



Case Examiner Decision  
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FTPS-20383

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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	8 May 2026
	Accepted disposal proposed - conditions of practice order (1 year)
Final outcome	11 June 2026
	Accepted disposal - conditions of practice order (1 year)

### Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 2.1 and 2.2 being found proven by the adjudicators [REDACTED]
2. There is a realistic prospect of regulatory concerns 2.1 and 2.2 being found to amount to the statutory ground of misconduct.
3. For regulatory concerns 2.1 and 2.2, 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 conditions of practice order of 1 year. 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 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 i [REDACTED] 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.

Person A	[REDACTED]
Child B	
Family C	
Family D	
Family E	
Family F	
Family G	

## The complaint and our regulatory concerns

### The initial complaint

The complainant	The complaint was raised by the social worker's former employer, Wakefield Council
Date the complaint was received	4 October 2021
Complaint summary	The social worker's former employer referred a number of concerns, all of which are adequately reflected in the regulatory concerns below.

### Regulatory concerns and concerns recommended for closure

Whilst registered as a social worker from or around April 2021 to October 2021 you:


2. Failed to safeguarding service users in that:

2.1. You did not conduct statutory visits to Child B and Family C [REDACTED] [REDACTED] within a timely manner.

2.2. Child and Family assessments remained incomplete for Family D [REDACTED] [REDACTED] Family E [REDACTED] Family F [REDACTED] Family G [REDACTED] and Family C [REDACTED]

The matters outlined at regulatory concerns 2 [REDACTED] mount to the statutory grounds of misconduct and/or lack of competence or capability.

By reason of your misconduct and/or lack of competence or capability your fitness to practice is impaired.



The case examiners made some minor amendments to the regulatory concerns, as presented to them, to either improve grammar or protect the identity of service users.

## 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 concerns 2.1 and 2.2 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 from or around April 2021 to October 2021 you:

2. Failed to safeguard service users in that:
  - 2.1. You did not conduct statutory visits to Child B and Family C within a timely manner.

The case examiners have been provided with case notes which suggest the social worker was allocated to work with Child B from April 2021 to 29 September 2021 when they left the local authority. The case examiners have seen case notes of visits dated 26 April 2021, 7 June 2021 and 16 June 2021. They note that the social worker's line manager has provided a statement which suggests there was a case note dated 3 September 2021, but this appears to be the record of a telephone call rather than a visit. The line manager states that Child B should have been visited every 6 weeks, but the evidence suggests there was a period of 15 weeks where no visit took place.

From the social worker's record of the visit to Child B on 16 June 2021, it appears that they were planning at that point to end their involvement with the family and were discussing whether Child B would work with another agency. It appears from the records that the social worker may have stopped visiting as they felt they had completed all interventions required and were planning to close the case. However, the service manager at the time of the concerns states they explained to the social worker that they must continue to visit children until such time that the case is closed to social care.

The case examiners have also been provided with case notes relating to Family C which suggest that they were allocated to work with the children from around May 2021 to 29 September 2021 when they left the local authority. The case notes suggest that visits were completed by the social worker on 19 May 2021, 4 June 2021 and 1

July 2021. The social worker's former line manager states these visits should have occurred every 6 weeks and while the visits between May and July were more frequent than this, it appears that there was a period of 13 weeks where the children were not seen by the social worker.

The social worker has not provided comments regarding this regulatory concern.

The case examiners have noted the overarching regulatory concern and considered whether not conducting timely visits could constitute a failure to safeguard. As previously noted, Child B was planned to close to social care so it could be argued that they did not meet the threshold of requiring safeguarding intervention. Family C however, were open to social care due to a police investigation into their father allegedly downloading indecent images. While this investigation was ongoing, the father was allowed to return to the family home and visits from the social worker could have monitored the interaction between the family and exposed if there were any additional concerns. The case examiners conclude this concern could therefore, amount to a failure to safeguard.

The case examiners are satisfied there is a realistic prospect of this regulatory concern being found proven, should the matter go forward to a hearing.

2.2. Child and Family assessments remained incomplete for Family D, Family E, Family F, Family G and Family C.

The case examiners have considered the evidence before them and note it is unclear whether the assessments remained incomplete on the date the social worker left their former employer. However, they have been provided with information following a dip sample of the social worker's allocated cases dated 26 August 2021. This information sets out the assessments which remained incomplete at that point and were outside of expected timescales.

The case examiners have been provided with evidence from the former employer which states that child and family assessments were required to be completed within 45 working days. The information from the dip sample of the social worker's caseload provides the following evidence:

- For Family D, the assessment was started on 14 April 2021 and remained incomplete on 26 August 2021, a period of 95 days.
- For Family F, the assessment was started on 19 May 2021 and completed on 28 September 2021, a period of 94 days.

- For Family E, the assessment was started on 10 May 2021 and remained incomplete on 26 August 2021, a period of 74 working days.
- For Family C, the assessment was noted to be open for 115 days. However, the supervision records suggest this was inherited from a previous worker. Therefore, the case examiners have considered how long the social worker had to complete the assessment, it appears that their first visit to meet the family was 19 May 2021, so they had been responsible for the assessment for 70 days on 26 August.

The case examiners are therefore of the view that for the families noted above, the assessments remained incomplete significantly after the deadlines. The social worker acknowledges this and states that all their work was up to date when they left and the delay was caused by issues with the transfer to a new electronic recording system. The social worker submits “It was not a smooth transfer I’m afraid and it held back a delay in the process of assessments. All SWs had the same problem that for example they were losing work that they had previously written on the system”. The case examiners have not been provided with evidence to support these submissions and note that the delay in these assessments was significant and prolonged.

The case examiners have then considered whether not completing an assessment could be viewed as a failure to safeguard. The case notes provided suggest that the social worker was undertaking work and collecting information to inform assessments; it does not appear that the families were left without any support. However, the case examiners are mindful that completing and recording assessments is a key element of the social work role. The professional standards guidance sets out that “*maintaining accurate, clear, objective, and up-to-date records is an essential part of social work...These records are open to scrutiny and help to provide a continuity of support if people are transferred between social workers. They can help to protect people and social workers*”.

The families with assessments outstanding were experiencing a combination of risk factors, including domestic abuse, alleged indecent images of children and poor mental health. The case examiners are of the view that all of the children discussed so far required safeguarding and that completing assessments was part of this work.

In relation to Family G however, the case examiners note that the assessment appears to have been started on 2 July 2021 and wasn’t complete on 26 August which was a period of 38 days. It is unclear from the evidence whether the assessment remained incomplete after the 45-day deadline. The case examiners also note that the family had social care involvement relating to an older sibling who had moved to a new area where they would be receiving social work intervention. There appears to be

no concerns with the younger siblings, and the case was recorded as due to close. Even if it was found that the assessment remained incomplete for a significant period, the case examiners view that it is unlikely to amount to a failure to safeguard, due to the specifics of this case.

The case examiners are satisfied there is a realistic prospect of this regulatory concern being found proven, in relation to all families except Family G, should the matter go forward to a hearing.

### Grounds

This concerns which have a realistic prospect of being found proven, namely regulatory concern 2.1 and 2.2, have been presented on the grounds of misconduct [REDACTED] the case examiners' guidance encourages them to (where possible) identify the appropriate statutory ground to proceed on, as this provides clarity as to the basis of Social Work England's case against the social worker.

### Misconduct

The case examiners next considered whether regulatory concerns 2.1 and 2.2 may amount to misconduct. They 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.

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:

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

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

3.9 Make sure that relevant colleagues and agencies are informed about identified risks and the outcomes and implications of assessments and decisions I make.

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

The case examiners are satisfied that a failure to safeguard children by not visiting sufficiently or completing assessments is a departure from the standards above. They have then considered whether this departure could be viewed as significant.

The social worker submits there were failures in the electronic systems which affected their practice, but this has not been evidenced. Whilst the case examiners appreciate that this may have caused some delays, the evidence suggests that the alleged omissions were over a prolonged period. It appears that children were left unseen by a social worker for 13 weeks and that 2 of the families had assessments which were more than 49 days overdue, double the required timescale for such work.

The case examiners have also considered the potential impact upon the children and their families. Some of the children were experiencing significant instability and upheaval, for example Family D where there were older siblings experiencing mental health difficulties and criminal behaviour, and possible exploitation. The case examiners acknowledge that the social worker had made referrals to mental health services and the diversion service, to help prevent an escalation of offending behaviour. However, the assessment required completion and a conclusion, to aid subsequent workers in understanding what this family required and what had been provided.

Both Families C and E were awaiting the outcome of police investigations, into internet offences and domestic abuse allegations from their fathers, respectively. Without thorough assessments, decisions about intervention and future planning risked being not based on clear analysis and rationale and the children’s needs may have been overlooked.

The case examiners are satisfied that there is a realistic prospect that adjudicators would find that the social worker’s alleged omissions represented a significant departure from the standards identified and accordingly that the statutory ground of misconduct is engaged.

### Impairment

Assessment of impairment consists of two elements:

1. The personal element, established via an assessment of the risk of repetition.

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

#### Personal element

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

#### Whether the conduct can be easily remedied

The case examiners are of the view that there is evidence of comprehensive records made for some children and the records made suggest the social worker was capable of good practice. In these circumstances, the case examiners consider the conduct could be easily remedied, through evidence of insight gained and the social worker demonstrating what they would do differently in the future.

#### Insight

The social worker acknowledges that there were delays in some of their work but submits that this was due to issues at the workplace and that all their work was up to date when they left the authority. The case examiners consider that there may have been issues which impacted upon the social worker but without evidence of this, they are unable to place much weight upon this potential mitigation. The social worker does not provide any reflection on what they could have done differently or the impact upon the families they supported. The case examiners therefore consider there is limited insight demonstrated.

#### Remediation

The social worker appears not to have been in practice since these concerns were raised and so there is no objective evidence of subsequent practice, to suggest that remediation has taken place. The social worker has not provided any evidence of learning or development activities undertaken.

#### Risk of repetition

Given the lack of insight and remediation demonstrated, the case examiners conclude that a risk of repetition remains.

### 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 sanctions guidance sets out that there will be situations where "decision makers may decide that the conduct is serious, but that there is no realistic prospect of finding impairment (unless the conduct is repeated)". Examples of these situations within the guidance include "errors or failings in practice which the social worker has addressed (so that there is minimal risk of repetition)". The case examiners are therefore of the view that it would be open to them to conclude that a finding of impairment is not necessary to uphold public confidence and the professional standards, if the risk of repetition had been addressed.

However, whilst the conduct is remediable, the case examiners have concluded that a risk of repetition remains, given the lack of insight and remediation demonstrated. The case examiners are of the view that the public would expect a finding of impairment in cases where there is a risk of repetition, given the risk of harm to children.

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's fitness to practise 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 concluded that the public interest in this case is engaged. However, they are satisfied that this interest may be appropriately fulfilled by virtue of the accepted disposal process.

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

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

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

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

- There is no conflict in evidence in this case, and although the social worker appears to suggest much of the responsibility lies with their previous employer, they do not dispute the key facts.
- The case examiners recognise that not all professionals will have a clear understanding of how and when the public interest may be engaged, or how exactly this might impact upon findings concerning current fitness to practise.
- The accepted disposal process will provide to 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. The publication of an accepted disposal decision would provide a steer to the public and the profession on the importance of adhering to the professional standards expected of social workers in England.

## Accepted disposal

Case outcome		
Proposed outcome	No further action	<input type="checkbox"/>
	Advice	<input type="checkbox"/>
	Warning order	<input type="checkbox"/>
	Conditions of practice order	<input checked="" type="checkbox"/>
	Suspension order	<input type="checkbox"/>
	Removal order	<input type="checkbox"/>
Proposed duration	1 year	

Reasoning	
<p>The case examiners have identified the following aggravating and mitigating factors:</p> <p><u>Aggravating</u></p> <ul style="list-style-type: none"> <li>- Prolonged periods of delays in visiting and assessing children</li> <li>- Limited insight and remediation demonstrated</li> </ul> <p><u>Mitigating</u></p> <ul style="list-style-type: none"> <li>- No history of fitness to practise concerns</li> <li>- The social worker submits some delays were due to system failure</li> </ul> <p>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.</p> <p><u>No further action, advice or warning order</u></p> <p>The case examiners have decided that it is not in the public interest to refer this matter to a final hearing and have chosen the least restrictive sanction necessary to protect the public and the wider public interest. They have started at the lowest</p>	

possible sanction and worked up, testing the appropriateness of each sanction and the next sanction above it to confirm their decision is proportionate.

The case examiners have already determined that there is a realistic prospect that the social worker's fitness to practise would be found impaired. The sanctions guidance advises that if the personal element of impairment is found, "*a sanction restricting or removing a social worker's registration will normally be necessary to protect the public*". The case examiners are therefore led to consider sanctions which restrict the social worker's practice. They note that the guidance suggests it may therefore "*be reasonable to move beyond the lower sanctions (no action, advice or a warning) on this basis alone*". The case examiners have already determined that they do not consider that the social worker has demonstrated sufficient insight and therefore a risk of repetition remains. Therefore, the sanctions of no further action, advice or a warning are considered inappropriate on the basis that these outcomes will not restrict practice and therefore not sufficiently protect the public.

#### Conditions of practice order

The case examiners acknowledge that conditions of practice are most commonly proposed in cases relating to lack of competence or capability or adverse health. In the evidence presented, there is no suggestion that the social worker could not do their work, but rather that they hadn't written up assessments or prioritised visits. The case examiners are of the view that it is possible to devise conditions which are workable and so they considered whether any conditions would be proportionate. Whilst the case examiners acknowledge that there is no evidence that the social worker lacks competence, it appears they have not practised for around 5 years and so the case examiners consider that conditions of practice could support them to return to practice and evidence insight and remediation.

The case examiners recognise that the social worker has stated they do not wish to return to social work practice and so may view conditions of practice as unsuitable. However, the order would allow them to return to practice, if they change their mind. If not, a condition to complete a reflective statement will allow them to evidence any reflection and insight they may have gained, so the regulator can be assured that the risk of repetition is reduced.

The case examiners have considered whether the concerns before them require a sanction of suspension. They are of the view that this would be disproportionate given the limited nature of the concerns, relating to a short period in the social worker's career and the evidence of otherwise good practice demonstrated in their case records.

The case examiners consider the appropriate duration of the conditions of practice order to be a period of one year. By putting in place a timescale of one year, this provides sufficient time for the social worker to reflect adequately, particularly given that the social worker has not evidenced sufficient insight in the intervening five years since their alleged conduct occurred. The case examiners have also born in mind, in setting this time period, the serious nature of the concerns raised, and their role in upholding professional standards and sending a message to the profession as a whole. Given that the case examiners have identified there is some insight demonstrated and no concerns about general competence, they are of the view that a longer period of conditions is unnecessary and would be disproportionate.

The case examiners have decided to propose to the social worker a conditions of practice order of one year 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 conditions of practice

Conditions 1-11 (inclusive) should be in place for a 1-year period. In accordance with paragraph 15 of Schedule 2 of The Social Workers Regulations 2018, the regulator must review the conditions of practice order before its expiry. The social worker and/or Social Work England can seek early review if new evidence becomes available to suggest the current order needs to be varied, replaced or removed.

1. You must notify Social Work England at any time you are employed in a role, or providing social work services, which require you to be registered with Social Work England and provide the contact details of your employer, agency or any organisation with which you have a contract or arrangement to provide social work services, whether paid or voluntary.
2. You must allow Social Work England to exchange information with your employer, agency or any organisation with which you have a contract or arrangement to provide social work or social work educational services, and any reporter referred to in these conditions.
- 3.a. At any time you are employed in a role, or providing social work services, which require you to be registered with Social Work England, you must agree to the

appointment of a reporter nominated by you and approved by Social Work England. The reporter must be on Social Work England's register.

b. You must not start or continue to work until these arrangements have been approved by Social Work England.

4. You must provide reports from your reporter to Social Work England every 3 months and at least 14 days prior to any review.

5. You must inform Social Work England within 7 days of receiving notice of any formal disciplinary proceedings taken against you from the date these conditions take effect.

6. You must inform Social Work England within 7 days of receiving notice of any investigations or complaints made against you from the date these conditions take effect.

7. You must inform Social Work England if you apply for social work employment / self-employment (paid or voluntary) outside England within 7 days of the date of application.

8. You must inform Social Work England if you are registered or subsequently apply for registration with any other UK regulator, overseas regulator or relevant authority within 7 days of the date of application [for future registration] or 7 days from the date these conditions take effect [for existing registration].

9. You must read Social Work England's 'Professional Standards' (July 2019), and provide a written reflection to Social Work England 6 months after these conditions take effect, focusing on how your conduct, for matters relating to this case i.e. visiting children and completing assessments within timescales, was allegedly below the accepted standard of a social worker, outlining what you should have done differently.

10. a. You must undertake 7 hours of continuing professional development (CPD) in relation to assessment and safeguarding of children.

b. You must provide evidence of CPD undertaken to Social Work England within 6 months of these conditions taking effect.

11. You must provide a written copy of your conditions, within 7 days from the date these conditions take effect, to the following parties confirming that your registration is subject to the conditions listed at 1 to 10, above:

- Any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary.
- Any locum, agency or out-of-hours service you are registered with or apply to be registered with in order to secure employment or contracts to undertake social work services whether paid or voluntary (at the time of application).
- Any prospective employer who would be employing or contracting with you to undertake social work services whether paid or voluntary (at the time of application).
- Any organisation, agency or employer where you are using your social work qualification/knowledge/skills in a non-qualified social work role, whether paid or voluntary (at time of application).

You must forward written evidence of your compliance with this condition to Social Work England within 14 days from the date these conditions take effect.

## Response from the social worker

The social worker responded to the proposal stating,

“I haven't work as a children social worker for just over 4 years now and no wish to. Whatever has been decided I accept take this email as agreed. I do not work as a SW and never wish to follow with this career ever again”.

The social worker has also requested that they are not contacted again by the regulator and states they will delete their email account.

## Case examiners' response and final decision

The case examiners acknowledge that the social worker has not completed the usual response form where they are asked to indicate whether they agree to the following declaration,

“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”.

The case examiners note that the social worker’s response may indicate that they have not read and fully understood the decision of the case examiners. However, there is no suggestion from this correspondence nor from the social worker’s earlier submissions that they are unable to engage in this process due to health or disability, rather it appears they are choosing to limit their involvement with the regulator. The case examiners are of the view that the social worker is a registered professional and without any evidence to the contrary, it should be assumed that they have the capacity to read and understand the decision presented to them.

The case examiners have considered both fairness to the social worker and the protection of the public. They remain satisfied that the public will be protected through the accepted disposal process and imposition of a restrictive sanction.

The case examiners considered that it could be argued that a hearing will allow for the full examination of the case against the social worker to be heard. However, the case examiners consider they have not been provided with any new evidence which casts any doubt on their decision and are of the view there is no benefit in referring this case to a hearing, given that the social worker has indicated they agree to the sanction. The case examiners consider it could be viewed as unfair and disproportionate to refer the case to a hearing solely because the social worker has limited their engagement with the regulator during a period in which they are not practicing.

The case examiners have reviewed their decision, paying particular regard to the overarching objectives of Social Work England:

- The protection of the public
- Maintaining confidence in the social work profession
- The maintenance of professional standards.

The case examiners are of the view that the public will be sufficiently protected should the social worker return to practice and if they do not return to practice, as indicated, then a suspension or removal order can be considered at any future review hearing.

The case examiners remain satisfied that an accepted disposal conditions of practice order of 1 year is a fair and proportionate way to conclude this matter, and is the minimum sanction required to protect the public and the wider public interest.

