Case Examiner Decision
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FTPS-23580

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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	11 September 2026
	Accepted disposal proposed - warning order - three years.
Final outcome	29 September 2026
	Warning order – three years

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1 and 2 being found proven by the adjudicators [redacted]

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

3. For regulatory concerns 1 and 2, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

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

As such, the case examiners requested that the social worker be notified of their intention to resolve the case with a warning order of three years' duration, which they have now accepted in full. 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.

Anonymity and redaction

Elements of this decision have been marked for redaction in line with our Fitness to Practise Publications Policy. Text i [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 employe [redacted]
Date the complaint was received	05 June 2024
Complaint summary	Concerns were raised by the social worker's former employer with respect to them falsifying a single case note during their Assessed Year in Employment (ASYE). Further allegations were raised in relation to dishonesty concerning the alleged falsification of this note. [redacted]

Regulatory concerns / Regulatory concerns and concerns recommended for closure

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

Whilst registered as a social worker you:

1. On or around 4 March 2024 completed a case note in which you stated a telephone conversation had taken place with Adult A when it had not.

2. Your conduct at regulatory concern 1 was dishonest.

Grounds of impairment:

The matter outlined in regulatory concerns 1 and 2 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	☐

The realistic prospect test

Fitness to practise history

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

Decision summary

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

The case examiners have determined that there is a realistic prospect of regulatory concerns 1 and 2 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

Whilst registered as a social worker you:

1. On or around 4 March 2024 completed a case note in which you stated a telephone conversation had taken place with Adult A when it had not.

The case examiners have reviewed the case note allegedly created by the social worker on 04 March 2024, for a phone call which is alleged to have occurred on 01 March 2024. The case note referenced a discussion with Adult A about the consideration of safety measures required due to them being in a relationship that had the potential for domestic abuse to occur.

The case note is marked as created by the social worker on 04 March 2024 and was finalised by their manager on 11 March 2024. It does not appear to be in dispute that

the case note was written by the social worker, and they fully accept this in their submissions.

Following a fact-finding investigation the employer has alleged that the case note was false, as it recorded a telephone conversation with Adult A that never happened. The purpose of the call was to discuss a safety plan. The employer alleges that the fact that this call did not happen increased the risk to children, given that the false recording on the children's file gave the indication that the concerns had been discussed with Adult A.

The employer investigation alleges that the case note had been created on a Friday which was the social worker's study day as they were in their 'ASYE' year. The manager called Adult A, who was cited in the case note, to check whether a call had been made. Adult A confirmed that the social worker had called her but said that there was no discussion regarding a safety plan. There is no verbatim or written record of the conversation between the manager and Adult A.

The case examiners observe that the case note had been created on a Monday, for a phone call that was supposed to have occurred on a Friday, which was the social worker's study day. The case note appears to have been created on the same day that the social worker submitted a detailed [redacted] concern about how they felt treated in the workplace, which they sent to their manager.

In their initial submissions to the regulator on 11 June 2025, the social worker accepts that they falsified the case note. They state that they were asked to call Adult A to complete a safety plan with them. However, due to stress and feeling under pressure, they falsified the case note by tagging the correspondence as a phone call which did not happen. They state that they do recall completing a safety plan with Adult A on a visit in February 2024, but they made a mistake by falsifying the note as a phone call on 1 March 2024, instead of including it in the write up on a previous visit.

These submissions appear to differ from their final submissions to the regulator on 23 May 2026. The social worker later accepted that they falsified and recorded the case note incorrectly, but that they state they completed safety planning work during a home visit earlier in the day, i.e. on 1 March 2024, rather than on a previous date.

The case examiners consider that while there are some discrepancies in the evidence between the employer and the social worker, the weight of the evidence does suggest that:

- The content of the case note was likely to have been factually incorrect, as it refers to a discussion of a safety plan in a phone call to Adult A, that the social accepts did not occur.

- That it appears unlikely from the variance in the submissions from the social worker, that any visit did occur on 01 March 2024, as this was the social worker's study day.

The case examiners therefore consider that there is a reasonable body of cogent evidence to suggest that the social worker completed a case note in which they stated a telephone conversation about safety planning had taken place with Adult A when it had not occurred.

The case examiners therefore conclude **a realistic prospect of the adjudicators finding the facts as proven.**

2. Your conduct at regulatory concern 1 was dishonest.

The case examiners have applied the test for dishonesty, which consists of two parts – the subjective test and the objective test.

The subjective test: 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.

The evidence provided by the social worker in this case indicates that they knowingly created a case note that was inaccurate.

With respect to their state of mind, knowledge and belief at the time of what they describe in their submissions as a "falsified" entry, the social worker states:

- They were under a lot of pressure from their manager at that time.
- They were rushing, felt stressed and overwhelmed.
- That because of the difficult relationship with their manager, they felt unable to challenge them after their request for them to phone Adult A. This resulted in them choosing to make the false case note.

The case examiners also consider the submission of their email [redacted] expressing professional concerns on the same day of the recording of the case note to be relevant when assessing the social worker's state of mind, knowledge and belief at the time of this concern, as it speaks to the degree of pressure the social worker felt under at the time.

The objective test: 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 ordinary decent people would consider it dishonest for a social worker to falsify a case note in the circumstances of this case. Despite the mitigation offered by the social worker for their actions, it appears they knowingly falsified a document that had the potential to place families and children at significant risk. Given the alleged content of the case note was about safety planning, this is something that the family and child would have potentially been denied.

The case examiners therefore conclude **a realistic prospect of the adjudicators making a finding of dishonesty.**



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 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:

As a social worker, I will:

2.1 Be open, honest, reliable and fair.

As a social worker, I will not:

5.2 Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.

5.3 Falsify records or condone this by others.

Regulatory concern 1: The alleged falsification of a record is always a significant concern when the content and methods of creating that note are likely to be factually incorrect. In this case, there was the potential for harm to have been caused given that it is alleged that a safety plan was discussed with Adult A, when the evidence suggests that may not have been the case. While this appears to have been an isolated incident, it is of a sufficiently serious nature to meet the threshold of misconduct.

Regulatory concern 2: Any subsequent finding of dishonesty attracts a level of seriousness which leaves open to question the social worker's level of probity and integrity, having the potential to significantly question the nature of the social worker's character.

In review of the alleged conduct, the case examiners consider that there may have been a significant and serious departure from the listed professional standards.

The case examiners have noted cogent evidence that at the time the concerns arose, the social worker had formally reported professional challenges; [redacted]

The case examiners conclude **a realistic prospect of the adjudicators making a finding of misconduct, for regulatory concerns 1 and 2.**

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 alleged falsification of records caused when the social worker reportedly felt under pressure is something that could be potentially remediated. The social worker could engage in more effective caseload management, workload planning and use of reflective supervision.

An alleged finding of dishonesty based is more difficult to remediate as they could indicate potential attitudinal or character flaws. In any remediation, the social worker would have to convince the regulator that any risk of repetition would be highly unlikely.

Insight and remediation: With respect to both regulatory concerns, the social worker has provided considerable submissions at both the initial and final stages of this investigation. While the case examiners have some doubts about the consistency of those submissions in their factual account(s) of what occurred, it does appear that

the social worker appears to have gained a growing level of insight. They regret their actions, offer remorse and demonstrate a clear understanding of the seriousness of their alleged actions. While they offer considerable mitigation, this is not at the cost of accepting their own accountability in relation to these matters.

With respect to remediation, the social worker appears to have reflected deeply about the core principles underpinning their practice – honesty, integrity, accountability and professionalism. In their work, they state they have become committed to actively managing their workload in an effective manner, raising concerns early on should pressures or problems occur. They have decided to complete their 'ASYE' training again as they have returned to working in a statutory role. This is significant as, in the opinion of the case examiners, it reflects a level of maturity and accountability that was lacking in their initial submissions.

Risk of repetition: When assessing the risk of repetition of any similar matters occurring again, the case examiners note that while dishonesty is serious, this matter did relate to a single incident which has not been repeated. The social worker has remained in practice on an unrestricted basis for over two years, with no concerns about their fitness to practise. Their decision to re-complete their ASYE is a further protective factor. The case examiners also accept that there is a range of mitigation(s) *[see sanctions reasoning]* which make the future risk of repetition less likely. In combination with the social worker's strong levels of insight and active remediation, the case examiners consider the risk of future repetition to be low.

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.

While the public might be assured to learn that the social worker has effectively addressed issues relating to these matters, they would still be troubled to learn that the social worker may have engaged in an alleged act of dishonesty relating to fabrication of records. The public would view this as a serious matter. The public would wish to be assured that the maintenance of proper standards for social workers be maintained. They would wish to seek reassurance that any repetition of such matters be effectively addressed both personally and professionally by the social worker.

The case examiners therefore conclude a **realistic prospect of the adjudicators making a finding of impairment in this case.**

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 note that the social worker accepts the facts that are core to the concept of impairment. The case examiners consider that the public would be reassured by the regulator taking prompt action in this case, through the accepted disposal process, which includes imposition of an agreed sanction and publication of a decision on the register. The case examiners are satisfied that such steps are sufficient to safeguard the public interest.

Accepted disposal

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

Reasoning

Having found a realistic prospect the social worker's fitness to practise is currently impaired, the case examiners have considered what sanction they should propose in this case. The case examiners have considered 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 it's regulator and upholding proper standards of conduct and behaviour.

In assessing and determining the most appropriate sanction, the case examiners will summarise the mitigation and aggravating factors in this case:

<u>Mitigating factors:</u>

- There is no adverse history.
- The social worker has provided extensive submissions offering a good level of insight and remediation.

- Evidence of professional challenges including additional stressors at work, including concerns about the general quality of support in relation to the social worker's learning and development.

- This appears to be an isolated incident with a low risk of repetition.

- The social worker accepted the facts early on and engaged fully with the regulatory investigation.

The case examiners have not identified any specific aggravating factors.

The case examiners have considered 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.

No further action, advice or warning

The case examiners would ordinarily consider that the outcomes of no further action and advice would be insufficient in a case involving allegations of dishonesty. No further action and advice outcomes would be wholly insufficient to mark the serious nature of the concerns before the regulator and would not protect the public or public confidence.

However, while the concerns in this case relate to allegations of dishonest conduct which must always be considered serious, the case examiners are aware that every case must be treated on its own merits. They note that in the unique circumstances of this case, the alleged dishonesty appears to comprise of one isolated incident. There is also mitigation in that it occurred at a time when the social worker was facing considerable professional challenges and felt under extreme pressure. Given that the social worker has also offered considerable insight and remediation and that the risk of repetition has been found by the case examiners to be low, the case examiners are of the view that a restrictive sanction not likely to be necessary.

The case examiners therefore consider that a warning order is more likely to be appropriate. A warning order shows clear disapproval of the social worker's conduct or performance. A warning order is a signal that the social worker is highly likely to receive a more severe sanction if they repeat the behaviour.

Conditions of practice or a suspension order

In testing their reasoning, the case examiners went on the consider the higher restrictive sanctions.

A conditions of practice order is not usually appropriate in cases involving alleged dishonesty. In this case, it has already been established that the risk of repetition is low and that the social worker has demonstrated a good level insight and remediation. Given that they have been in employment for a further two years without restriction, the case examiners consider that a conditions of practice order would be overly restrictive and would serve no purpose given that the social worker has shown good insight and has remediated.

A suspension order prohibits a social worker from practising their profession in England for a period of time. While the case examiners consider that the concerns are serious, the level of mitigation and low risk of repetition would indicate that such an order would be overly punitive and would risk deskilling a social worker who is currently making a valuable contribution to frontline practice.

Given that both a conditions of practice order and a suspension order do not appear to be appropriate outcomes, the case examiners have returned to considering the suitability of the length of a warning order and have considered their guidance.

One 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. While the incident was isolated, dishonesty if proven, is not of a relatively low level of seriousness.

Three 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. It would also show clear disapproval of the social worker's conduct and would assure public confidence that these matters have been addressed.

Five years may be appropriate for serious cases that have fallen only marginally short of requiring restriction of practice. In these circumstances, and given the significant level of mitigation, the case examiners do not consider this to be a case where the social worker requires restriction of practice as the risk of repetition remains low. Therefore, a five-year warning would be considered as overly punitive.

For these reasons the case examiners have decided to propose to the social worker a warning order of three 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 warning

You are reminded of the importance of adhering to the following professional standards:

As a social worker, I will:

2.1 Be open, honest, reliable and fair.

As a social worker, I will not:

5.2 Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.

5.3 Falsify records or condone this by others.

These are serious matters and should not be repeated. Any further similar matters that come before the attention of regulator are likely to be viewed dimly and could result in a more serious outcome.

Response from the social worker

The case examiners have reviewed a response from the social worker on an 'accepted disposal response form' received on 27 September 2026. This states that they have read the case examiners' decision and the accepted disposal guide. They admit to the key facts set out in the case examiner decision and that their fitness to practise is impaired. They understand the terms of proposal disposal of their fitness to practise case and accept it 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 three years duration.