the complainer has confirmed the social worker started their employment around the time this ended. Again, in the critical reflection log for 6-12 months the social worker has used the same wording as the former ASYE colleague.

The case examiners note the evidence of meeting minutes dated 27 February 2024 in which the ASYE supervisor and ASYE co-ordinator raise the plagiarism concerns with the social worker. The minutes note that the supervisor addressed the similarities between the portfolios and the inclusion of the impact of COVID-19. When asked directly if the former ASYE colleague had shared their reflections the social worker "denied this but said she had been instrumental/integral to him completing his reflection as they had conversations about this". However, in the appeal hearing notes dated 26 April 2024 the social worker admits "pasting" from another portfolio.

The case examiners went on to consider the social worker's amended portfolio which was resubmitted on 1 March 2024. The case examiners consider the meeting minutes dated 27 February 2024 appear to show that the social worker agreed to submit an amended portfolio by 3pm on 28 February 2024 and that they would "rectify" the sections which were suspected of being plagiarised. The case examiners have seen a copy of the amended portfolio which was subsequently submitted on 1 March 2024. They note that the following allegedly plagiarised sections still remain in the amended portfolio:

- A reflection from the social worker on a direct observation.
- The social worker's comments on the 3-month foundational review.
- At least one sentence of the critical reflection log (6-12 months).

The case examiners note the social worker does appear to have reworded some of the sentences in the alleged plagiarised sections. However, there remains a considerable amount of material that uses the same wording as the former ASYE's colleague's portfolio and the social worker's portfolio submitted on 27 February 2024. The case examiners note that in the appeal hearing notes the social worker submitted that they were told to change a paragraph relating to the reflection on the impact of COVID-19 and did so, however forgot to make necessary corrections to the rest of the portfolio.

On the basis of the evidence and the social worker's admission, the case examiners consider there is a realistic prospect of adjudicators finding regulatory concerns 1 and 2 proven.

RC3. Your conduct in RC1 and RC2 above was dishonest.

In considering regulatory concern 3, the case examiners have applied the test for dishonesty, which consists of two parts – the subjective test and the objective test.

The subjective test requires the case examiners to assess the evidence to ascertain the social worker's knowledge or belief as to the facts. The question is not whether the social worker's beliefs are reasonable, but whether they were genuinely held at that time.

The objective test requires the case examiners to consider whether the social worker's alleged conduct may be considered dishonest by the standards of ordinary decent people. There is no requirement for the social worker to appreciate that their conduct is, by the standards of ordinary decent people, dishonest.

The case examiners firstly applied the test to regulatory concern 1 which alleges that the social worker plagiarised their ASYE portfolio. The case examiners considered whether the social worker knew they had copied work from their former ASYE colleague. They note the social worker's acceptance at the appeal hearing that they "pasted" information from another person's portfolio into their own. The case examiners also considered whether the social worker knew when they submitted his ASYE portfolio that any copied information had been presented as their own work. The case examiners consider there is evidence from the complainer that the social worker's portfolio was submitted as their own work and that the alleged plagiarism only came to light when the document was reviewed. The case examiners consider the subjective test is met in relation to regulatory concern 1. The case examiners consider that copying and pasting another person's work, and submitting it as your own, would be considered dishonest by the standards of ordinary, decent people.

Accordingly, the case examiners consider there is a realistic prospect that adjudicators would find the social worker's conduct was dishonest in relation to regulatory concern 1.

The case examiners then applied the test to regulatory concern 2 which alleges that the social worker said they had amended their ASYE portfolio when they had not. The case examiners considered whether the social worker knew they had submitted the amended portfolio with alleged plagiarised material still included. The case examiners note the submissions of the social worker that they had forgotten to correct the whole document in their panic and haste. The case examiners consider there is evidence to support that the social worker did make some changes to some of the alleged plagiarised material, for example, the critical reflection log appears to have been changed except for one sentence. They also note there was some debate in the appeal hearing as to what the social worker had been told to change. The case

examiners consider that in these circumstances it could be plausible that the social worker was not aware that they had re-submitted their portfolio with remaining allegedly plagiarised material. The case examiners consider the subjective test is not met in relation to regulatory concern 2. They also consider that forgetting to remove sections from a document in these circumstances would not be considered dishonest by ordinary, decent people.

In all the circumstances the case examiners consider there is a realistic prospect that adjudicators would find regulatory concern 3 proven in relation to regulatory concern 1 only.

Grounds

The case examiners are aware that there is no legal definition of misconduct, but it generally would 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 the following professional standards, which were applicable at the time of the concerns.

As a social worker, I will:

2.1 Be open, honest reliable and fair.

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.

The case examiners note their guidance which lists dishonesty as a concern that is likely to be viewed as serious. The case examiners consider that integrity is a fundamental tenant of social work practice due to the trust placed in social workers. The case examiners consider that, if proven, the alleged conduct would fall short of what would have been expected from the social worker in the circumstances. Therefore, the regulatory concerns could represent a departure from 2.1 and 5.2 of the professional standards.

The case examiners then considered whether there had been a significant departure from the professional standards. The case examiners acknowledge that the alleged dishonesty appears to relate only to the submission of the social worker's ASYE portfolio rather than their practice. There is no suggestion that service users were

impacted by the social worker's alleged conduct. However, they note that the social worker continued to deny the plagiarism throughout the disciplinary process and it was only on the second day of the appeal hearing when they were faced with dismissal that they made an admission to plagiarism. Their appeal was then upheld due to their late admission. The case examiners consider this could be viewed as repeated acts of dishonesty which could be considered more seriously than if the dishonesty had been isolated, admitted and rectified immediately. The case examiners acknowledge that they do not consider the resubmission of the portfolio with plagiarised sections to amount to dishonesty. However, they consider that the social worker would reasonably have been expected to ensure that no remaining plagiarised material remained in their portfolio when they were given the chance to amend the record. The case examiners are of the view this falls far below what would have been expected of the social worker in the circumstances. In all these circumstances, the case examiners consider the alleged conduct could represent a significant departure from the professional standards.

Accordingly, the case examiners consider the regulatory concerns to be sufficiently serious, so that there is a realistic prospect that adjudicators would find the ground of misconduct is engaged.

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.

<u>Whether the conduct can be easily remedied</u>

The case examiners note their guidance which states where concerns relate to the social worker's character it can be more difficult to evidence remediation. Dishonesty is listed as one such concern.

Insight and remediation

The case examiners note the social worker's initial submissions that they admit it was wrong to have "lifted" information from their colleague's portfolio and that at the time it did not occur to them that this amounted to plagiarism. The social worker has engaged throughout the regulatory process, appears remorseful in their submissions and was apparently reinstated to their role due to their admissions in the final day of the appeal hearing.

The case examiners acknowledge the appeal hearing minutes appear to show some concerns about the supervision of the social worker and their experience at the local authority. The case examiners consider this context may have had some impact on the social worker's conduct at the relevant time, however, do not consider it directly relates to the alleged dishonesty.

The case examiners note that in their initial submissions the social worker continues to contradict that the copied information was "chunky". In their final submissions to the regulator the social worker states "The only areas I copied were the reflection/comment". The case examiners consider this appears to show some continued minimisation of the alleged dishonesty. They are of the view that the late admission to the dishonesty in the appeal hearing and the continued minimisation by the social worker, albeit balanced with remorse, suggests there is only developing insight into the concerns.

In terms of remediation, the case examiners acknowledge that the social worker is currently suspended following disclosure of regulatory concerns to their current employer. This and the attitudinal nature of the concerns may make it harder to demonstrate remediation. The case examiners have not been provided with any evidence of remediation other than the reflections of the social worker.

Risk of repetition

The case examiners consider there remains a risk of repetition due to there being only developing insight into the concerns and a lack of demonstrated remediation.

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.

The case examiners consider that a member of the public would be concerned where a social worker is alleged to have acted dishonestly and where that dishonesty was

not admitted at the earliest opportunity. They are of the view this alleged conduct could seriously damage public confidence in the social work profession and would not uphold proper standards for social workers.

In these circumstances the case examiners consider there is a realistic prospect that adjudicators would find the social worker's fitness to practise is 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 concluded that the public interest in this case is engaged. However, they are satisfied that this interest may be appropriately fulfilled by virtue of the accepted disposal process.

Whilst the matter is serious, the case examiners are not of the view that it is so serious that a hearing might be necessary to maintain public confidence in the social work profession, or professional standards expected of social workers.

The case examiners have noted that the social worker has not indicated to the regulator whether they consider their fitness to practise to be currently impaired. Where a social worker does not accept impairment, case examiner guidance suggests that a referral to a hearing may be necessary in the public interest.

However, the case examiners note that the guidance states the social worker must accept the matter of impairment at the point of concluding the case and are of the view that this does not prevent them offering accepted disposal prior to this. The

case examiners consider that it is reasonable to offer accepted disposal in this case because:

- There is no conflict in the evidence in this case, and the social worker accepts all of the key facts.
- The case examiners recognise that not all professionals will have a clear understanding of how and when the public interest may be engaged, or how exactly this might impact upon findings concerning current fitness to practise.
- The accepted disposal process will provide the social worker an opportunity to review the case examiners' reasoning on impairment and reflect on whether they are able to accept a finding of impairment. It is open to the social worker to reject any accepted disposal proposal and request a hearing if they wish to explore the question of impairment in more detail.

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 conditions of practice order is already in effect in relation to another fitness to practise matter.

Accepted disposal

Case outcome		
Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☒
	Conditions of practice order	☐
	Suspension order	☐
	Removal order	☐
Proposed duration	Warning order – 5 years	

Reasoning

In considering the appropriate outcome in this case, the case examiners had regard to Social Work England's Sanctions Guidance (2022) and reminded themselves that the purpose of a sanction is not to punish the social worker but 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 options in ascending order of seriousness. The also considered the following mitigating and aggravating factors:

Mitigating

- The social worker has described an unsupportive workplace.
- The concerns do not directly relate to the social worker's practice and there is no alleged impact upon or risk to service users.

Aggravating

- The social worker continued to deny the dishonesty until faced with the reality that their appeal would be dismissed.

No further action

The guidance suggests no further action is only applicable in exceptional circumstances. The case examiners are satisfied that in this case the mitigating

factors do not amount to exceptional circumstances. They consider a finding of no further action would be insufficient to maintain public confidence and to mark the seriousness with which the case examiners view the alleged conduct.

Advice

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 consider that whilst they could offer advice to prevent this situation arising again, this would not be sufficient to mark the seriousness of the social worker's alleged conduct.

Warning

The case examiners consider a warning would provide a clearer expression of disapproval of the social worker's conduct than an advice order. They also consider that a warning order could sufficiently mark the seriousness of the social worker's conduct.

The case examiners acknowledge that where a risk of repetition is identified, the guidance leads them to consider restrictive sanctions. However, the case examiners consider they must carefully balance this guidance with their duty to impose the least restrictive sanction which could maintain public confidence in the profession and the maintenance of social work standards. In this case, the case examiners consider it is appropriate to go outside of the guidance as there is no suggestion that the alleged dishonesty could have directly affected service users. They note that the dishonesty relates to a portfolio which was completed to evidence the social worker's work over the course of their initial year in practice. There is no evidence that the work they completed was not done, but that they had plagiarised elements of their portfolio which related to their personal reflections on their ability to carry out this work.

Accordingly, the case examiners determined to propose a warning order to the social worker.

Conditions and suspension

To test their thinking, the case examiners then considered whether a conditions of practice order or a suspension order would be appropriate.

The case examiners considered that an order of conditions would not be appropriate given the concerns appear to relate to the social worker's attitude rather than their practice. They then considered whether suspension could be appropriate but are not of the view that the case falls just short of requiring removal from the register. The

case examiners note that whilst the dishonesty was persistent and ongoing, this did not impact upon service users and was limited to a piece of work to demonstrate their reflection into their practice. They note that the social worker has demonstrated developing insight and they consider that as the matter does not directly relate to their social work practice that a suspension order would be disproportionate in these circumstances.

Length of warning order

The case examiners consider that the proposed warning order should be in place for 5 years. They are of the view that this is in line with the guidance which states such an order may be appropriate for serious cases that have fallen only marginally short of requiring restriction of practice.

In considering the duration of the warning, the case examiners have had regard to the sanctions' guidance which states:

"1 year may be appropriate for an isolated incident of relatively low seriousness. In these cases, the primary objective of the warning is to highlight the professional standards expected of social workers. 3 years may be appropriate for more serious concerns. This helps to maintain public confidence and highlight the professional standards. The period also allows more time for the social worker to show that they have addressed any risk of repetition. 5 years may be appropriate for serious cases that have fallen only marginally short of requiring restriction of practice".

The case examiners consider 5 years to be proportionate in this case to maintain public confidence and to send a message to the public, the profession and the social worker about the standards expected from social workers. The case examiners have already set out that this was not an isolated matter, as the alleged dishonesty continued for a period. The case examiners consider that 3 years would be insufficient as this does not reflect the seriousness with which they view the alleged conduct. Given the persistent dishonesty, the case examiners consider that this falls only marginally short of requiring restriction. Therefore, 5 years will allow the social worker additional time to fully reflect and understand what led to the conduct, and how they may act differently in the future to address the risk. This order also sends a clear message to the profession and wider public of how seriously the regulator considers this conduct.

To conclude, the case examiners have decided to propose to the social worker a warning order of 5 years 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:

Your conduct in this case represented a significant breach of professional standards and had the potential to have an adverse impact on public confidence in you as a social worker and the social work profession.

The case examiners warn that as a social worker, it is of paramount importance that you conduct yourself honestly and with integrity at all times. The case examiners remind the social worker of the following Social Work England professional standards (2019):

As a social worker, I will:

2.1 Be open, honest reliable and fair.

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.

The conduct that led to this complaint should not be repeated. Any similar conduct or matters brought to the attention of the regulator are likely to result in a more serious outcome.

Response from the social worker

The case examiners note the social worker's response dated 14 July 2026:

"I have read the case examiners' decision and the accepted disposal guide. I admit the key facts set out in the case examiner decision, and that my fitness to practise is impaired. I understand the terms of the proposed disposal of my fitness to practise case and accept them in full".

Case examiners' response and final decision

The case examiners have reviewed the social worker's response. The case examiners have again considered the public interest in this matter and, as they have not been presented with any new evidence that might change their previous assessment, they are satisfied that it remains to be the case that the public interest in this case may be fulfilled through the accepted disposal process. They remain of the view that a 5-year warning is the proportionate outcome in this case. Therefore, the case examiners direct that a 5-year warning is issued to the social worker.