



# Name: Bright Anthony

## Registration appeal meeting

Meeting Venue: Remote

Date of meeting: 09 January 2025

Hearing Outcome: Appeal dismissed

### Introduction and attendees:

1. Neither Ms Antony (hereafter “the Appellant”) nor Social Work England were present.
2. The appeal proceeded by way of a meeting.

<b>Adjudicators</b>	<b>Role</b>
Jayne Wheat	Chair
Sarah (Sally) Scott	Social Work Adjudicator
Tom Stoker	Hearings Officer
Abimbola Johnson	Legal Adviser

### Notice of Service:

3. The panel of adjudicators (hereafter “the panel”) was provided with a bundle of documents in which it was noted that, following a case management meeting held by a panel of adjudicators on 14 November 2024, this appeal should be considered by way of a meeting. Notice of the panel’s decision to consider this appeal by way of a meeting was sent to the Appellant on 18 November 2024 by e-mail to an address held by Social Work England, providing the Appellant with an opportunity to request a hearing. The Appellant responded on 3 December 2024 agreeing to the matters proceeding by way of a meeting.
4. The panel accepted the advice of the legal adviser in relation to service of notice.
5. Having had regard to Rule 23 of the Removal from the Register and Registration Appeals Rules 2019 (As Amended) and all of the information before it in relation to the service of notice, the panel was satisfied that the Appellant had been given notice of the meeting and an opportunity to request a hearing in accordance with the Rules.

### **Proceeding in the absence of the Appellant:**

6. The panel received advice from the legal adviser as to its power under Rule 15 of the Rules to proceed with the appeal by way of a meeting. The panel were satisfied that the Appellant had been given an opportunity to request for their appeal to be considered by way of a hearing and there has been no material changes in circumstances which effect the decision made by the panel at the case management meeting on 14 November 2024, namely that the appeal could and should be considered by way of a meeting. Further, the Appellant had responded on 3 December 2024 agreeing to the matters proceeding by way of a meeting.
7. The panel, therefore, concluded that it was appropriate to consider the appeal by way of a meeting.

### **Background to appeal:**

8. This appeal is made pursuant to Regulation 19 of the Social Workers Regulations 2018 (as amended) (“the Regulations”). The panel may in accordance with Regulation 19(6) of the Regulations:
  - (a) dismiss the appeal;
  - (b) quash the decision;
  - (c) substitute for the decision being appealed any other decision that the decision maker could have made; or,
  - (d) remit the decision to the regulator to be disposed of in accordance with the adjudicators’ directions.
9. This is an appeal against the decision of the Registrar contained in a letter dated 30 September 2024 to refuse the Appellant entry on the register.
10. The Appellant applied to the Social Work England register on 22 May 2023. She had obtained a Master of Social Work (Human Resource Development and Management) from Christ, a “deemed-to-be-University” in India, on 22 July 2022. The Appellant also submitted information relating to 4 placements she

had undertaken in: a charity focussing on children with disabilities; a digital company; a recruitment company; and in HR operations.

11. On 18 October 2023, Social Work England registration advisers reviewed the Appellant’s application and concluded that there was a shortfall of placement related days on the Appellant’s Masters’ degree. She had completed 112.7 days. There is a 200 placement day requirement (including up to 30 skills days) set out in Standard 2.1 of Social Work England’s Education and Training Standards (2021). They also highlighted that the Appellant’s placements did not require statutory work and that the law module in her degree referred to employment relations rather than to social work law. No other evidence of education or training was submitted by the Appellant at that stage.
12. The Appellant’s work experience as an Area Human Resources Trainee from 3 July 2022 to September 2023 was considered. They noted that the employer stated the role required a social work qualification, on review they found that the role only required “employee life cycle management.” They concluded that no clear information had been provided about the role or the Appellant’s duties.
13. The advisers requested the Appellant provide further information about her HR role. This was subsequently considered on 23 April 2024. On review, the advisers concluded that the role did not involve statutory social work interventions or high-risk decision-making within a social work context. The role primarily focused on training and development, including staff training on cultural diversity and HR policies, as well as using conflict resolution to address employment issues. The Appellant’s remaining roles had a focus on HR rather than social work.
14. The Appellant provided further information asserting that she had enrolled onto a PhD in Social Work at Strathclyde University. The university confirmed that the Appellant was enrolled onto a PhD with them focussing on “Understanding the Impacts of Child Bereavement in Post-COVID Times.” However, the

advisers considered that the information provided lacked evidence of assessed and supervised social work practice.

15. The only placement related to social work during her MA course involved 21 days of direct work with children with disabilities, but this did not involve statutory or high-risk decision-making within a legal framework. Furthermore, the advisers assessed that the additional information did not address the HR focus within the law module that is part of the course curriculum. They recommended that the Appellant undergo a Test of Competence (“TOC”) which took place on 16 September 2024.
16. The two advisers who conducted the Appellant’s TOC then concluded that the appellant should not be accepted onto the register, observing the following:
  - a. The Appellant struggled to demonstrate knowledge and understanding of social work concepts, legislation, and theories. She failed to address key risk factors in case studies, and her suggestion of Family Therapy for a foster family did not align with the needs of the young girl involved. The Appellant also showed confusion when discussing social work interventions and legal statutes, and did not demonstrate adherence to social work values such as inclusion, equality, and cultural awareness.
  - b. Additionally, the Appellant was unable to identify risk elements or statutory responsibilities in the case studies, nor provide examples of high-risk decision-making or legislation beyond the Mental Health Act. While discussing their placement and PhD, she did not relate her experience to essential social work skills.
  - c. The Appellant has never worked in a social work role and has not studied a course that addresses social work values, knowledge, and practice. The advisers recommended that the Appellant pursue a qualifying social work

degree to meet the necessary standards, as a period of adaptation would not address the identified gaps.

17. On 30 September 2024, the Registrar wrote to the Appellant refusing entry and providing the following reasoning:
18. *Our decision is that your registration has been refused because we are not satisfied that you have a recognised qualification under regulation 11(2)(a). Specifically, we are not satisfied that, in line with Schedule 1, paragraph 1(c)ii, you have undergone training in the social work profession outside the United Kingdom, and, you do not hold such a qualification, but the person has undergone such additional training or experience, in the United Kingdom or elsewhere, as satisfies the regulator, following any test of competence as it may require them to take, that they meet the requisite standard for admission to the register.*
19. *The test of competence was set and assessed by two registration advisers who are registered social workers. The registration advisers who conducted the test of competence were familiar with your application, to ensure it was tailored to your previous training and how this met our requirements. Both registration advisers have substantial experience in assessing overseas qualifications and tests of competence for Social Work England. The outcome of the test of competence was that the advisers concluded that:*
  - a. *Your master's degree in social work did not meet the standard for admission to the register as it is not of a comparable standard to those social work qualifications that are accepted for entry to the register; and*
  - b. *You had not undergone sufficient additional training and not gained sufficient experience that could satisfy the advisers that you met the requisite standard of proficiency for admission to the register through other training and learning you had undertaken.*
20. *The advisers were also not satisfied that a period of adaptation, by itself, would provide sufficient opportunity for you to develop the requisite knowledge and skills required to meet the identified shortfall. They concluded that a period of adaptation would not be appropriate.*
21. *The Advisors agreed that the evidence from the test demonstrated that the applicant was not at the level at which safe practice and protection of the public could be assured.*

22. *I have reviewed the Record of the Test of Competence and Record of Assessment and have decided to refuse you entry onto the register for the following reasons:*

- c. We assessed your qualifications, education and training which showed a substantial shortfall in meeting the Social Work England Professional Standards and Education and Training Standards.*
- d. You sat a test of competence and failed to demonstrate that your education, training and experience meets our threshold standards.*
- e. I am not satisfied that the shortfall could not be adequately compensated by a period of adaptation and supervised practice.*

23. The Registrar recommended that the Appellant undertake a qualification in social work recognised by Social Work England and provided the Appellant with a list of approved courses.

**Submissions:**

The Appellant:

24. The Appellant submitted that the panel should quash the decision of the Registrar and that she should be allowed onto the register. The Appellant provided a detailed set of written submissions which elaborated on the grounds as set out below:

*My appeal is based on the following grounds:*

*1. Misrepresentation of My Professional Experience: The refusal letter inaccurately states that I lack sufficient social work experience. As a registered practitioner with the Scottish Social Services Council (SSSC) and through my work with Bishopbriggs Out of School Care, I have fulfilled statutory responsibilities aligned with social work practice.*

*2. Unfair Assessment of the Test of Competence (TOC): The assessment failed to accurately reflect my knowledge of social work theories, legislation, and high-risk decision-making. Misrepresentations in the report, particularly regarding my case study submissions and identification during the test, compromised the fairness of the process.*

*3. Disregard of My UK Qualifications and Current PhD Studies: I am currently pursuing a PhD in Social Work at the University of Strathclyde, with a research focus on a sensitive social work issue. My qualifications and work experience in the UK have been recognized by other statutory bodies, including the SSSC, and it is unfair for Social Work England to disregard them.*

*4. Inconsistent Evaluation of My Training and Certifications: Despite having completed relevant training and certifications in the UK, including child protection and risk assessment, these were overlooked in the decision-making process.*

#### Social Work England

25. Capsticks, on behalf of Social Work England, invited the panel to dismiss the appeal stating the following:

*The Appellant submits that she does not lack social work experience. She relies upon her registration with SSSC in support of this. It is clear from the certificate that she has provided that she was registered with the SSSC as a ‘Children and young People’s worker’, which was a requirement of her role at the time. The SSSC has confirmed that the Appellant was subject to a condition upon that registration to obtain the required qualification to meet the requirements for their role as day care of children – practitioner. She no longer holds this registration. Social Work England were not informed of this change.*

*The Advisors considered the further information provided in respect of the work at Bishopbriggs Out of School Care and noted that “this did not clearly relate back to Social Work Skills and Knowledge.” The Appellant has provided further information in respect of the role at Bishopbriggs, which has not been seen by the Advisors, most of which is self- reporting and other than a letter confirming*



*employment, no detail had been provided in respect of her roles and responsibilities, which could impact upon the decision of the Advisors.*

*The second ground of appeal relates to the disregard of the Appellant's UK Qualifications and PhD studies. It is of note that the Appellant has not completed her PhD and therefore it is not yet a qualification, which falls to be considered. The Appellant also relies upon her registration with SSSC which has been addressed at paragraph 21 above. No further UK qualifications have been provided by the Appellant, the reference to UK qualifications appear to relate to the certificates that she has received in Child Protection, Risk Assessment and Mental Health.*

*Finally, the Appellant appeals on the ground of "Inconsistent evaluation of My Training and Certifications". The experienced Advisors designed a bespoke test of competence, which was carefully tailored to the deficiencies identified in the analysis of the Appellants application for registration.*

*The Advisors have carefully considered and analysed the training and certifications provided by the Appellant, none of which go to the shortfalls identified by the Advisors. Social Work England invite the Adjudicators to determine that the degree and supporting evidence do not meet the standard for registration with Social Work England.*

**Panel decision:**

26. The panel heard and accepted the advice of the legal adviser and considered the written submissions made by the Appellant and Capsticks on behalf of Social Work England. The panel took into account the Registrar's original decision to refuse admission and the reasons for it. The panel also took into account all of the documents submitted together with Social Work England's Guidance on Registration Appeals.

27. The panel first considered whether the Appellant's Masters degree from Christ was a qualifying degree. It concluded that it was not.

d. The degree is not on the list of approved qualifications. The panel therefore considered whether it was satisfied that it was comparable to a standard attested to by an approved qualification as per paragraph 1 Schedule 1 of the Regulations.

e. Under Standard 2.1 of the Social Work England Education and Training Standards 2021, 200 placement days are required for a course to be recognised. The panel noted that the Appellant had submitted that she may have made a mistake in submitting her placement hours and that in fact her hours were closer to 400. However, the hours calculation for the Appellant's courses came from a "course information form" that had been completed by the Appellant and then stamped and approved as accurate by Christ deemed-to-be-University. In the circumstances, therefore, the panel was satisfied that the original calculation of 112.7 days was the best evidence of hours required by the institution and completed by the Appellant as part of her degree.

28. In any event, looking at all of the information available about the content of the Appellant's placements, the panel was not satisfied that any of them provided experience of a sufficient number of "*statutory social work tasks, specifically high risk decision making and legal interventions.*" (*Paragraph 2.1, Qualifying education and training standards guidance (2021)*) The panel noted that the Appellant asserted that her placement with the charity that worked with children with disabilities in particular involved such work. However, in none of the documentation were specific examples given by the Appellant directly, or, for example, in any employer references to set out the detail, frequency or results of any such tasks being undertaken by the Appellant. As set out further below, this appeared to be substantiated by the Appellant's performance in her TOC.

29. The panel noted that the Appellant is now undertaking a PhD at the University of Strathclyde focusing on “Understanding the Impacts of Child Bereavement in Post-COVID Times.” The Appellant’s PhD is not on the list of Social Work England’s approved qualifications. The panel noted further that the Appellant has not in any event completed this PhD and it therefore could not be considered as to whether it qualified her to be placed on the register.
30. The panel next considered Paragraph 1(c)(ii) of Schedule 1 of the Regulations, namely: whether the Appellant has undergone such additional training or experience in the UK or elsewhere so that it to be satisfied, following a test of competence (“TOC”) that she meets the requisite standard to enter the register.
31. The Appellant written submissions repeatedly asserted that her training and experience in social work was apparent from the fact that she had been entered onto the Scottish Social Service Council’s register as part of her recent work in Children Services. She asserted that her registration was valid until 10 April 2029. However, the panel noted that in their response to a request for clarification by Social Work England, the Council confirmed that the Applicant has “*never submitted an application to register with the [Council] as a Social Worker.*” SSSC confirmed that the Appellant was previously registered on the “Children and Young People’s Worker” part of their register but that had been between 11 April 2024 and 20 November 2024 and was subject to her obtaining a qualification to meet the requirement for their role as a day care practitioner for children.
32. The panel noted that the Appellant’s assertions around registration at the very least revealed a lack of understanding about the difference between working with children generally and being a registered social worker. The panel also noted that the Appellant had not subsequently informed Social Work England of her removal from the SSSC register in November 2024 despite corresponding with Social Work England as late as December 2024 and being aware of the date of today’s appeal meeting.

33. The panel then turned to the Appellant's TOC on 16 September 2024. The panel first considered the Appellant's concerns about the case studies for the TOC. She had raised concerns about the fact that both studies were provided during the test rather than in advance and that she felt the scenarios and questions were complex.
34. The panel noted that when the TOC had originally been scheduled in July, the Appellant had been told she would be given the first case study ten days in advance with her response to be submitted in writing two days prior to the test. It was indicated that the second study would be provided during the test with 5 minutes for her to consider before answering questions on it for 45 minutes. In fact, for various reasons, the TOC took place in September. Both case studies were provided to the Appellant on the day with 5 minutes given to her to consider them and then answer questions. It was clearly indicated on the September paperwork that this was the manner in which the test was conducted.
35. The Appellant raised concerns that this approach left her underprepared and tested her quick thinking and memory rather than her substantive knowledge. She highlighted that she preferred a more considered and researched approach. The panel carefully reviewed both case studies and the nature of the questions posed of the Appellant. It noted that the questions asked of the Appellant were sufficiently straightforward and went directly to the identified potential gaps in her knowledge, namely her lack of direct social work experience, decision making in a high-risk environment, and the application of law to social work practice. It was therefore reasonable for the advisers to have expected her to be able to answer the questions posed of her in the TOC.
36. The panel noted that the advisers had observed that the Appellant had been unable to identify fundamental statutory provisions such as the Children Act 1989 and the Care Act 2014 which are part of the legislative framework used by social workers in their everyday work. She had also been unable to identify key risk and vulnerability factors such as age. The panel also noted that the

Appellant continued to defend her approach to both case studies in her written appeal.

37. Having carefully considered all of the paperwork before it including both sets of submissions and previous decisions, the panel concluded that:

- f. The Appellant does not hold a recognised qualification;
- g. She does not have sufficient additional training or experience to supplement the qualifications she does hold;
- h. She was given a fair test of competence and her performance demonstrated that the concerns identified: lack of high level decision making, unfamiliarity with social work legislation remain.

38. The panel therefore dismissed the appeal.

**Right of appeal:**

39. A person may appeal to the County Court against a decision of the regulator under Part 3 of the European Union (Recognition of Professional Qualifications) Regulations 2015 or, in the case of a social worker falling within regulation 78(3)(a) of those Regulations, a decision of the regulator under Part 3 of the European Communities (Recognition of Professional Qualifications) Regulations 2007, requiring an exempt person to complete an adaptation period, or pass an aptitude test, in connection with becoming entitled by virtue of that Part of those Regulations to have access to, and to pursue, the social work profession in the United Kingdom.

40. On an appeal under paragraph (9) the County Court may:

- (a) dismiss the appeal;
- (b) quash the regulator's decision;
- (c) substitute for the regulator's decision any other decision that the regulator could have made; or,
- (d) remit the matter to the regulator to be disposed of in accordance with the directions of the Court, and may make any order as to costs as it thinks fit.

That concludes this determination.