

Case Examiner Decision
Everton Spencer Bolton
SW22118
FTPS-21707

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.....	20
Accepted disposal	22

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	20 May 2026
	Accepted disposal proposed - suspension order (1 year)
Final outcome	02 July 2026
	Accepted disposal – suspension order (1 year)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1, 2 and 3 being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concerns 1, 2 and 3 being found to amount to the statutory ground of misconduct.
3. For regulatory concerns 1, 2 and 3 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.

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 suspension of 1 year.

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by West Sussex County Council (WSCC)
Date the complaint was received	19 January 2023
Complaint summary	Following the social worker's Approved Mental Health Professional (AMHP) reapproval on 23 January 2023, WSCC sought to confirm the social workers commitments with other local authorities. WSCC discovered the social worker had been overlapping shifts between employers, with approximately 190 hours overlap calculated. The complainant alleges that neither employer was aware of this and this was dishonest as the social worker submitted claims to both employers for hours that had overlapped.

Regulatory concerns

Regulatory Concerns:

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

Whilst working as a social worker:

1. Between September 2018 and January 2023, you worked overlapping shifts for more than one employer on multiple occasions.
2. You failed to inform your employers of the matters raised at (1)
3. Your actions at (1) and (2) were dishonest.

Grounds of impairment:

The matters outlined in regulatory concern (1), (2), and (3) amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct

Preliminary issues

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

The realistic prospect test

Fitness to practise history

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

Decision summary

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

Yes



No



The case examiners have determined that there is a realistic prospect of regulatory concerns 1, 2 and 3 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 working as a social worker:

1. Between September 2018 and January 2023, you worked overlapping shifts for more than one employer on multiple occasions.

The case examiners acknowledge that the evidence indicates the social worker held concurrent employment with multiple local authorities. The social worker has not denied this, and the case examiners note that, in some instances, employers were aware of this arrangement and agreed. The case examiners note that concurrent employment is not in itself, the focus of regulatory concern 1, the case examiners consider that it may have provided the context in which the alleged overlapping shifts arose. The central issue is the allegation that the social worker has overlapped shifts

across different employers and, by doing so, has received payment for hours they had not worked.

The case examiners note that the evidence includes references to potential overlapping shifts involving a total of four local authorities. The case examiners note that they have been provided with potential overlapping hours between Oxfordshire and Wiltshire Councils. However, as they have not been provided with specific shift data, they have not included this in their assessment of regulatory concern 1. The case examiners have decided to focus upon the social worker's work with WSCC and Hampshire council, given that the evidence relating to these authorities provides a clearer evidential basis for the allegation.

The case examiners have reviewed the email sent from WSCC to the social worker dated 5 January 2023. This appears to be the first instance in which the issue of potential overlapping shifts was raised, following the manager becoming aware that the social worker was undertaking several shifts per week for Hampshire council. The manager raised concerns regarding transparency and cited a specific example whereby, on the date of the email, the social worker was recorded on the rota to work a 2pm-10pm shift, whilst also understood to be scheduled to start a separate shift with Hampshire council at 6pm. The case examiners consider that this example supports the allegation as it demonstrates the social worker was scheduled to work seemingly conflicting shifts across employers. The case examiners note that there is no evidence to suggest that this apparent conflict was brought to the attention of either WSSC or Hampshire council by the social worker.

The case examiners have reviewed the meeting minutes dated 10 January 2023 involving WSCC, Hampshire council and Oxfordshire council. The minutes record that, following the issue being identified and the social worker being asked to account for it, shift data and working patterns were cross referenced between WSCC and Hampshire council. This exercise appears to have been completed by WSCC, using an excel spreadsheet which collated shifts worked, hours claimed and periods of overlap.

The case examiners have additionally reviewed a document provided by WSCC, summarising the findings of this exercise. The document records shifts worked for both councils between April 2022 and January 2023 and identifies 54 overlapping shifts, with periods of overlap ranging from 1-8 hours. It records a total of 191 overlapping hours, consistent with the figure noted in the meeting minutes that the social worker is said to have claimed 191 overlapping hours amounting to approximately £9000.

The case examiners note that the underlying timesheets for WSCC and Hampshire council have not been directly reviewed. However, the meeting minutes record that

the calculation was derived from cross referenced employment data and hours claimed, with specific reference to the Matrix IT system used by WSCC to approve timesheets. The case examiners have also cited correspondence between WSCC and Hampshire council confirming shifts worked. Based on the available information, the case examiners have identified no reason to doubt the accuracy of the calculation and note they have not been provided with evidence to support the social worker's assertion that it is incorrect.

The case examiners have reviewed email correspondence between the social worker and WSCC dated 15 January 2023, the social worker's self-referral to the regulator, their initial comments dated 7 February 2024, and subsequent submissions dated 3 August 2025. The case examiners note that the social worker does not deny undertaking overlapping shifts across employers. He accepts responsibility, expresses remorse, and states that he was 'trying to juggle the roles without wanting to let anyone down'. He explains that the overlap arose due to changes in shift patterns with WSCC and a clash with pre-existing sessional hours with Hampshire council, and that attempts were made to reduce overlap by adjusting working arrangements. He also asserts that the work was completed and that significant overtime was not claimed.

The case examiners consider that, taken at its highest, this account does not undermine the evidence that overlapping shifts were recorded and claimed.

Considering the evidence set out above, the case examiners are satisfied there is a realistic prospect of regulatory concern 1 being found proven, should the matter go forward to adjudicators.

2. You failed to inform your employers of the matters raised at (1)

In considering regulatory concern 2, the case examiners note that no specific employer policy or code of conduct has been provided within the evidence which clearly states that employees should inform their employer of overlapping shifts. However, the case examiners consider that registered social workers are required to act with honesty, integrity and transparency in their professional practice as reflected in the professional standards and the wider ethical framework of the profession.

The case examiners have considered the available evidence in relation to whether the social worker informed their employers of the overlapping shifts. This includes email correspondence from Hampshire council indicating that concerns regarding 'double claiming' only came to light at a later stage, at which point the social worker's contract was ended:

‘Once it came to light that there were issues of concern regarding double claiming, Hampshire County Council ended your contract and referred the matter to Social Work England.’

Further email correspondence from WSCC to the social worker states that while it was aware the social worker was working across organisations, the number and timing of shifts had not been disclosed, and confirmation was sought to ensure there had been no crossover. WSCC also stated that they would have appreciated being advised of the shifts, emphasising the importance of honesty and integrity.

Further email correspondence from the same authority dated 17 January 2023, states that they were ‘shocked’ to discover the situation through making enquiries to confirm the shifts worked. The review meeting minutes also states that, had the matter not been identified through internal processes, the issue may not have come to light.

The case examiners have also reviewed email correspondence from Oxfordshire council to the regulator dated 12 April 2023 which records that shifts were no longer offered to the social worker following notification of concerns regarding overlapping shifts across authorities.

The social worker in their submissions have indicated that some employers were aware they worked for multiple employers simultaneously, however the case examiners note that the social worker has not specifically addressed whether the employers were informed that shifts were overlapping.

The case examiners consider that the above evidence is capable of supporting the allegation that the social worker did not inform their employers of overlapping shifts, in that it suggests the issue was identified by the employers rather than proactively disclosed by the social worker.

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

Regulatory concern 3

3. Your actions at (1) and (2) were dishonest.

When considering dishonesty, there are two tests, firstly, to see if there is anything that may demonstrate the social worker’s actual state of knowledge or belief as to the facts. This is called the subjective test. The next part is to consider whether the conduct is likely to be deemed dishonest by applying the objective standards of ordinary decent people. This is called the objective test.

In respect of the subjective test, the alleged facts that are relevant are: the social worker worked overlapping shifts for more than one employer on multiple occasions, and they failed to inform their employers of this.

In respect of regulatory concern 1, the case examiners have considered whether the social worker knew or believed they were working overlapping shifts across employers. The social worker has admitted undertaking overlapping shifts in correspondence with WSCC, and in their initial comments and subsequent submissions to the regulator has indicated that attempts were made to reduce the overlap by making efforts to amend shift patterns. The case examiners consider that this could indicate knowledge that the shifts arranged would overlap and this could give rise to conflict across employers. Given the frequency and duration of the overlapping shifts, and the fact payment was received for those hours, the case examiners also consider it implausible that the social worker did not know they were recorded as working shifts for more than one employer concurrently.

In respect of regulatory concern 2, the case examiners have considered whether the social worker knew or believed that they were required to inform their employers of overlapping shifts, and whether they knew or believed that they had not done so. The social worker has not addressed their understanding of any obligation to disclose such arrangements.

The available evidence indicates that, whilst some employers were aware that the social worker undertook work for multiple employers, there appears to be no evidence that the employers were aware that shifts were overlapping. The case examiners therefore considered whether the social worker knew, or believed, that the employers were aware of and had agreed to the overlapping shifts. The evidence does not appear to support this. Rather, the evidence indicates the overlap was identified by the employers themselves, rather than proactively disclosed by the social worker, and there is no evidence that the social worker informed the employers directly. In these circumstances and noting the social workers' acceptance of responsibility and expression of remorse, the case examiners consider it implausible that the social worker believed that they had informed their employers or that disclosure was not required.

In respect of the objective test, the case examiners consider that working overlapping shifts across employers, failing to inform their employers of this and gaining financially from the situation, would be regarded as dishonest by the standards of ordinary decent people.

Grounds

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 professional standards, which were applicable at the time of the concerns.

Social Work England – Professional Standards (2019)

As a social worker, I will:

2.1 Be open, honest, reliable and fair.

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.

Professional Standard 2.1:

The case examiners are of the view that the social worker's alleged conduct, if found proven, including working overlapping shifts across employers, failing to disclose those overlaps to employers, and claiming payment for hours not worked, would amount to a departure from Professional Standard 2.1 by demonstrating a lack of honesty, openness and reliability.

The case examiners consider that social workers are reasonably expected to remain exclusively available to their employer for the duration of agreed shifts, claim payment only for hours worked, and openly disclose any conflicting working arrangements. The available evidence suggests the social worker did not do this.

The case examiners have considered the extent and duration of the alleged overlaps, including the shift crossover document prepared by WSCC and Hampshire Council, which appears to identify 54 occasions of overlapping shifts including several involving significant periods between 4 and 8 hours. The total overlapping hours are stated as amounting to approximately 191 hours. The case examiners are of the view that the frequency, duration, and protracted nature of the alleged conduct increase its seriousness, as it suggests potential conscious decision making rather than an isolated lapse of judgment or oversight.

The case examiners are therefore of the view that adjudicators would be likely to consider the alleged conduct, if found proven, as representing a significant departure from Professional Standard 2.1

Professional Standard 5.2:

The case examiners are of the view that alleged dishonesty, if found proven, would amount to a departure from professional standard 5.2. Honesty and integrity are fundamental to maintaining public trust and confidence in the social work profession and adjudicators would likely consider dishonest conduct of this nature capable of calling into question a social worker's suitability to practise.

The case examiners have considered the social worker's account that they were working under pressurised conditions and found it difficult to decline work. However, information provided by the three social work agencies indicates that the social worker was able to choose shifts based upon their availability and was free to decline work offered to them. The case examiners are therefore of the view that the available evidence suggests the social worker appears to have made a conscious decision to accept shifts despite knowing that they would result in overlap and that they were unlikely to be able to work exclusively for each employer during those periods. This active and conscious decision making increases the seriousness.

The case examiners have also considered the potential impact on service users. They are of the view that the alleged conduct had the potential to place service users at risk, given the possibility that the social worker may not have been available to respond appropriately to professional responsibilities, safeguarding matters, or urgent service user needs. Whilst no evidence of actual harm has been identified, the case examiners are mindful that the risk of harm should not be regarded any less serious.

The case examiners have further considered the alleged financial gain arising from the conduct. It is noted that WSCC alone calculated that approximately £9000 was claimed in relation to overlapping shifts. The case examiners consider the alleged financial gain to significantly increase the seriousness of the conduct, particularly as it is said to have arisen from public funds.

The case examiners' note the social worker has, within their initial and later submissions, provided an account whereby, despite accepting overlapping shifts occurred, they indicate they completed the work through unpaid overtime. However, the case examiners are of the view that this explanation does not adequately align with the volume, frequency, and duration of the overlapping shifts identified, which includes 54 episodes, 34 of which involved overlaps ranging from 3- 8 hours. The case examiners consider that overlaps of these durations are significantly less likely

to be attributable to simple administrative or communication error. In the case examiners' view, the explanation provided does not sufficiently account for the pattern identified and may reasonably be viewed as an attempt to minimise or avoid responsibility for the conduct, which further increases the seriousness of the alleged dishonesty.

Taking these matters together, including the alleged dishonesty, the prolonged and repeated nature of the conduct, the potential risk posed to service users, and the alleged financial gain from public funds, the case examiners are of the view that adjudicators would be likely to consider the conduct as representing a significant departure from Professional Standard 5.2.

Accordingly, the case examiners are of the view that there is a realistic prospect of adjudicators determining that the statutory ground of misconduct is engaged in relation to regulatory concerns 1,2 and 3.

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 note that the concerns include dishonesty and could therefore call into question the social worker's character. The case examiners' guidance explains that such conduct may be harder to remediate. This is because it is more difficult to produce objective evidence of reformed character. The case examiners consider however, that in this case the social worker could demonstrate their understanding of what went wrong and what steps they can take to avoid further incidents.

Insight and remediation

The case examiners have considered whether the social worker admitted the key facts and concerns. The social worker accepted that overlapping shifts occurred and, within their final submissions, indicated acceptance of regulatory concerns 2 and 3.

The case examiners have considered the social worker's understanding of what led to the concerns, what went wrong, and the extent to which responsibility had been accepted.

The social worker appears to have demonstrated some understanding of how the overlapping shifts occurred. Within their initial comments, they explain that changes to rotas and shift patterns between employers resulted in conflicts and overlap, which they indicate arose because they found it difficult to say no to work and did not want to disappoint employers. The social worker appears to accept responsibility for the overlapping shifts having occurred.

However, the social worker also refers to failures in record keeping, communication, and management of overlapping timeframes, alongside references to administrative errors. The case examiners are of the view that these explanations appear to present two differing accounts for how the overlaps arose and that the inconsistency between these explanations weakens the level of insight demonstrated.

In relation to failing to inform the employers of the overlapping shifts, the social worker, whilst indicating admission, appears to focus primarily on the issue of holding contracts with multiple employers at once. The social worker does not specifically address the lack of disclosure regarding overlapping shifts. As such, the case examiners consider the social worker's insight into this aspect of the concern to be limited.

In relation to the allegation of dishonesty, the case examiners note the social worker indicated within their final submissions that they admitted the concern. However, the accompanying comments do not appear to be fully consistent with this admission. The social worker stated that they did not knowingly or deliberately misrepresent the work they carried out but that 'the outcome may reasonably have created the perception of dishonesty'. They go on to explain that the work was completed through unclaimed overtime.

The case examiners consider that the focus on the perception of dishonesty appears to distance the social worker from accepting that the conduct itself was dishonest. Further, whilst the reference to additional unpaid work may be accurate, it could also be viewed as an attempt to justify or balance the position. The case examiners

therefore consider that the overall depth of insight demonstrated in relation to the dishonesty concern appears limited.

The case examiners note that there appears to be an absence of acknowledgement or reflection upon the financial aspect of the concerns, namely the receipt of significant overpayment for hours during which they were not exclusively available to work. Whilst the evidence indicates the social worker repaid the money received, the case examiners identified an absence of insight into the seriousness and impact of this, particularly in terms of public confidence.

The case examiners have considered whether the social worker demonstrated an appreciation of what could and should have been done differently, alongside any evidence of remediation and remorse. The social worker reflected that they should have said no to work offered and maintained firmer professional boundaries. They also identified steps intended to reduce the risk of repetition, including limiting themselves to one full time employer, disclosing work commitments, and being open with prospective employers about the concerns. The social worker further expressed remorse, apologised on several occasions, repaid the monies owed, and reported engaging in continued reflection.

The case examiners consider these to be positive and proactive steps which demonstrate some appreciation of what could and should be done differently. However, given the absence of full insight into the concerns, particularly in respect of dishonesty, they do not consider the social worker has fully remediated the concerns.

Testimonies

The case examiners considered the testimonies and references provided on behalf of the social worker. Overall, the references appear to reflect positive feedback regarding the social worker's capability, with no performance or disciplinary concerns identified. However, the case examiners note that capability is not central to the concerns within this matter.

The case examiners placed greater weight on the more recent references from Dorset Council and from the current employer, Westmorland and Furness Council, where there is evidence the referees were aware of the fitness to practise concerns and spoke directly to the social worker's character. Dorset Council rated the social worker as 'strong' in respect of professional values, ethics and conduct but did not offer any accompanying description. West Morland and Furness Council offered more insight, referring to him as being 'honest and of good character'. However, the

case examiners note that the referee at the time of completing the reference had only worked with the social worker for approximately 5 months.

The references clearly provide reassurance regarding the social worker's current practice and professionalism. However, the case examiners do not consider they materially add to the evidence of insight or remediation, nor do they reflect sufficiently lengthy or informed observations of the social worker's character. Therefore, the case examiners have placed limited weight upon the testimonials.

Risk of repetition

As the case examiners consider there is limited evidence of insight and remediation, they cannot conclude there is a low risk of repetition.

Public element

The case examiners have next considered whether the social worker's actions have the potential to undermine public confidence in the social work profession, or the maintenance of proper standards for social workers.

The case examiners are of the view that dishonesty, being a serious departure from the professional standards expected of social workers, would likely cause concern to members of the public given the alleged misconduct relates to honesty and integrity, core principles of the social work profession. In reaching this view, the case examiners have recognised that conduct involving dishonesty, particularly where it has resulted in the misuse of public funds and personal financial gain, has the potential to undermine public confidence in the profession.

In addition, the case examiners have assessed there to be a likelihood of the alleged conduct being repeated and therefore consider a finding of current impairment may be necessary to maintain public confidence in the profession and the regulator, and to uphold proper professional standards by demonstrating that social workers are held accountable for conduct which departs from those standards.

As such, given the element of public interest, the case examiners are satisfied that there is a realistic prospect of the adjudicators making a finding of current impairment.

The public interest

Decision summary

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

Referral criteria

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

Additional reasoning

The case examiners have concluded that the public interest in this case is engaged. However, they are satisfied that this interest may be appropriately fulfilled by virtue of the accepted disposal process.

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 in Social Work England's maintenance of the standards expected of social workers.

The case examiners have noted that the social worker has indicated to the regulator that they do not 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:

The case examiners recognise that not all professionals will have an innate 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, 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.

For the reasons stated, the case examiners have decided it is not in the public interest to refer this matter to adjudicators; rather they will write to the social worker and ask them to agree to dispose of this case without the need for a hearing.

Interim order

An interim order may be necessary for protection of members of the public	Yes	☐
	No	☒
An interim order may be necessary in the best interests of the social worker	Yes	☐
	No	☒

Accepted disposal

Case outcome

Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☐
	Conditions of practice order	☐
	Suspension order	☒
	Removal order	☐
Proposed duration	Suspension - 1 year	

Reasoning

Having found a realistic prospect the social worker's fitness to practise is currently impaired, the case examiners have considered what sanction they should propose in this case. The case examiners have considered the sanctions guidance published by Social Work England. They are reminded that a sanction is not intended to be punitive but may have a punitive effect and have considered the principle of proportionality and fairness in determining the appropriate sanction.

The case examiners are also mindful that the purpose of any sanction is to protect the public which includes maintaining public confidence in the profession and Social Work England as its regulator and upholding proper standards of conduct and behaviour.

The case examiners have taken into account that the sanctions guidance states that where personal impairment is identified, a restrictive sanction will normally be necessary to protect the public. The guidance further notes that, where there is mitigation which show that a social worker can still practise without restriction, some cases may nevertheless be appropriately resolved by way of a non-restrictive sanction, including no further action, advice or a warning. The case examiners have therefore carefully considered whether the mitigation identified in this case is sufficient to justify a departure from that guidance and support a non-restrictive outcome.

The case examiners identified the following mitigating factors:

- The social worker has had a lengthy career without previous regulatory concerns.
- The social worker has expressed remorse and apology and repaid money owed
- The social worker has demonstrated partial insight into the concerns.
- Recent positive testimonial has been provided regarding the social worker's professionalism and character
- A significant period of time has passed since the concerns arose in 2023 without evidence of further fitness to practise concerns.
- The social worker has identified steps intended to reduce the likelihood of similar concerns arising in future, including limiting work arrangements to one employer at a time.

The following aggravating factors have been identified:

- The dishonest conduct was repeated and protracted in nature.
- The conduct involved financial gain arising from public funds.
- The conduct created a potential risk to service users due to the social worker not being fully available during contracted working hours.
- The social worker's insight into the dishonesty aspect of the conduct remains limited.
- The risk of repetition has not been considered low for the reasons outlined within the impairment stage of this decision.

In determining the most appropriate and proportionate outcome in this case, the case examiners have considered the available options in ascending order of seriousness.

The case examiners have concluded that while several mitigating factors have been identified, they do not sufficiently outweigh the aggravating factors and are not sufficient to demonstrate that the social worker can continue to practise safely without restriction.

Taking these factors together, and for the reasons outlined within the impairment stage of this decision, the case examiners have concluded that non-restrictive sanctions, including no further action, advice, or a warning order, would not

sufficiently address the seriousness of the concerns or adequately protect the wider public interest. The case examiners are therefore of the view that it is appropriate to impose a restrictive sanction in accordance with the sanctions guidance.

Conditions of practice order:

The case examiners have therefore next considered a conditions of practice order. With reference to the regulator's sanctions guidance, the case examiners note that conditions of practice are less likely to be appropriate in cases of character, attitude or behavioural failings. They may also not be appropriate in cases raising wider public interest issues.

The case examiners are satisfied that a condition of practice order would therefore be insufficient in this case, which includes conduct that could reasonably be viewed as a particularly serious example of dishonesty. The case examiners consider that a condition of practice order would fail to properly address the wider public interest, which includes upholding public confidence in the social work profession, and maintaining proper professional standards for social workers.

Suspension order:

The case examiners have next considered a suspension order. They note that the sanctions guidance indicates suspension may be appropriate where the concerns represent a serious breach of the professional standards, the social worker has demonstrated some insight, and there is evidence to suggest that the social worker is willing and able to resolve or remediate their failings.

The case examiners recognise that a 'serious breach' of the professional standards, as referenced within the sanctions guidance, is separate from the question of whether the concerns represent a significant departure from the standards, which has already been considered within the grounds stage of the decision. Rather, the case examiners considered whether the alleged conduct is capable of representing a sufficiently serious breach so as to require suspension from the register.

The case examiners are of the view that the concerns are capable of meeting that threshold. Whilst the case examiners recognise that dishonesty falls upon a spectrum, the alleged conduct in this case is considered to fall towards the more serious end due to its repeated and protracted nature, the significant financial gain derived from public funds, and the potential risk posed to service users over a period of several months. The case examiners have also taken into account that some insight has been demonstrated and that there is evidence suggesting the social worker is willing and able to resolve or remediate their failings. Taking these factors together, the case examiners considered that a suspension order would be

proportionate and necessary to adequately address the seriousness of the concerns and the wider public interest.

Removal order:

Before determining the appropriate duration of a suspension order, the case examiners considered whether a removal order would be necessary and proportionate. The case examiners did so in order to test whether a suspension order represents the most fair and proportionate outcome in the circumstances of this case. The case examiners note from the sanctions guidance that removal is the most serious sanction available and must be made where the decision makers conclude that no other outcome would be enough to (do 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 a removal order would be disproportionate. In reaching this view, the case examiners have considered that while the social worker's insight remains partial, the case examiners have identified evidence of remorse and apology, repayment of money owed, and some evidence of reflection and attempts to reduce the likelihood of repetition in the future. The case examiners also consider that there remains evidence to suggest the social worker is willing and able to further develop insight and remediate the concerns identified.

Having concluded that a removal order would be disproportionate, the case examiners are satisfied that a suspension order is the most appropriate and proportionate restrictive sanction.

Duration of suspension order:

The case examiners are mindful that the sanctions guidance permits suspension orders for periods of up to three years and therefore carefully considered what period would be sufficient.

The case examiners concluded that a suspension order for a period of 12 months is the most appropriate and proportionate sanction capable of adequately addressing the seriousness of the concerns and the wider public interest, providing sufficient time to further reflect upon the concerns and develop fuller insight. The case examiners consider that a suspension order of lengthier duration could risk de-skilling the social worker and would disproportionately prevent an otherwise clearly skilled and highly experienced social worker from returning to practice for an extended period. They also consider that a suspension order of less than 12 month

may not give the social worker sufficient time to develop their insight into the alleged dishonesty.

The case examiners have decided to propose to the social worker a suspension order of 12 months 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.

Recommendations for the social worker

The sanctions guidance states: "where decision makers impose a suspension, they should be clear in their written decision that adjudicators reviewing the order will expect to see improvement at the next review. It is good practice for the decision makers to set out recommendations. These are not the same as conditions because compliance is not mandatory. They are suggested steps that the social worker can voluntarily take to evidence improvement at the review hearing".

These steps may include:

- Preparing a detailed reflective piece in respect of the dishonesty concern.

Response from the social worker

On 01 July 2026 the social worker accepted the proposed disposal, confirming that they had:

- Read the case examiners' decision and the accepted disposal guide
- Admitted the key facts set out in the case examiner decision, and that their fitness to practise is impaired
- Understood the terms of the proposed disposal of their fitness to practise case and accepted them in full.

Case examiners' response and final decision

Having been notified of the social worker's response, the case examiners have again considered whether a suspension order of 1 year duration remains the most appropriate means of disposal for this case. They have reviewed their decision, paying particular regard to the overarching objectives of Social Work England, i.e., protection of the public, the maintenance of public confidence in the social work profession, and the maintenance of proper standards. Having done so, they remain of the view that a suspension order of 1 year duration is a fair and proportionate disposal and is the minimum necessary to protect the public and the wider public interest.