



Case Examiner Decision

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SW121831

FTPS-22572

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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	21 May 2026
	Accepted disposal proposed - warning order (3 years)
Final outcome	09 June 2026
	Accepted disposal – warning order (3 years)

## Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 2 being found proven by the adjudicators. [REDACTED]
2. There is a realistic prospect of regulatory concern 2 being found to amount to the statutory grounds of misconduct.
3. For regulatory concern 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 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 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.

## 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.

In accordance with Social Work England's fitness to practise proceedings and registration appeals publications policy, the case examiners have anonymised the names of individuals to maintain privacy. A schedule of anonymity is provided below for the social worker and complainant, and will be redacted if this decision is published.

	
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## The complaint and our regulatory concerns

### The initial complaint

The complainant	The complaint was raised by the social worker's former employer, [REDACTED]
Date the complaint was received	17 August 2023
Complaint summary	[REDACTED] [REDACTED]. The employer [REDACTED] alleged the social worker had taken a screen shot of a Child and Family Assessment of Family A and sent it to a colleague/friend, without professional reason to do so.

### Regulatory concerns

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

[REDACTED]

Regulatory Concern 2: You breached confidentiality in that, on or around 13<sup>th</sup> August 2023, you took and sent a screenshot of a Child and Family Assessment for Family A to your colleague, without any professional reason to do so.

The concerns outlined at regulatory concern [REDACTED] 2 amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of your misconduct.

## Preliminary issues

Investigation		
Are the case examiners satisfied that the social worker has been notified of the grounds for investigation?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Are the case examiners satisfied that the social worker has had reasonable opportunity to make written representations to the investigators?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>

## 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

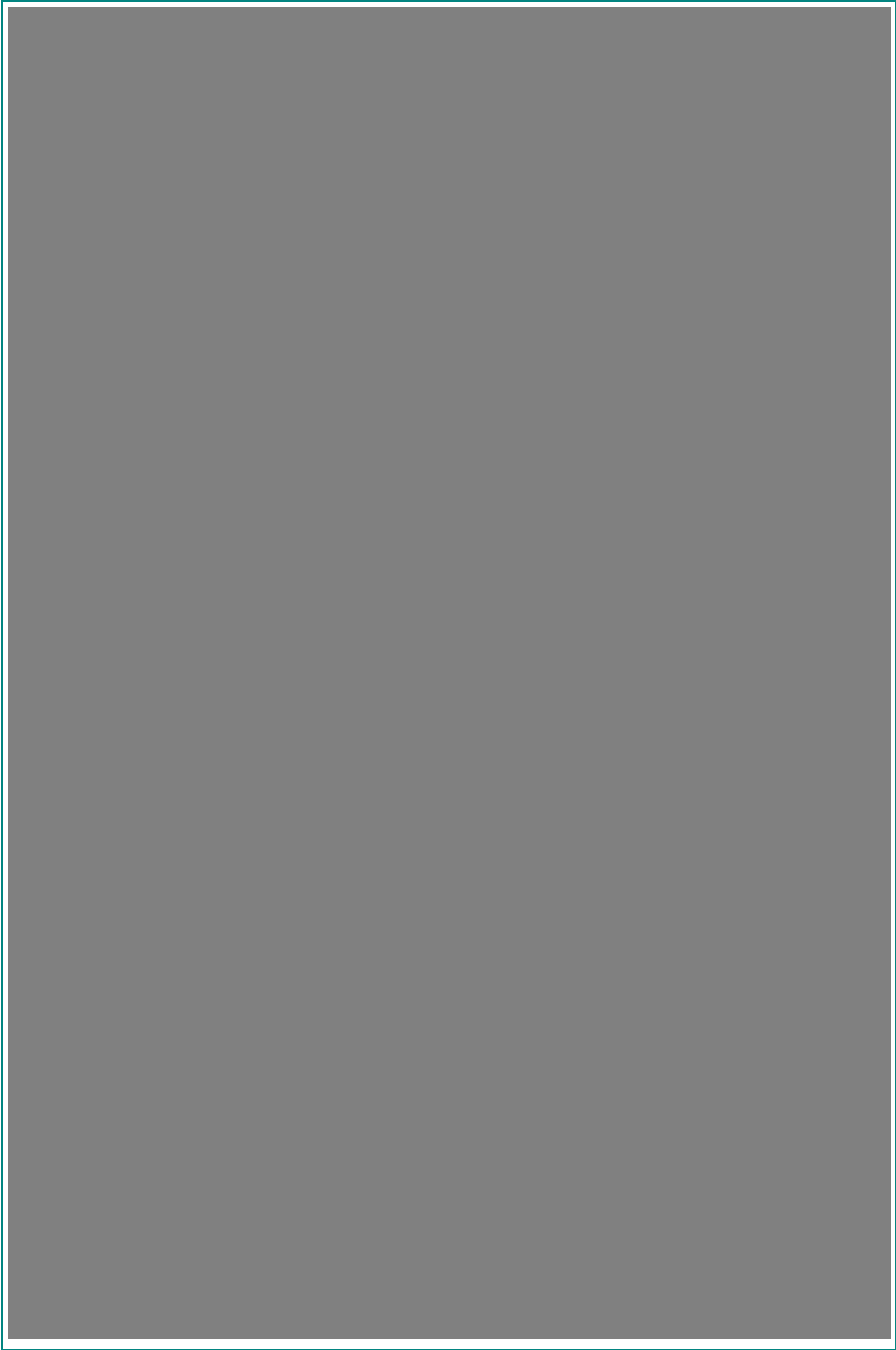


The case examiners have determined that there is a realistic prospect of regulatory concern 2 being found proven, that this concern could amount to the statutory ground of misconduct, and that the social worker's fitness to practise could be found impaired.

### Reasoning

#### Facts





[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Regulatory Concern 2: You breached confidentiality in that, on or around 13<sup>th</sup> August 2023, you took and sent a screenshot of a Child and Family Assessment for Family A to your colleague, without any professional reason to do so.

The case examiners have first considered whether the social worker took a screenshot of a Child and Family Assessment for Family A and sent it to a colleague.

The case examiners have seen the concerns form from the employer which states the social worker took a screen shot of an assessment of a child [Redacted]  
[Redacted] The screen shot also contained the name of Person B's partner at that time and details of the partner's child.

The case examiners have seen a copy of the screen shot of the assessment, which has been provided by the employer. The employer states that the social worker took the screenshot of the assessment and sent it to her colleague [REDACTED]. The employer states the colleague subsequently sent the screen shot to the mother of Person B, not realising that they were still in touch with Person B. Concerns were raised with the employer by Person B, the mother of Person B and the mother of Family A, who was named in the assessment.

In their initial response the social worker accepts that they took a screen shot [REDACTED] and shared it with the colleague. The social worker said they did not keep the screen shot, so was not aware that other confidential information was also visible.

The case examiners are satisfied that the evidence suggests the social worker did take a screen shot of the Child and Family Assessment for family A and sent it to their colleague.

The case examiners have next considered whether the social worker had any professional reason to take a screen shot and sent it to a colleague.

The social worker said they shared the screen shot to manage any risk to Child C [REDACTED], posed by Person B, [REDACTED]. The social worker said their aim in sharing this information was that their colleague would disclose relevant information to the senior management.

The social worker said that this occurred on a Friday evening and that on the next Monday morning they raised the conflict of interest to their manager, who had already been made aware by the colleague. The social worker accepts they should have handled this differently and raised the alarm of potential risk with their manager first, even out of hours, to enable them to clarify and take action.

The case examiners have acknowledged that the social worker said their aim in sharing the screen shot was to ensure their colleague was able to disclose relevant information regarding risk. The case examiners have also noted that there were alternative options available to the social worker in order to manage that risk, without sharing a screen shot of confidential and personal information.

The case examiners have also considered that although the social worker's colleague is also a social worker, the information was not being shared in a professional context.

For those reasons, the case examiners consider that the evidence suggests there was not a professional reason for the social worker to share the screen shots containing confidential information with their colleague.

The case examiners consider there is a realistic prospect of regulatory concern 2 being found proven by the adjudicators.

### Grounds

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

To help them decide if the evidence suggests a significant departure from what would be expected in the circumstances, the case examiners have considered the following standards, which were applicable at the time of the concerns, namely Social Work England Professional Standards 2019. The case examiners consider the following standards may be relevant:

As a social worker I will:

2.2. Respect and maintain people's dignity and privacy.

2.6. Treat information about people with sensitivity and handle confidential information in line with the law.

3.1. Work within legal and ethical frameworks, using my professional authority and judgement appropriately.

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.

5.6. Use technology, social media or other forms of electronic communication unlawfully, unethically, or in a way that brings the profession into disrepute.

The case examiners are aware that falling short of the standards may not always amount to misconduct. However, the case examiners consider that in this instance

adjudicators may consider the alleged conduct to be a significant departure from the expected standards.

The case examiners consider that breaching confidentiality by taking and sending a screen shot of confidential case records to a colleague without professional reason is likely to fall significantly short of maintaining the dignity and privacy of the third parties involved. In this case the information related to a third parties health and contained personal details about a child. Case examiners consider that sharing this is not likely to amount to handling confidential information in line with the law. This would therefore not align with Social Work England standards 2.2 and 2.6.

The case examiners consider that by sharing confidential and personal data with a colleague without professional reason the social worker may be likely to be considered as using technology unethically and not using their professional authority appropriately. Although it is acknowledged the information was shared with another registered social worker, it was not shared for professional reasons and shared in a manner likely to be deemed as inappropriate. As a result of this action the data was subsequently shared further and had the potential to cause harm for Family A. This would therefore not align with Social Work England standards 5.2 and 5.6.

The case examiners are aware that for the threshold of misconduct to be reached, the conduct has to be serious. Case law assists in this respect as it states:

- One way of assessing this is to consider if the conduct would be regarded as deplorable by other social workers.
- For an isolated matter to amount to misconduct, it would have to be considered particularly grave.

The case examiners are satisfied that the alleged conduct at regulatory concern 2, if proven, would be considered deplorable and, though isolated, particularly grave. This is because the confidential data shared also related to a third party, their health and contained the details of a child, all of which is considered personal and sensitive. As such, it could bring into question the suitability of the social worker's fitness to practise.

If the matters were to be found proven, the case examiners conclude the alleged conduct is serious and is likely to be considered a significant departure from the professional standards detailed above.

As such, the case examiners are satisfied there is a realistic prospect of adjudicators finding this matter amounts to misconduct.

## Impairment

Assessment of impairment consists of two elements:

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

## Personal element

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

The case examiners note that in this case, the disclosure of confidential information led to a risk of harm to Family A, it contained personal health information and was shared with a third party by the social worker's colleague.

The case examiners note there is no adverse history.

The social worker has admitted the key facts in this case and has acknowledged that their actions were inappropriate. The social worker has indicated they are aware of the risks to service users including the potential harm through exposure of sensitive information and the breach of confidentiality and trust. The social worker acknowledges this could undermine safety planning and professional boundaries and shares an awareness of the impact on service users, colleagues and the employer due to reputational damage and public mistrust.

The social worker says they are aware their actions were inappropriate and recognise that concern [REDACTED] temporarily clouded their judgment causing them to act impulsively.

The social worker said they know that safeguarding concerns should always be escalated through management rather than handled personally and have taken steps to ensure this will never happen again. The social worker says they have discussed this incident openly with managers in subsequent roles.

The case examiners consider that the social worker has demonstrated good insight into their actions.

The social worker also said that following the incident they immediately funded and completed a GDPR training course and wrote a detailed reflective piece which they shared as part of their CPD record. The case examiners have seen a certificate dated 18 August 2023 relating to GDPR training and a reflective statement dated 24 November 2025. Within the reflective statement the social worker explains how they could have handled the situation differently and that “even when intentions are good, actions must remain within the professional boundaries and data protection requirements”.

The case examiners have also seen information provided by the social worker’s current employer dated 24 June 2025, which states there are no concerns about the social worker’s practice and that it is “quite the opposite in terms of feedback from manager, colleagues and people they work with”. The case examiners note that the testimony does not confirm if they are aware of the allegations against the social worker.

The social worker has also provided a reference from the Head of Service [REDACTED] where the social worker was previously employed which says the social worker was a valued member of the team. The reference acknowledges the data breach, saying it “does not deter from the excellent work” the social worker had undertaken with children and families.

The case examiners consider that along with the passage of time within which there have been no further reported incidents, overall, there is good evidence of remediation.

The purpose of case examiners assessing multiple factors when considering the personal element of impairment, is to assess the risk of repetition, put simply the likelihood of the conduct happening again. In this case, the case examiners are also assisted by a significant passage of time, during which there has been no repetition.

The information reviewed leads the case examiners to conclude that the risk of repetition is 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.

A social worker who breaches confidentiality by sharing confidential information without a professional reason to do so undoubtedly has the potential to undermine

public confidence. Such conduct is likely to be considered a significant departure from professional standards.

Regulatory concerns regarding personal and confidential data go to the heart of public confidence in the social work profession. Social workers have access to a significant amount of confidential data and the public expect that their personal data will be handled appropriately and in accordance with the law. Breaches of relevant standards relating to personal data has the potential to undermine the public's trust in social workers. 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.

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	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

### Referral criteria

Is there a conflict in the evidence that must be resolved at a hearing?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
Does the social worker dispute any or all of the key facts of the case?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
Is a hearing necessary to maintain public confidence in the profession, and/or to uphold the professional standards of social workers?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

### Additional reasoning

The case examiners have carefully considered whether a referral to a hearing may be necessary in the public interest. They note the social worker has accepted the key facts.

The social worker has not indicated to Social Work England whether they consider that their fitness to practise is currently impaired. Where a social worker does not accept impairment, the case examiner guidance suggests that a referral to a hearing may be necessary in the public interest. However, the case examiners have noted the following:

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

The social worker is clear that they accept that their practice fell short of the standards expected of them. In their submissions to the regulator, the social worker has acknowledged the potential impact of their actions.

The case examiners recognise that not all professionals will have an innate understanding of how and when the public interest limb of impairment 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.

The case examiners are aware that a case cannot be concluded through an accepted disposal process where a social worker does not agree that they are currently impaired. At this stage, the case examiners' proposal for an accepted disposal process does not mark the conclusion of the case, as that would require a response from the social worker for the case examiners' consideration and is also subject to a final review of the case by the case examiners, who may determine to send the matter to a hearing following any response received.

Interim order		
An interim order may be necessary for protection of members of the public	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
An interim order may be necessary in the best interests of the social worker	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

## Accepted disposal

### Case outcome

Proposed outcome	No further action	<input type="checkbox"/>
	Advice	<input type="checkbox"/>
	Warning order	<input checked="" type="checkbox"/>
	Conditions of practice order	<input type="checkbox"/>
	Suspension order	<input type="checkbox"/>
	Removal order	<input type="checkbox"/>
Proposed duration	3 years	

### Reasoning

In considering the appropriate and proportionate outcome in this case, the case examiners had regard to Social Work England’s sanctions guidance 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. Furthermore, the guidance requires that decision makers select the least severe sanction necessary to protect the public and the wider public interest.

The case examiners considered the available sanctions in ascending order of seriousness. In considering a sanction, the case examiners have considered mitigating and aggravating factors in this case:

#### Mitigating

- The social worker has good insight and risk of repetition is low
- The social worker has no adverse history
- There has been significant passage of time without any reoccurrence of the concerns

#### Aggravating

- The data shared by the social worker contained sensitive personal information relating to a third party and a child.

- As a result of the data being shared by the social worker it was subsequently shared outside of the organisation with a third party.

The case examiners considered the option of taking no further action. The sanctions guidance states that, when decision makers find impairment, an outcome of 'no further action' is rare. The case examiners consider there is nothing exceptional about this case which might enable justification of an outcome of no further action. The case examiners consider that the nature and seriousness of the social worker's conduct leads them to conclude that taking no further action would not provide the necessary level of public protection and would not satisfy the wider public interest given the allegation of a serious breach of confidentiality in this case.

The case examiners next considered whether offering advice would be sufficient in this case. An advice order will normally set out the steps a social worker should take to address the behaviour that led to the regulatory proceedings, however it is acknowledged that the case examiners considered the risk of repetition to be low in this case. The case examiners decided however that due to the seriousness of the alleged conduct in this case, that issuing advice was not sufficient. Furthermore, it would be insufficient to maintain public confidence and uphold the reputation of the profession.

The case examiners next considered whether a warning order would be appropriate in this case. The case examiners had regard to their guidance, which states a warning is likely to be appropriate where (all of the following):

- The fitness to practice issue is isolated or limited
- There is a low risk of repetition
- The social worker has demonstrated insight.

The case examiners note there is no previous adverse fitness to practise history. The case examiners acknowledge the passage of time since the concerns were raised and acknowledge there is no known repeat of the alleged conduct. The case examiners consider that therefore this issue is isolated.

The case examiners have noted that the social worker has shown insight into this matter and that there is evidence of remediation. The case examiners consider there to be a low risk of repetition.

The case examiners do however consider the alleged conduct to be serious. The alleged breach of confidentiality in sharing a screen shot of sensitive information taken from a case file without professional reason goes against fundamental elements of the Social Work England standards. It is also noted that the breach by

the social worker subsequently enabled the data to be shared further, which had an adverse impact on a third party and a child.

A warning order implies a clear expression of disapproval of the social worker's conduct and the case examiners conclude that a warning order is the appropriate and proportionate outcome in this case and represents the minimum sanction necessary to uphold the public's confidence.

Having concluded that a warning order is the appropriate outcome in this case, the case examiners went on to consider the length of time for the order. When considering a warning order, case examiners can direct that a warning order will stay on the social worker's register entry for periods of one, three or five years.

The case examiners have considered the length of time for the published warning and consider three years to be proportionate in this case. The case examiners consider that a period of three 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. Although the conduct is acknowledged to have been isolated, as noted above it is not considered to be of low seriousness.

The case examiner guidance states that a one year warning may be appropriate for an isolated incident of relatively low seriousness. The case examiners felt that although this matter was isolated, it was not of low seriousness therefore one year was not considered appropriate. The guidance states that five years might be appropriate for serious cases that have fallen only marginally short of requiring restriction of registration. The case examiners do not consider that the matter fell marginally short of the need to restrict practice, and therefore five years would be disproportionate.

The case examiners went on to consider whether the next available sanctions of conditions of practice and suspension were appropriate in this case. They concluded that conditions were more relevant in cases requiring some restriction in practice, for example in cases involving health, competence or capability. It has been acknowledged that the social worker has been successfully working without restriction with no further incident since the alleged conduct. Therefore, conditions are not proportionate or suitable in this case. The case examiners again note that this is not a case that has fallen only marginally short of requiring removal, they therefore considered that suspension from the register would be a disproportionate and punitive outcome in this case.

The case examiners have decided to propose to the social worker a warning 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 alleged conduct does not align with the required Social Work England professional standards, and you are warned to comply with these in the future. Specifically in relation to the following standards:

As a social worker I will:

2.2. Respect and maintain people's dignity and privacy.

2.6. Treat information about people with sensitivity and handle confidential information in line with the law.

3.1. Work within legal and ethical frameworks, using my professional authority and judgement appropriately.

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.

5.6. Use technology, social media or other forms of electronic communication unlawfully, unethically, or in a way that brings the profession into disrepute.

Your conduct could have an adverse effect on the public's confidence in you as a social worker. It may also damage the reputation of the social work profession. This conduct should not be repeated. Any further similar matters brought to the attention of the regulator are likely to result in a more serious outcome.

## Response from the social worker

On 04 June 2026 the social worker returned their completed accepted disposal response form, confirming the following:

“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 again considered the public interest in this matter and, as they have not been presented with any new evidence that might change their previous assessment, they are satisfied that it remains to be the case 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.