Case Examiner Decision

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SW41595

FTPS-23970

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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 [redacted]	26 May 2026
	Accepted disposal proposed - conditions of practice order of 18 months' duration
2nd Preliminary outcome [redacted]	8 July 2026
	Accepted disposal proposed - conditions of practice order of 18 months' duration
Final outcome	18 August 2026
	Accepted disposal - conditions of practice order of 18 months' duration

Executive summary

[redacted]

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1.1, 1.2, 1.3, 1.4, 1.5 (in part), 1.6 (in part), 2.1 (in part), 3, and 6 being found proven by the adjudicators. [redacted]

2. There is a realistic prospect of regulatory concerns 1.1, 1.2, 1.3, 1.4, 1.5 (in part), 1.6 (in part), 2.1 (in part), 3, and 6 being found to amount to the statutory grounds of a lack of competence or capability. [redacted]

3. For regulatory concerns 1.1, 1.2, 1.3, 1.4, 1.5 (in part), 1.6 (in part), 2.1 (in part), 3, and 6, 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 an accepted disposal.

As such, the case examiners requested that the social worker was notified of their intention to resolve the case with a conditions of practice order of 18 months' duration. The social worker subsequently responded, proposing amendments for the case examiners' consideration.

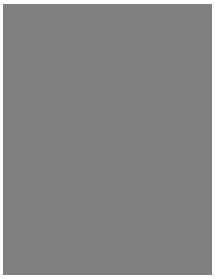
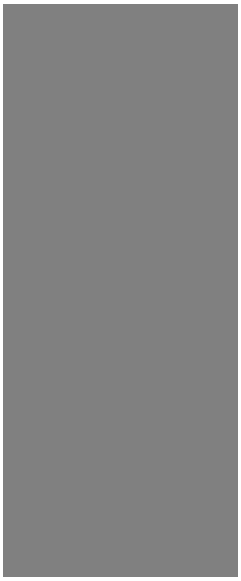
Having carefully considered the social worker's requests, the case examiners did not consider the requested amendments to be necessary or appropriate. They determined that a conditions of practice order of 18 months' duration, with the same conditions as originally proposed, remained the minimum sanction to appropriately safeguard public confidence in the social work profession, and in the regulator's maintenance of professional standards for social workers.

The case examiners therefore requested that the social worker was again notified of their intention to resolve the case with a conditions of practice order of 18 months' duration. The case examiners were subsequently informed that the social worker agreed to the terms of the proposed accepted disposal in full.

The case examiners have carefully 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 blue 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.	
Service user 1 Service user 2  Service user 4 	

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	04 October 2024
Complaint summary	The employer raised a number of concerns regarding the social worker's practice, including failing to follow required procedures. The specific details of the concerns are captured in the relevant section below.

Regulatory concerns

Regulatory concerns are clearly identified issues that are a concern to the regulator. The regulatory concerns for this case are as follows:

Whilst registered as a social worker from around December 2021 to August 2024 you:

1. Failed to safeguard service users in that you:
   1.1. Did not complete an up-to-date Care Act assessment and/or review for service user 1 prior to them moving accommodation in April 2024.
   1.2. Delayed the Deprivation of Liberty in the Community Order being put in place for service user 1.
   1.3. Did not complete a Continuing Healthcare Checklist to identify any potential health funding for service user 1.
   1.4. Did not follow the legal framework for a renewal of Deprivation of Liberty Safeguard assessment for service user 2.
   1.5. Did not complete Mental Capacity assessments for service user [redacted], 4, [redacted].
   1.6. Did not complete Best Interest assessments for service user [redacted] 4, [redacted]

2. You did not maintain clear, accurate and/or up to date records in that you:
   2.1. Did not record service user 1's Care Act assessment on Care first.

[redacted]

3. You completed a Care Act assessment for service user 4 without seeing and/or speaking to them.

6. Failed to follow management direction in that you:
   6.1. Did not progress actions noted within your supervisions.

Grounds of impairment:

The matters outlined at regulatory concerns 1, 2, 3 and 6 amount to statutory grounds of [redacted] a lack of competence or capability.

By reason of your [redacted] lack of competence or capability your fitness to practice is impaired.

[redacted]

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	☐

Requests for further information or submissions, or any other preliminary issues that have arisen

01 August 2025:

The case examiners have made the following amendments to the regulatory concerns:

- The case examiners have removed the identifying initials of the service users and replaced them with numbers, in order to preserve their anonymity.

The case examiners are satisfied that the amendments they have made are minor, and they therefore considered it to be unnecessary and disproportionate to delay consideration of the case further by seeking additional submissions from the social worker.

The case examiners are aware of the need to consider cases expeditiously and the need to ensure fairness to all parties. They are satisfied that their chosen course of action is consistent with their guidance.

18 May 2026:

The case examiners have been advised that, following their 'final determination' of 12 August 2025 on this case, an application for a review of the case examiners' decision request was received by Social Work England. This application highlighted that there was a potential material flaw in the case examiners' determination as it appeared that the case examiners were not aware of previous fitness to practise history of the social worker in this case. The applicant considered it likely that had the case examiners been aware of this previous history, they would have considered it fair and reasonable to take it into consideration. The applicant submitted that this information may have led to a different finding by the case examiners with regards to their assessment of the statutory grounds, impairment and sanction, and suggested that a Rule 12G review was required.

A Rule12G review was subsequently conducted, with a Rule 12G stage 2 decision concluding that parts of the case examiners' decision were materially flawed, i.e.:

- the decision that there was no realistic prospect the adjudicators would find regulatory concerns 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 2.1, 3 and 6 amounted to the statutory ground of misconduct;

- the decision to dispose of the case by way of a warning order for a period of 1 year.

The reviewing officer concluded that a fresh decision in respect of those parts of the decision was necessary, in the public interest. The parts of the decision that are materially flawed were therefore revoked and the case was referred back to the case examiners so they can make a fresh decision in respect of those parts of the decision.

The case examiners are aware that they are not bound by any recommendations made within the Rule 12G decision, and that the fresh decision remains the decision of the case examiners. However, having carefully reviewed the information relating to the social worker's previous fitness to practise case, the case examiners are satisfied that this does amount to relevant adverse history, and that they should make a fresh decision in this case on grounds, impairment and sanction.

The realistic prospect test

Fitness to practise history

The case examiners have had sight of information indicating the following fitness to practise history [redacted]

- Following a determination made by case examiners on 10 March 2020, where they found a realistic prospect of adjudicators finding the statutory grounds of misconduct and impairment prove [redacted]

[redacted]

The case examiners are satisfied, with reference to the regulations and fitness to practise rules, that this history may be considered to be adverse. They have therefore considered whether it would be fair and reasonable to take it into consideration.

Having done so, the case examiners have determined it is fair and reasonable to do so, for the following reasons:

- The previous adverse decision, while in a different setting, appears to include sufficiently similar conduct to this current case [redacted]

[redacted]

- The previous adverse decision raises a concern about the willingness and/or capacity of the social worker to practise in a manner which adheres to the professional standards expected of social workers.



In line with their guidance, the case examiners will therefore consider this adverse history as part of their assessment of this current case where they are satisfied that it is fair and relevant to do so, and in particular when considering the question of impairment and sanction.

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 1.1, 1.2, 1.3, 1.4, 1.5 (in part), 1.6 (in part), 2.1 (in part), 3, and 6 being found proven, that those concerns could amount to the statutory grounds of a lack of competence or capability, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

The case examiners have carefully considered all of the information presented to them in the bundle, which includes:

- notes from a fact finding interview with the social worker (19 July 2024),
- notes from a fact finding interview with the social worker's line manager (15 July 2024),
- notes from a fact finding interview with the Head of Service (26 July 2024),

- an occupational health report (9 April 2024),
- service user case notes,
- supervision records (January – August 2024),
- relevant policies, procedures and guidance,
- information from the social worker's current employer (January 2025),
- the social worker's comments and submissions to Social Work England.

The case examiners have summarised key evidence as it relates to each concern below.

Whilst registered as a social worker from around December 2021 to August 2024 you:

1. Failed to safeguard service users in that you:

1.1. Did not complete an up-to-date Care Act assessment and/or review for service user 1 prior to them moving accommodation in April 2024.

Evidence from the employer indicates that an up-to date Care Act assessment was not recorded until May 2024, almost six weeks after service user 1 changed accommodation, and that this was not in line with the required process.

In the employer's fact-finding meeting with the social worker, the social worker outlined that they had collated notes, but had failed to record the assessment.

The social worker, in their submissions, accepts this concern in part. They advise that other plans were, however, in place, including a full care plan, and that the Care Act assessment was completed and recorded in May 2024.

The case examiners are satisfied that there is some evidence to support a realistic prospect of adjudicators finding concern 1.1 proven on facts.

1.2. Delayed the Deprivation of Liberty in the Community Order being put in place for service user 1.

Information from the employer indicates that the social worker may not have followed the required process in relation to assessing service user 1 for a Deprivation of Liberty in the Community Order; there is evidence that this order was required due to the proposed package of care for service user 1 being highly restrictive on their liberty.

The social worker, in their submissions, accepts this concern. They advise that "*due to (their) naivety around the Deprivation of Liberty Safeguarding in the Community this application was not completed in a timely manner*". While they highlight that timescales were not, to their recollection, discussed with them in supervisions, they advise that they are "*In no way deflecting my responsible as a social worker this was an error" (sic)*.

The case examiners are satisfied that there is some evidence to support a realistic prospect of adjudicators finding concern 1.2 proven on facts.

1.3. Did not complete a Continuing Healthcare Checklist to identify any potential health funding for service user 1.

Evidence from the employer clarifies that the social worker did complete Continuing Healthcare Checklists (CHC) for service user 1 on some occasions, but that this concern relates to the social worker not completing one when leaving a residential placement and moving to community living (April 2024). The employer advises that the social worker's alleged failure to complete a Care Act Assessment (concern 1.1) is likely to have contributed to them failing to complete the CHC, as "*it would be usual process for this to be considered as part of Care Act reviews*".

Notes from the employer's interview with the social worker record the social worker advising that he did not consider that service user 1 triggered the need for a CHC at the point of moving from residential care into the community.

The social worker, in their submissions, does not accept this concern. They advise that checklists were completed, with one dated 23 December 2023 as service user 1 triggered a 'DST' (decision support tool), and another CHC being completed on 2 May 2024 that concluded that, at that time, the service user did not trigger a DST.

The case examiners are of the view, from the information contained within the local authority guidance on conducting CHC and CHC reviews, that the change of accommodation in a residential placement to community living was likely to impact on service user 1's needs, and as such should have prompted a review at that time.

The case examiners are satisfied that there is some evidence to support a realistic prospect of adjudicators finding concern 1.3 proven on facts.

1.4. Did not follow the legal framework for a renewal of Deprivation of Liberty Safeguard assessment for service user 2.

Evidence from the employer indicates that the social worker may have failed to follow the legal framework for a Deprivation of Liberty Safeguard (DOLS) assessment for service user 2, which potentially placed a financial burden on their family, and exposed service user 2 to being at risk of having their liberty deprived unlawfully.

The case examiners have noted a copy of an email dated 13 August 2024, advising the social worker that a deprivation of liberty in the community order for service user 2 required renewal, as it had 'run out'.

A communication from the employer to the social worker, entitled 'on-going practice issues' (30 August 2024), records notes of a meeting held with the social worker on 20 August 2024. These notes advise that issues had been identified and discussed with the social worker in supervision sessions, including that, in relation to service user 2, there was a "*lack of legal framework followed, not renewing DOLS etc in a timely manner*".

The social worker, in their submissions, appears to accept this concern. They state that the case was, however, fully supervised.

The case examiners are satisfied that there is some evidence to support a realistic prospect of adjudicators finding concern 1.4 proven on facts.

1.5. Did not complete Mental Capacity assessments for service user [redacted] 4, [redacted].

1.6. Did not complete Best Interest assessments for service user [redacted] 4, [redacted].

The case examiners have considered concerns 1.5 and 1.6 together, as the concerns appear to rely on similar evidence.

The employer alleges that the social worker failed to complete both Mental Capacity assessments (MCA) and Best Interest assessments (BIA) for service user [redacted] 4, [redacted]

The communication from the employer to the social worker, regarding 'on-going practice issues' (30 August 2024), advises that issues identified and discussed with the social worker in supervisions included MCAs and BIAs for service user [redacted] 4, [redacted] not being completed.

The case examiners have noted a comprehensive assessment recorded for service user 4 and completed by the social worker, (completed date 17 May 2023). This records that "*it was difficult to ascertain how much of the information provided to*

(the service user) was understood due to his level of understanding. (Service User 4) was comfortable with this assessment process after looking towards his mother and niece for reassurance".



In their submissions, the social worker advises that:



In relation to service user 4, the social worker advises that "*a Mental Capacity Assessment was not undertaken with* [redacted] *as the assessment was undertaken with their (relative), who has Lasting Power of Attorney* (LPA). *Hence, she had the legal authority to undertake this on* [redacted] *s behalf*". The social worker further offers the view that as an MCA did not take place, a BIA was also not deemed necessary.



[redacted]

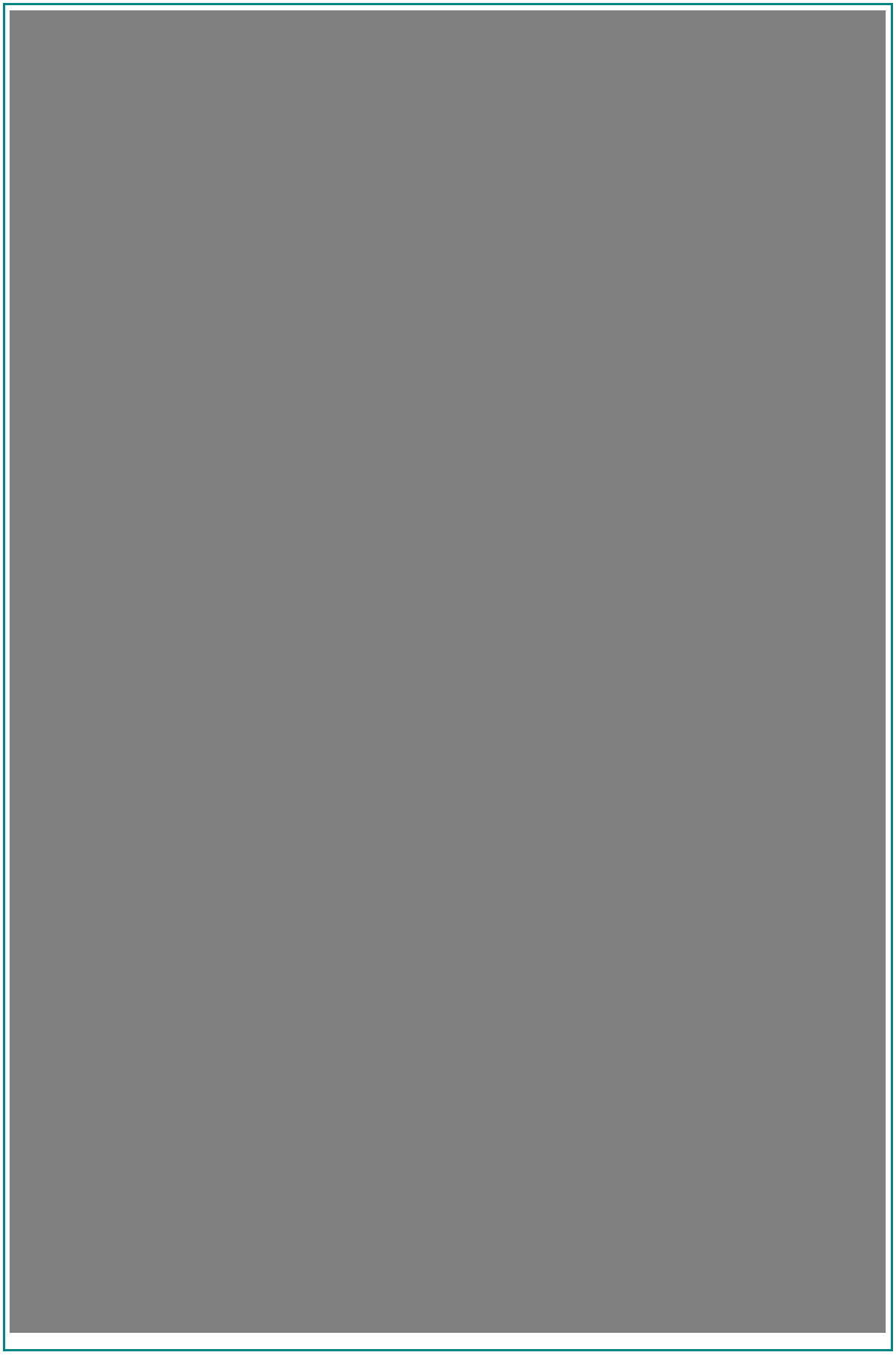
In relation to service user 4, the case examiners are not of the view that an LPA negates the need for an MCA; they are aware that while an LPA can make decisions on behalf of the person they are registered to act for, this is subject to that person being deemed to lack capacity to make decisions at the relevant time. The case examiners consider that an MCA would have likely been required to evidence that service user 4 did not have capacity, before their relative was deemed suitable to complete assessments on their behalf. The case examiners are of the view that a BIA with service user 4 was therefore also likely to have been required.

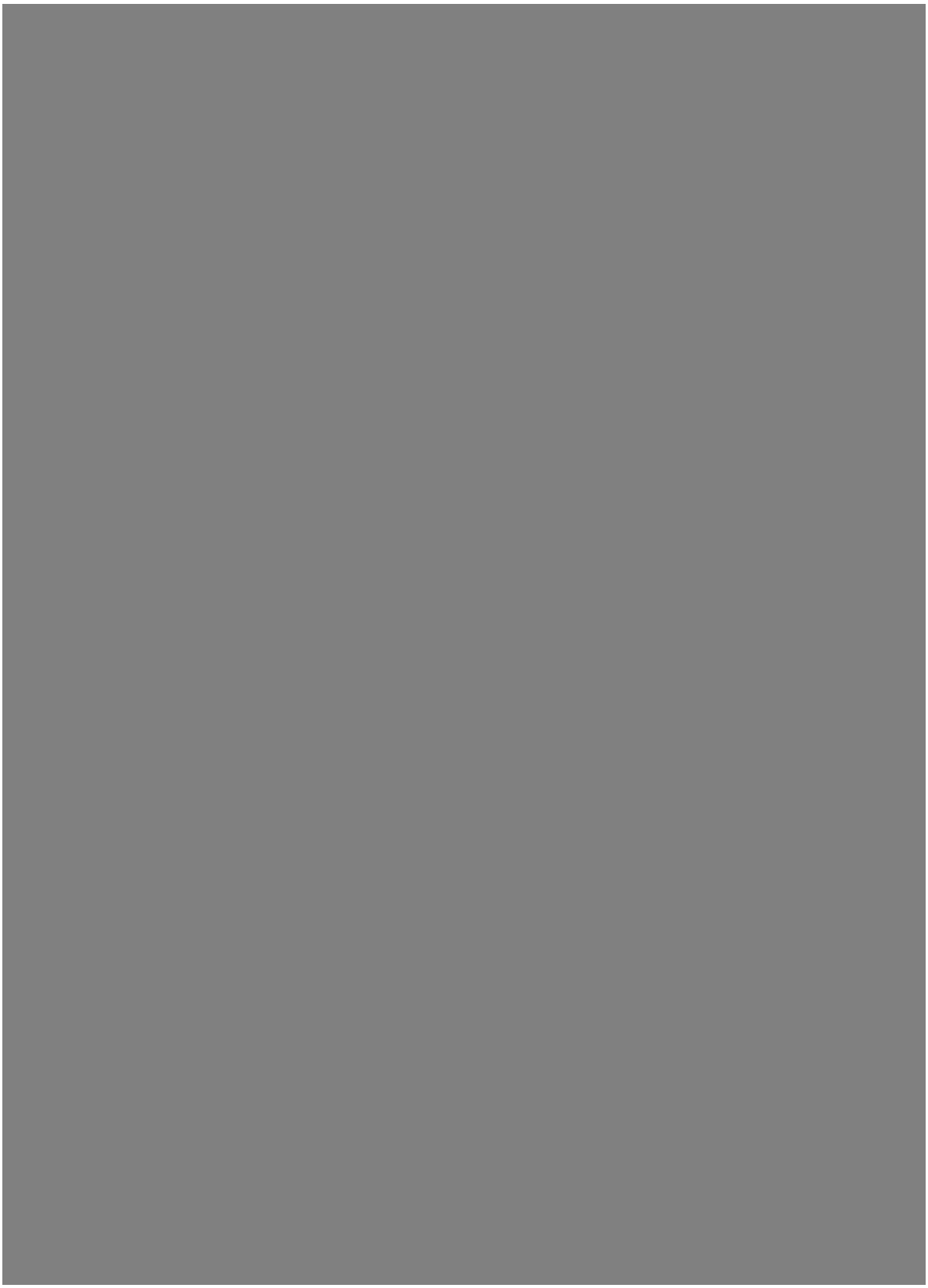
[redacted]

The case examiners are satisfied that there is some evidence to support a realistic prospect of adjudicators finding concern 1.5 proven on facts in relation to service user 4 only.

The case examiners are satisfied that there is some evidence to support a realistic prospect of adjudicators finding concern 1.6 proven on facts, in relation to service user 4 [redacted]

[redacted]





2. You did not maintain clear, accurate and/or up to date records in that you:

2.1. Did not record service user 1's Care Act assessment on Care first.

The case examiners have taken into account the evidence examined at concern 1.1 when considering this concern. They are satisfied that this indicates that the social worker did not maintain up to date records in relation to service user 1 on the appropriate recording system.

In their submissions the social worker advises that they do "admit some aspects" of the concern; this includes not recording service user 1's Care Act Assessment in a timely manner. The social worker also acknowledges that that they did, at times, find it difficult to maintain up to date records, due to an accumulation of personal and professional circumstances.

The case examiners are satisfied that there is sufficient evidence to support a realistic prospect of adjudicators finding concern 2.1 proven on facts.



3. You completed a Care Act assessment for service user 4 without seeing and/or speaking to them.

The communication from the employer to the social worker, regarding 'on-going practice issues' (30 August 2024), advises that issues identified and discussed with the social worker in supervisions included the social worker completing an assessment without seeing or speaking to service user 4, and the service user being unaware.

In their submissions, the social worker acknowledges that "*the Care Act Assessment review was undertaken without initially seeing (service user 4) or consulting with them. However, this was undertaken with this person's (relative), who had been granted Lasting Power of Attorney for health and wellbeing by the Court of Protection*".

As outlined for concerns 1.5 and 1.6, the case examiners are not of the view that an LPA negates the need for a service user to be involved in assessments; while an LPA can make decisions on behalf of the person they are registered to act for, this is subject to that person being deemed to lack capacity to make decisions at the relevant time. The case examiners are not of the view that the social worker had properly established that the service user did not have the capacity to be involved in decisions about their care, and as such, it is likely that they should have been seen and spoke to during a Care Act assessment.

The case examiners are satisfied that there is some evidence to support a realistic prospect of adjudicators finding concern 3 proven on facts.

6. Failed to follow management direction in that you:
   6.1. Did not progress actions noted within your supervisions.

The case examiners have noted copies of supervision records and are satisfied that there is evidence to indicate that the social worker did not complete actions directed for them in supervisions and/or complete them within the timescales specified.

In their submissions, the social worker accepts this concern in part but outlines personal and professional factors that adversely impacted on their capacity to progress all actions required.

The case examiners are satisfied that there is some evidence to support a realistic prospect of adjudicators finding concern 6.1 proven on facts.



Grounds





The case examiners' guidance explains that a lack of competence or capability suggests a standard of professional performance which is unacceptably low. It means a social worker has demonstrated that they may lack the knowledge and skills to do their work in a safe and effective manner. This must usually be demonstrated over a fair sample of a social worker's work. There is no set definition of 'fair sample', but it suggests a sample sufficient to show the social worker's usual standard of work over a period of time.

The case examiners are satisfied that the evidence presented to them in this case is based on a fair sample of the social worker's work over a sustained period, and does, together with the nature of the concerns raised in the previous adverse finding in 2020, indicate that the social worker lacked sufficient knowledge and skills to complete all the required aspects of their work safely and effectively at the time the concerns arose.

For example, with regards to mental health capacity and deprivation of liberty assessments, the evidence indicates that the social worker did not consistently demonstrate the detailed knowledge and correct application of relevant policy and procedure in order to protect the rights and wellbeing of those subject to such procedures. To practise safely, it is essential for all social workers to know and comply with legal frameworks relevant to their work and obligations to protect and promote people's rights.

In addition, evidence of the social worker failing to maintain accurate records potentially placed service users at risk of harm. Maintaining accurate, clear, objective, and up-to-date records is an essential part of social work and help to protect people and social workers. Documenting decisions and actions provides a clear record of work with people; these records are open to scrutiny and help to provide a continuity of support if people are transferred between social workers.

In terms of mitigation, the case examiners are also satisfied, however, that there is evidence of both personal and professional challenges which adversely impacted on the social worker's ability to demonstrate the required level of competence and capability at the time these concerns arose.

With regards to personal factors, these included the social worker experiencing and raising with their employer a number of personal [redacted] challenges that were placing them under particular pressure and affecting their general well-being. [redacted]

[redacted]

In terms of professional factors, the evidence indicates that the social worker went for significant periods without sufficient or effective supervision and carried a high and complex workload. The case examiners are of the view that an absence of supervision in the period prior to the concerns arising, may have contributed to the social worker falling behind on their work and/or not having sufficient guidance for performance areas subsequently identified by managers as requiring improvement. It may also have impacted on the social worker feeling inadequately supported at a time of personal challenge. The evidence also indicates, however, that the social

worker may have also failed to recognise early enough that they needed support, and to have sought supervisory assistance; their prior experience of having accepted a conditions of practice order should have also prompted them to recognise the need for, and to seek, the necessary support.

Following the social worker undergoing an OH assessment, support in terms of protected time and a reduced case load does appear to have improved, although the social worker appears to have continued to fail to meet deadlines and complete all of the actions required of them.

While the case examiners do consider there to be some mitigation for the social worker's alleged actions and or omissions as captured in the concerns, they are nonetheless satisfied that for the period relevant to these concerns, the evidence suggests that the social worker did demonstrate a lack of competence and capability that potentially failed to adequately safeguard and protect the rights of service users.

In light of their adverse fitness to practice history, the case examiners consider this to indicate a pattern of ineffective performance with regards to the social worker's competence and/or capability, particularly in relation to following relevant statutory guidance and legal frameworks and ensuring that service users are appropriately involved/consulted.

The case examiners are therefore satisfied that there is a realistic prospect of adjudicators finding the grounds of a lack of competence or capability proven.

[redacted]

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 are of the view that the concerns raised in this case, while wide-ranging, are capable of remediation, for example through reflection, training, and evidence of any areas of ineffective performance improving to the required standard.

Insight and remediation

The case examiners are of the view that the social worker has demonstrated developing insight into reasons for the concerns arising, including both professional and personal challenges faced by them at the time. The social worker also outlines strategies that they have put in place to assist them in not falling behind, and to become "*more effective and efficient*". They state that these strategies have proved effective in their current role, and that they have been able to keep up to date with their workload.

However, the case examiners consider that fuller insight and remediation could have been demonstrated by the social worker, for example by them providing a clearer understanding of how their alleged actions and /or omissions, particularly where accepted by them, may have adversely impacted on, or had the potential to adversely impact on service users, and place them at risk of harm. While the social worker does acknowledge that being behind with their work at times "*may have affected efficient service delivery*," the case examiners do not consider that this reflects the potential risk of harm that service users may have been exposed to.



The case examiners are also concerned that, specifically in relation to the implementation of the MCA and DOLS assessments, while advising that they have reflected and read the MCA Code of Practise, the social worker does not appear to have been able to demonstrate any clear understanding in their submissions of how their application of the legislation may not have been correct. While the social worker accepts that their application of DOLS legislation may have been 'naïve', they do not indicate that they have yet undergone any further training in this area, or that they

would seek support, if required to implement such legislation in future. The social worker does, however, indicate an intention to engage in further training.

While the social worker's current employer has expressed no concerns over the social worker's practice, they also acknowledge that the social worker at the time of their communication to Social Work England (23 January 2025) had only worked with them for a period of 4/5 weeks.

Risk of repetition

The case examiners are of the view from the evidence presented to them in the social workers submissions and reflections suggest that the social worker is committed to practising effectively.

However, in light of their observations regarding insight and remediation to not yet be fully developed and also taking into account the social worker's adverse fitness to practice history, the case examiners consider that a pattern of ineffective performance persists. The current concerns have been considered by the case examiners to be similar in nature to those that arose in the previous fitness to practice case. This is despite the social worker having provided evidence to a review panel in the previous case of having reflected and completed relevant courses, and that panel determining that the social worker not likely to repeat their behaviour and place service users at unwarranted risk of harm.

As such, the case examiners consider that a risk of repetition remains.

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.

Having carefully considered all of the information presented to them, the case examiners are of the view that a fully informed and reasonable member of the public would be concerned by the concerns raised in this case, that service users were potentially exposed to some risk of harm, including being deprived of their liberty without proper procedures appearing to have been followed, and that a risk of repetition had been identified. The case examiners consider that the public would also be concerned that the social worker has previously been subject to fitness to practise concerns that resulted in an accepted disposal of a 12-month conditions of practice order. This is particularly relevant given that, despite a previous panel being satisfied that the social worker was unlikely to again place service users at risk of harm, concerns of a similar nature have again arisen.

The case examiners consider that a finding of impairment and an appropriate sanction would be expected by the public to maintain public confidence in the profession and maintaining professional standards.

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 accepts the key underlining facts, even though they do not accept all of the concerns.

While the social worker has indicated that they do not consider themselves to be currently impaired, the case examiners' decision and proposal will allow the social worker to review the case examiners' reasoning on impairment and consider whether they do accept the case examiners' findings. It is open to the social worker to reject any accepted disposal proposal and request a hearing if they wish to explore the matter of impairment in more detail.

The case examiners are therefore 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.

Accepted disposal

Case outcome		
Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☐
	Conditions of practice order	☒
	Suspension order	☐
	Removal order	☐
Proposed duration	18 months' duration	

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

Mitigating factors:

Developing insight and remediation;

Limited supervision and support at the time the concerns first arise;

Personal and professional challenges impacting on the social worker's wellbeing and capacity.

Aggravating factors:

Adverse fitness to practice history of similar concerns;

Repetition of concerns over an extended period of time;

Risk of harm to service users.

The case examiners commenced by considering whether it may be appropriate to reach a finding of impairment, with no requirement for any further action (a no further action outcome). The case examiners were satisfied that in this case, given the wide-ranging issues identified, potential risk of harm for service users and some risk of repetition, a finding of no further action would be insufficient to protect public confidence.

The case examiners have next considered whether offering advice would be sufficient in this case. Advice 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 also not be sufficient to mark the seriousness with which they viewed the social worker's lack of competence and capability.

The case examiners went on to consider a warning order. While their guidance indicates that a warning order provides a clearer expression of disapproval of the social worker's conduct than an advice order, it also reminds them that such an order is most likely to be appropriate where the fitness to practise issue is isolated or limited and there is a low risk of repetition.

In this case, the case examiners, particularly taking into account the social worker's adverse fitness to practise history, do not consider the social worker's alleged conduct to be isolated or limited, and have thus not found the risk of repetition to be low. They therefore do not consider that a warning order would be the minimum sanction that would sufficiently mark the seriousness with which the case examiners view the social worker's conduct. They also do not consider that this sanction, which would not restrict the social worker's practice, would appropriately safeguard the public, public confidence in the social work profession, and in the regulator's maintenance of professional standards for social workers.

The case examiners therefore went on to consider whether a conditions of practice order might be the most appropriate sanction.

The case examiners note from guidance that a conditions of practice order allows a social worker to practise while they are subject to restrictions. Conditions of practice orders protect the public while the social worker takes necessary steps to remediate their fitness to practise. In addition to any protective restrictions, the conditions may include remedial steps that the social worker must take as a minimum to regain fitness to practise. For example, successful completion of relevant education or training.

Their guidance also reminds the case examiners that conditions of practice may be appropriate in cases where (all of the following):

- the social worker has demonstrated insight
- the failure or deficiency in practice is capable of being remedied
- appropriate, proportionate, and workable conditions can be put in place
- decision makers are confident the social worker can and will comply with the conditions
- the social worker does not pose a risk of harm to the public by being in restricted practice

The case examiners have indicated in their assessment of the personal element of impairment that while the social worker has not yet remediated and a risk of repetition remains, the social worker has demonstrated some insight. The case examiners also consider that the concerns in this case, while serious, are capable of remediation.

The case examiners thus consider that a conditions of practice order would be an appropriate sanction as it would provide the social worker with a supportive framework within which to return to practice if they did wish to do so, and an opportunity to demonstrate full insight and remediation in relation to the concerns in this case. This could be achieved while also protecting the public from any future risk.

In terms of duration, guidance states that conditions can be imposed for up to three years at a time. When considering the timescale for the conditions, the case examiners have determined that that 18 months would be appropriate in this case. The case examiners are of the view that, given that the social worker has previously been on a conditions practice of order for 12 months and that concerns have again arisen of a similar nature, 12 months is likely to be insufficient. However, they also note that the social worker is now in practice, whereas previously this was not the case during the period the conditions applied, and that this may assist the social worker in addressing the alleged lack competence or capability; the case examiners thus consider that imposing conditions for a longer period would not be appropriate.

The case examiners therefore consider that 18 months should provide the social worker with a sufficient period of time within which to demonstrate that they have full insight into the concerns raised and have remediated.

The case examiners note that this order can be reviewed early by adjudicators if there is new information suggesting that the order is no longer appropriate or proportionate in the circumstances.

To test their conclusion that a conditions of practice order would be the minimum sanction necessary, the case examiners went on to consider whether the next available sanctions, suspension or removal, would be more appropriate in this case. The case examiners took into account the mitigation outlined above, and they also do not consider this to be a case which has fallen only marginally short of requiring removal from practice. The case examiners are therefore satisfied that these sanctions (suspension or removal) would be disproportionate and unnecessarily punitive in the circumstances of this case.

To conclude, the case examiners have determined that a conditions of practice order is the minimum sanction in this case that would appropriately safeguard public confidence in the social work profession, and in the regulator's maintenance of professional standards for social workers.

They now will notify the social worker of their proposals in respect of an 18-month conditions of practice order, and seek the social worker's agreement to dispose of the matter accordingly; the social worker will be offered 28 days to respond. Should the social worker not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter is likely to proceed to a final hearing.

Content of the conditions of practice

1. You must notify Social Work England at any time you are employed in a role, or providing social work services, which require you to be registered with Social Work England and provide the contact details of your employer, agency or any organisation with which you have a contract or arrangement to provide social work services, whether paid or voluntary.

2. You must allow Social Work England to exchange information with your employer, agency or any organisation with which you have a contract or arrangement to provide social work or educational services, and any reporter or workplace supervisor referred to in these conditions.

3(a). At any time you are employed in a role, or providing social work services, which require you to be registered with Social Work England, you must agree to the appointment of a reporter nominated by you and approved by Social Work England.

The reporter must be on Social Work England's register (and can be the same person as the workplace supervisor).

3(b). You must not start or continue to work until these arrangements have been approved by Social Work England.

4. You must provide reports from your reporter to Social Work England every 3 months and at least 14 days prior to any review, and Social Work England will make these reports available to any workplace supervisor referred to in these conditions on request.

5. You must inform Social Work England within 7 days of receiving notice of any formal disciplinary proceedings taken against you from the date these conditions take effect.

6. You must inform Social Work England within 7 days of receiving notice of any investigations or complaints made against you from the date these conditions take effect.

7. You must inform Social Work England if you apply for social work employment / self-employment (paid or voluntary) outside England within 7 days of the date of application.

8. You must inform Social Work England if you are registered or subsequently apply for registration with any other UK regulator, overseas regulator or relevant authority within 7 days of the date of application (for any future registration) or 7 days from the date these conditions take effect (for any existing registration).

9. You must work with your workplace supervisor/reporter, to formulate a personal development plan, specifically designed to address the shortfalls in the following areas of your practice:

- Clarify where the accountability lies for delegated work and fulfil that responsibility when it lies with you;

- follow relevant statutory guidance and work within legal and ethical frameworks;

- work in partnership with people to promote their well-being, ensuring that service users are appropriately involved/consulted in assessments of risk.

- Maintain clear, accurate, legible, and up to date records, documenting how you arrive at your decisions.

10. You must provide a copy of your personal development plan to Social Work England within 4 weeks from the date these conditions take effect and an updated copy 4 weeks prior to any review.

11(a). At any time you are employed, or providing social work services, which require you to be registered with Social Work England: you must place yourself and remain under the supervision of a workplace supervisor nominated by you and approved by Social Work England. The workplace supervisor must be on Social Work England's register (and can be the same person as the reporter).

11(b). You must not start or continue to work until these arrangements have been approved by Social Work England.

12. You must provide reports from your workplace supervisor to Social Work England every 3 months and at least 14 days prior to any review and Social Work England will make these reports available to any reporter referred to in these conditions on request.

13. You must provide a written copy of your conditions, within 7 days from the date these conditions take effect, to the following parties confirming that your registration is subject to the conditions listed at (1) to (12), above:

- Any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary.
- Any locum, agency or out-of-hours service you are registered with or apply to be registered with in order to secure employment or contracts to undertake social work services whether paid or voluntary (at the time of application).
- Any prospective employer who would be employing or contracting with you to undertake social work services whether paid or voluntary (at the time of application).
- Any organisation, agency or employer where you are using your social work qualification/knowledge/skills in a non-qualified social work role, whether paid or voluntary (at the time of application).

You must forward written evidence of your compliance with this condition to Social Work England within 14 days from the date these conditions take effect.

First response from the social worker

On 3 July 2026, the social worker responded to the proposed accepted disposal with representations and, in particular, a request to the case examiners to consider some amendments to the proposed conditions of practice order (specifically condition 13), and to reconsider the duration of the proposed order, if they were able to do so.

Case examiners' first response

The case examiners have carefully considered all of the information presented to them by the social worker. Having done so, they particularly note the following:

Condition 13 is a standard condition, the wording for which is set in guidance to the case examiners. The condition is intended to ensure that the social worker advises those parties that require knowledge of the conditions, (e.g., employers) of the existence of the conditions of practice. The case examiners consider it appropriate for the condition to remain, and that no amendments are required to the wording, which they consider to be sufficiently clear.

The case examiners are not able to amend the proposed duration of an accepted disposal order, once offered. In any case, while appreciating the further reflections submitted by the social worker, the case examiners remain of the view that an 18 month conditions of practice order remains appropriate at this time, for the same reasons already outlined by them in their reasoning section above.

The case examiners request that the social worker is again notified of their proposal in respect of an 18-month conditions of practice order, and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered a further 28 days to respond. Should the social worker 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.

Second response from social worker

On 10 August 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' second and final response

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 conditions of practice, rather than through a public hearing. They proposed a conditions of practice order of 18 months' duration, and the social worker accepted in full the terms of this proposal.

Having been advised of the social worker's response, the case examiners again turned their minds as to whether the proposed disposal 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 conditions of practice order of 18 months' duration is a fair and proportionate disposal, and is the minimum necessary to protect the public and the wider public interest.