Case Examiner Decision
Shingai Tutsirai Nyamapfene – SW132877
FTPS-20990

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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	25 August 2026
	Accepted disposal proposed - conditions of practice order (2 years)
Final outcome	07 September 2026
	Accepted disposal – conditions of practice order (2 years)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1, 3, 4, 5, and 6 being found proven by the adjudicators [redacted]

2. There is a realistic prospect of regulatory concerns 1, 3, 4, 5, and 6 being found to amount to the statutory grounds of misconduct and adverse physical or mental health (6).

3. For regulatory concerns 1, 3, 4 and 5, 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 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 conditions of practice order for 2 years duration.

The social worker accepted this proposal and the terms, in full, on 03 September 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.

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 [redacted] 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	[redacted]
Service User 2	
Service User 3	
Service User 4	
Service User 5	
Service User 6	
Service User 7	
Service User 8	
Service User 9	

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	08 August 2022
Complaint summary	The social worker's former employer raised practice concerns, which included lack of action/case progression and the quality of their work and recording. Whilst the social worker was placed on a support plan, improvement was not seen in the areas specified on the plan. Concerns were also raised regarding the social worker's health. The social worker did not pass their probationary period and their employment was terminated.

Regulatory concerns and concerns recommended for closure
Between November 2021 and July 2022, whilst registered as a social worker: 1. You failed to complete work you were responsible for including case notes and/or assessments for service users in your caseload. 3. You told managers that tasks were in hand and/or had been completed, when this was not the case. 4. Your actions at Regulatory Concern 3 were dishonest. 5. You failed to safeguard and/or respond to risk in relation to service users in your caseload: a. Service User 5 b. Service User 2

c. Service User 8

[redacted]

Grounds of impairment

The matters outlined at Regulatory Concerns 1 and 3-5 amount to the statutory ground of misconduct [redacted]

[redacted]

Your fitness to practise is impaired by reason of misconduct [redacted]

[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	☐

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	☐

[redacted]

The case examiners have determined that there is a realistic prospect of regulatory concerns 1, 3, 4, 5, [redacted] being found proven, that those concerns could amount to the statutory grounds of misconduct [redacted] The case examiners consider that the social worker's fitness to practise could be found impaired in relation to regulatory concern 1, 3, 4 and 5 only

Reasoning

Facts

Context

The social worker is documented as qualifying as a social worker in June 2020. It is then said they were employed [redacted] for one year, where they completed three months of the Assessed and Supported Year in Employment (ASYE) programme. The social worker gained employment [redacted] n 15 November 2021 and commenced their ASYE programme. The social worker did not meet the requirements set in their probationary period [redacted] and their employment ended on 26 September 2022.

Between November 2021 and July 2022, whilst registered as a social worker:

1. You failed to complete work you were responsible for including case notes and/or assessments for service users in your caseload.

The case examiners have had sight of a range of documents, provided by the social worker's former employer. The documents include supervision records, interim probationary reports, management instruction, ASYE review documents and service user records.

There is a consistent theme, throughout all the documents pertaining to the social worker, that the employer had a wide range of concerns regarding their social work practice.

The concerns include managing and progressing cases, keeping accurate and up to date case records and evidencing decision making and professional judgment in their work.

The case examiners note that they do not have primary evidence by way of contemporaneous case records for each service user but are satisfied with the cogency of evidence provided, much of which contains case identifiers for the service users involved.

The regulatory concern cites a failure on the part of the social worker, in this case the failure to complete work they were responsible for completing. Therefore, the case examiners have turned their minds to what was required in the circumstances and assessed the evidence to see if it suggests the social worker adhered to this.

The case examiners have had sight of Care Act case note recording guidance, provided by the social worker's former employer. This guidance confirms the social worker's responsibility for recording and states: *'All recording must be included in the record within **two days of the event,** unless a specific Adult Care procedure includes a different time scale.'*

Furthermore, the case examiners have had sight of a management instruction which sets out formally concerns regarding the social worker's professional conduct and clear expectations. This document is dated 29 April 2022 and is from the social worker's team manager. The document covers a range of concerns including:

- *Not progressing your cases in line with agreed timescales set within supervision. My expectation is that if you are not able to complete a task you will let me know ahead of time why this is the case.*

- *Not completing assessments in a timely manner. For example, there are assessments which have taken 4 months to complete, I would expect that these were completed within 2 weeks.*

- *Not maintaining your case note recording within a timely manner. This is not in line with BCC recording policy which advises case notes should be recorded within 2 working days.*

The case examiners note the following examples:

Service User 1: Supervision record, dated 28 February 2022, records that no case notes had been recorded from 13 January 2022. This is recorded as remaining outstanding on 16 March 2022.

Service User 2: The social worker visited Service User 2 on 30 May 2022; however, no case notes were entered until 06 June 2022, well in excess of the guidance. The social worker is recorded as starting a Care Act Assessment on 01 June 2022 and this remained outstanding on 15 June 2022 when the manager reallocated the task.

Service User 3: A Care Act Assessment started on 28 January 2022 and is noted as being completed 05 April 2022, (sixty-eight days).

Service User 4: A Care Act Assessment was requested on 28 February 2022, and no progress was recorded by 16 March 2022 which resulted in the task being reallocated.

Service User 5: The social worker's first contact was on 24 February 2022, but this was not recorded until 06 March 2022. Two other social workers became involved and noted the lack of case notes. In addition, a Best Interests Assessment was required on 16 March 2022 and had not been completed by 30 May 2022.

Service User 6: This case was allocated to the social worker on 29 April 2022; no case notes were recorded until 19 May 2022.

Service User 7: The social worker visited to complete a Care Act Assessment on 09 May 2022, and this visit was not recorded on the case record until 23 May 2022. The Care Act Assessment was not completed until 06 July 2022.

The case examiners note that the social worker does not dispute the regulatory concern. Within their submissions, the social worker states: *'I understand that social workers are expected to act with integrity, maintain accurate records, be open and honest with managers, comply with employer policies and professional requirements, and take responsibility for their continuing professional development.'*

'I have also learned that professional responsibilities such as maintaining records, completing mandatory documentation and engaging with supervision are not simply administrative tasks. They are essential safeguards that demonstrate accountability, evidence competence and help ensure that service users receive safe and effective care. I now understand that failing to engage fully with these processes can undermine confidence in both the practitioner and the profession.'

The case examiners are satisfied that there is evidence which would suggest the social worker failed to complete work they were responsible for, including case notes and/or assessments for service users in their caseload.

The case examiners are satisfied there is a realistic prospect of this concern being found proven by adjudicators.

3. You told managers that tasks were in hand and/or had been completed, when this was not the case.

The case examiners have considered the evidence available and note that this concern centres on the social worker's involvement in the ASYE programme.

The case examiners note an email thread, dated 12 May 2022. The email details a direct observation, required as part of the ASYE programme. The social worker is recorded as having said to the ASYE Practice Lead they had completed the first section and were working on the second and it was agreed this would be emailed to the social worker's supervisors that morning.

In a reply email a practitioner offering mentoring to the social worker stated they had met with the social worker and in this meeting the social worker had informed them that they had booked the direct observation. The practitioner said, *'on further probing and discussion this was not accurate and (the social worker) knew very little about the case and informed me that she had not done any work whatsoever on planning or preparing for it.'*

A review of support and progressive assessment (RSPA) was held for the social worker's ASYE programme on 23 May 2022. Within the review it is documented that the social worker has previously told different practitioner, *'different things in relation to whether or not work has been undertaken.'* It is noted in the meeting record that the social worker *'admits that she was dishonest in relation to work undertaken.'*

The social worker does not dispute this concern and within their submissions to the regulator, states: *'I recognise that the public expects social workers to be honest, accountable and reliable in carrying out both their direct practice and their*

professional responsibilities. Where required work is not completed or submitted as expected, particularly after assurances that it has been completed, this has the potential to reduce public confidence in the profession because it may create the impression that professional responsibilities are not being taken seriously.

I understand that social workers are expected to act with integrity, maintain accurate records, be open and honest with managers, comply with employer policies and professional requirements, and take responsibility for their continuing professional development. The evidence indicates that I did not fully meet those expectations in relation to my ASYE documentation and engagement with the assessment process.

Rather than openly acknowledging that I was finding it difficult and seeking additional support at an earlier stage, I allowed the work to build up and failed to communicate effectively. In doing so, I made poor professional decisions, particularly by indicating that work had been completed when I was unable to provide the documentation when requested.'

Having considered the evidence available, the case examiners are satisfied there is a realistic prospect of this concern being found proven by adjudicators.

4. Your actions at Regulatory Concern 3 were dishonest.

In considering regulatory concern 4, the case examiners have applied the test for dishonesty, which consists of two parts – the subjective test and the objective test.

<u>The subjective test</u>

The subjective test requires the case examiners to assess the evidence to ascertain the social worker's actual 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.

In respect of the regulatory concern, the case examiners have therefore considered whether the evidence suggests that the social worker was aware they had to complete the ASYE direct observation task and, if so, whether they knew they had not completed it.

The case examiners are satisfied, having had sight of documentation pertaining to the social worker's ASYE programme that the expectations were clear, and this includes the direct observation referred to.

In an email from the ASYE Lead, dated 12 May 2022, there is an overview of a discussion held with the social worker setting out what was required of them prior to

their six month review, to be held on 21 June 2022. Within this email it states: *'Direct Observation – you advised that you completed the first section and are currently working on the second section. Again, as agreed please send this over to myself and (redacted) this morning.'*

The social worker, within their submissions to the regulator, states: *'Where required work is not completed or submitted as expected, particularly after assurances that it has been completed, this has the potential to reduce public confidence in the profession because it may create the impression that professional responsibilities are not being taken seriously.'*

'Rather than openly acknowledging that I was finding it difficult and seeking additional support at an earlier stage, I allowed the work to build up and failed to communicate effectively. In doing so, I made poor professional decisions, particularly by indicating that work had been completed when I was unable to provide the documentation when requested.'

From the information available, the case examiners are satisfied that adjudicators might reasonably conclude that the social worker was likely to have been aware of the need to complete the task aligned to the ASYE direct observation, after being told verbally and the instruction followed up in writing, and that they had not completed this task when informing practitioners that they had.

<u>The objective test</u>

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

The case examiners are satisfied that if it were to be determined that the social worker informed their supervisor and/or other practitioners that a task aligned to their ASYE had been completed when in fact they knew it had not, an ordinary decent person might consider it dishonest.

Accordingly, the case examiners are satisfied that there is a realistic prospect of regulatory concern 4 being found proven by adjudicators.

5. You failed to safeguard and/or respond to risk in relation to service users in your caseload:

a. Service User 5

The social worker was allocated Service User 5 on 17 February 2022. Their first contact with the family of Service User 5 was on 24 February 2022 but this was recorded on 06 March 2022.

Service User 5 had dementia and concerns included self-neglect, increasing forgetfulness, and anger towards family members suggesting they needed support.

A Mental Capacity Assessment (MCA) was undertaken with Service User 5, in the absence of the social worker, by a duty social worker. This assessment determined that Service User 5 lacked capacity to decide how their care needs should be met.

It is recorded that Service User 5's family member called on 12 April 2024 to cancel the package of care as Service User 5 was accusing them of forcing it against their will.

A further MCA was agreed in supervision to be undertaken on 29 April 2022. The assessment recorded by the social worker which is said to contain the same information as the first assessment but with a recommendation of removing the package of care, which was at odds with the content of the original assessment. The former employer states there was no recorded rationale as to why the package of care was removed. The assessment remained incomplete on 30 May 2022.

Within the social worker's ASYE RSPA, dated 23 March 2022 it is recorded:
'When discussing case work, I do not see that (the social worker) effectively prioritizes or identifies risk, for example when planning her previous direct observation, (Service User 5), (the social worker) had advised that this was low risk and the person may not want support – professionals had raised concerns that she had matted hair, they were unsure about her nutritional intake and that she had a cognitive impairment. Although this was not a safeguarding adults enquiry I would like to see consideration being given to risk throughout all work.'

b. Service User 2

The social worker was allocated Service User 2 after initially visiting them as a duty worker on 20 May 2022. Service User 2 is reported to have been self-neglecting, experiencing depression and expressing suicidal ideations.

There was no further action recorded on case notes until 14 June 2022 when the social worker contacted a family member.

There is no evidence that the social worker made any onward referral to mental health services, leaving Service User 2 at risk.

The case was reallocated and the new social worker noted no assessment had been started and there were no records of care and support referrals or support conversations.

c. Service User 8

Service User 8 had allegedly been subject to domestic abuse within their home. The social worker, within a supervision discussion on 28 January 2022 was instructed to explore Service User 8's ability to gain support and help, if required.

As of 11 February 2022, there had been no progress with this, and the social worker was instructed to prioritise the case. On 28 February 2022 no assessment had been completed with Service User 8.

The social worker had supervision on 16 March 2022, and they had not made any contact with Service User 8, as directed in January 2022. The case was subsequently reallocated due to the inaction.

The social worker's manager, within the RSPA on 23 March 2022, states:
'I have taken one safeguarding enquiry from (the social worker) as I am concerned that the situation has become dangerous by omission and although I had asked for this to be prioritized I have not seen any progress on this. There is potential that this may have led to people being left at unnecessary risk, I have not seen evidence that (the social worker) saw undertaking this piece of work as priority.'

As the regulatory concern cites a failure on the part of the social worker, the case examiners have turned their minds to what was required in the circumstances and assessed the evidence to see if it suggests the social worker adhered to this. In this case it is alleged that the social worker failed to safeguard and/or respond to risk, in relation to service users.

The case examiners are satisfied that a key tenet of social work is responding to risk and ensuring individuals are safeguarded. This is reflected in Social Work England's professional standards (2019), which include:

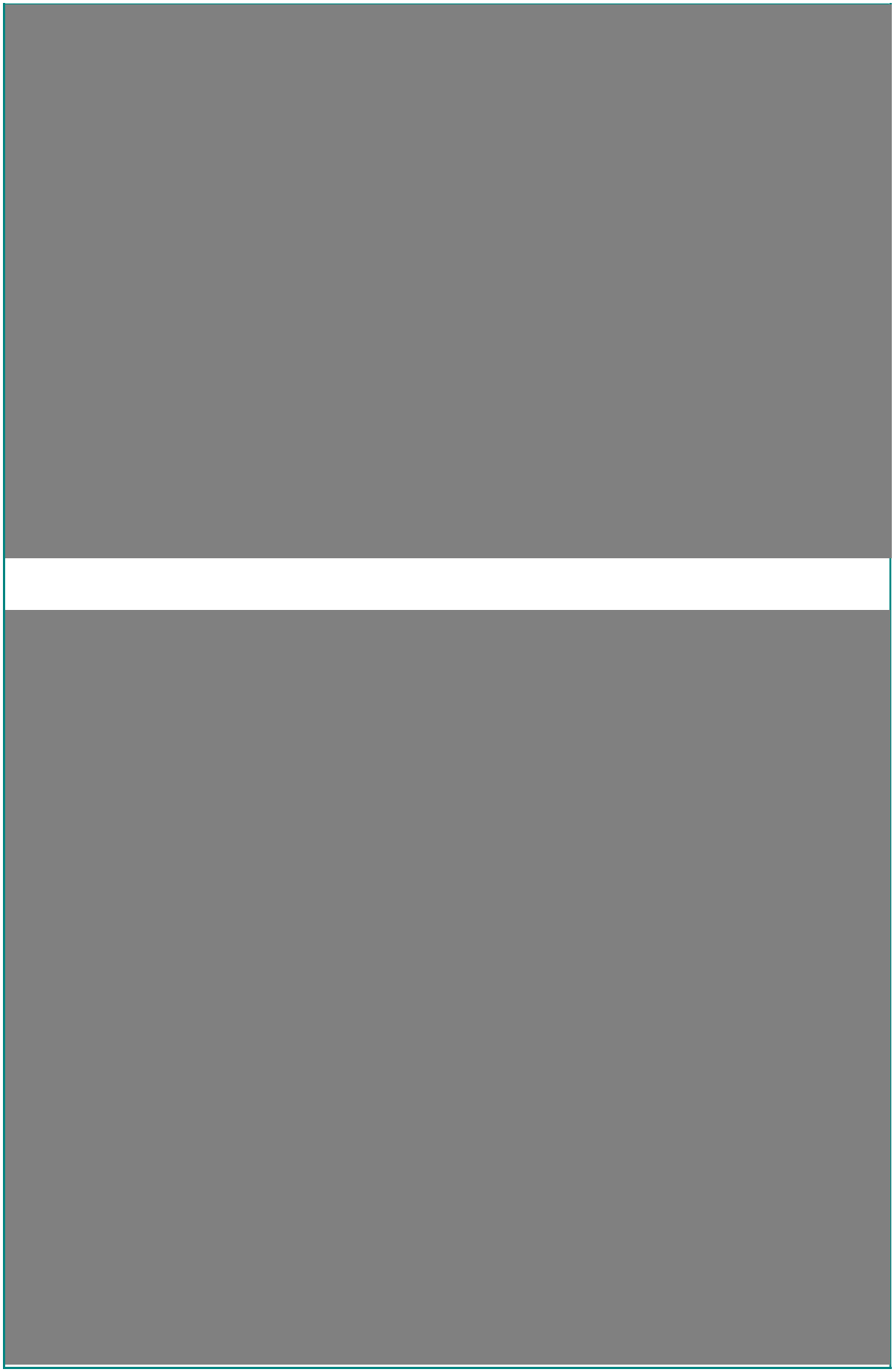
As a social worker, I will:

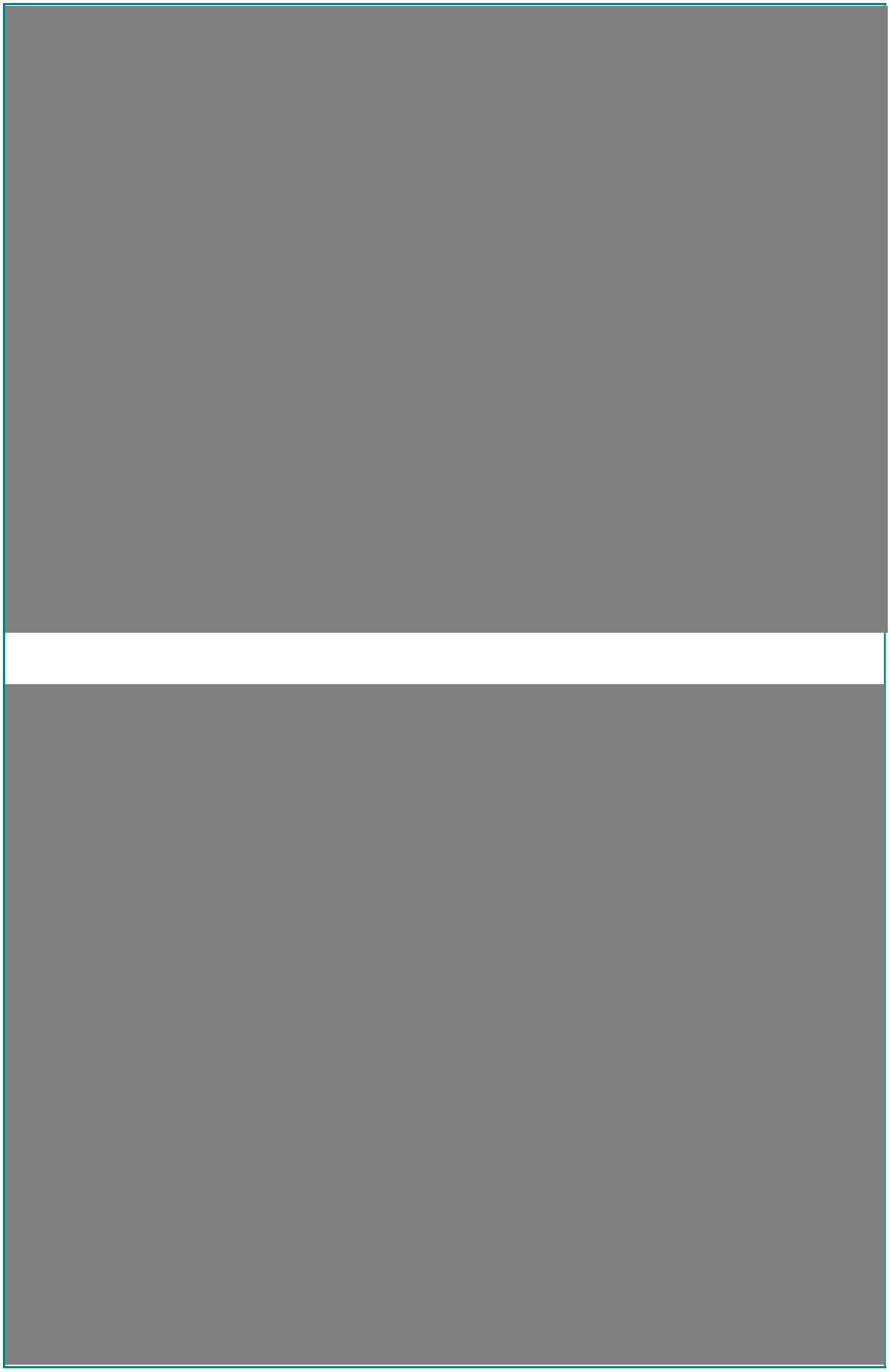
3.3 Apply my knowledge and skills to address the social care needs of individuals and their families commonly arising from physical and mental ill health, disability, substance misuse, abuse or neglect, to enhance quality of life and wellbeing.
3.4 Recognise the risk indicators of different forms of abuse and neglect and their impact on people, their families and their support networks.
3.12 Use my assessment skills to respond quickly to dangerous situations and take any necessary protective action.

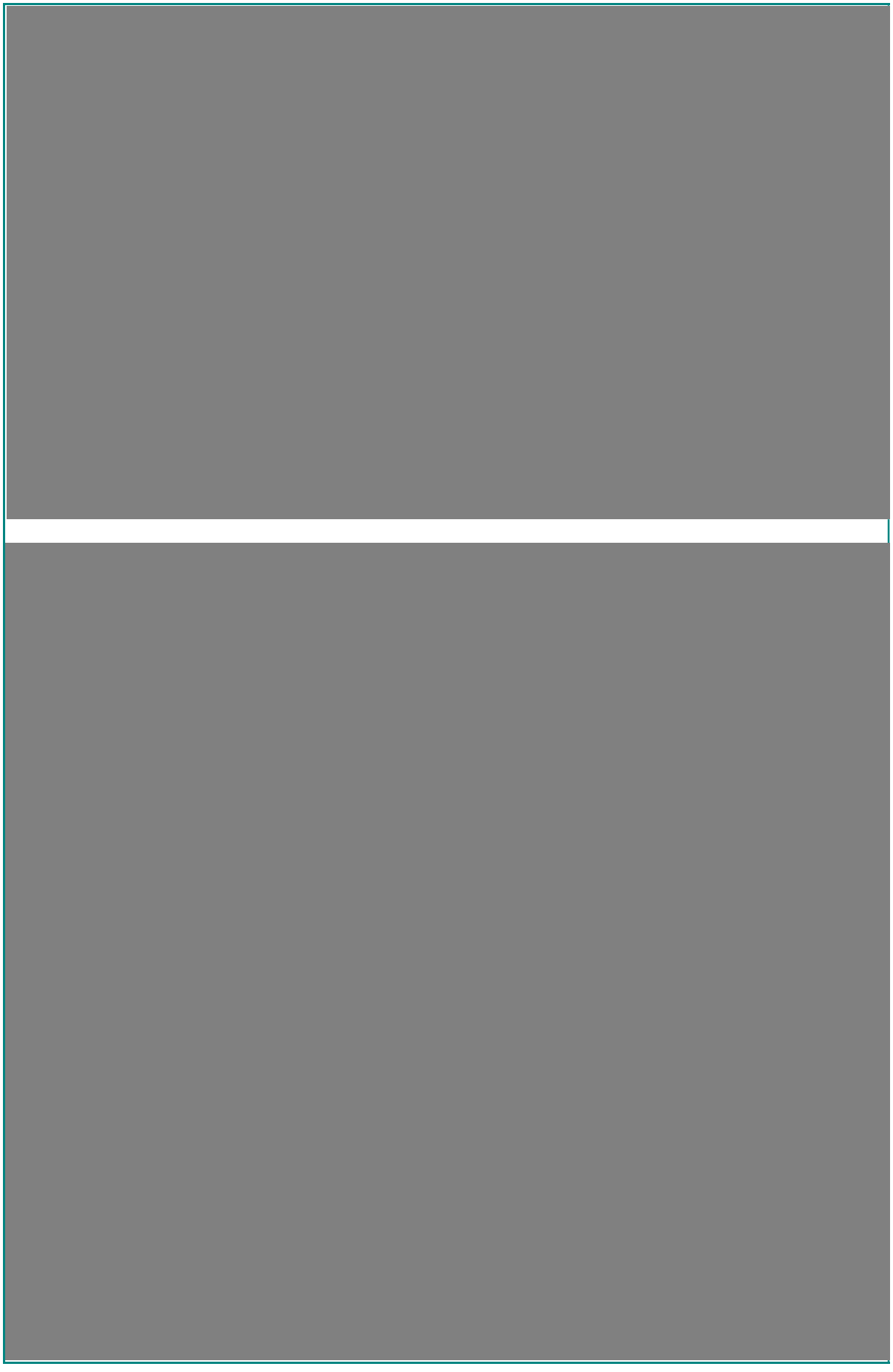
The case examiners consider that there is evidence that the social workers alleged inaction in relation to Service Users 5, 2 and 8 left them at risk. Therefore, having considered the evidence available, the case examiners are satisfied there is a realistic prospect of this concern being found proven by adjudicators.











[redacted]

[redacted] The case examiners consider there is substantial evidence of clear instruction and direction from the social worker's supervisor and ASYE professionals throughout the relevant period.

[redacted]

Misconduct

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 standards, which were applicable at the time of the concerns.

Social Work England: Professional standards (2019)

Establish and maintain the trust and confidence of people

As a social worker, I will:

2.1 Be open, honest, reliable and fair.

Be accountable for the quality of my practice and the decisions I make

As a social worker, I will:

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

3.9 Make sure that relevant colleagues and agencies are informed about identified risks and the outcomes and implications of assessments and decisions I make.

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

3.12 Use my assessment skills to respond quickly to dangerous situations and take any necessary protective action.

Act safely, respectfully and with professional integrity

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 the professional standards guidance on record keeping, which states:

'Maintaining accurate, clear, objective, and up-to-date records is an essential part of social work. 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. They can help to protect people and social workers.'

The case examiners consider it is reasonable to expect that the social worker understood the importance of undertaking social work tasks and making accurate records. Consideration has been given to the social worker being on the ASYE programme and having less experience, however completing directed tasks and case records being up to date and accurate is a basic fundamental requirement in social work. The case examiners consider there is evidence in the ASYE documentation that this was repeatedly made clear to the social worker even at this early stage in their career.

Social workers are expected to keep accurate, up to date records to help those involved in the provision of care make informed decisions, analyse risk and be fully aware of contact which has been made. Where record keeping/case notes/assessments are not accurate, this creates a risk that decisions will be made that do not appropriately respond to the risk in the case and individuals are left vulnerable to harm.

The case examiners note Social Work England's professional standards guidance which states: *'Social workers have a responsibility to stay alert to and investigate suspected harm, neglect or abuse and, where risk has been identified, agree plans to address it urgently.'*

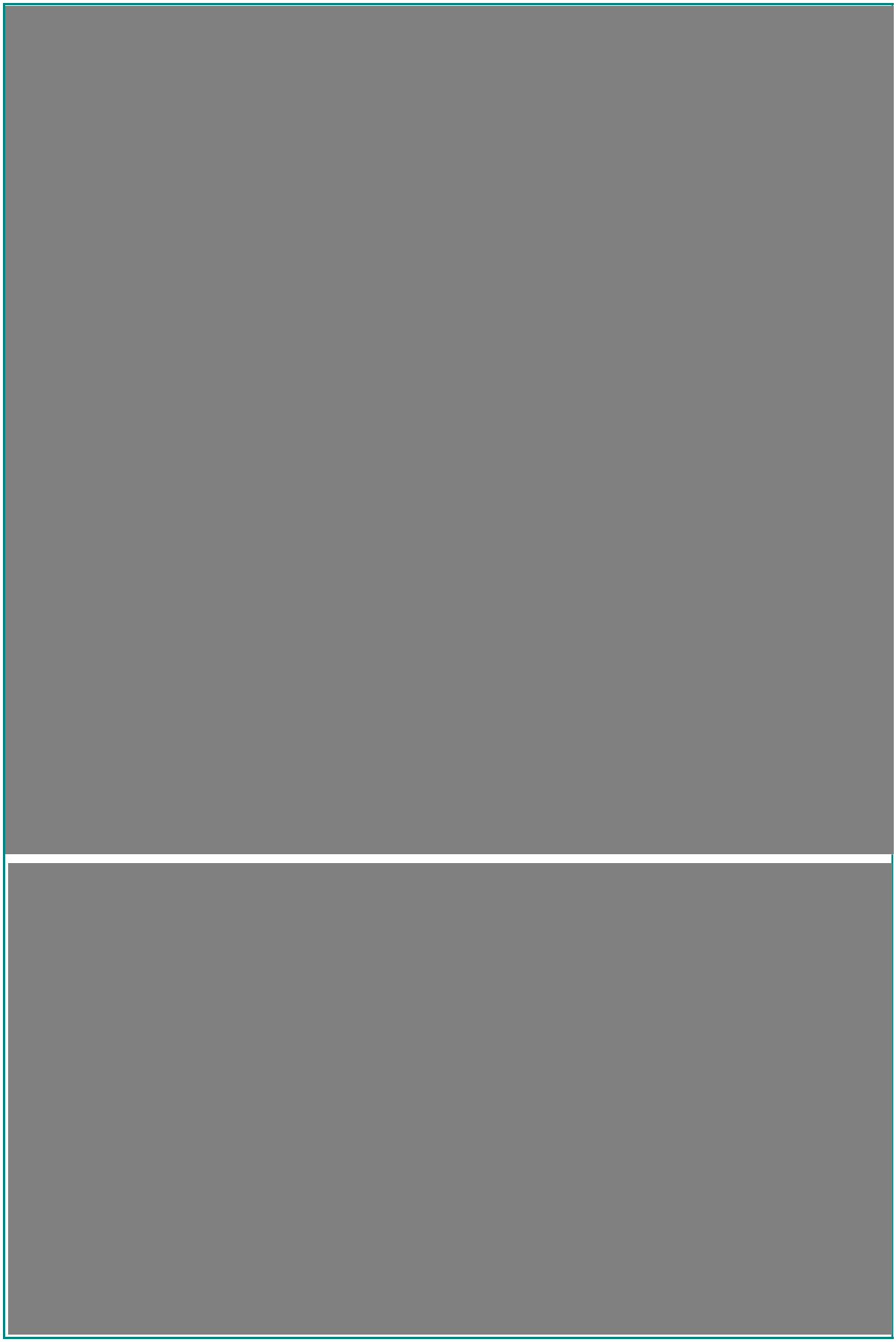
In this case the social worker had responsibility, as the allocated social worker for a vulnerable client group, to ensure that they recognised and responded to risk. From the evidence available it would suggest the social worker failed to do this on a number of different occasions, outlined within the regulatory concerns, even when directed by management.

If matters were to be found proven, the case examiners are satisfied that it is likely to suggest a significant departure from the professional standards, as detailed above. They are satisfied the apparent lack of action in respect of the risks outlined could have left individuals at risk of harm.

The case examiners also considered the allegation of dishonesty at regulatory concern 4 and whether this could be found to amount to the statutory ground of misconduct. The case examiners consider that honesty and transparency is fundamental to safe social work and confidence in the social work profession. The case examiners consider that as the social worker has admitted being dishonest this represents a departure from professional standard 2.1. They then considered whether this was a significant departure. They note that the alleged dishonesty relates to inaccurate information given to their manager and ASYE professionals in the course of completing ASYE documentation. Whilst the case examiners acknowledge that the alleged dishonesty was apparently admitted at an early opportunity, they note their guidance which emphasises that cases involving dishonesty are likely to be viewed as serious. Therefore, the case examiners consider there was a departure from the professional standards in relation to regulatory concern 4.

As such, the case examiners are satisfied there is a realistic prospect of adjudicators finding the regulatory concerns amount to misconduct.





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 consider that the conduct before the regulator, while serious, can be remedied. In their view, the alleged conduct is not fundamentally incompatible with continued registration, and the case examiners consider that the social worker could remediate by demonstrating insight and reflection into the circumstances and seriousness of their alleged misconduct and providing evidence of remediation.

Whilst the case examiners note their guidance is clear that concerns that raise questions of character (such as dishonesty) may be harder to remediate, due to it being more difficult to produce objective evidence of reformed character, that is not to say that remediation is insurmountable.

The dishonesty, in this case, aligns to the completion of a task within the ASYE programme. Whilst this does not mitigate the concern, it affirms the context of it not being evidenced in frontline practice where it may present a risk to the public. The case examiners also consider the dishonesty was limited and admitted at an early opportunity. Therefore, they are not satisfied this represents a prolonged attitudinal concern in this case.

Insight and remediation

The social worker, within their submissions to the regulator is able to identify the issues before the regulator and accepts the concerns. They are open to, and identify the need for additional support, should they return to social work practice.

The case examiners, having considered the social worker's submissions, identified that whilst they acknowledge the concerns this appears to be at a basic level and the submissions lack any depth as to how the social worker would change their practice in the future to avoid repetition. For example, they appear to consider that the concerns relate to a failure to demonstrate evidence of good practice during their ASYE, rather than fundamental concerns about the standard of their practice. They state:

'Over time, my understanding of the concerns has changed. Initially, I viewed the issue primarily as one of outstanding paperwork and deadlines. Looking back, I now recognise that it was about much more than incomplete documentation. The ASYE process is designed to evidence competence, support professional development and ensure that newly qualified social workers are practising safely. By not providing the required documents when requested, I prevented my assessor from being able to monitor my progress effectively and created uncertainty about whether I was meeting the standards expected of me.'

The case examiners note that as the social worker has been suspended there is no evidence of remediation through strengthened practice in a social work role. Whilst the social worker has provided some training certificates, the case examiners consider the social worker has not had an opportunity to put this learning into practice.

The social worker has also focussed on their health within their submissions, however, from the evidence available, health, whilst it may have had an impact, would not account, in full, for the professional conduct before the regulator.

The case examiners note a high level of managerial support provided to the social worker and a number of opportunities presented to the social worker to raise issues and address the concerns.

The social worker reports a feeling of being overwhelmed with case work and the ASYE programme, which they state led them to say they had completed an ASYE task when in fact this was outstanding.

The social worker has demonstrated their ability to manage their health through sick leave and has now identified that longer periods of absence would be required for this to be wholly effective.

Risk of repetition

The case examiners have considered the social worker's conduct and their health independently with regards to risk of repetition.

With regards to the social worker's conduct, the case examiners consider that whilst the social worker accepts the concerns there is developing insight, at this time, and no evidence of remediation. Therefore, the risk of repetition would remain.

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.

Regulatory concerns 1, 3, 4, and 5

The case examiners are of the view that a fully informed member of the public would be concerned that a social worker had failed to complete work pertaining to service users and failed to safeguard service users, as outlined above.

If the concerns were to be found proven by adjudicators, the case examiners are of the view that a member of the public would consider the alleged conduct of the

social worker to be serious and would expect a finding of impairment to be made, together with an appropriate sanction.

The case examiners are therefore satisfied that there is a realistic prospect of adjudicators finding the social worker's fitness to practise 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 accepts the key underlining facts.

While the social worker has not indicated whether they do consider themselves to be currently impaired, the case examiners' decision and proposal will allow the social worker to review the case examiners' reasoning on facts and 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 disagree with the case examiner's findings of facts, grounds and impairment.

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.

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	☒

Interim order
An interim suspension order is already in effect.

Accepted disposal

Case outcome		
Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☐
	Conditions of practice order	☒
	Suspension order	☐
	Removal order	☐
Proposed duration	2 years	

Reasoning

Having found a realistic prospect that the social worker's fitness to practise is currently impaired, the case examiners then considered what, if any, sanction they should propose in this case. The case examiners have taken into account the sanctions guidance and health concerns guidance published by Social Work England. They are reminded that a sanction is not intended to be punitive but may have a punitive effect and have borne in mind the principle of proportionality and fairness in determining the appropriate sanction.

The case examiners are also mindful that the purpose of any sanction is to protect the public which includes maintaining public confidence in the profession and Social Work England as its regulator and upholding proper standards of conduct and behaviour.

The case examiners have taken into account the principle of proportionality by weighing the social worker's interests with the public interest when considering each available sanction in ascending order of severity.

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

<u>No further action, advice and warning order</u>

The case examiners consider that the outcomes of no further action, advice, and warning order would be insufficient in this case. In reaching this conclusion, they reminded themselves that the regulator's guidance is clear that all three outcomes, which offer no restriction to a social worker's practice, are not appropriate where a risk of repetition remains.

Conditions of practice order

With reference to the regulator's sanctions guidance, the case examiners note the following:

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 are satisfied that all five criteria apply in this case. The social worker has demonstrated some insight, and the case examiners consider the matters before the regulator to be capable of remedy through appropriate training, development and oversight. There are appropriate conditions of practice that the case examiners could propose in order to satisfy this goal, and the case examiners are confident that the social worker could and would comply with any such conditions. Whilst the case examiners note there is alleged dishonesty in this case, they have already explained that this was limited and admitted at an early opportunity. They therefore do not consider this would preclude them from offering a conditions of practice order in this case.

In order to test their thinking, the case examiners considered whether a suspension order might be necessary, in order to protect the public from harm (i.e. the final criterion). The case examiners are satisfied, however, that a conditions of practice order would provide sufficient oversight of the social worker's practice, in order to ensure that the public is protected from harm. The case examiners would ensure that any conditions of practice proposed would include an appropriate degree of oversight of the social worker's practice, along with opportunity for the social worker to further develop and evidence their knowledge and understanding of risk.

Length of the conditions of practice order

Having determined that a conditions of practice order is the minimum necessary outcome to protect the public, the case examiners have gone on to consider the length of the order.

The regulator's sanctions guidance is clear that case examiners can impose conditions of practice on a social worker's registration for up to 3 years at a time. The guidance asks that case examiners consider all information available and decide on an appropriate and proportionate length of the order. The length of time conditions of practice orders are in place should be long enough for the social worker to complete any necessary remediation.

The case examiners considered that in this case, a 2 year order is likely to be sufficient for the social worker to further develop their knowledge through training and apply learning in practice. A 2 year order would also provide an appropriate timescale for the regulator to oversee the social worker's practice.

The case examiners have decided to propose to the social worker a conditions of practice order of 2 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 28 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 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. You must only work as a social worker at an establishment where at least 2 other social workers are employed at any one time and are working daily.

4. You must not be responsible for the work of any other social worker or student social worker.

5(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).

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

6. 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.

7. 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.

8. 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.

9. 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.

10(a). You must not work for an agency, as a locum or undertake out-of-hours work or on-call duties without the prior written agreement of your [workplace supervisor/reporter].

10(b). You must provide the written agreement from your [workplace supervisor/reporter] to Social Work England at least 24 hours prior to any agency, locum, out-of-hours or on-call duties commencing.

11. 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).

12. 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;

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

13. 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.

14(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 close 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).

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

15. 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.

16. 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 (15), 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.

Response from the social worker

The social worker responded on 03 September 2026 and returned the accepted disposal response confirming: *'I have read the case examiners' decision and the accepted disposal guidance. I admit the key facts set out in the case examiners 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 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 restrictions on practice, rather than through a public hearing. They proposed a conditions of practice order of two years and the social worker accepted this proposal.

In light of the social worker's acceptance of the conditions of practice order, 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 conditions of practice order 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 two years is a fair and proportionate disposal and is the minimum necessary to protect the public and the wider public interest.

The case examiners note there is currently an interim order of suspension in place, which should now be revoked and replaced with a substantive conditions of practice order.