Case Examiner Decision
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SW53521
FTPS-23888

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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	26 August 2026
	Accepted disposal proposed - warning order (3 years)
Final outcome	16 September 2026
	Warning order (3 years)

Executive summary

The case examiners have reached the following conclusions:

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

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

3. For regulatory concerns 1a, 1b and 1c there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

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

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

As such, the case examiners requested that the social worker be notified of their intention to resolve the case with a warning order of 3 years duration.

The social worker accepted the case examiners proposed accepted disposal on 16 September 2026.

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.

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	15 August 2024
Complaint summary	The complainant alleges that the social worker failed to appropriately respond to a safeguarding concern regarding Child A.

Regulatory concerns

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

While registered as a social worker:

1. Between 16 July 2024 and 22 July 2024, you failed to fully safeguard service users, in that you:

   a) Gave inappropriate direction to a social worker, in respect of Child A

   b) Failed to call or ensure that a strategy meeting was called for Child A in line with required procedures

   c) Failed to make appropriate records and/or ensure appropriate records were being made in respect of Child A

Grounds of impairment:

The matter outlined at regulatory concern 1 amounts to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct.

Preliminary issues

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

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

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

1. Between 16 July 2024 and 22 July 2024, you failed to ~~fully~~ safeguard ~~service users~~ Child A, in that you:

The case examiners note that the concerns refer to the social worker's conduct in relation to the case of Child A only. Therefore, they consider the above amendments more accurately reflect the allegations made against the social worker. The case examiners are satisfied that the amendments they have made are minor, and only focus the concern, therefore they considered it to be unnecessary and disproportionate to delay consideration of the case further by seeking additional submissions from the social worker.

The realistic prospect test

Fitness to practise history

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

Decision summary

Is there a realistic prospect of the adjudicators finding the social worker's fitness to practise is impaired?	Yes	☒
	No	☐

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

Reasoning

Facts

1. Between 16 July 2024 and 22 July 2024, you failed to safeguard Child A, in that you:

    a) Gave inappropriate direction to a social worker, in respect of Child A

    b) Failed to call or ensure that a strategy meeting was called for Child A in line with required procedures

    c) Failed to make appropriate records and/or ensure appropriate records were being made in respect of Child A

The case examiners have considered regulatory concerns 1a, 1b and 1c together as they are drawn from the same evidence. They note that at the relevant time the social worker was employed as a team manager within the adolescent safeguarding

service. The social worker managed Social Worker O ("SWO") who was allocated to the case of Child A who was under a Child in Need plan ("CIN").

The case examiners have seen the initial referral, which states:

"...a serious disclosure of physical abuse had been made by Child A on Tuesday 16th July 2024 to school and no appropriate action had been taken by [SWO] or the social worker who became aware of this at 4pm. Child A remained in the care of [their] father until a further significant incident occurred on Thursday 18th July 2024. No action was taken again at this point leaving Mother to make the decision to take Child A into her care at the end of the school day on 18th, to inform Police of the allegation and take them to hospital to seek medical attention".

The case examiners have seen Child A's case file and note that this was not updated by the social worker until Sunday 21 July 2024. The case examiners consider this is evidence that no direction to SWO was recorded regarding the disclosure.

The case examiners note that the complainant spoke with SWO following the incident. SWO states that they notified the social worker of the safeguarding disclosure when they saw it at 4pm on Tuesday 16 July 2024. SWO states the social worker told them to follow up the next day. SWO states that they visited Child A at school on Wednesday 17 July 2024 and Child A did not repeat the allegation of harm against their father. SWO states they updated the social worker who said that as Child A hadn't repeated the allegation, they didn't need to do anything right now but would need a strategy discussion. SWO states that following the further disclosure of harm on Thursday 18 July, the social worker told them to put in the strategy referral and to try to find other people to look after Child A. Child A was released into their mother's care and SWO made a safety plan with the mother.

In their initial comments dated 5 March 2025, the social worker states that they were forwarded the email with the safeguarding disclosure at 4pm on the day the email was received from the school (Tuesday 16 July 2024). The social worker states they advised SWO to follow this up and explore a safety plan for Child A. The social worker states that on Wednesday 17 July 2024 SWO visited Child A and there was no allegation of physical abuse. At this point they state they advised the social worker to book a strategy meeting, but there was not availability for a strategy meeting immediately available. The social worker submits that they should have sought assistance from senior managers at a much earlier stage when they were "having challenges with booking the strategy meeting".

In relation to regulatory concern 1a, the case examiners consider there is no record of direction given to SWO following the safeguarding disclosure made by Child A on Tuesday 16 July 2024. Whilst the social worker states they told SWO to follow up the

disclosure there is no evidence in the case notes that any immediate action was directed. The case examiners note that when management oversight was recorded on Sunday 21 July 2024 the analysis was limited, with the social worker stating only that SWO should visit Child A with no timeframe as to when this should be done or any other safeguarding action to be taken.

The case examiners note the practice standards, provided by the complainant, they state: 'Management oversight and decision making should be routinely recorded on a child's file to ensure that there is evidence of clear direction, timely and defensible decision making.' 'Decisions and oversight will be recorded within one working day.' As there is no evidence of direction given to SWO by the social worker at the time of the disclosure on 16 July 2024, the case examiners consider this did not adhere to the practice standards set by the employer and therefore, there is a realistic prospect of adjudicators finding regulatory concern 1a proven.

In relation to regulatory concern 1b, the case examiners have had regard to the required procedures for requesting a strategy discussion. They have seen the local authority's practice standards which clearly state that for children in need of protection:

"Wherever there is cause to suspect that a child is suffering, or is likely to suffer significant harm, a strategy discussion will be held within 24 hours".

The standards also state that this is the social work manager's role.

The case examiners have seen the email from the school on Tuesday 16 July 2024 which records Child A's disclosure. It states:



The case examiners consider that this evidence suggests that Child A was suffering or likely to suffer significant harm. Therefore, there was a requirement for a strategy

discussion to be held within 24 hours of receipt of the disclosure on Tuesday 16 July 2024.

The case examiners have seen an email dated Thursday 18 July 2024 with the request for the strategy meeting which was sent by SWO. Therefore, the evidence suggests the social worker did not submit the request for the strategy meeting within 24 hours of the disclosure made on Tuesday 16 July 2024. In light of this information, the case examiners consider there is a realistic prospect of adjudicators finding regulatory concern 1b proven.

In relation to regulatory concern 1c, the case examiners have seen local authority practice standards which state that case notes should be updated within 24 hours if the information is urgent. The case examiners consider this was required in this case given the information relates to a safeguarding disclosure.

The case examiners have seen the relevant case file. They note that the social worker did not add oversight notes to the file until Sunday 21 July 2024. The case notes that were added are limited in nature for instance:

Thursday 18 July 2024 – Management oversight – strategy discussion

"Strategy discussion request form was sent to PPU on 18/07/2024, 1123 hrs".

As earlier stated in this decision, the case examiners note that when management oversight was recorded on Sunday 21 July 2024, in relation to the initial safeguarding disclosure, the analysis was limited, with the social worker stating only that SWO should visit Child A with no indication of when this should be done or any other safeguarding action to be taken. As the case notes were not updated within 24 hours as per the local authority standards, the case examiners consider there is a realistic prospect of adjudicators finding regulatory concern 1c proven.

Given the overarching concern was a failure to safeguard, the case examiners have turned their mind to what was reasonably expected of the social worker in the circumstances. In this case the steps to be taken by the social worker, in the role of team manager, when presented with safeguarding concerns, were outlined in the former employer's practice standards. The evidence available would suggest the social worker did not follow the practice standards, and as such, Child A was left at risk of harm.

In light of all this information, the case examiners consider there is a realistic prospect of adjudicators finding regulatory concern 1 proven in its entirety.

Grounds

The case examiners are aware that there is no legal definition of misconduct, but it generally would consist of serious acts or omissions, which suggest a significant departure from what would be expected of the social worker in the circumstances. This can include conduct that takes place in the exercise of professional practice, and also conduct which occurs outside the exercise of professional practice but calls into question the suitability of the person to work as a social worker.

To help them decide if the evidence suggests a significant departure from what would be expected in the circumstances, the case examiners have considered the following professional standards, which were applicable at the time of the concerns:

As a social worker, I will:

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

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

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

The case examiners note that they have found a realistic prospect that the social worker failed to safeguard Child A when they provided inappropriate direction to SWO, failed to arrange a strategy meeting and to record appropriate records as required. The case examiners consider this to be a serious case as it relates to adequate safeguarding of a child who was identified as at risk of harm. They consider that the professional standards clearly set out that social workers should complete work as assigned, maintain up to date records and respond appropriately to risk. Therefore, the case examiners consider there has been a clear departure from the above professional standards.

The case examiners then considered whether there has been a significant departure from the professional standards. They note that the regulatory concerns relate specifically to Child A only. They consider the conduct is therefore limited in nature. However, the case examiners are of the view there were several points at which the social worker failed to take necessary action to safeguard Child A. They also note there was a significant risk of harm which was then realised. The case examiners note that the importance of keeping up to date records is made clear in this case, when concerns were reported to the Emergency Duty Team and there was no clear record of any action that had been taken, and if no action was taken, the reasoning as to why. The case examiners have seen the social worker's submission regarding the number of cases they were overseeing and the staff shortages within the team. However, given the risk of the safeguarding concern and the repeated lack of action

in relation to Child A, the case examiners do not consider the immediate working environment provides complete mitigation of the concerns. Therefore, the case examiners consider there has been a significant departure from the professional standards in this case.

Accordingly, the case examiners are satisfied there is a realistic prospect of adjudicators finding the statutory ground of misconduct is engaged.

Impairment

Assessment of impairment consists of two elements:

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

Personal element

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

Whether the conduct can be easily remedied

The case examiners note there is no adverse fitness to practise history. They consider that whilst the concerns are serious, they are limited in nature. The case examiners, note that there is reference in the evidence to the social worker being under a performance improvement plan at the time of the alleged conduct. However, from the evidence before them they consider these relate to management of personnel in the context of high caseloads and high staff turnover rather than practice concerns. The case examiners also note that the evidence does not suggest the conduct relates to the social worker's character or attitude and therefore they consider it is highly capable of remediation.

Insight and remediation

The case examiners note there was harm in this case and that the social worker allegedly did not act on a significant risk of harm. They note the social worker states:

"I do accept that the response to the incident should have been better than what happened and decision process quicker. What transpired was regrettable and not how I would have performed under normal circumstances".

The social worker admits the key facts and has given their account of what went wrong and specifically states that they should have escalated matters to their manager when they were unable to secure a strategy meeting. In this way the case examiners consider the social worker has accepted their role and responsibilities and appears to appreciate what could and should have been done differently.

The case examiners note that their guidance states remediation is best shown by objective evidence. For instance, through the successful completion of education or training courses, satisfactory performance appraisals or other positive feedback in relation to their professional practice. The case examiners consider that in the circumstances the social worker has been unable to provide evidence of remediation as they have been unable to secure a position following their dismissal from the local authority. The case examiners note that in lieu of up to date practice information the social worker has submitted that they "continue to read current publications on safeguarding children and have continued my learning and reflection journey through this".

Risk of repetition

The case examiners consider the social worker has demonstrated insight into the alleged conduct. However, they have not been provided with evidence of remediation as the social worker is not currently practicing. Therefore, the case examiners consider there remains a risk of repetition.

Public element

The case examiners have next considered whether the social worker's actions have the potential to undermine public confidence in the social work profession, or the maintenance of proper standards for social workers.

The case examiners note their guidance states that some concerns are so serious that if proven, a finding of impairment is likely because the conduct could undermine public confidence in the profession and fail to maintain professional standards for social workers.

The case examiners consider that regulatory concerns regarding safeguarding of children go to the heart of public confidence in the social work profession. They have the potential to undermine the public's trust in social workers and to undermine the professional standards. As such, it is likely the public would expect that a finding of

current impairment is made by adjudicators to maintain public confidence in the regulation of the profession. Therefore, the case examiners consider that this is a case where a finding of impairment may be required to ensure public confidence in the profession and the maintenance of professional standards.

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

The public interest

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

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

Additional reasoning

The case examiners have concluded that the public interest in this case is engaged. However, they are satisfied that this interest may be appropriately fulfilled by virtue of the accepted disposal process.

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

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

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

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

- There is no conflict in the evidence in this case, and the social worker accepts all of the key facts.

- The case examiners recognise that not all professionals will have a clear understanding of how and when the public interest may be engaged, or how exactly this might impact upon findings concerning current fitness to practise.

- The accepted disposal process will provide the social worker an opportunity to review the case examiners' reasoning on impairment and reflect on whether they are able to accept a finding of impairment. It is open to the social worker to reject any accepted disposal proposal and request a hearing if they wish to explore the question of impairment in more detail.

The case examiners are also of the view that the public would be satisfied to see the regulator take prompt, firm action in this case, with the publication of an accepted disposal decision providing a steer to the public and the profession on the importance of adhering to the professional standards expected of social workers in England.

Accepted disposal

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

Reasoning

No further action

The guidance suggests no further action is only applicable in exceptional circumstances. The case examiners are satisfied that in this case the mitigating factors, namely the social worker's high caseload, do not amount to exceptional circumstances. They consider a finding of no further action would be insufficient to maintain public confidence and to mark the seriousness with which the case examiners view the alleged conduct.

Advice

An advice order will normally set out the steps a social worker should take to address the behaviour that led to the regulatory proceedings. The case examiners consider that whilst they could offer advice to prevent this situation arising again, this would not be sufficient to mark the seriousness of the social worker's failure to take appropriate action in relation to a safeguarding concern.

Warning order

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

The case examiners acknowledge that where a risk of repetition is identified, the guidance leads them to consider restrictive sanctions. However, the case examiners consider they must carefully balance this guidance with their duty to impose the least restrictive sanction which could maintain public confidence in the profession and the maintenance of social work standards. In this case, the case examiners consider it is appropriate to go outside of the guidance because the conduct is specifically limited to one case in a context of a team with caseloads as high as 35 cases per social worker. The case examiners consider the social worker has demonstrated insight into the concerns and are of the view that whilst the alleged conduct is serious, there is no evidence to suggest that it is linked to any wider concerns about the social worker's knowledge or practice They also consider there is no evidence to suggest there are concerns about the social worker's attitude or character.

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

Length of warning order

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

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

The case examiners have considered the length of time for the published warning and consider 3 years to be proportionate in this case. The case examiners consider that a period of 3 years is appropriate in the circumstances to maintain public confidence and to send a message to the public, the profession and the social worker about the standards expected from social workers. This period will also provide the social worker with an opportunity to fully address the risk of repetition. The case examiners did not feel that the matter was of low seriousness, so 1 year was not appropriate. The case examiners do not consider that the matter fell marginally short of the need to restrict practice, given it was not linked to wider practice concerns, and therefore consider 5 years would be disproportionate.

Conditions of practice/Suspension

To test their thinking, the case examiners went on to consider whether conditions of practice or suspension could be appropriate sanctions in this case. They consider that whilst the concerns do directly relate to the social worker's practice, they have established there is a realistic prospect of finding this engages the statutory ground of misconduct and that there has been no evidence to suggest a lack of competence or capability on the social worker's part. The case examiners consider that conditions of practice are more suited to cases of lack of competence or capability than limited practice concerns which may engage the statutory ground of misconduct.

The case examiners consider that suspension from the register would be a disproportionate and punitive outcome in this case given the concerns were limited to one case in a team with particularly high caseloads and documented staffing shortages.

The case examiners are therefore satisfied that a 3 year warning order is the appropriate outcome in this case.

Conclusion

The case examiners have decided to propose to the social worker a warning order of 3 years duration. They will now notify the social worker of their intention and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered 14 days to respond. If the social worker does not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

Content of the warning

The case examiners formally warn the social worker as follows:

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

The case examiners warn the social worker:

Social workers have a responsibility to respond to safeguarding concerns where a person may have suffered or be at risk of suffering significant harm. It is imperative that they maintain focus on the person at risk of harm, ensuring the correct process

is followed, and safeguarding concerns are addressed in full, despite any competing demands.

The case examiners particularly remind the social worker of the following Social Work England professional standards (2019):

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.

3.11 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.

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

Response from the social worker

The social worker responded to the case examiners proposal on 16 September 2026:

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

Case examiners’ response and final decision

The case examiners have reviewed the social worker’s response. They have again considered the public interest in this matter and, as they have not been presented with any new evidence which may change their previous assessment, they remain satisfied that the public interest in this case may be fulfilled through the accepted disposal process.

The case examiners therefore direct that the regulator enact a warning order of 3 years duration.