Case Examiner Decision
Bekimpilo Nkomo – SW94770
FTPS-23943

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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	14 October 2026
	Accepted disposal proposed - removal order
Final outcome	28 October 2026
	Accepted disposal - removal order

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1 being found proven by the adjudicators.

2. There is a realistic prospect of regulatory concern 1 being found to amount to the statutory ground of a determination by a regulatory body to the effect that the person's fitness to practise is impaired.

3. For regulatory concern 1, 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 removal order. The social worker subsequently accepted this proposal.

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.

The complaint and our regulatory concerns

The initial complaint	
The complainant	The complaint was raised by way of a self-referral by the social worker. Concerns were also received from the social worker's former employer.
Date the complaint was received	3 December 2024
Complaint summary	The social worker was dual registered with both Social Work England ('the regulator') and Social Care Wales ('SCW'). The social worker informed the regulator that they were subject to an investigation by SCW regarding allegations of falsifying records of statutory visits to children. The regulator was then notified that the social worker was made subject to a finding of impairment by SCW which resulted in a removal order at a final hearing in June 2026.

Regulatory concerns

While registered as a social worker:

RC1. On or around 19 June 2026, you were subject to a finding of impairment of fitness to practise by a regulatory body, namely Social Care Wales, relating to concerns set out at Schedule 1

Schedule 1

a. Not completing visits to service users

b. Falsifying records to indicate visits had taken place

c. Dishonesty in relation to the falsifying of records

d. Providing false information when applying to register with the Scottish Social Services Council

Grounds of impairment:

The matters outlined at regulatory concern 1 amount to the statutory ground of a determination by a regulatory body to the effect that the person's fitness to practise is impaired.

Your fitness to practise is impaired by reason of a determination by a regulatory body to the effect that the person's fitness to practise is impaired.

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 concern 1 being found proven, that the concern could amount to the statutory ground of a determination by a regulatory body to the effect that the person's fitness to practise is impaired, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

While registered as a social worker:

RC1. On or around 19 June 2026, you were subject to a finding of impairment of fitness to practise by a regulatory body, namely Social Care Wales, relating to concerns set out at Schedule 1

Schedule 1

a. Not completing visits to service users

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d. Providing false information when applying to register with the Scottish Social Services Council

The case examiners have seen the outcome from SCW which states that on 15, 16, 17, 18 and 19 June 2026 adjudicators heard the case regarding allegations as set out at Schedule 1.

The case examiners note the outcome of that hearing was that the social worker's fitness to practise was found impaired and the adjudicators imposed a sanction of removal from the SCW register.

The case examiners consider that as they have been provided with evidence of the SCW finding of impairment there is a realistic prospect of regulatory concern 1 being found proved.

Grounds

The case examiners note that their guidance states that:

"For the case examiners to find a realistic prospect of this ground being established, the other regulatory body must have found impairment".

As the case examiners have seen evidence that adjudicators have made a finding of impairment in the case against the social worker, the case examiners consider there is a realistic prospect of adjudicators finding the statutory ground of a determination by a regulatory body 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.

The case examiners note that in this case a finding of impairment was made by SCW in June 2026. In considering personal impairment, the case examiners have assessed the social worker's insight and remediation subsequent to the finding of impairment by SCW.

Whether the conduct can be easily remedied

The case examiners note that the finding of impairment relates to repeated dishonesty which has been found proved by adjudicators. The case examiners note their guidance states that in cases which relate to the social worker's character, it may be more difficult to evidence remediation. The case examiners consider that in this case it is particularly difficult given the limited time since SCW's finding of impairment and the social worker's removal from practice.

Insight and remediation

The case examiners have considered the evidence provided by the social worker since SCW's finding of impairment. The case examiners acknowledge the social worker has provided their reflections and expressions of remorse regarding their conduct in falsifying visit records and failing to visit service users. The social worker accepts the risk their conduct caused to service users and public confidence in the profession. However, the case examiners do not consider they have seen evidence of remediation of this concern, given the short of passage of time since the SCW's finding of impairment and the removal of the social worker from practice.

The case examiners consider the social worker maintains that their conduct in relation to their application to the Scottish Social Services Council was not dishonest. The case examiners note that whilst the social worker is entitled to deny conduct, this concern has been subject to a finding of impairment by SCW. The case examiners are not satisfied that the social worker has demonstrated any development of insight in relation to their actions in failing to disclose their disciplinary, termination and referral to both the regulator and SCW nor the finding of impairment made against them. The case examiners consider such reflection would be possible without accepting that their conduct was dishonest. Further, the case examiners have not seen evidence of remediation of this concern, again, in part due to the short passage of time since the SCW decision and the social worker's removal from practice.

The case examiners are also concerned by the social worker's approach to requesting testimonials be obtained by the regulator. They note the social worker requested the investigator contact referees who worked with the social worker prior to their dishonest conduct. The case examiners consider the investigator was clear in explaining that such testimonials would only have weight placed upon them if the

referees were aware of the fitness to practise concerns. This is in line with the decision maker guidance which also states that evidence of good practice or technical skill is unlikely to demonstrate remediation of concerns relating to behavioural concerns and especially, dishonesty. The case examiners consider that such testimonials would also have less value when they are from a period of practice predating the concerns as they could not evidence remediation since the conduct subject to the finding of impairment.

The case examiners have seen evidence that the social worker rejected and then did not respond to the investigator's offer to obtain testimonials by email where the fitness to practise matters would be disclosed. The case examiners acknowledge there may be professional embarrassment in disclosing such matters to former colleagues. However, they are also concerned that the social worker's refusal to accept that any referees would need to be made aware of the finding of impairment may suggest a reluctance to take full ownership of their previous conduct and appears to demonstrate a continued lack of transparency. The case examiners consider this shows limited development of reflection and remediation since the finding of impairment made against them in June 2026.

Risk of repetition

The case examiners consider that the finding of impairment made by SCW relates to serious, protracted dishonesty. Such concerns are amongst the most difficult to remediate as they may be indicative of a pattern of behaviour. The case examiners consider that whilst the social worker has gone some way to demonstrate reflection on some of their actions, there are limitations to what remediation the social worker could demonstrate within 4 months of a finding of impairment for serious dishonesty by another regulatory body. The case examiners also consider the social worker has provided minimal reflection on their actions in attempting to register with a third regulatory body with false information and a demonstrable lack of remediation in their approach to obtaining testimonials via the regulator.

In light of all these circumstances, the case examiners consider the social worker has not demonstrated the extensive insight and remediation required to reduce the risk of repetition in a case such as this.

Accordingly, the case examiners consider there is a risk of repetition in this case.

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 consider that the public interest is firmly engaged as the social worker has been found to be impaired and removed from practice by another regulatory body for social workers. The case examiners consider that this alone has the potential to undermine public confidence in the social work profession and professional standards for social workers.

Further, the nature of the concerns leading to the finding of impairment is particularly serious. The case examiners note their guidance states that some concerns are so serious that if proven a finding of impairment is likely. This is because a failure to make a finding of impairment may undermine public confidence in the profession and/or fail to maintain the professional standards expected of social workers. One such concern is dishonesty. The hearing outcome from SCW makes clear that the social worker was removed from practice for serious, protracted dishonesty which put service users at risk of harm.

In light of all the circumstances, the case examiners consider there is a realistic prospect of adjudicators finding the social worker's fitness to practise is 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. The social worker does not dispute that they were subject to a finding of impairment by SCW in June 2026.

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.

Interim order

An interim suspension order is already in effect, which will be revoked upon enaction of the agreed order.

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

In considering the appropriate outcome in this case, the case examiners had regard to Social Work England's sanctions guidance (December 2022) and reminded themselves that the purpose of a sanction is not to punish the social worker but to protect the public and the wider public interest.

The case examiners acknowledge that the guidance outlines that they should consider the sanctions in ascending order of seriousness. However, the guidance also states that in cases where a risk of repetition has been identified, non-restrictive sanctions are unlikely to satisfy the overarching objectives of public protection and public confidence in the profession. In this case, given the identified risk of repetition, the case examiners have determined that the non-restrictive sanctions of no further action, advice and warning are wholly insufficient to satisfy the overarching objectives.

The case examiners then considered whether a conditions of practice order would be an appropriate outcome in this case. They note that their guidance states that conditions of practice are less likely to be appropriate in cases of character, attitude

or behavioural failings. The case examiners consider that the concerns which led to SCW's finding of impairment against the social worker are behavioural and attitudinal in nature. The case examiners consider that a conditions of practice order is not appropriate in a case where the social worker has been subject to a finding of impairment and a removal order by another regulatory body for concerns relating to serious dishonesty.

The case examiners then considered whether a period of suspension would be appropriate in this case. The case examiners carefully considered that whilst the social worker has provided some evidence of insight, they have serious concerns about the social worker's ability to remediate the serious and ongoing dishonesty that led to their removal from the SCW register. The case examiners note that their guidance states that suspension is appropriate where workable conditions cannot be formulated and the case falls short of requiring removal from the register. The case examiners have determined that a conditions of practice order would not be an appropriate outcome in this case. However, they are not satisfied that this is a case which falls short of requiring removal from the register. The concerns are extremely serious as they relate to dishonesty which placed service users at risk of harm. The dishonesty was also protracted, so that even following the social worker's self-referral to the regulator, adjudicators for SCW found that the social worker completed a false application to the Scottish Social Services Council.

The case examiners consider that the social worker has repeatedly demonstrated dishonest behaviour which has been subject to a finding of impairment and a removal order from another social work regulatory body. In such circumstances, the case examiners consider that no other outcome than a removal order would be enough to protect the public, maintain confidence in the profession and maintain proper professional standards for social workers in England.

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 on 27 October 2026 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.