Case Examiner Decision
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FTPS-24307

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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	4 September 2026
	Accepted disposal proposed - removal order
Final outcome	21 September 2026
	Accepted disposal – removal order

Executive summary

The case examiners note that in accordance with paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018), there is a realistic prospect that adjudicators would determine that the social worker's fitness to practise is impaired.

This relates to cases where a social worker has received a custodial sentence (including a suspended sentence) having been convicted of a criminal offence. Normally, whilst case examiners are required to apply the realistic prospect test in order to reach a determination on impairment, when the above-mentioned section of the regulations is engaged this test is not necessary. This is because the conclusion of there being a realistic prospect of a finding of impairment is automatic, as it is deemed that criminal matters of such seriousness as to require time in custody are likely to engage the public interest and therefore there is a realistic prospect of adjudicators concluding that the social worker's fitness to practise is impaired.

In accordance with the regulations, the case examiners therefore commenced their decision making by considering whether there is a public interest in referring this case to a hearing.

The case examiners do not consider it to be in the public interest for the matter to be referred to a final hearing and they are satisfied that the case can 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 removal order.

The social worker has accepted this proposal.

In summary:

There is a realistic prospect of regulatory concern 1 being found proven by the adjudicators, that this amounts to the statutory ground of a conviction or caution in the United Kingdom for a criminal offence and 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 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.

The complaint and our regulatory concerns

The initial complaint	
The complainant	The complaint was raised by the social worker's former employer, Lancashire County Council
Date the complaint was received	20 March 2025
Complaint summary	The social worker's former employer advised that the social worker had been arrested and charged in relation to a serious violent incident [redacted]

Regulatory concerns

Whilst registered as a social worker:

1) On 16 May 2025 at Preston Crown Court, you were convicted of a criminal offence of assault occasioning in actual bodily harm contrary to section 47 of the offences against persons act 1861.

The matters outlined in regulatory concern 1 amount to the statutory grounds of a conviction or caution in the UK for a criminal offence.

Your fitness to practise is impaired by reason of a conviction or caution in the UK for a criminal offence.

Preliminary issues

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

The realistic prospect test

Fitness to practise history

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

Decision summary

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

The case examiners have established that in accordance with paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018), there is a realistic prospect that adjudicators would determine that the social worker's fitness to practise is impaired.

Reasoning

As detailed above, the case examiners are not required to apply the realistic prospect test in cases where Paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018) applies. As such, there is no need to establish if the facts could be found proven, if the statutory ground of a conviction or caution in the United Kingdom for a criminal offence is engaged, or if the social worker is currently impaired.

To demonstrate why this is the case, the wording of the regulations is as follows:

(2) Where a question arises as to whether a social worker's fitness to practise is impaired—

(a) as a result of them having been convicted of an offence in respect of which a custodial sentence has been imposed, other than a listed offence, there are reasonable grounds for investigating whether the social worker's fitness to practise is

impaired, and there is a realistic prospect that adjudicators would determine that the social worker's fitness to practise is impaired.

The case examiners consider the above regulation is applicable in this case because the social worker was sentenced with 25 weeks imprisonment suspended for 2 years.

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 it is in the public interest to refer this case to a fitness to practise hearing. They have identified no conflict in the evidence and note that the social worker accepts the key facts.

The case examiners are satisfied that the case can be appropriately concluded by way of accepted disposal. They consider that the proposed agreed outcome, together with the publication of the decision and reasons on Social Work England's website, is sufficient to maintain public confidence in the profession and its regulation. The case examiners are satisfied that the public will be reassured that the concerns have been addressed robustly and proportionately, without the need for a public hearing.

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	Where a social worker is removed from the register, there is no defined end to the finding of impairment. A social worker that has been removed from the register may only apply to be restored to the register 5 years after the date the removal order took effect. The adjudicators will decide whether to restore a person to the register.	

Reasoning

As there is a realistic prospect the social worker's fitness to practise is currently impaired, the case examiners have considered what, if any, sanction they should propose in this case.

The case examiners have taken into account the sanctions 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.

Consideration of the risk of repetition

Although the case examiners are not required to apply the realistic prospect test for impairment, they consider that it is necessary to assess the risk of repetition in this case in order to establish the most suitable sanction.

The case examiners acknowledge that violenc [redacted] may be difficult to remediate, as it could be characterised as a behavioural or attitudinal issue. The case examiners turn to the sanctions guidance to assist, which states, 'concerns that raise questions of character... may be harder to remediate. This is because it is more difficult to produce objective evidence of reformed character.'

Testimonials

The case examiners acknowledge that the social worker has provided several testimonials which speak positively of the social worker and state the incident was out of character. The case examiners recognise however that it is possible that colleagues and friends would be unaware of any history of violent behaviour,

[redacted]

Remediation

As part of their suspended sentence, the social worker was required to engage with their probation officer and complete a group programme. Feedback from the programme facilitator states the social worker "has attended every session so far and demonstrated his commitment to exploring skills which will help him manage emotions and thoughts". The social worker's probation officer also noted they had "completed a number of sessions of the [redacted] toolkit during one to one supervision sessions".

[redacted]

Insight

The case examiners note that the social worker has provided a reflective statement which provides reflection on what they have learnt from their remediation and what they would do differently in the future.

“Most importantly, I understand now that I am responsible for stopping my own behaviour before it reaches a point where another person could be harmed. I cannot control another person's behaviour, but I can control my response to it”.

“I learned that being able to identify that I am becoming emotionally overwhelmed is important, but it is only the first step. I also need to know what I am going to do when I recognise those feelings”.



The case examiners proceeded to consider the available sanctions in ascending order of severity and have set out the mitigating and aggravating factors of the case below.

Aggravating

- A violent offence

- Incomplete insight

Mitigating

- Completed all court directed remediation
- Absence of fitness to practice history

No Further Action and Advice

The case examiners are of the view that the concerns are serious and involve a criminal conviction for a violent offence that resulted in the imposition of a suspended sentence. Accordingly, no further action or advice would be insufficient and inappropriate.

Warning Order

The case examiners note the sanctions guidance which advises that a warning order may be suitable where the concern is isolated, the risk of repetition is low, and the social worker has demonstrated insight.

The case examiners conclude that a warning order would not adequately reflect the gravity of a violent conviction resulting in a suspended sentence [redacted] In these circumstances, a warning would risk being perceived as insufficiently robust and would not provide adequate reassurance to the public that the regulator takes such conduct seriously.

Conditions of Practice Order

The case examiners consider that the concerns do not arise from a lack of competence, professional skills, or health issues capable of being addressed through retraining, supervision, or monitoring. Instead, they relate to a conviction for violence. A conditions of practice order would therefore be inappropriate.

Suspension Order

The case examiners note the sanctions guidance which sets out that suspension may be appropriate where (all of the following):

- the concerns represent a serious breach of the professional standards
- the social worker has demonstrated some insight
- there is evidence to suggest the social worker is willing and able to resolve or remediate their failings

Whilst this case could be argued to meet all of the above criteria, the case examiners have also borne in mind that there is some conduct which is so serious that public confidence could be undermined if practitioners were permitted to remain in the profession. The case examiners also note the sanctions guidance states that suspension may be appropriate in cases where the conduct falls short of requiring removal. The case examiners went on to consider whether this applies to the conduct in this case.



The case examiners are of the view that the public and the profession would expect a social worker convicted of a violent assault, in these circumstances, to be removed from the profession.

Removal Order

The case examiners note the sanctions guidance which sets out that "a removal order must be made where the decision-makers conclude that no other outcome would be enough to (do one or more of the following):

- protect the public
- maintain confidence in the profession
- maintain proper professional standards for social workers in England".

The guidance also provides types of concerns where a removal order may be appropriate and these include criminal convictions for serious offences and violence, both of which are present in this case. Despite the presence of some insight and the remediation completed, given the aggravating factors and the link to social work practice, the case examiners are of the view that a removal order is the appropriate outcome.

The case examiners have decided to propose to the social worker a removal order. 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.

Response from the social worker

The social worker provided a response to the case examiners' proposal and confirmed '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 removal order.

The case examiners note that there is an interim order currently in effect, which will be revoked upon enaction of the agreed order.