

Case Examiner Decision
Kanamik Kani Khan – SW136267
FTPS-24334

Contents

The role of the case examiners	3
Decision summary	4
The complaint and our regulatory concerns.....	6
Preliminary issues	8
The realistic prospect test	9
The public interest.....	11
Accepted disposal	13

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	2 December 2025
	Accepted disposal proposed - removal order
Preliminary outcome 2	14 April 2026
	Accepted disposal proposed - removal order
Final outcome	29 June 2026
	Accepted disposal - removal order

Executive summary

The case examiners established that in accordance with paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018), there is a realistic prospect that adjudicators would determine that the social worker's fitness to practise is impaired.

This is because the social worker has been convicted of a criminal offence and has received a suspended custodial sentence. In accordance with the regulations, the case examiners therefore commenced their decision making by considering whether there is a public interest in referring this case to a hearing.

The case examiners do not consider it to be in the public interest for the matter to be referred to a final hearing and they are satisfied that the case can 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 an accepted disposal removal order. The social worker accepted this proposal.

In Summary:

1. There is a realistic prospect of regulatory concern1 (1.1 and 1.2) being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concern 1 being found to amount to the statutory ground of a conviction or caution in the United Kingdom for a criminal offence.
3. For regulatory concern 1, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

The case examiners 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.

On 7 May 2026, the social worker responded to the proposal put forward by the case examiners confirming that they had read the case examiners decision and accepted disposal guide. The social worker has signed to say that they understand the terms of the accepted disposal removal order and accept these in full.

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.

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by way of a self-referral by the social worker
Date the complaint was received	27 January 2025
Complaint summary	The social worker was charged on 4 April 2025 with the offences described in the regulatory concerns outlined below. The offences occurred between 14 January 2025 to 21 January 2025 and involved the social worker communicating with what they believed to be a 13-year-old female child. The child in question was in fact an undercover police officer. The charges relate to the social worker graphically describing sexual acts to the child as well as attempting to meet the child. On 28 May 2025, the social worker received: - In respect of count 1, a custodial sentence of six months imprisonment suspended for 18 months and a fine. - In respect of count 2, a custodial sentence of 12 months suspended for 18 months.

Regulatory concerns

Whilst registered as a social worker:

1. On 28 May 2025 at Snaresbrook Crown Court, you were convicted of the offence of:

1.1 Attempting to engage in sexual communication with a child

1.2 Attempting to meet a girl under 16 years of age following grooming

Preliminary issues

Investigation		
Are the case examiners satisfied that the social worker has been notified of the grounds for investigation?	Yes	☒
	No	☐
Are the case examiners satisfied that the social worker has had reasonable opportunity to make written representations to the investigators?	Yes	☒
	No	☐
Are the case examiners satisfied that they have all relevant evidence available to them, or that adequate attempts have been made to obtain evidence that is not available?	Yes	☒
	No	☐
Are the case examiners satisfied that it was not proportionate or necessary to offer the complainant the opportunity to provide final written representations; or that they were provided a reasonable opportunity to do so where required.	Yes	☒
	No	☐

The realistic prospect test

Fitness to practise history

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

Decision summary

Is there a realistic prospect of the adjudicators finding the social worker's fitness to practise is impaired?

Yes



No



As mentioned earlier in this determination, Paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018) applies in this case. This relates to cases where a social worker has received a custodial sentence having been convicted of a criminal offence.

Normally, whilst case examiners are required to apply the realistic prospect test in order to reach a determination on potential impairment, in instances where the above mentioned section of the regulations is engaged this test is not needed to be carried out. This is because the conclusion of there being a realistic prospect of a finding of impairment is automatic, as it is deemed that criminal matters of such seriousness as to require time in custody are likely to engage the public interest and require case examiners to conclude that there is a realistic prospect of adjudicators finding that the social worker's fitness to practise is impaired.

Reasoning

Facts, Grounds and Impairment.

As detailed above, the case examiners are not required to apply the realistic prospect test in cases where Paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018) applies. As such, there is no need to establish if the facts could be found

proven, if the statutory ground of a conviction or caution in the United Kingdom for a criminal offence is engaged, or if the social worker could be found currently impaired.

To assist, and in order to demonstrate why this is the case, the wording of the regulations is as follows (emphasis added in bold):

(2) Where a question arises as to whether a social worker's fitness to practise is impaired—

(a) as a result of them having been convicted of an offence in respect of which a custodial sentence has been imposed, other than a listed offence, there are reasonable grounds for investigating whether the social worker's fitness to practise is impaired, **and there is a realistic prospect that adjudicators would determine that the social worker's fitness to practise is impaired.**

The public interest

Decision summary

Is there a public interest in referring the case to a hearing?	Yes	☐
	No	☒

Referral criteria

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

Additional reasoning

In considering whether referral to a hearing might be required, the case examiners noted that the social worker has accepted all of the key facts and there is no conflict in evidence that must be resolved at a hearing.

Although the concerns in this case are serious, the case examiners are satisfied that the public would be reassured to see the regulator take prompt action to conclude this case through the accepted disposal process, which includes the publication of a decision on the regulator's website. The case examiners consider that the public interest can therefore be fulfilled through the accepted disposal process.

Interim order

An interim suspension order is in effect, and will be replaced with an accepted disposal removal order.

Accepted disposal

Case outcome		
Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☐
	Conditions of practice order	☐
	Suspension order	☐
	Removal order	☒
Proposed duration	Where a social worker is removed from the register, there is no defined end to the finding of impairment. A social worker that has been removed from the register may only apply to be restored to the register 5 years after the date the removal order took effect. The adjudicators will decide whether to restore a person to the register.	

Reasoning

In considering the appropriate outcome in this case, the case examiners had regard to Social Work England's sanctions guidance 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.

In determining the most appropriate and proportionate outcome in this case, the case examiners considered the available sanctions in ascending order of seriousness. The case examiners considered taking no further action but considered that this would not be appropriate in this instance as it would not satisfy the wider public interest.

The case examiners next considered whether offering advice would be sufficient. An advice order will normally set out the steps a social worker should take to address the behaviour that led to the regulatory proceedings. The case examiners believe that

issuing advice is not sufficient to mark the seriousness with which they view the social worker's conduct.

The case examiners then considered a warning order. A warning order implies a clearer expression of disapproval of the social worker's conduct than an advice order. The case examiner sanction guidance states that a warning order is likely to be appropriate when all the following are present:

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

The case examiners will explore the above in more detail through consideration of the social worker's insight and any potential risk of repetition.

In submissions the social worker expresses remorse and says they understand their actions could have caused harm. They say that their actions as captured in the regulatory concerns is not reflective of a professional tasked with public safety and protection.

The social worker has cooperated with probation and engaged with other support services in efforts to learn from this experience which is positive. The social worker self-referred to the regulator.

In submissions the rationale put forward by the social worker for their actions are [REDACTED] and experiencing some [REDACTED] they say they made a terrible decision to go online to look for strangers to talk to. The context of the social worker's arrest, and the serious nature of the concerns seem incongruent with the social worker's expressed rationale for their behaviour.

In order to assess the risk of repetition, the case examiners have turned their minds to paragraph 124 of their guidance, and the extent to which the social worker could [and should] have foreseen the risk of harm presented by their actions. The case examiners have determined that a qualified and registered social worker could and should have foreseen the potential risk of harm presented to the young person they thought they were communicating with and had arranged to meet. Furthermore, the evidence suggests that the social worker's communication with the young person they thought they were talking to with went beyond looking for someone to talk to.

Having further considered their guidance at paragraphs 133 and 134, the case examiners are mindful that their guidance suggests a social worker accepting they

have acted wrongly is unlikely to demonstrate genuine insight, and that expressions of remorse which focus mostly on impact on themselves is also unlikely to be evidence of insight. Having carefully considered the evidence available to them and most importantly the seriousness of the concerns, the case examiners cannot be confident there is a low risk of repetition. Matters such as those at the heart of this case give rise to serious attitudinal concerns, the type of which inherently creates a risk of repetition. The case examiners do not consider a warning order to be a suitable sanction as it would not protect the public from risk, and would be insufficient to meet the public interest in a case of this nature.

The case examiners have gone on to consider Conditions of Practice. The case examiner guidance states that conditions of practice may be appropriate when (all of the following):

- The social worker has demonstrated insight.
- The failure or deficiency in practice is capable of being remedied
- Appropriate, proportionate, and workable conditions can be put in place
- Decision makers are confident the social worker can and will comply with the conditions
- The social worker does not pose a risk of harm to the public by being in restricted practice.

As outlined above the case examiners consider that insight may not yet be fully developed in this instance. The regulatory concerns relate to the social worker's behaviour outside of any professional role and as such would not appear to be relevant to this context when there has been no known failure or deficiency in practice. Furthermore, the case examiners consider that given the nature and seriousness of the regulatory concerns, being in restricted practice would not be sufficient to protect the public whilst the risk of repetition remains. The case examiner sanctions guidance at paragraph 119 suggests that conditions of practice orders are unlikely to be appropriate in cases which involve abuses of trust.

The case examiners next considered a suspension order. The sanctions guidance says at paragraph 137:

Suspension may be appropriate where (all of the following):

- the concerns represent a serious breach of the professional standards

- the social worker has demonstrated some insight
- there is evidence to suggest the social worker is willing and able to resolve or remediate their failings

The case examiners consider that the regulatory concerns under consideration do represent a serious breach of the professional standards. The case examiners also consider that the social worker has demonstrated some insight, however, the case examiners have set out their concerns that insight may not yet be fully developed and even if it is, the behaviour under consideration may be more difficult to remediate.

The issue of remediation will be explored in more detail. Whilst the case examiners note the positive steps taken by the social worker such as engaging with support services, the case examiner guidance at paragraph 142 reminds them that concerns relating to a social worker's character can be more difficult to remediate. As the regulatory concerns in this instance relate to breaches of trust, and behaviour which is fundamentally opposed to that which would be expected of a qualified registered social worker, evidence of remediation that has reformed their character would be more difficult to evidence. For the reasons set out above the case examiners do not consider that there is sufficient evidence to suggest the social worker is able to resolve or remediate their failings, and as such a suspension order may not be appropriate (paragraph 138, sanctions guidance).

The sanction guidance (para 149) outlines when a removal may be appropriate. In this instance the case examiners have concluded that the following apply:

- Criminal convictions for serious offences
- Social workers who are unwilling and/or unable to remediate.
- Abuses of positions of trust.

The case examiners have concluded that a removal order is required as the sanctions guidance makes it clear that this has to be the case when no other outcome would be enough to (one or more of the following):

- Protect the public
- Maintain confidence in the profession
- Maintain proper professional standards for social workers in England

The case examiners consider all three points apply and have therefore decided to propose to the social worker an accepted disposal removal order. They will now notify the social worker of their intention and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered 28 days to respond. If the social worker does not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

Response from the social worker

On 7 May 2026, the social worker responded to the proposal put forward by the case examiners. The social worker confirmed that they had read the case examiners decision and the accepted disposal guide. The social worker has signed to say that they understand the terms of the accepted disposal removal order and accept these in full.

Case examiners' response and final decision

The case examiners have reviewed their decision, paying regard to the overarching objective of Social Work England: protection of the public, the maintenance of public confidence in the social work profession and upholding professional standards. Case examiners are satisfied that an accepted disposal removal order is a fair and proportionate way to address the concerns and is the minimum necessary to protect the public and satisfy the wider public interest.

The case examiners note that there is an interim order currently in effect, which will be revoked upon enactment of the now agreed order.