

Social worker: Maxine Clare
Nawafleh
Registration number: SW11708
Fitness to Practise
Final Hearing

Dates of hearing: 20 April 2026 to 28 April 2026

Hearing venue: Remote hearing

Hearing outcome:
Fitness to practise impaired, removal order

Interim order:
Interim suspension order (18 months)

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) (“the regulations”).
2. Ms Nawafleh did not attend and was not represented.
3. Social Work England was represented by Ms Louise Culleton, case presenter from Capsticks LLP.
4. The panel of adjudicators conducting this hearing (hereafter “the panel”) and the other people involved in it were as follows:

Adjudicators	Role
Adrian Smith	Chair
Jill Wells	Social worker adjudicator
Lynne Vernon	Lay adjudicator

Hearings team/Legal adviser	Role
Hannah Granger / Jenna Keats	Hearings officer
Nazia Kauser	Hearings support officer
Helen Potts	Legal adviser

Service of notice:

5. The panel was informed by Ms Culleton that notice of this hearing (“the Notice”) was sent to Ms Nawafleh by email on 16 March 2026 to an email address provided by her, as it appears on the Social Work England register. Ms Culleton submitted that the Notice had been duly served.
6. The panel had careful regard to the documents contained in the final hearing service bundle as follows:
 - A copy of the Notice dated 16 March 2026 and addressed to Ms Nawafleh at the email address which she had provided to Social Work England;
 - An extract from the Social Work England register as of 16 March 2026 detailing Ms Nawafleh’s email address; and
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 16 March 2026 the writer sent the Notice and related documents by email to Ms Nawafleh at the email address referred to above.
7. The panel accepted the advice of the legal adviser in relation to service of the Notice. This included reference to Rules 14, 15, 44 and 45 of Social Work England’s Fitness to Practise Rules 2019 (as amended) (the “FtP Rules 2019”).

8. Having had regard to all of the information before it in relation to the service of the Notice, the panel was satisfied that notice of this hearing had been served on Ms Nawafleh in accordance with the FtP Rules in that:
- The Notice had been served on Ms Nawafleh by one of the mandatory means of service in Rule 44(a) of the FTP Rules, namely, by being sent to an email address for her which she had provided to Social Work England.
 - Service of the Notice was proved by a statement of service in accordance with Rule 44(b) of the FTP Rules.
 - As, pursuant to Rule 45, a notice served by email is to be treated as being served on the day on which it is sent, Ms Nawafleh had been given more than 28 days' notice of this hearing in accordance with Rule 14 of the FtP Rules.

Proceeding in the absence of the social worker:

9. The panel heard the submissions of Ms Culleton on behalf of Social Work England. Ms Culleton invited the panel to exercise its discretion to proceed in the absence of Ms Nawafleh under Rule 43 of the FtP Rules. She submitted that:
- The panel has found that Notice was duly served in accordance with the FtP Rules;
 - There has been no communication from Ms Nawafleh in relation to these proceedings since May 2024. From an early stage, she had indicated that she did not wish to engage in these proceedings, citing the detrimental effect on her health and wellbeing. Further, she had indicated that she did not intend to return to practice as a social worker and had sought voluntary removal from the social work register. In those circumstances, the panel could be satisfied that Ms Nawafleh had voluntarily absented herself from the hearing;
 - No application for an adjournment has been made by Ms Nawafleh and there was no confidence that adjourning today's proceedings would secure her attendance. She has not responded to any communication in relation to these proceedings since May 2024 and an adjournment would, therefore, be unlikely to produce a response from her;
 - Any disadvantage to Ms Nawafleh arising from her absence was of her own making, resulting from her decision not to attend the hearing. The panel would take account of the written statements which Ms Nawafleh had provided at an earlier stage in which she set out her position and defence to the allegations; and
 - The allegations are serious and it is in the public interest for them to be determined expeditiously. Further, it would be in Ms Nawafleh's own interests for these proceedings to conclude given that she does not wish to practise as a social worker and has sought voluntary removal from the social work register.

10. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to Rule 43 of the FtP Rules and the cases of *R v Jones [2002] UKHL 5*; *General Medical Council v Adeogba [2016] EWCA Civ 162*. The panel also took into account Social Work England guidance 'Service of notices and proceeding in the absence of the social worker'.
11. The legal adviser noted that Ms Nawafleh had raised her health and wellbeing as a reason for her non-engagement with these proceedings. The legal adviser referred the panel to the case of *General Medical Council v Hayat [2018] EWCA Civ 2796*. She advised that if the panel were considering an adjournment on medical grounds, it should consider any medical evidence submitted; that evidence must be evidence that the individual is unfit to participate in the hearing; it must identify with proper particularity the individual's condition; it must explain why that condition prevents their participation in the hearing; and the medical evidence should be unchallenged.
12. The panel considered all of the information before it, together with the submissions made by Ms Culleton on behalf of Social Work England. The panel noted that Ms Nawafleh had been sent notice of today's hearing in accordance with requirements of the FtP Rules. She had been informed of the date, details and format of the hearing and given the required notice. She had been informed of her right to attend or to provide written submissions, and advised that the hearing could proceed if she did not attend. The Notice had been sent to the email address which appeared on the extract from the social work register. This was also the email address from which Ms Nawafleh had previously corresponded with Social Work England.
13. The panel noted that emails had been sent to Ms Nawafleh by Social Work England providing her with information about the hearing and asking whether she planned to attend. There had been no response to any of these communications from Ms Nawafleh. The last response from Ms Nawafleh in relation to these proceedings had been in May 2024. Further, she had indicated at an early stage that she did not intend to return to practice as a social worker and had sought voluntary removal from the social work register.
14. The panel noted that Ms Nawafleh had provided a letter from her GP dated 26 April 2024 disclosing [PRIVATE]. That letter was now of some age. Further, it did not state that Ms Nawafleh was unfit to participate in a hearing. There was no medical evidence before the panel that would suggest that an adjournment on medical grounds would be appropriate.
15. The panel concluded that Ms Nawafleh had chosen voluntarily to absent herself. She had not requested an adjournment for any reason nor indicated that she wished to participate. In the circumstances, the panel had no reason to believe that an adjournment would result in Ms Nawafleh's attendance on a future date. Further, Social Work England's witnesses were ready to proceed.
16. Having weighed the interests of Ms Nawafleh with those of Social Work England and the public interest in an expeditious disposal of this hearing, the panel determined to

proceed in Ms Nawafleh’s absence. In doing so, the panel recognised that when considering the case in Ms Nawafleh’s absence, it had a responsibility to ensure that the hearing was as fair as circumstances would permit. It determined that it would invite Ms Culleton to put Ms Nawafleh’s case to Social Work England’s witnesses and that it would consider and raise questions about any points reasonably available on the evidence which might be in Ms Nawafleh’s interests.

Preliminary matters:

17. Ms Culleton indicated that there were two preliminary matters which she wished to put before the panel:
 - The first matter related to Ms Nawafleh’s privacy and/or anonymity in these proceedings. Ms Culleton noted that Ms Nawafleh, in her earlier communications with Social Work England, had requested that any information relating to her “be handled with the utmost sensitivity” and that appropriate measures be taken to safeguard her privacy. In her defence to the allegations, she had stated that she was a victim of sexual harassment by Person A and had requested the anonymisation of her name and details “for safety reasons” and because “protecting my privacy and the safety of my family is paramount”. Ms Culleton said that Ms Nawafleh had made no formal application for the hearing to be conducted in private or for her name to be anonymised. However, given that the matter had been raised in Ms Nawafleh’s earlier statements, it was proper for the panel to consider it. Ms Culleton said that Social Work England opposed the request by Ms Nawafleh.
 - The second matter was that Social Work England was making an application for the admission of a further supplementary witness statement by Person A with an associated exhibit.

Privacy and anonymity:

18. Ms Culleton reminded the panel that under Rule 37 of the FtP Rules, there was a presumption that fitness to practise hearings would be heard in public. Rule 38(a) set out circumstances where a departure from that principle would be justified, namely where the panel was considering whether to make or review an interim order, or where it was considering the health of the registered social worker. Rule 38(b) gave the panel a discretionary power to conduct part or all of the hearing in private where it considered it appropriate to do so, having regard to:

“38(b)

(i) the vulnerability, interests or welfare of any participant in the proceedings;

or

(ii) the public interest including in the effective pursuit of the regulator’s overarching objective.”

19. Ms Culleton reminded the panel that the starting point is that these proceedings should be conducted in public in the interest of open justice and to maintain public confidence in the decision-making process. She noted that the fact of the hearing and the allegations faced by Ms Nawafleh were already in the public domain on Social Work England’s website.
20. Ms Culleton reminded the panel that Ms Nawafleh had not attended the hearing either to test the evidence which she disputes or to open herself up to cross examination. She had not provided reasons why the hearing should be held in private or why her name should be anonymised beyond those set out in her earlier written statements. While Ms Nawafleh had indicated fear for her safety and had referred to the impact of these proceedings on her health and wellbeing, she had not provided evidence to support those contentions, other than limited medical evidence of a health condition dating back to 26 April 2024.
21. Ms Culleton said that Ms Nawafleh appeared to have requested that the hearing be held in private or that her name be anonymised on the basis that she was vulnerable by reason of being the victim of harassment by Person A. There was also a supporting statement by Ms Nawafleh’s husband. Ms Culleton submitted that Ms Nawafleh and her husband’s statements were at odds with Person A’s witness statement and at odds with the transcript of text message contact between Person A and Ms Nawafleh which Person A had exhibited to his statement. Mr Culleton submitted that there was little to no evidence to support Ms Nawafleh’s contention that she feared for her safety and insufficient evidence to persuade the panel to depart from the principle of open justice.
22. Ms Culleton indicated that there was evidence in the form of a supplementary statement by Person A, which Social Work England sought to be admitted into the evidence of the hearing, that he had had recent contact with Ms Nawafleh following a chance encounter in November 2025. Ms Culleton submitted that this evidence was also inconsistent with Ms Nawafleh’s defence that she was the victim of harassment by Person A.
23. Ms Culleton submitted that there had been a longstanding disinclination by the courts toward the anonymisation of respondents in regulatory proceedings. She submitted that there was a public interest in identifying those who are subject to regulatory proceedings and that Social Work England’s overriding objective to protect the public included the maintenance of public confidence in the profession. She referred to the case of *SRA v Spector* [2016] EWHC 37 (Admin) which reinforced the importance of naming respondents subject to regulatory proceedings and where it was said that the suggestion that bringing charges imputed some kind of taint on the registrant’s character was insufficient to justify a departure from the principle of open justice.

24. Ms Culleton invited the panel to conclude that Ms Nawafleh's requests were insufficient to support a departure from the principle of open justice.
25. The legal adviser referred the panel to Rules 37 and 38 of the FtP Rules and the panel's discretion to hold all or part of the hearing in private under Rule 38(b). She said that a decision to grant anonymity to a registrant was a fact-sensitive decision but that considerable weight should be given to the principle of open justice, balancing the registrant's Article 8 rights with the Article 10 rights of the press and the public. She referred the panel to the case of *GMC v X* [2019] EWHC 493 (Admin), in which the High Court granted a doctor an anonymity order and held that the public interest was not absolute in trumping a doctor's interests in certain narrow circumstances (where publication of details of the doctor's sexuality was likely to result in the doctor taking his own life). The legal adviser also referred to the case of *MXM v GMC* [2022] EWHC 817 (Admin) where the High Court granted anonymity to a doctor in relation to the appeal of an interim order on the basis that publication would be likely to have a detrimental impact on the mental health and welfare of his four children.
26. The panel decided that it would first consider whether Ms Nawafleh should be granted anonymity in these proceedings. It would then go on to consider whether part or all of the hearing should be conducted in private in light of that decision.
27. The panel reminded itself that the starting point is that fitness to practise proceedings are conducted in public and that respondents are named in accordance with the principles of open justice. The panel carefully considered whether there was justification to depart from this starting point. It accepted the legal advice it had received.
28. The panel noted that both Ms Nawafleh's name and the allegation she faces are already within the public domain, having been published on Social Work England's website in advance of the hearing. The panel considered that the allegations against her are serious, involving an alleged sexual relationship with the father of a service user, and dishonesty in her communications and declarations to Social Work England. Both allegations arise in the context of her practice as a social worker. The panel concluded that such allegations give rise to a considerable public interest. Social Work England's statutory objective to protect the public includes the maintenance of public confidence in social workers in England. The integrity of the social work register as a source of information for the public, including identifying social workers subject to regulatory processes, is a key part of that objective.
29. Ms Nawafleh's position is that she is a victim of sexual harassment by Person A and that the anonymisation of her name and details is necessary to protect her privacy and the safety of her family. She has requested that any information relating to her "be handled with the utmost sensitivity" and that appropriate measures be taken to safeguard her privacy.
30. The panel took into account Ms Nawafleh's statement and that of her husband. The panel reminded itself that these statements had been produced some two years

previously and that she had produced no evidence since then to support a view that the safety of her family was at risk. The panel noted that Ms Nawafleh's defence to the allegations of sexual misconduct is that she was the victim of sexual harassment by Person A and that the statement provided by her husband supports this. However, this is a matter which is yet to be considered by the panel in its determination of the allegations against her. Ms Nawafleh has not provided a formal witness statement for these proceedings and has not attended to give evidence or to be cross examined on her evidence. The panel did not consider that the circumstances justified a grant of anonymity and a departure from the principle of open justice.

31. Further, the panel was unable to see how granting Ms Nawafleh anonymity in these proceedings would mitigate any risk which she perceives there to be to the safety of her family. Ms Nawafleh's identity is known to Person A, who is a witness in these proceedings. The publication of her name would not, in the view of the panel, change the risk which she perceives to exist.
32. The panel acknowledges that being publicly named in proceedings involving allegations of sexual misconduct and dishonesty inevitably brings a degree of discomfort and distress. However, the panel considered that Ms Nawafleh was not exceptional in that regard. The panel concluded that the public interest in naming Ms Nawafleh outweighed Ms Nawafleh's interests. Accordingly, it determined not to grant Ms Nawafleh anonymity in these proceedings.
33. Having determined not to grant Ms Nawafleh anonymity in these proceedings, the panel went on to consider whether all or part of the hearing should be conducted in private. It acknowledged that Ms Nawafleh had raised her health as a reason for her decision not to participate in these proceedings. The panel had regard to the April 2024 letter from Ms Nawafleh's GP regarding [PRIVATE]. There was no other medical evidence before the panel. The panel was of the view that it may not be necessary to refer to any health issues during the hearing but if there became a need to do so matters of health would be heard in private in accordance with Rule 38 (a).
34. The panel went on to consider whether under Rule 38 (b) it should exercise its discretion to hold all or part of the hearing in private having regard to:
 - “(i) the vulnerability, interests or welfare of any participant in the proceedings;*
 - or*
 - (ii) the public interest including in the effective pursuit of the regulator's over-arching objective.”*

It concluded for the same reasons as set out in relation to its decision on anonymity that there was no justification to depart from the starting point set out in Rule 37 of the FtP Rules. The panel considered that there was a strong public interest in allegations of the nature faced by Ms Nawafleh being ventilated in public.

35. The panel had regard to Ms Nawafleh's Article 8 rights to a private and family life and balanced this with the Article 10 rights of the press and public. It acknowledged that there was reference within the documents before it to [PRIVATE].

Application to admit further evidence:

36. Ms Culleton, on behalf of Social Work England, made an application for the admission of a further supplementary witness statement by Person A with an associated exhibit, together with a note of a telephone call on 10 April 2026 between Person A and a member of the hearings team at Social Work England which she said provided background to the supplementary statement from Person A. The application was made pursuant to Rule 32(b)(vii) of the FtP Rules.
37. Ms Culleton explained that, on 10 April 2026, Person A had called the hearings team at Social Work England to report that he had bumped into Ms Nawafleh at a garage on 10 November 2025. He had described realising it was her and going outside to talk together. He had reported realising that he still had feelings for her and that they kissed. He said they had met once more by arrangement at a Costa Coffee shop but had not met again after that but had had several telephone calls.
38. Social Work England hearings team staff had raised the matter with Capsticks solicitors and a supplementary statement was produced and signed by Person A on Saturday 18 April 2026. In that statement, he set out having met Ms Nawafleh at the garage and going outside to talk privately. He stated that, during the conversation, she denied that the relationship had been her fault or that she had instigated it; she did not deny having a relationship. Person A reported that they ended up kissing. He stated that he felt Ms Nawafleh was trying to manipulate him as he is a witness. He described speaking to her on the phone in December and January and meeting her for a coffee. He states that they did not discuss the hearing but he felt she was trying to manipulate him. They had not met since 16 January 2026.
39. Ms Culleton told the panel that exhibited to Person A's statement is what he says is a record of telephone calls between him and Ms Nawafleh, both outgoing and incoming. In addition, he had produced a recording of a telephone call between himself and Ms Nawafleh on 6 January 2026. However, Ms Culleton acknowledged that this appeared to be a covert recording and, therefore, Social Work England, as a matter of fairness to Ms Nawafleh, did not seek its admission. Further, having listened to the recording and having provided it for the legal adviser to listen to, Social Work England had concluded that it was not relevant to the matters to be determined.
40. Ms Culleton submitted that the supplementary witness statement and associated documents were relevant to the matters to be determined by the panel in that they rebutted Ms Nawafleh's statements in 2024 that Person A had harassed her. She submitted that the more recent communication and interaction was relevant to the defence raised by Ms Nawafleh.

41. Ms Culleton said that Person A was available and able to give evidence and answer questions about his statement. His credibility would be a matter for the panel both in respect of the initial matters and his supplementary statement. The statement and exhibits had been served on Ms Nawafleh by email that morning. Ms Nawafleh had chosen not to attend but this should not prevent Person A from giving this evidence. Ms Culleton submitted that it would be fair to admit the additional evidence.
42. Ms Culleton submitted that the additional evidence was also relevant to the question of impairment in that it pointed to a lack of insight or appreciation by Ms Nawafleh of the impropriety of her conduct. She asked that if the panel determined that the new evidence was not relevant to its factual inquiry but was relevant to impairment, it should admit it at this stage so that Person A could address it while he is attending to give evidence.
43. The panel accepted the advice of the legal adviser in relation to the late admission of additional evidence. A social worker facing fitness to practise proceedings had the right to understand the case against them and time and opportunity to respond to it. However, there was no blanket rule against admitting late evidence and Rule 32 of Social Work England's FTP rules gave the panel a broad discretion to regulate its own procedures. Under 32(b) (vii) that included a discretion to admit evidence where it considered it fair to do so whether or not such evidence would be admissible in the courts.
44. The legal adviser referred to the cases of *PSA v NMC* and *Lembethe/PSA v NMC* and *Mkhize* [2019] EWHC 3326 (Admin) where the panel was found to have erred by refusing to admit late evidence on the grounds of it being unfair to the registrant to do so. The High Court found that that the evidence was crucial and potentially conclusive evidence on the central question before the panel and that to exclude it had been wrong. In the current case, Person A was present to give evidence there was therefore a means of testing the reliability of the new evidence, and the panel would reach a view as to Person A's credibility.
45. The panel was advised that a decision as to whether to admit late evidence will depend on the facts and circumstances of each particular case. The overriding consideration will be the duty on the panel to ensure that the proceedings are fair, and in considering the issue of fairness and the justice of the case, the panel must balance fairness to the social worker with the public interest in the panel reaching a correct determination on the allegations against her.
46. The panel first considered whether the new material was relevant to the factual matters it needed to determine. The panel accepted Ms Culleton's submission that the new material was relevant to rebut Ms Nawafleh's account that she was the victim of sexual harassment by Person A. Evidence of continuing consensual communication was, in the panel's view, relevant to its understanding of their relationship and whether Ms Nawafleh had cause to fear Person A. The panel further considered that the new

evidence may be relevant at the impairment stage, should the impairment stage be reached, in considering Ms Nawafleh's insight into her alleged conduct.

47. Having determined that the supplementary statement of Person A and associated documents were relevant at both the fact-finding and the impairment stages, the panel went on to consider whether it would be fair to admit them into the evidence.
48. The panel accepted that while this additional evidence had been produced late, this was through no fault of Social Work England. The panel acknowledged that the additional evidence had been sent to Ms Nawafleh only that morning and that she would not have had the opportunity to consider and respond to it. It noted that, before Ms Nawafleh had disengaged from proceedings in May 2024, she had provided a written response to the allegations and may have wished to provide a response in relation to the new material. Had she attended the hearing, time could have been allowed for her to consider the new material and an adjournment granted, if requested. However, the panel could see no purpose in adjourning and seeking a written response from Ms Nawafleh in relation to the new material, in circumstances where she had indicated that she did not wish to participate in these proceedings, and had not responded to any communication from Social Work England in relation to these proceedings since 2024.
49. The panel was of the view that, whilst relevant, the new evidence was not decisive or determinative of the outstanding allegations. Further, the new evidence did not form the basis of any new allegation against Ms Nawafleh.
50. The panel, therefore, determined that it would be fair to admit the supplementary statement of Person A together with the associated transcript of telephone calls and the note of Person A's telephone call with Social Work England. The panel took into account that Person A was available to give evidence and the panel would assess his credibility and the reliability of his account through its questions to him. The panel considered that this would mitigate any potential unfairness to Ms Nawafleh in not being able to provide a response to the new material.

Conflict of interest

51. In the course of the hearing, prior to hearing oral evidence from Social Work England witness Ms Leanne Bentham-Hill, panel member Ms Jill Wells, disclosed an existing professional relationship with Ms Bentham-Hill. Ms Wells stated that, in another role with Social Work England she worked as a social worker registration advisor. The role is independent of Social Work England but involves occasional email communication with Ms Bentham-Hill as Social Work England's registration manager. Ms Wells stated that they had attended a virtual meeting together. There has been no contact between them outside of this professional capacity. Ms Bentham-Hill confirmed the content of Ms Wells' disclosure.
52. Ms Culleton, on behalf of Social Work England, confirmed that she had no objection to Ms Wells remaining as a member of the panel.

53. The panel accepted the legal advice of the legal adviser, which was that the test in *Porter v Magill* [2002] 2 AC 357 was the correct test to apply, namely whether the circumstances would lead a fair-minded and informed observer to conclude that there was a real possibility of bias. The decision as to recusal was one for the whole panel, rather than individual members. Further, when considering the fair-minded observer, they had been described in caselaw as ‘*neither complacent, nor unduly suspicious*’ (as per *Belize Bank Limited v Attorney General of Belize* [2011] UKPC 36). The legal adviser further advised that there was an expectation that those serving in a judicial capacity would remain objective at all times.
54. The panel carefully considered whether a fair-minded observer, aware of all the circumstances of the case and the manner in which it has been managed to date, would conclude that there was a real possibility of bias. It took into account that Ms Wells’s relationship with Ms Bentham-Hall had been purely professional. They had never met socially and had not met in person. Ms Wells’s role as a social work registration advisor related to the registration of overseas-qualified social workers and was unrelated to her role as a member of the fitness to practise panel. Further, Ms Bentham-Hall was giving evidence on a discrete part of the allegation, unconnected with that part of her role which brought her into contact with Ms Wells. The panel was satisfied, in all the circumstances, that Ms Wells was able to remain objective and that there was no requirement for her to recuse herself from the hearing. It determined that a fair-minded observer, aware of all the circumstances of the case, would conclude that there was no real possibility of bias.

Allegations:

55. The Allegation arising from the regulatory concerns referred by the case examiners on 15 July 2024 is:

“Whilst registered as a social worker:

1. *You failed to maintain appropriate professional boundaries with Person A, the father of a service user, Service User X, in that between approximately October 2023 and December 2023, you:*
 - a. *engaged in a personal relationship with Person A;*
 - b. *engaged in sexual activity with Person A on one or more occasions.*
2. *Your conduct at paragraph 1 (a) and/or (b) above was sexually motivated.*
3. *On or around 18 December 2023 in a call to Social Work England you failed to declare that you were under investigation and suspended by your employer Staffordshire County Council.*
4. *You applied for voluntary removal from the social work register on 28 January 2024 indicating that you were unaware of any current allegation,*

investigation or proceedings which may result in action being taken against you, despite being suspended from duty, pending a disciplinary investigation by your employer.

5. *Your actions at paragraph 3 and/or 4 were dishonest.*

The matters outlined at paragraphs 1, 2, 3 4 and/or 5 amount to the statutory ground of misconduct.

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

Admissions:

56. No admissions had been made by Ms Nawafleh. The panel proceeded on the basis that the allegations were denied and, in accordance with Rule 32c(i)(a) of the FtP Rules, went on to determine the disputed facts.

Background:

57. On 18 December 2023, Social Work England received a referral from Ms Rebecca Whiteman, Service Lead at Staffordshire County Council (“the council”), regarding Ms Nawafleh.
58. Ms Nawafleh was employed at the council in the Adult Social Care Team. Her day-to-day responsibilities included carrying out statutory assessments and support plans under the Care Act 2014. The role also required her to develop collaborative relationships with adults with learning disabilities and their circles of support to promote positive expectations of what the service users could achieve.
59. Ms Nawafleh was the allocated worker for Service User X. In relation to Service User X, Ms Nawafleh’s role was to assess his care needs in line with the statutory guidance and put together a support plan to be implemented alongside his primary carer, Person A.
60. Person A was the main carer for his son, Service User X. Service User X had been on the Social Worker’s caseload since June 2022 but had been known to the Council since August 2018.
61. Service User X had been using social services since transitioning from the Younger Adults Team. He had a mild to moderate learning disability and had been subject to a Support Plan since 5 May 2021, which detailed his required level of care. The latest version of the Support Plan was produced on 22 March 2024, the key focus of it being around Service User X accessing the Day Opportunities Service which supports individuals with learning disabilities allowed for respite for both the Service User X and Person A.
62. On 13 December 2023, the social worker emailed Andrew Brickles, her supervisor, to terminate her employment, without giving reasons.

63. On 14 December 2023, Mr Brickles, received a telephone call from Person A about Ms Nawafleh. Mr Brickles had had previous contact with Person A, having conducted a joint visit to Service User X with Ms Nawafleh on 30 August 2023. Mr Brickles had also had some involvement in the case in that he had subsequently had supervision meetings with Ms Nawafleh where Service User X's case was discussed.
64. In the telephone call on 14 December 2023, Person A disclosed to Mr Brickles that he had been in a relationship with Ms Nawafleh for two months, which had recently ended. Person A informed Mr Brickles that he and the social worker had been seeing each other outside of a professional capacity and that their relationship had been sexual.
65. Mr Brickles and Leanne Morris, Assistant Service Lead at the council, subsequently attended Person A's home. Ms Morris took photographs of text messages on Person A's phone which Person A said had been sent between him and the social worker. Ms Morris also used her mobile phone to produce a copy of CCTV footage, dated 27 November 2023, taken from a CCTV camera at Person A's home which Person A said showed an interaction between Ms Nawafleh, her husband, and himself.
66. Rebecca Whiteman, Service Lead, telephoned Ms Nawafleh at 12:39 on 18 December 2023 to inform her that there would be an investigation due to allegations made, and that she had been suspended from work. Shortly after that call, at 13:10, Ms Nawafleh called Social Work England. A note by the call handler records that Ms Nawafleh reported that she was "*currently not working as a social worker*". It is alleged that, during that call, Ms Nawafleh failed to disclose that the reason that she was no longer working was that she had been suspended by the council and was under investigation and that her actions were, therefore, dishonest.
67. There was a further telephone call between Ms Whiteman and Ms Nawafleh later that afternoon. Ms Whiteman also sent a letter to Ms Nawafleh on that date, explaining that she was subject to a disciplinary investigation into concerns that she had entered into an inappropriate relationship with the parent of a service user for whom she was the allocated social worker and that she was being suspended from duty.
68. On 28 January 2024, Ms Nawafleh applied to Social Work England seeking voluntary removal from the social work register. During the online application process, she completed a declaration form, stating that she was unaware of any '*current allegation, investigation, proceedings or order which may result in action being taken against her*'. Social Work England alleges that Ms Nawafleh's actions were dishonest in that she had been told of the council's investigation on 18 December 2023.

Summary of evidence:

[Social Work England](#)

69. The panel heard evidence from the following witnesses on behalf of Social Work England, each of whom had produced a witness statement for these proceedings, exhibiting further documents and/or material. At the hearing, they each confirmed and

adopted their written statements as their evidence in chief and opened themselves up to questions from the panel:

- Person A, father of Service User X provided a signed statement dated 18 June 2025 and supplementary statement dated 18 April 2026.
- Andrew Brickles, Senior Social Worker at Staffordshire County Council Adult Learning Disability Team Health and Care Directorate (signed statement dated 10 July 2025)
- Leanne Morris, Social Worker, Assistant Service Lead at Staffordshire County Council (signed statement dated 15 July 2025)
- Rebecca Whiteman, Social Worker, Service Lead and Best Interest Assessor for South Adult Learning Disabilities Teams at Staffordshire County Council (signed statement dated 24 November 2025)
- Leanne Bentham-Hill, Head of Registration and Advice at Social Work England (signed statement dated 26 February 2026).

70. As Ms Nawafleh was neither present nor represented, Social Work England's witnesses were not cross examined. However, the panel was mindful that, in the absence of Ms Nawafleh it should adopt an inquisitorial approach and explore any apparent weaknesses there might be in Social Work England's case. The panel, therefore, asked questions of clarification of the witnesses as it deemed appropriate. It was careful to ensure that Ms Nawafleh's case, in so far as it was set out in statements she had provided to Social Work England in March and May 2024, was put to Social Work England's witnesses.

71. A summary of the evidence of each of Social Work England's witnesses is set out below:

Person A

72. Person A provided a witness statement for these proceedings dated 18 June 2025. He exhibited and confirmed an earlier statement dated 18 December 2023, prepared for the council's internal investigation. Person A provided a supplementary statement dated 18 April 2026 which, the panel admitted into the evidence on 19 April 2026, following an application by Ms Culleton on behalf of Social Work England. Person A also gave oral evidence at the hearing.

73. Person A stated that he was the primary carer for his son, Service User X, and that Ms Nawafleh had become his son's social worker in June 2023. Both in his witness statement and in oral evidence, Person A described a relationship with Ms Nawafleh which was professional at first. Service User X, at the material time, had a habit of walking out in front of cars and Person A had maintained regular contact with Ms Nawafleh as he was trying to secure an additional day's support at the day centre which Service User X was attending.

74. Person A described how on 9 October 2023, he had telephoned Ms Nawafleh to seek an update on any progress she had made in securing an additional day's support for Service User X. He stated that, in the course of that call, Ms Nawafleh had asked him, "You like me don't you [Person A]". He reported that he had been surprised by the question but had responded that he did like her. She asked whether she should come over to see him and he agreed that she could.
75. Person A stated that Ms Nawafleh had come over to Person A's address on 9 October 2023, following their telephone conversation. Person A stated in his witness statement:-
- "I did not even get chance to close the door and she went for me; she was full on and pinned me against the wall and kissed me and she pressed her vagina against me. I did not mind this as I am single bloke but this was a shock ... she took my hand and brought me into the living room, and she began to kiss me on the settee...." [sic].*
76. When it was put to him that Ms Nawafleh's position was that the allegations against her were "false, unreal and far-fetched", Person A said that Ms Nawafleh's account was untrue. He repeated his account of the events of 9 October 2023. He said:
- "I opened the door and didn't get to shut it . She grabbed me and pushed me against the wall and forced herself against me and pushed the vagina against me. That did happen. We hadn't even agreed to a relationship at all, she forced herself on me. That wasn't consensual. Then she held my hand and took me into the living room and that was consensual, and we were sitting in here and talking, I had no chance. I didn't even get to shut the door. It 100% happened."*
77. Person A denied that he had made unwanted sexual advances toward her or that he had threatened her. He further denied that he had sexually harassed her. He said that he had been professional with Ms Nawafleh until she had come to his home on 9 October 2023 and had "gone full force and grabbed" him, pressing him against the wall.
78. Person A described starting to exchange personal text messages with Ms Nawafleh following this encounter. In his oral evidence, he said that Ms Nawafleh had already held his telephone number and had called him using two different mobile numbers in the course of their relationship.
79. Person A described how the relationship had lasted for around two months. In his oral evidence, he described his relationship with Ms Nawafleh as "a proper relationship like a married couple really". He described how he and Ms Nawafleh would regularly meet up in different places including Costa Coffee shops, Subway and, on at least one occasion, at a local pub called [PRIVATE].
80. In answer to panel questions, Person A described how, during their two-month relationship, he and Ms Nawafleh would meet about 3 times a week from Monday to Thursday, often during Ms Nawafleh's lunch break for one to two hours. She would call

him to suggest where to meet and he would go to meet her. He told the panel, *“It was a fresh relationship and you want to see each other all the time”*. He said that, on occasion, he would ask his mother, who lived next door to him, to let Service User X into the house because Person A was with Ms Nawafleh. Person A would also sometimes ask his mother to look after Service User X so that they could meet elsewhere.

81. Person A described Ms Nawafleh as being *“in charge”* of the relationship. He said that *“she knew exactly what she was doing from day one”*. He described her as *“the boss”*.
82. In his oral evidence, Person A described how he and Ms Nawafleh would go to a Costa Coffee shop or McDonalds and remain in the carpark outside the restaurant *“fondling in the car”*. He recalled an occasion where he and Ms Nawafleh had been in the car together somewhere in Derby. He said he was wearing a suit as Ms Nawafleh liked him to dress up. They had not got out of the car and had started kissing. Person A described to the panel how Ms Nawafleh had then started masturbating him with her hand outside his trousers. He said she had wanted him to orgasm in his suit. He said that he had not wanted to have an orgasm in his suit and was a bit uncomfortable with it. They had then started meeting at Person A’s home where there was more privacy. He stated that he and Ms Nawafleh had sexual intercourse in his home three times on three separate occasions.
83. Person A said that Ms Nawafleh had not come to the house at first because of his son. Ms Nawafleh had not wanted Service User X to know about the relationship because she was his social worker. She only came to the house when Service User X was at the day centre.
84. Person A said that Service User X was aware of the relationship but was not involved in it. He said that he and Ms Nawafleh had discussed the fact that she was a social worker and that their relationship could affect her professionally. He told the panel:

“She wasn’t bothered. All she wanted was to be with me. We never spoke about the consequences as she knew the consequences. I cannot tell her what to feel. She is a professional person. I don’t like ordering or telling or giving her an idea of how to feel. She knew how to feel. I am a single man. I have done nothing wrong. Maxine instigated it. Everything I have said; she started it. When it comes to me speaking to her about consequences, that would feel awkward as it would be me telling her what to do.”
85. Person A said that, later in the relationship, Ms Nawafleh had told him that she did not want to be a social worker. Nevertheless, she had not wanted Person A to speak to Service User X about the relationship. Person A said that he had, however, told his son about it as he had wanted to be honest and upfront with him about why Person A was asking his mother to look after Service User X from time to time.
86. Person A knew that Ms Nawafleh was married and [PRIVATE]. Both in his witness statement and in his oral evidence, Person A described Ms Nawafleh being concerned that her husband was spying on her using an app on her mobile phone. Person A had

known not to text Ms Nawafleh in the evenings unless she had asked him to do so because [PRIVATE]. However, he said that Ms Nawafleh had never told him not to call her. On occasion he had called her while she was in the car [PRIVATE] and she had asked him to call back later.

87. Person A said that all through the relationship he had loved Ms Nawafleh and she had given him the impression that she loved him. He had felt awkward and wrong about having a relationship given that she was married and [PRIVATE] although she had said that she and her husband were just friends and had repeatedly described her husband as “*baggage*”. Person A said he had told Ms Nawafleh that it was “*best to come clean*” and tell her husband about their relationship. He had suggested how she might do this but she had never done so, despite saying that she would.
88. Person A described in his oral evidence how his relationship with Ms Nawafleh had ended on 27 November 2023. Ms Nawafleh had asked him to go out for lunch with her on that date as [PRIVATE]. He had been looking forward to it. However, when the day arrived, Ms Nawafleh had come to his home and had said that it was best they split up as her husband was spying on her and she “*didn’t want to be caught*”. Person A said that Ms Nawafleh had told him [PRIVATE]. Ms Nawafleh had asked to borrow his mobile phone to talk to her husband. She had asked him for his PIN number. He had been upset and had not concentrated on what she was doing. He had later discovered that rather than calling her husband, she had deleted the entirety of her text messages with Person A from his mobile phone.
89. Person A told the panel that he was really upset at the ending of the relationship as he loved Ms Nawafleh and had thought that the relationship would be a long term one and they had previously discussed getting married. He had been upset and had cried.
90. Ms Nawafleh had suggested that they go for a drive in her car because Person A was upset. He said he thought that she may have been worried about the state he was in. They had been in the car for about 1.5 hours. He described mostly remaining quiet while Ms Nawafleh spoke.
91. Person A said that when they returned to Person A’s home and were talking in the car, “*all of a sudden*” Ms Nawafleh’s husband had arrived in his car. He had driven past Ms Nawafleh’s car and then turned his car around at the end of the cul de sac where Person A lived.
92. Person A, in his oral evidence, described getting out of the car and waving to Ms Nawafleh’s husband “*as a friend, all calmly*”. Person A said that he had thought to himself that Ms Nawafleh had not told her husband about their relationship. He told the panel:

“I thought he has a right to know and I need to be honest. So, I went to his window and put my hand on his shoulder, as a friend. I said, ‘I have something to tell you. Me and Maxine have been seeing each other. We love each other and have been sleeping together.’”

93. Person A said that Ms Nawafleh had turned her car around and pulled up alongside where Person A was standing next to her husband's car. Her car window had been down so she had heard everything that had been said between her husband and Person A. Her husband had called Person A "*a fucking idiot*" and had also sworn at Ms Nawafleh. Ms Nawafleh and her husband had then both driven off.
94. It was after this that Person A had looked at his mobile phone and had realised that Ms Nawafleh had deleted all their text message exchanges from it. However, he had been able to retrieve the messages from one of the two numbers which Ms Nawafleh had used to contact him, and he had then used an app to transfer them to his PC, and had later made them available to the council as part of its investigation into the allegations against Ms Nawafleh.
95. When it was put to him that Ms Nawafleh disputed the authenticity of the text messages, Person A said that the text messages which he had produced were "*all 100% genuine and real.*" He denied calling and messaging Ms Nawafleh without her consent or that she had asked him to stop calling her. He said that the panel could read the texts for themselves and would see that he had never been forceful.
96. Person A explained that the interaction with Ms Nawafleh's husband outside Person A's home on 27 November 2023 had been captured on a CCTV camera on Person A's home. He had made this available to the council as part of its investigation into the allegations against Ms Nawafleh. Person A described how he had shown the CCTV footage to Leanne Morris from the council on his wide-screen TV when she had attended his home in December 2023. She had taken a copy of the footage by using her mobile phone to take a video of it while he showed it on his wide-screen TV.
97. Following the events of 27 November 2023, Person A said that he had not seen Ms Nawafleh again but that they had exchanged some messages in the days that followed the ending of the relationship. He had then spoken to her on the phone on 12 December 2023 when she had said she was at the hospital and [PRIVATE]. This was the last time they had spoken until he bumped into her on 10 November 2025 at the garage.
98. Person A described the relationship with Ms Nawafleh, and its ending, as having had a significant impact on him. He said he had loved her and thought that she had loved him. They had spoken of marriage, although he had known that she was already married. He had called the council on 14 December 2023 because he thought he needed help. He said he was "*really in a state and depressed*". He had been put through to Andrew Brickles as he was Ms Nawafleh's boss and because he was part of the team supporting Service User A.
99. Person A said that he had been put in touch with MIND through which he had received weekly counselling. He had found the counselling helpful as he was missing meeting up and being with someone who loved him. He said he was missing "*the kissing and cuddling and caressing*" as he had not been with anyone for a long time. He said that Ms Nawafleh was special to him "*and all of a sudden it was gone.*"

100. Person A, in his supplementary statement and his oral evidence to the panel, described bumping into Ms Nawafleh at the garage in November 2025. He had been unsure at first that it was her until she had turned around; he had then greeted her. He told the panel that he felt she should have said nothing and walked out as she would have known he was a witness in these proceedings. However, she had instead become “*boisterous*” and said that it was he who needed to get out of the garage. She had then said that they needed to talk and suggested they went outside. Person A said he felt that she was trying to manipulate him by putting an alternative spin on their relationship. Person A said that they still had feelings for one another and had kissed.
101. There had been some telephone contact between them following their November 2025 meeting and they had arranged to meet again at Costa. He described Ms Nawafleh being “*very snuggly*” while there and having “*big smiles on her face*”. They had kissed again. He had not seen her since that date but had spoken to her on the phone. He produced a transcript of calls between them ending in January 2026. He said that Ms Nawafleh had called him to raise concerns that his relatives were following her and giving her abuse. He told the panel that he did not know where Ms Nawafleh lived and nor did his relatives. In any event, only his mother and Service User X were aware of his relationship with Ms Nawafleh. He, therefore, disputed that his relatives could be behaving in the manner Ms Nawafleh had alleged.
102. Person A exhibited to his initial witness statement copies of screenshots of some of his text messages with Ms Nawafleh and a transcript of text messages between them from 11 October to 29 November 2023, which Person A had downloaded and transferred to his PC as described in his witness statement and oral evidence. The nature, scope and content of the text messages is addressed within the panel’s findings on the facts, below.
103. Person A also exhibited to his initial witness statement a copy of the CCTV footage which Leanne Morris had recorded on her mobile phone in the circumstances described above.

Andrew Brickles

104. Andrew Brickles was a senior social worker at the council and Ms Nawafleh’s line manager. He provided a witness statement dated 10 July 2025 and gave oral evidence at the hearing. He exhibited a copy of the statement dated 10 January 2024 which he had provided for the council’s internal investigation.
105. In his witness statement, Mr Brickles described a series of supervision meetings with Ms Nawafleh from June to November 2023 at which Service User X was discussed. He stated that “*No concerns were raised about Person A by the Social Worker nor were there any questionable decisions made*”.
106. In his oral evidence, Mr Brickles said,

“If there had been even a hint that one of the social workers on my team was uncomfortable or exposed to behaviour they were not comfortable with, I would

have taken steps. That is why I am confident it was not said as I would not have brushed it off. I do not want social workers who work for us to be in those situations.”

107. Mr Brickles was asked if he was aware that Ms Nawafleh’s work mobile phone had broken as she had stated, requiring the need for her to use her personal phone. He said that he could not recall Ms Nawafleh at any stage raising an issue with her work mobile phone. He said he could not categorically say that she had not done so but that in any event she could have self-referred to IT and there was a process by which she could have resolved the matter quickly without his involvement.
108. Mr Brickles described receiving an email from Ms Nawafleh on 13 December 2023 terminating her employment and indicating that her last day would be 11 February 2024.
109. The following day, on 14 December 2023, Mr Brickles received the telephone call from Person A in which Person A reported that he had been “seeing” Ms Nawafleh for two months. Mr Brickles in his written statement gave an account of what had been reported to him by Person A. He described how Person A was “hardly able to speak through his tears and it was clear that this had a serious impact on his mental wellbeing”.
110. In his oral evidence, Mr Brickles said that he could remember the conversation with Person A vividly. He described Person A as “distraught” and had been concerned for his wellbeing. He described it as “a horrible call to take as it goes against everything we are supposed to stand for as social workers”. He said it had been a real shock to receive the call and it had stayed with him. He set out the account which Person A had provided of his relationship with Ms Nawafleh.
111. Mr Brickles then described visiting Person A at his home on 15 December and 18 December 2023, at which time Person A informed him of the text messages between himself and Ms Nawafleh which Ms Nawafleh had deleted from his phone but which had been backed up. Person A had also informed Mr Brickles about the existence of the CCTV recording from 27 November 2023.
112. Mr Brickles spoke to Service User X at the visit on 15 December 2023. Service User X is reported as saying that he was sorry that Ms Nawafleh had left his father like his other girlfriends had and that it wasn’t right but that it did not appear that the relationship breakdown had altered his father’s behaviour. According to Service User X, following the breakdown of his father’s relationship, Person A had continued to act in a way that was consistent with the way he behaved prior to his relationship with the social worker.
113. On 18 December 2023, Mr Brickles received an email from Ms Nawafleh stating that her resignation was to have immediate effect and that she would not be returning.
114. Mr Brickles provided a view in his statement about what constitutes proper professional boundaries for social workers, as well as an opinion on conduct which breaches those boundaries.

Leanne Morris

115. Leanne Morris was a senior social worker and manager of the team which Ms Nawafleh and Mr Brickles were in. She was instructed to conduct the council's internal investigation into the allegations against Ms Nawafleh.
116. In her written statement dated 15 July 2025, Ms Morris set out that she had attended Person A's home twice; one with Andrew Brickles and once on her own. She had interviewed Person A on 18 December 2023 and had written a report of that interview. In her witness statement for these proceedings, she set out the account which Person A had provided to her of his relationship with Ms Nawafleh.
117. In her oral evidence, Ms Morris described Person A as "*visibly upset*" during the meetings. He had kept saying he wanted to participate in the investigation but it had been very difficult. They had been lengthy visits with regular breaks. When they had gone over the text messages together, he had been upset and distressed about what was going on and had been tearful. Person A had described that the breakdown of the relationship had left him "*upset and heartbroken*".
118. Ms Morris stated that Person A informed her that he understood that Ms Nawafleh was married and [PRIVATE] "*but still very much decided to have a full-on relationship with myself*". Person A had acknowledged that Ms Nawafleh was "*a social worker, and this should not have happened, but it did*".
119. Ms Morris, in her written statement, provided an account of how she had obtained screenshots of text messages, said to be messages between Person A and Ms Nawafleh, from Person A's mobile phone. Ms Morris described using her mobile phone to take photographs of screenshots from Person A's mobile phone. The text messages came from two different mobile telephone numbers, ending respectively [PRIVATE] and [PRIVATE], which Person A had told her both belonged to Ms Nawafleh.
120. In her oral evidence to the panel, Ms Morris stated that, in the course of the council's investigation, a review of its HR records had shown that the mobile number ending [PRIVATE] had been previously provided by Ms Nawafleh to the council as her personal mobile number to be used in an emergency. In relation to the number ending [PRIVATE], this had been provided by Ms Nawafleh to Andrew Brickles in an email as the number to use to communicate with her during sickness leave. Both numbers had been tried by the council when attempting to get hold of her but there had been no response on either number.
121. Ms Morris also provided an account of how she came to obtain a copy of the CCTV footage taken from Person A's home on 27 November 2023. She confirmed that Person A had shown the CCTV footage to her on his wide-screen TV. She had taken a copy of the footage by using her mobile phone to take a video as it played on his TV screen. This had enabled her to use her mobile phone to zoom in on events.
122. Ms Morris had also interviewed Mr Brickles as part of the council's internal investigation and provided an account of that interview.

Rebecca Whiteman

123. Rebecca Whiteman was a senior social worker and service lead at the council. She was also the deciding manager who instigated the disciplinary investigation into Ms Nawafleh. In her written statement of 24 November 2025 and her oral evidence, she provided an account of her interactions with Ms Nawafleh as part of the council's disciplinary processes.
124. Ms Whiteman spoke to Ms Nawafleh twice on 18 December 2023. In the first call, at 12:39 that day, she had made Ms Nawafleh aware of the council's investigation and had read out a script provided to her by human resources (HR). Ms Whiteman told the panel that this was a standard script to be used when suspending a member of staff. She could not remember whether she had advised Ms Nawafleh to contact the regulator. Ms Whiteman recorded that Ms Nawafleh had responded that the alleged "*incident*" had not happened. When told the identity of the complainant, Ms Nawafleh is reported as having said, "*That's interesting*".
125. They had spoken again at the end of that day when Ms Nawafleh had stated that she had sent Mr Brickles notice with immediate effect due to ongoing investigations into her physical health. Ms Whiteman had said that she would seek the advice of HR but that her understanding was that Ms Nawafleh could not shorten her notice period without the agreement of the council. Ms Whiteman reported that during this call Ms Nawafleh advised that she had "*informed the general social work council she has been suspended*". Ms Whiteman had reminded her that her registration was with Social Work England and not the GSCC. Ms Nawafleh's husband could be heard in the background during the call saying that the investigation would not be good for her health. Ms Nawafleh had advised that her husband had been very supportive.
126. On 18 December 2023, Ms Whiteman referred the matter to Social Work England. In oral evidence, she told the panel that she was not confident that Ms Nawafleh had self-referred and, therefore she had made a referral.
127. On 19 December 2023, Ms Whiteman and Ms Nawafleh spoke again. Ms Nawafleh had stated that she wished to backdate her notice period to 13 December 2023; she was advised that her notice would end on 31 January 2024, the council having agreed to a shortened notice period. Ms Whiteman had further advised that the investigation would continue notwithstanding Ms Nawafleh's resignations. In her note of that call, Ms Whiteman recorded that Ms Nawafleh's husband had shouted in the background that he "*didn't agree for her to be part of any investigation*" and Ms Nawafleh had said that an investigation was no longer needed as she was no longer employed.
128. Ms Whiteman stated that both Person A and Service User X had been affected by Ms Nawafleh's actions. She stated that there had been an emotional impact on Person A and that it had been reported, through Ms Morris' investigation and other council sources, that Service User X was now wary of social workers and felt that they were not there to support him and his father. Service User X's care had not reduced as a result of

Ms Nawafleh's actions but his trust in the service provided by the council and in social workers had reduced.

129. Ms Whiteman in her written statement also provided a view about what constitutes proper professional boundaries for social workers, as well as conduct which may breach those boundaries.

Leanne Bentham-Hill

130. Ms Bentham-Hill is Head of Registration and Advice at Social Work England. She provided evidence in relation to Ms Nawafleh's contact with Social Work England following notification of her suspension by her employer on 18 December 2023, including an application for voluntary removal from the social work register which Ms Nawafleh had submitted online on 28 January 2024.

131. Ms Bentham-Hill exhibited a note of a telephone call by Ms Nawafleh to Social Work England on 18 December 2023 at 13:10, which was recorded by the call handler in the following terms:

"rang re employment details- stated they are currently not working as a social worker updated the end date on the back end register".

132. In her oral evidence, Ms Bentham-Hill said that, if Ms Nawafleh had reported that the reason that she was not currently working as a social worker was because she was suspended under investigation, the call handler would have recorded this. If Ms Nawafleh had been unsure of what to report, Ms Bentham-Hill said that she would have expected her to have asked the call handler who would have given her that information. Ms Bentham-Hill said that it was the social worker's responsibility to inform Social Work England of any concerns relating to their practice. She referred to Standard 6.6 which requires social workers to:

"Declare to the appropriate authority and Social Work England anything that might affect my ability to do my job competently or may affect my fitness to practise, or if I am subject to criminal proceedings or a regulatory finding is made against me, anywhere in the world."

133. Ms Bentham-Hill stated that Social Work England's *Safe and Effective practice declarations and fitness to practise self-referrals* guidance, which was exhibited to her witness statement, provided guidance as to when a self-referral should be made:

"...you should not wait until renewal to tell us about something that may impair your fitness to practise.

If there has been a change in your fitness to practise, you must tell us about it as soon as possible by making a self-referral."

134. Ms Bentham-Hill confirmed that the guidance also provided an indication of what might constitute something that impacts a social worker's fitness to practise, and makes reference to employment proceedings:

“Things that impact your fitness to practise include, but are not limited to (any of the following:

“...

- *employment proceedings*

...

We may consider whether your actions were dishonest if you do not disclose things that impact your fitness to practise.

...

Where the concerns are particularly serious, or raise significant risks, you and your employer need to make an immediate referral to us. This is so we can decide if an interim order is necessary to restrict your practice. Our professional standards do not require you to tell us if you have been suspended from work. However, you should tell us immediately if the concerns raised by your employer are serious enough to affect your fitness to practise.”

135. Ms Bentham-Hill also exhibited the online application for voluntary removal (VR) from the social work register which Ms Nawafleh had submitted on 28 January 2024. In her written statement, Ms Bentham-Hill explained that guidance for VR is available on the Social Work England website. This states that before a social worker submits an application for VR, they must make a declaration in which they confirm that they:
- are unaware of any current allegation, investigation, proceedings or order which may result in action being taken against you
 - understand that until your name is removed from the register you may continue to receive communications from us
 - wish to remove your name from our register
 - understand and agree that once your name has been removed from the register you will not practise in England using the protected title of ‘social worker’ without becoming registered again with Social Work England or any subsequent body fulfilling a similar regulatory role.
136. In the VR application, social workers are given the option to tick the declarations and then submit the application. Ms Bentham-Hill stated that Ms Nawafleh had checked all the boxes confirming the above declarations and had submitted the form. If she had not checked all of the boxes, she would not have been able to submit the form.
137. The matter had come to light when the registration team had conducted checks on Social Work England’s case management system which had shown that there was an open fitness to practise case in relation to Ms Nawafleh. On 27 February 2024, the investigator for Social Work England had emailed Ms Nawafleh attaching a letter which

confirmed that there was an ongoing investigation into allegations that she failed to maintain professional boundaries with the parent of a service user. The investigator had emailed the social worker again on 29 February 2024 to inform her that further concerns have been raised in relation to her applying for VR despite being aware of an ongoing employer investigation. Once it was established that Ms Nawafleh was aware of the ongoing FTP investigation, she was contacted on 23 April 2024 via the registration team's message centre to the effect that she could not be removed from the register until the investigation into her fitness to practise had been completed.

138. In her submissions on the factual allegations, Ms Culleton reminded the panel of the burden and standard of proof and of relevant case law. She summarised the evidence called on behalf of Social Work England. She identified the evidence which supported each paragraph of the Allegation and submitted that, based on the evidence it had heard, the panel should find the facts of the Allegation proved.

Social worker

Maxine Nawafleh

139. Ms Nawafleh provided no signed witness statement for these proceedings and did not attend to give oral evidence or make oral submissions. As a matter of fairness in her absence, the panel considered that it should consider the responses to the allegations which she had provided in written statements at earlier stages of the fitness to practise process. However, the panel bore in mind that these responses were not sworn evidence which had been tested in questioning at the hearing. The panel therefore concluded they could be given only limited weight.
140. The panel had careful regard to Ms Nawafleh's written statements of 14 March 2024, 13 May 2024 and 21 May 2024. Ms Nawafleh made the following statements in relation to the specific regulatory concerns identified by Social Work England:

Professional boundaries and sexual motivation

- That the allegations are “*entirely false, unreal and far-fetched and have arisen solely due to my refusal of the carer (sic) sexual advances and subsequent threats toward me.*”
- That the evidence provided by Person A, including the text messages and what she refers to as “*the harasser statement,*” “*lacks authentication and raises questions about its reliability*”. Ms Nawafleh writes that Person A had engaged in sexual harassment toward her, “*targeting me as a vulnerable female*”.
- That she had used her personal phone for work-related communication because the screen of her work phone was broken. She had inadvertently failed to enable the withhold number feature on her personal phone with the result that Person A had been able to obtain her phone number and to ring her without her consent. Ms Nawafleh stated that Person A's contact persisted despite requests that he stop, with the result that she had made a request to her mobile phone company to change her number; she stated that the request took time to process. Ms

Nawafleh provided a copy of an email from a mobile phone company dated 18 April 2024 indicating that her number ending [PRIVATE] was changed on 6 December 2023 “as a result of nuisance and malicious (sic) calls to this number.” She stated that she “consistently raised concerns about the functionality of my work tools, particularly my laptop and mobile phone, with both my manager and the IT department” however “no action was taken to address the issue.”

- That the allegation regarding a confrontation at Person A’s home was not accurate. Ms Nawafleh provides an alternative account of encounter shown on the CCTV footage recorded outside Person A’s home on 27 November 2023, as follows:

“I have informed my husband (please see my husband attached statement) that I will speak to the person harassing me and meet him in a public area. My husband agreed to accompany me but he will watch from a distance as well for my safety. At the meeting, the harasser did not appreciate that I wanted him to stop. The harasser threatened me and became agitated, started swearing, and made a sexual advance physically toward myself and I pushed him away and told him to get out of my car and that my husband is watching and aware of this meeting. Within a minute my husband noticed the harasser acted strangely and he quickly drove his car and parked next to my car. Then the harasser left my car and started swearing at my husband while he was inside his car and making racist comments. Myself and my husband left and drove away and I was very shaken. When I got home I had severe back pain from his actions and was distressed. I had intended to report the harassment and threats from the harasser to the police. However, I hesitated due to concerns about the potential repercussions, particularly regarding the harasser's reaction and my own safety.

The statement in the Report regarding the alleged confrontation at the harasser home is not accurate. The meeting actually occurred in a public area, specifically on the road, where neither I nor my husband initiated any confrontation. It was the harasser who approached my husband's vehicle after he left my car in a confrontational manner. Therefore, the claim that matters escalated at the harasser home is unfounded and misleading.”

Voluntary Removal and dishonesty

- That she had handed in her notice on 13 December 2023 “because of the threat (by the person harassing obsession and stalking) towards myself, and remaining concerned about my safety and others, that caused ongoing fear and distress to me on a daily basis. My understanding is that legally my employers can not be held liable for the harassment of their staff by a third party. My notice was handed in before Rebecca Whiteman informed me of the allegation.”

- That, on the advice of Ms Whiteman, she contacted Social Work England immediately to inform them that she was not practising. She acknowledged that she had mentioned the previous regulator (General Social Care Council); this had been unintentional and not meant to deceive or mislead anyone.
- That she had resigned twice in December 2023, once in accordance with her employment contract and a second time with immediate effect following her employer's "*insistence to conduct the investigation without considering my health*" and that the reason for her resignation had been concerns about her health.
- That her submission of the VR form, with a declaration that she was "*unaware of any current allegation, investigation or proceedings which may result in action being taken against you, despite being suspended from duty, pending a disciplinary investigation by your employer*" had resulted from a "*misinterpretation of the statement on the website.*" She stated,

"My response to the voluntary removal was based strictly on the wording of the regulation and my understanding of the situation at the time. The regulation specifically inquired about current awareness of an investigation by the regulator, and I was not aware of any ongoing investigation by the regulator at the time of my declaration. Therefore, I responded truthfully based on the information available to me. It was not my intention to be dishonest or misleading. I followed the guidelines outlined in the regulation and provided my response accordingly."

- That prior to these events she has worked as a social worker for over 18 years and in adult care for 7 years. She wrote, "*I have completed many joint visits with colleagues, clients and carers who have never questioned my Social Work practice*"

141. In addition to responding to the regulatory concerns about her conduct, Ms Nawafleh in her responses to Social Work England of March and May 2024, highlighted the impact which Person A's actions have had on her. She stated that [PRIVATE] caused by the allegations against her had led to her being unable to participate in any investigative processes and had led to her decision to cease practising as a social worker and to retire.

Ms Nawafleh's husband

142. Ms Nawafleh's husband also provided a statement at an earlier stage in the fitness to practise process "*to support my wife's account of harassment and stalking by the father of the service user*". He writes that in October 2023, his wife had informed him that the father of a service user "*kept persistently calling and texting her*" and had continued to do so "*despite her firm requests for him to cease contacting her*". He wrote, of Person A, "*His obsessive behaviour has had a distressing impact on the entire family*".

143. Ms Nawafleh’s husband provided his account of the interaction with Person A outside Person A’s home on 27 November 2023, as follows:

“My wife decided it would be prudent to address this behaviour face to face with the individual who is harassing her. She sought my support in accompanying her to a public area where she planned to meet with him. I agreed to watch from a distance while she talked with him, which occurred in a public area inside my wife’s car. I was alarmed by seeing him reaching out for my wife, I swiftly approached the scene and parked my vehicle next to her car. Upon seeing me, the harasser exited my wife’s car and while I was in my car he directed offensive and racist remarks towards me, including derogatory comments .

I was taken aback and chose to leave the area immediately, accompanied by my shaking and distressed wife. She informed me upon arrival at home, the individual had forced himself upon her, leaving her feeling violated and unsafe. In light of this traumatising incident, she expressed her desire to leave the social work profession, citing concerns for her safety and well-being.”

144. Again, the panel bore in mind that the statement by Ms Nawafleh’s husband was not sworn evidence which had been tested in questioning at the hearing. The panel, therefore, concluded it could be given only limited weight.

Legal advice on facts:

145. The panel heard and accepted the advice of the legal adviser. The legal adviser advised that the burden of proof was on Social Work England and the standard of proof required was the civil standard, namely whether it was more likely than not that the alleged facts occurred. The panel is entitled to make collateral findings of fact provided that they do not enlarge or change the scope or seriousness of individual charges or the Allegation as a whole. Such findings should be ones that are required to be made to underpin a substantive finding of fact.
146. The legal adviser advised the panel on its approach to the evidence. The panel was advised to navigate evidence from any contemporaneous documents as the starting point. In relation to credibility and reliability, she referred the panel to the cases of *R (on the application of Dutta) v GMC* [2020] EWHC 1974 (Admin), *Khan v GMC* [2021] EWHC 374 (Admin) and *Hindle v NMC* [2025] EWHC 373 (Admin). She reminded the panel that it must form its own judgement about the credibility of witnesses, and which evidence is reliable, and which is not. She advised that the panel was entitled to draw inferences from the evidence but it must not speculate. She advised the panel in relation to hearsay evidence and the careful consideration to be given to the weight it considers appropriate to attach to such evidence.
147. In relation to sexual misconduct, the legal adviser advised that in *Basson v GMC* [2018] EWHC 505 (Admin), the High Court had defined acting with sexual motivation as conduct done either in pursuit of sexual gratification or in pursuit of a future sexual relationship. However, the panel should not become distracted by notions of sexual gratification but rather should make a deduction from all the facts and circumstances

of the case and look at the material in the round. The best evidence of a sexual motivation could be the behaviour itself and where there is no plausible alternative explanation other than that the behaviour is sexually motivated then the panel may well find that it was (see *Haris v GMC* [2021] EWCA Civ 763).

148. In relation to dishonesty, the legal adviser advised in accordance with the case of *Ivey v Genting Casinos (UK) t/a Crockfords* [2017] UKSC 67, setting out the two elements of the test in detail.

“When dishonesty is in question, the fact-finding panel must first ascertain (subjectively) the actual state of the individual’s knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether [she] held the belief, but it is not an additional requirement that [her] belief must be reasonable; the question is whether it is genuinely held.

When once [her] actual state of mind as to knowledge or belief as to facts is established, the question whether [her] conduct was honest or dishonest is to be determined by the factfinder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what [she] has done is, by those standards, dishonest.”

149. The legal adviser gave a good character direction in relation to Ms Nawafleh. She advised that case of *Arunkalaivanan v GMC* [2014] EWHC 873 (Admin) had emphasised that, in cases of alleged sexual misconduct, a person’s character is particularly significant and relevant to the issue of whether they were likely to have behaved in the way alleged.
150. The panel was advised that it must provide reasons for its findings in relation to each of the disputed paragraphs of the Allegation.

Finding and reasons on facts:

151. The panel took into account all the evidence it had read and heard. It accepted the advice of the legal adviser. It had regard to Ms Culleton’s detailed submissions on behalf of Social Work England and to Ms Nawafleh’s responses, as set out in her written statements provided at earlier stages of the fitness to practise process. It considered each of the disputed paragraphs of the Allegation in turn. It noted that Paragraphs 1 and 2 allege sexually motivated conduct by Ms Nawafleh; paragraphs 3, 4, and 5 allege dishonest conduct by her.

“Whilst registered as a social worker:

1. You failed to maintain appropriate professional boundaries with Person A, the father of a service user, Service User X, in that between approximately October 2023 and December 2023, you:

a. engaged in a personal relationship with Person A;

b. engaged in sexual activity with Person A on one or more occasions.

152. In its approach to Paragraph 1 of the Allegation, the panel decided that it would first determine whether Ms Nawafleh had engaged in a personal relationship with Person A as alleged in 1.a.. It would then determine whether she had engaged in sexual activity with Person A on one of more occasions as alleged by 1.b.. Having made findings in relation to 1.a. and 1.b., it would then determine whether those findings indicated a failure by Ms Nawafleh to maintain appropriate boundaries with Person A between October and December 2023, as alleged in the stem of Paragraph 1.

1.a. engaged in a personal relationship with Person A

153. The evidence to support Paragraph 1.a. of the Allegation comes primarily from the written and oral evidence of Person A, including the exhibits produced by him. Person A, in both his written and oral evidence, described a professional relationship with Ms Nawafleh from June 2023, when she was first allocated as Service User X’s social worker, until 9 October 2023.

154. Person A’s account is that the relationship changed on 9 October 2023. He describes a telephone call with Ms Nawafleh on that date when she said to him “*You like me, don’t you [Person A]?*”. He states that when he had responded that he did like her, Ms Nawafleh had asked whether she could come over to see him and he had agreed that she could. When Ms Nawafleh had come to his home later that day, Ms Nawafleh had forced herself on him. Person A states that he was single at the time and had not minded this. Person A then describes starting to exchange text messages with Ms Nawafleh on 11 October 2023.

155. Person A exhibits to his initial witness statement copies of screenshots of some of his text messages with Ms Nawafleh and a transcript of text messages between them from 11 October to 29 November 2023, which Person A states he downloaded and transferred to his PC using Droid Transfer.

The text messages

156. In accordance with the legal advice it had received, the panel decided to take the evidence of the text messages between Person A and Ms Nawafleh as its starting point in navigating the evidence before it. The panel noted that, on the face of it, the text messages were contemporaneous with the period during which Person A states he was in a relationship with Ms Nawafleh.

157. The panel reviewed the photographs of screenshots said to be from Person A’s mobile phone. The panel noted that these appeared to show conversations between Person A and two different mobile numbers:

Mobile number ending [PRIVATE] (Maxine X)

There are screenshots of text messages, beginning on 11 October 2023 and ending on or around 8 December 2023, with an individual whose mobile number appears to be saved as “Maxine X” in Person A’s list of contacts. A photograph of

the contact page for “Maxine X” taken from Person A’s mobile phone, shows that the mobile number for “Maxine X” ends [PRIVATE]. The last message received from this number appears to have been on 5 December 2023. There are then three further messages from Person A to “Maxine X”, sent on 7 and 8 December 2023, where Person A received an automated “*Trouble sending*” response.

Mobile number ending – [PRIVATE]

There are also screenshots of text messages between Person A and a mobile number ending [PRIVATE]. Only some of the screenshots from Person A’s mobile phone of text messages with this number show the dates of those messages. Of those screenshots where the date is shown, the earliest date shown is 6 December 2023. The last date shown is 13 December 2023; on that date Person A appears to have texted Ms Nawafleh but received no response to his texts.

158. In addition, the panel was provided with a 256-page transcript of text messages between Person A and “Maxine X [PRIVATE]” from 11 October 2023 to 29 November 2023. The messages are date and time stamped and, on the face of the transcript, it states, “*Conversation saved by Droid Transfer on 27/11/2024*”.

159. In his witness statement, Person A addresses how the text messages from his mobile phone came to be produced in evidence for these proceedings. In relation to the screenshots of text messages with two different numbers, he states,

“Mr Andrew Brickles and Ms Leanne Morris, who I believe were the social worker’s bosses at the Council, took screenshots of the text messages between myself and the social worker... These were not all of the messages that we exchanged. I received text messages from two different numbers, detailed below.”

160. In relation to the transcript of messages with “Maxine X [PRIVATE]”, Person A states:

“I downloaded a full transcript of those messages using Droid Transfer and Transfer Companion to transfer them to my PC...”

161. Person A goes on to explain why has been unable to produce a full record of messages between himself and Ms Nawafleh in relation to her mobile number ending – 596, as follows:

“From around October 2023, I received SMS messages from the social worker on another number ([PRIVATE]), which at the time I did not recognise. The social worker then called me using this new number which is how I knew it was her. She used a new phone as I believe her husband had her other phone. Unfortunately, I do not recall exactly when I received the first text message from the number ending in [PRIVATE] as the social worker deleted the messages on my phone when we last saw each other on 27 November 2023.”

162. The panel noted that Ms Nawafleh, in her responses to Social Work England at an earlier stage of the fitness to practise process, disputed “*the reliability and authenticity*

of the screenshot text messages presented as evidence". She has provided no submissions in relation to the 256-page transcript of text messages which appears, on the face of it, to have been saved by Droid Transfer in November 2024, some six months after Ms Nawafleh last communicated with Social Work England in relation to these proceedings.

163. In view of Ms Nawafleh's objection to the reliability and authenticity of the screenshots of the text messages, the panel decided that, before examining the content of text messages, it would first examine any evidence before it, independent of the evidence of Person A, which linked the mobile numbers ending [PRIVATE] and/or [PRIVATE] to Ms Nawafleh.
164. The panel had regard to the evidence of Leanne Morris. Ms Morris, in her written statement, provided an account of how she had obtained the screenshots from Person A's mobile phone. Ms Morris described using her mobile phone to take photographs of screenshots from Person A's mobile phone. The text messages came from two different mobile telephone numbers, ending respectively [PRIVATE] and [PRIVATE], which Person A had told her both belonged to Ms Nawafleh.
165. In her oral evidence to the panel, Ms Morris stated that, in the course of the council's investigation, a review of its human resources records had shown that the mobile number ending [PRIVATE] had been provided by Ms Nawafleh to the council as her personal mobile number to be used in an emergency. In relation to the number ending [PRIVATE] this had been provided by Ms Nawafleh to Andrew Brickles in an email sent at 12 noon on 14 December 2023 as the number to be used when communicating with her during sickness leave; a copy of that email was produced in evidence. Ms Morris stated that both numbers had been tried by the council when attempting to get hold of Ms Nawafleh but there had been no response on either number.
166. The panel was satisfied, based on the evidence of Ms Morris that there was evidence, independent of the evidence of Person A, that the mobile numbers ending [PRIVATE] and [PRIVATE] were both numbers which were associated with Ms Nawafleh. The evidence relating to the number ending [PRIVATE] was that this had been held by HR at the council for some time prior to the complaint being raised against Ms Nawafleh. In relation to the number ending [PRIVATE], Ms Nawafleh had provided this number in an email to Mr Brickles prior to being made aware that Person A had raised a complaint against her.
167. Taking Ms Morris' evidence together with that of Person A, the panel was satisfied that both telephone numbers were associated with Ms Nawafleh, that these were the numbers by which he communicated with her, and that the text messages were between Person A and Ms Nawafleh. The panel was satisfied that the messages provided a contemporaneous record of Ms Nawafleh's relationship with Person A.
168. The panel noted that there was some inconsistency in Person A's evidence as to how he came to have Ms Nawafleh's number ending [PRIVATE]. In his written statement, he stated that Ms Nawafleh had given him her number. In his oral evidence, he stated that

he had not asked Ms Nawafleh for her number; she already had his number and he had left it for her to call him. The panel noted, for the transcript of text messages between Person A and Ms Nawafleh on the number ending [PRIVATE], Person A appears to have initiated contact on 11 October 2023, suggesting that he already had this number.

169. The panel considered that this position was consistent with Ms Nawafleh's position. In her written responses to Social Work England, she stated that she had used her personal phone for work-related communication because the screen of her work phone was broken. She stated that she had inadvertently failed to enable the withhold number feature on her personal phone with the result that Person A had been able to obtain her phone number and to ring her without her consent.
170. Ms Nawafleh stated that she had raised the issue about her phone with her line manager and IT. Andrew Brickles, in his oral evidence, could not recall Ms Nawafleh at any stage raising an issue with her work mobile phone. He said he could not categorically say that she had not done so but that it any event she could have self-referred to IT and there was a process by which she could have resolved the matter quickly without his involvement.
171. The panel noted that there was no specific allegation relating to Ms Nawafleh using her personal mobile phone rather than her work phone to communicate with Person A. The panel acknowledged that the use of a personal mobile number to communicate with the father of a service user might, in itself, be considered to be a breach of professional boundaries. However, the panel did not consider that it was required to make a specific finding about whether the reason Ms Nawafleh had used her personal mobile phone to communicate with Person A was because her work phone was broken at the time or exactly how Person A came to have Ms Nawafleh's personal phone number. The panel considered that the substance of the allegation was in relation to the content of the text messages between Person A and Ms Nawafleh, whether on her personal number or her work number, and what those messages indicated about the nature of the relationship between Person A and Ms Nawafleh.
172. Having established that both the number ending [PRIVATE] and that ending [PRIVATE] were associated with Ms Nawafleh, the panel went on to consider the content of the text messages between Person A and Ms Nawafleh and what those messages indicated about the nature of their relationship.
173. The panel observed that the transcript of messages between Person A and Ms Nawafleh was voluminous, running to some 256 pages when transcribed to A4 paper. The panel read the messages in sequence and was satisfied that, on the face of it, there was nothing to suggest that the transcript was anything other than a full record of the text messages between Person A and Ms Nawafleh, on the number ending [PRIVATE], in the period from 11 October 2023 to 27 November 2023.
174. The panel considered that there were a number of features to the messages which pointed to the relationship between Ms Nawafleh and Person A being a personal one. These included but were not limited to the following:

- the volume of text messages
- expressions of love and endearment contained within the messages
- references to arrangements to meet
- references to Person A's clothing
- references to Ms Nawafleh's private and family life
- references to the relationship being non-professional

175. A non-exhaustive list of examples under each of these headings is set out below:

Volume of messages

176. The panel considered that the sheer volume of messages pointed to a personal relationship between Person A and Ms Nawafleh. The panel noted, for example, that on 19 October 2023 there were 40 messages between them from 08:45 to 17:33; on 20 October 2023, there were 45 text messages between them from 09:15 to 19:21; and on 22 October 2023, there were 43 messages between them from 14:22 to 16:26. The panel observed that at times the text communication was instigated by Person A; at other times it was instigated by Ms Nawafleh. The messages were sent both during and outside normal working hours.

Expressions of love and endearment

177. The panel noted that both Person A and Ms Nawafleh regularly ended their messages with multiple 'X's or a '❤️' emoji. In addition, from an early stage in the text communication between them, Person A started using terms of endearment such as "*Beautiful special to me Maxine*" in a text sent at 12:48 on 13 October 2023, and "*my special Lady*" in texts sent at 13:03 and 18:01 later that day. From 14 November 2023, Person A started regularly referring to Ms Nawafleh as his "*Girlfriend*" or his "*Beautiful Girlfriend*".

178. The panel noted that Ms Nawafleh did not, in her responses, seek to distance herself from Person A's expressions of love and affection. She did not ask him to stop saying such things or to stop sending such messages. To the contrary:

- On 16 October 2023 at 17.00, Ms Nawafleh wrote:
"*Hello [Person A] miss you already*".

- On 20 October 2023 at 19:19 she wrote:
"*I miss u lots ❤️*".

On 21 October 2023 at 09:08 she wrote:
"*I fancy u xxxx*".

- On 19 October 2023 at 16.56, Ms Nawafleh wrote:
"*You are my friend if he sees you*

Maybe we should get married Yes xx”

- On 23 October 2023 at 15.09, Ms Nawafleh wrote:
“To be honest, I like you so much. I think you know that. It is very difficult to put into words. As you said, if we met 21 years ago it would be a no brainer for me you know that. I would like to meet with you more if that is ok with you. I will always worry about everyone. You make we smile and laugh but you drive slow. 😊 🚗 ❤️”.

- On 6 November 2023, Person A wrote at 15:18,
“Maxine whom I would Marry tomorrow”

Ms Nawafleh responded at 15:22:

“Thank you [Person A]. I do appreciate what you say.”

- On 9 November 2023 at 09:50 Ms Nawafleh wrote:
“Miss you 🍷”

Later that day at 10:31 she asked Person A:

“Do you love me? 🍷”

- On 11 November 2023 at 10:19, Ms Nawafleh wrote
“Miss you too lots ❤️”

- On 13 November 2023 at 20:57 she wrote:
“I do miss you. Xxx”

- On 16 November at 09:45 Ms Nawafleh wrote:
“Have a great day. Miss you [Person A] xxxxx”

And at 09:59 she wrote again,

“...Love you 🍷 and miss you so much xxx”

At 10:48 she wrote again

“Love you lots”

- On 18 November 2023 at 13:22 Ms Nawafleh again wrote:
“Miss you [Person A] xxx”

- On 21 November 2023 at 10:49 she wrote:
“When are you able to see me again. I miss you.”

- On 22 November 2023 at 16:36 she wrote:
“Do you miss me. 😊”

References to arrangements to meet

179. The panel observed that, throughout the text messages, there were references to Person A and Ms Nawafleh meeting up. Again, these references start early in the transcript of text messages between them. On 13 October 2023 at 12:13, Person A wrote:

*“Hi
Thankyou Maxine for coming to see me this morning has been unbelievable I really more than like you I think that you know this I look forward to seeing you very soon always thinking of you your so special to me thankyou [Person A] 🍷
x”*

To which Ms Nawafleh responded at 12:37:

“I trust you not to inform everyone. I know you will not. Speak soon. No emoji as you need to earn it. 🍷”

180. Thereafter, there are frequent references to arrangements to meet, of which the following are examples:

On 20 October 2023 at 10.20 , Person A sent the following message to Ms Nawafleh:

“ 😊 would you like for us to go for a meal somewhere or Costa what do you feel comfortable with xx 😊 .”

Ms Nawafleh replied,
“ It is up to u”

Person A replied
*“ Yes ok Meal it is then nice and warm
Would you like for us to meet at the cherry tree pub at 12pm.....Xx[Person A] xX”*

Later that day, at 14.30, Ms Nawafleh sent the following message to Person A:
*“Yes would be good to go for a meal, without the purple shirt.
Miss u already ❤️xxxx
It is my birthday [PRIVATE]. If u are not busy I would like it if u came for a meal with me. Xx I am booking annual leave.”*

On 23 October 2023 at 12.44, Person A sent the following message Ms Nawafleh:

“Xx Have you a postcode to Costa near to you xx”

Ms Nawafleh replied,
“ Stratton “ , “ Put your foot down “

Person A responded,
“ Stratton perfect no Map needed xx just have a shave xx”

Ms Nawafleh replied,
“Forget the shave”, “I am here”

181. The panel noted that there were references throughout the transcript of text messages to meeting at Costa Coffee, Subway, McDonalds and [PRIVATE]. Of note, as early as 20 October 2023, Ms Nawafleh appears to have suggested that she and Person A meet for a meal on [PRIVATE], over a month later on 27 November 2023.

References to Person A’s clothing

182. The panel noted that there were frequent references within the texts to Person A’s clothing:

On 17 October 2023 at 10:19, Person A wrote that he was going to be wearing “a new modern jumper” when they met later that day and that Ms Nawafleh “may stand me to attention for that jumper inspection”.

Ms Nawafleh responded at 10:26:

“Happy about that. As there is a clothing inspection on Friday and I have a spreadsheet where there will be ticks and crosses 😊 what about the track suit?”

On 22 October 2023 at 15:15, Ms Nawafleh wrote:

“I miss the purple shirt the most! Xxx”

Person A replied at 15:18:

“💜💜 xx Miss the Purple Shirt the Most Oh 💜 xx I will wear it next time we meet Love You Lots
Miss you Lots Always
XxX 💜 XxX”

On 11 November 2023 at 10:08, Ms Nawafleh wrote:

“I wanted to say you always try with your clothing...”





On 23 November 2023 at 20.32, Ms Nawafleh wrote:


“P.s you can wear the new track suit at least I will not complain 😊”

References to Ms Nawafleh’s personal life

183. The panel noted that, within the messages, there were references to Ms Nawafleh’s private family life and health which were outside the scope of her professional relationship with Person A. These include:

On 20 October 2023, in response to a message at 13.14 from Person A asking “Are you ok x”, Ms Nawafleh responded, “Yes not least [PRIVATE]. Take care”

On 25 October 2023, in response to a message at 10:32 from Person A, “  
xx hope that your having a good morning xx where would you like to meet  xx”,
Ms Nawafleh responded, “ *It is up to you. Got stomach ache, but nothing knew
ok
Otherwise “*


On 27 October 2023 at 08.11, Ms Nawafleh sent a message to Person A, “ I am
just stressed by everything including my mother. ”

On 11 November 2023 at 10.04, Ms Nawafleh sent message to Person A, “...*I
have to complete my written work as it needs to be in by the end of November.
Boring! However, needs to be done. [PRIVATE]”*

References to the relationship being non-professional

184. The panel observed that, from an early stage, there was a recognition within the text messages between Person A and Ms Nawafleh that the relationship was a personal one and not a professional one, and that they knew this could be problematic given that Person A was the father of a service user on Ms Nawafleh’s caseload.

On 19 October 2023 at 14.54, Person A sent a message to Ms Nawafleh acknowledging that the fact of her being his son’s social worker may create difficulties for her:

“ ... I have been thinking this afternoon and I think that I am right in my thinking and that is your Like or Love of me is not the issue here it is singly down to one issue alone and that issue is that you are having a relationship with a clients father I have looked into this and have read that you can be affected if the direct client my son has been affected in his case with you but it has not affected [Service User X] so I don’t think that it shouldn’t effect you you need to look into this as we both mean so much to each other in every way Love you always[Person A]x x ”

Ms Nawafleh responds at 15:19
“*Sorry for stressing”*

185. The panel observed that, notwithstanding the fact that Ms Nawafleh and Person A had had this communication on 19 October 2023, their relationship had continued until 27 November 2023.
186. Taking into account all of the above, the panel was in no doubt that the nature, scope, and content of the text messages between Ms Nawafleh and Person A pointed to a personal and intimate relationship between them. The depth of Person A’s feelings in particular was, in the view of the panel, clear from the text messages. The panel reminded itself that the context of the relationship between them was that Person A was the father of Service User X, a vulnerable young adult who was on her social work caseload. It found that there was a recognition within the text messages that the

relationship was personal and went beyond the boundaries of what would be appropriate between a social worker and a father and carer of a service user and that the relationship had continued notwithstanding that recognition.

187. Having considered the text messages, the panel went on to consider the written and oral evidence from Social Work England’s witnesses relating to the relationship between Ms Nawafleh and Person A, and in particular the evidence of Person A.

Person A - credibility and reliability

188. The panel considered Person A’s witness statement and oral evidence. The panel found that there was a high degree of correlation between the transcript of text messages and Person A’s account of his relationship with Ms Nawafleh. The panel found that the way in which Person A talked about Ms Nawafleh in his oral evidence mirrored the feelings expressed for her throughout his text messages. It was clear to the panel that he still had feelings for her, even now.
189. The panel found that there were also peculiarities within his written and oral account which supported and provided detail and context to the text messages.

References to arrangements to meet

190. Person A spoke in his oral evidence of how he and Ms Nawafleh would arrange to meet. He described how they would meet about 3 times a week from Monday to Thursday, often during Ms Nawafleh’s lunch break. She would call him to suggest where to meet and he would go to meet her, often at a Costa coffee shop or Subway. He told the panel, *“It was a fresh relationship and you want to see each other all the time”*. The panel noted the multiple references to meeting at Costa both in his oral evidence and within the text messages.
191. He also referred, in his oral evidence, to being teased by Ms Nawafleh about needing a map to find the places where they were going to meet, a matter which is again reflected in the texts between them.
192. In his oral evidence, Person A said that on occasion, he would ask his mother, who lived next door to him, to let Service User X into the house because Person A was with Ms Nawafleh. Again, the panel noted that this was reflected within the text messages. In a text on 17 October 2023, Person A suggests that he will ask his mum to let Service User X into the house if he is out. Likewise, on 8 November 2023, he writes that he will ask his mum if she can be there for Service User X before confirming the time of a meeting with Ms Nawafleh.

References to Person A’s clothing

193. Person A also spoke in his oral evidence of the interest which Ms Nawafleh took in what he wore and the fact that she liked him to dress up and liked him to wear a proper shirt. Again, the panel found that his oral evidence supported and corroborated the text messages about this, as set out above.

References to Ms Nawafleh's private and family life

194. In the view of the panel, throughout Person A's oral evidence, he made reference to aspects of Ms Nawafleh's private and family life which indicated that she had shared information of a personal nature with him. This included information about her family life including [PRIVATE]. He referred to Ms Nawafleh calling her husband "*baggage*" which the panel noted was reflected in the text messages between them. His oral evidence included references to Ms Nawafleh enjoying going walking at weekends and activities involving [PRIVATE]. He was aware of the date of her birthday.
195. The panel considered that Person A, in his responses to questions from the panel testing his account, provided a narrative about his relationship with Ms Nawafleh which was consistent with the contemporaneous text messages between them.
196. The panel found that Person A's account of the relationship was not only internally consistent, but that it was consistent with accounts that he had given in the context of the council's investigation into the allegations against Ms Nawafleh. The panel noted that, by way of example, Person A had given a consistent account of how Ms Nawafleh had instigated the relationship on 9 October 2023.
197. The first record of Person A providing an account of the events of 9 October 2023 is the telephone note taken by Andrew Brickles following Person A's telephone call on 14 December 2023, when Person A disclosed that he had been "*seeing*" Ms Nawafleh for two months. A copy of that telephone note was in evidence before the panel.
198. In his witness statement for these proceedings, Andrew Brickles stated that Person A told him on 14 December 2023 that the relationship had been started by the Social Worker saying, "*You like me don't you?*" to which he has replied, "*I do*". Mr Brickles reported being told by Person A that after Ms Nawafleh had mentioned issues with her family, Person A had invited her to his house to talk. Person A told Mr Brickles that, as soon as Ms Nawafleh arrived at his home, she kissed him all over. The panel found that the account given by Person A to Andrew Brickles on 14 December 2023, was consistent with Person A's description of the events of 9 October 2023 in both his witness statement and in his oral evidence at the hearing (as set out earlier in this written decision). It was also consistent with the account he provided to Leanne Morris as part of the council's disciplinary investigation.
199. The panel carefully considered whether Person A had cause to falsify or embellish his account of his relationship with Ms Nawafleh but the panel could find none. The panel did not detect any grievance from Person A in relation to Ms Nawafleh but rather a disappointment at the ending of a relationship in which he was heavily invested and where he had genuine feelings for Ms Nawafleh. The panel found Person A's evidence compelling in its detail and internal consistency.

Ms Nawafleh's statements

200. The panel next had regard to Ms Nawafleh's statements of March and May 2024 which provide a different account of her interactions with Person A. The panel reminded itself that these statements had not been accompanied by a signed declaration of truth and

had not been tested either by cross examination or through questioning by the panel. Further, these statements were produced prior to the full transcript of the text messages between Person A and Ms Nawafleh being produced.

201. Ms Nawafleh's position in those statements was that Person A had sexually harassed her and targeted her as a vulnerable female. She stated that Person A's contact persisted despite requests that he stop, with the result that she had made a request to her mobile phone company to change her number; she stated that the request took time to process. The panel carefully reviewed the transcript of the text messages between Person A and Ms Nawafleh, noting where there had been a request from Ms Nawafleh to Person A asking him to stop contacting her, or words to that effect. The panel identified the following:

On 15 October 2023 at 10:53, Ms Nawafleh wrote:

"That's why it might be good to stop, even though I am very fond of you xx"

On 21 October 2023 at 09:19, Ms Nawafleh wrote:

"Need to stop speak Monday"

and at 09:37 that day, she wrote:

*"[PRIVATE] keeps looking for my phone so will speak on Monday. He is not daft
❤️."*

On 31 October 2023 at 15:05, Ms Nawafleh wrote:

"Glad you put the white shirt 🧺 in the bin. It was passed its best. It was good to talk I feel a lot more reassured about things. As you understand, I need to be sure that it is the right deco on me [PRIVATE]. ❤️ Most go [PRIVATE] had finished and will be hungry]. Xxx"

3 November 2023 at 09:49 she wrote

"Miss you [Person A] just getting in the car so don't text me as it read the texts out."

On 9 November 2023 at 17:19 she wrote

"Yes don't message me. Thank you. See you at [PRIVATE]. Don't be late. Xxx"

On 23 November 2023 at 17:41, in response to a suggestion by Person A that she tell her family about their relationship, Ms Nawafleh wrote:

"I feel as though you are pushing me [Person A]....xx"

At 18:09 the same day she wrote:

"If you talk about that stuff again I am not coming 😊❤️"

Later that evening at 20:11 in response to further texts from Person A, she wrote:

"You are putting me under pressure".

At 20:18, she wrote:

“I do laugh with you and love and care for you. It will never change [Person A] You know that from the short time I have known you. You will always pressure me [Person A]. I have [PRIVATE] n it will never be just me”.

The final message from Ms Nawafleh to Person A is at 20:43 on 23 November 2023 when she writes:

“Night have a good 3 hours 😴sleep 🇲🇪.”

202. There are further messages from Person A to Ms Nawafleh on 23, 27 and 29 November 2023, to which there appears to have been no response.
203. The panel considered that, until 23 November 2023, any messages from Ms Nawafleh to Person A suggesting that he do not contact her were aimed at preventing the discovery of their relationship rather than being clear and unambiguous requests for him to stop contacting her.
204. The panel carefully considered whether there was anything within Person A’s text messages or any other evidence before it to suggest that Person A had sexually harassed Ms Nawafleh. The panel acknowledged that Person A was effusive and persistent in his declarations of love and affection for Ms Nawafleh in his texts. It also acknowledged that Ms Nawafleh was less effusive in her responses. However, notwithstanding this difference, the panel found that prior to 23 November 2023 there was no evidence of any attempt by Ms Nawafleh to distance herself from Person A. Even when, on that date, it is clear that she is trying to create some distance between them, she nonetheless continues to express love and care for Person A:
- “I do laugh with you and love and care for you. It will never change [Person A] You know that from the short time I have known you. You will always pressure me [Person A]. [I have [PRIVATE] n it will never be just me”.*
205. The panel could find no evidence within the texts that Person A’s attention was unwanted or that he had sexually harassed Ms Nawafleh.
206. The panel took into account the statement provided by Ms Nawafleh’s husband “to support my wife’s account of harassment and stalking by the father of the service user”. He wrote that in October 2023, his wife had informed him that the father of a service user “kept persistently calling and texting her” and had continued to do so “despite her firm requests for him to cease contacting her”. He wrote, of Person A, “His obsessive behaviour has had a distressing impact on the entire family”. The panel reminded itself that this was not sworn evidence. It further noted that the husband’s account was based on a hearsay report by Ms Nawafleh as to Person A’s conduct. The panel found that the evidence of the text messages did not support the contention that Ms Nawafleh had made “firm requests for [Person A] to cease contacting her.”
207. The panel also had regard to the email from Ms Nawafleh’s mobile phone company dated 18 April 2024 indicating that her number ending [PRIVATE] had been changed on 6 December 2023 “as a result of nuisance and malicious (sic) calls to this number.” The panel noted Ms Nawafleh’s contention that there had been a delay to this request being

actioned. The panel found, however, that there was clear evidence that Ms Nawafleh had continued to communicate with Person A on the phone number ending [PRIVATE] up to and including 23 November 2023 and found that it was more likely than not that any attempt to change her number had postdated this.

208. The panel noted that the screenshots of messages between Ms Nawafleh and Person A on her new phone ending [PRIVATE] include both friendly responses from Ms Nawafleh on and around 6 December 2023 and a request to stop contacting her on 12 December 2023. Her last messages to Person A appear to have been on 12 December 2023 at 12:52 and read:

*“Please stop messaging at mo. [PRIVATE] is at home
Will call tomorrow.”*

209. Person A’s evidence is that 12 December 2023 is also the last date on which he spoke to her (by phone) until he bumped into her in November 2025.

210. The panel carefully considered whether there was any other evidence which suggested that Ms Nawafleh had been the victim of sexual harassment by Person A. The panel had regard to supervision records between Ms Nawafleh and her line manager Andrew Brickles in relation to Service User X which included supervision notes of a meeting on 26 November 2023. It noted that there is no reference within that note to Ms Nawafleh having raised a concern about Person A with Mr Brickles.

211. In her written response, Ms Nawafleh stated, *‘I handed in my notice on 13 December because of the threat by the person harassing obsession and stalking towards myself, and remaining concerned about my safety and others, that caused ongoing fear and distress to me on a daily basis. My understanding is that legally my employers can not be held liable for the harassment of their staff by a third party’*.

212. The panel had regard to the oral evidence of Mr Brickles about steps that the council would have taken had Ms Nawafleh disclosed sexual harassment by Person A. He stated:

“If there had been even a hint that one of the social workers on my team was uncomfortable or exposed to behaviour they were not comfortable with, I would have taken steps. That is why I am confident it was not said as I would not have brushed it off. I do not want social workers who work for us to be in those situations.”

213. The panel was satisfied on the basis of the text messages between Ms Nawafleh and Person A, and on Mr Brickles’ evidence, that Ms Nawafleh had not raised a complaint with the council about Person A’s alleged harassment and had not sought support to manage it. The panel further noted that, on her own account, as set out in her written statement dated 13 May 2024 she had not contacted the police *“due to potential repercussions, particularly regarding the harasser’s reaction and my own safety”*.

Verbal altercation on 27 November 2023

214. The panel noted that there was a dispute between Person A and Ms Nawafleh in relation to their meeting on 27 November 2023 which was the last time they met, until they met by chance in November 2025. Both parties agree that a verbal altercation took place involving Ms Nawafleh's husband on that date. There is a dispute as to what was said by whom and the manner in which it was said. Ms Nawafleh and her husband point to the altercation as evidence of sexual harassment by Person A and, on that basis, the panel determined that it was necessary to make a specific finding about the incident.
215. Person A's account is set out in detail within his evidence earlier in this written determination. In summary, Ms Nawafleh had asked him to go out for lunch with her on that date as [PRIVATE]. He had been looking forward to it. However, when the day arrived, Ms Nawafleh had come to his home and had said that it was best they split up. Ms Nawafleh had suggested that they go for a drive in her car because Person A was upset. They had been in the car for 1.5 hours. When they returned to Person A's home and were talking in the car, Ms Nawafleh's husband had unexpectedly arrived in his car. He had driven past Ms Nawafleh's car and then turned his car around at the end of the cul de sac where Person A lived. Person A had exited the car and had approached Ms Nawafleh's husband "*as a friend, all calmly*". Person A had then told Ms Nawafleh's husband that they had been seeing each other and sleeping together. Her husband had called Person A "*a fucking idiot*" and had also sworn at Ms Nawafleh, who had by this time also turned her car around and pulled alongside Person A and her husband's vehicle.
216. Ms Nawafleh's account, and that of her husband, are set out in their respective statements provided at an earlier stage of the fitness to practise process. In summary, they contend that Ms Nawafleh's husband agreed to accompany her to a meeting with between Ms Nawafleh and Person A but that he would watch from a distance for her safety. At the meeting, Person A did not appreciate that Ms Nawafleh "*wanted him to stop*". Person A threatened her and became agitated. He started swearing, and made a sexual advance at which stage Ms Nawafleh pushed him away and told him to get out of the car. On noticing Person A's actions, Ms Nawafleh's husband pulled his car alongside his wife's vehicle. Person A then got out of the car and started swearing at Ms Nawafleh's husband, who was inside his car, and making racist comments. Ms Nawafleh and her husband then drove away. Ms Nawafleh reports being shaken by the incident and having severe back pain from his actions.
217. The panel had the benefit of CCTV footage capturing the alleged altercation outside Person A's home. Person A's CCTV had not recorded any sound. Ms Nawafleh has not disputed the authenticity of the CCTV but has provided a different interpretation of what it shows. Person A and Leanne Morris both described how Person A had shown the CCTV footage to Ms Morris on his wide-screen TV when she had attended his home in December 2023. She had taken a copy of the footage by using her mobile phone to take a video of it while he showed it on his wide-screen TV. The footage was time and date

stamped at 13:47 on 27 November 2023 and the panel was satisfied that it showed the alleged altercation between the parties on that date.

218. The panel first considered the text messages between Person A and Ms Nawafleh relating to this date. The panel was satisfied from the text messages between them, that there had been a plan to meet for lunch on 27 November 2023 for [PRIVATE]. This had first been mentioned over a month previously and it was clear from the text messages that Person A was looking forward to it. It was also evident from the text messages of 23 November 2023 that Ms Nawafleh was feeling under pressure from Person A. Of note, there were no messages from Ms Nawafleh in the period between 23 November 2023 and 27 November 2023.
219. The panel considered that Person A's account – that Ms Nawafleh had ended the relationship on 27 November 2023 – was consistent with the messages of 23 November 2023 and with his own account that he was both disappointed that the much-anticipated [PRIVATE] lunch was no longer going to take place and upset at the ending of the relationship.
220. The panel then considered that Ms Nawafleh's account and that of her husband – that *"she would speak to the person harassing him and meet him in a public area"* with her husband watching from a distance for her safety. The panel found that Ms Nawafleh's account lacked credibility. The panel found no evidence within the text messages between Ms Nawafleh and Person A that she was the victim of sexual harassment. She had made no complaint either to her employer or to the police that she was the victim of sexual harassment. The panel found it wholly implausible that a social worker of Ms Nawafleh's experience, instead of seeking support as a victim of harassment, would instead take matters into her own hands and allow herself to be alone with her alleged harasser in her car, whether or not her husband was close at hand.
221. The panel carefully reviewed the CCTV footage to determine whether there was any evidence that Person A had made a sexual advance on Ms Nawafleh which may have resulted in [PRIVATE] as she had stated; it determined that it was unable to make a finding based on the CCTV which provided no useful evidence as to anything that had taken place within Ms Nawafleh's car. It noted, however, that consistent with his own account, Person A appeared calm within the CCTV recording. Person A can be seen approaching Ms Nawafleh's husband calmly; putting a hand on his shoulder through the open car window; and talking with him. The panel could detect no evidence of aggression by him.
222. The panel, therefore, rejected the account of Ms Nawafleh that she was the victim of sexual harassment by Person A. It found no support for this within the evidence before it. The panel preferred the account of Person A which was both internally consistent and also consistent with the contemporaneous text messages between Person A and Ms Nawafleh. The panel considered that it was more likely that not that on 27 November 2023, Ms Nawafleh had told Person A that she had come to the decision that she could no longer see him because [PRIVATE]. The panel did not consider that it was required to make a specific finding as to how or why Mr Nawafleh's husband came to be

outside Person A's home; it considered that there a number of hypotheses which could be advanced, none of which assisted the panel in its factual enquiry.

Impact of the ending of the relationship

223. The panel considered that, in addition to Person A's account of how upset he was at the end of the relationship, there was some corroboration for this from the accounts of Andrew Brickles and Leanne Morris in relation to the level of Person A's distress at the ending of his relationship with Ms Nawafleh. Andrew Brickles described how when Person A first called to report the matter on 14 December 2023, he was "*hardly able to speak through his tears and it was clear that this had a serious impact on his mental wellbeing.*" In his oral evidence he described Person A as "*distraught*" and had been concerned for his wellbeing.
224. Similarly, Ms Morris spoke of her two visits to Person A's home being difficult, observing that Person A was "*visibly upset*" during the meetings. Person A had described how the breakdown of the relationship had left him "*upset and heartbroken*".
225. The panel also had regard to Person A's oral evidence where he spoke of the significant impact which the ending of his relationship with Ms Nawafleh had had upon him. The panel considered that the extent of his distress was evidence of the extent of his emotional investment in the relationship with Ms Nawafleh and pointed to the personal and intimate nature of their relationship.

Recent events - Supplementary Statement of Person A

226. The panel had regard to the supplementary statement of Person A and his oral evidence in relation to bumping into Ms Nawafleh in November 2025 and their contact thereafter. The panel concluded that this evidence did not assist it in determining the central allegations against Ms Nawafleh. It considered that the contemporaneous evidence of the text messages between Ms Nawafleh and Person A was a better guide to the truth of the events of late 2023 than any subsequent meeting between them.
227. Taking into account all of the above, the panel was satisfied that Ms Nawafleh entered into a personal relationship with Person A as alleged in Paragraph 1.a. of the Allegation.
228. **Accordingly found Paragraph 1.a. of the Allegation proved on the balance of probabilities.**

1.b. engaged in sexual activity with Person A on one or more occasions.

229. Having determined that Ms Nawafleh entered into a personal relationship with Person A, the panel went on to consider whether that relationship was not only personal, but also sexual. The panel noted the specific wording of this Paragraph of the Allegation which alleges that Ms Nawafleh engaged in "sexual activity" with Person A on one or more occasions.

230. As it had done in relation to Paragraph 1.a., the panel first considered the contemporaneous evidence of the text messages between Ms Nawafleh and Person A to determine what references, if any, there were to “sexual activity” between them.

231. The panel found no direct references within the text messages to Ms Nawafleh and Person A engaging in sexual activity. However, it noted the following messages which are suggestive of a sexual relationship:

- On 17 October 2023 at 19:57, Person A sent the following message to Ms Nawafleh:
“I’m starting to cool down now thank you for your call I was getting hot thinking about you always [Person A] 🍷 xxx”

On 19 October 2023 at 16:55, Ms Nawafleh sent an identical message to Person A.

- On 21 October 2023, Person A wrote at 09:09:
*“Seems that I am a very Naughty man I’m looking forward to my punishment from you you need to take it out on me next time maybe ravish me all over xx [Service User X] has just gone out I’m on my own thinking about you in bed I had an erection
Love 🍷 you
Missing you always [Person A] xx 🍷 🍷 🍷 xx*

- On 22 October 2023 at 15:27 , Person A sends message the following message to Ms Nawafleh:
“Ohh ok if I wore that shirt you could rip it off me that would be lots of Love 🍷and fun xx”

Ms Nawafleh replies:

“ Too tight you can hardly breath in it.”

- On 23 October 2023 at 15:12, Ms Nawafleh wrote
“ I fancy you so much”
- On 25 October 2023 at 15:51 - Person A sent the following text message to Ms Nawafleh:
“....I would love for us to wrip each others clothes off what do you Think Xx 🍷xX [Person A]”

Ms Nawafleh responded at 15:52:

“ Well that is one way of putting it are you ready then 🍷 ”

- On 26 October 2023, Person A writes at 14:36:
🍷xx Will have to see how Bossy you are in the Bedroom 🍷 xx”

- On 7 November 2023 at 09:51, Person A wrote to Ms Nawafleh, referring to her as “my Beautiful Very Sexy Very Hot Maxine”.

At 10:14 he went on to write:

“❤️ XxX Thankyou Maxine. I can’t wait to Cuddle and Love you all over 🌊 I’m getting hot again always [Person A] ❤️ XxXxXx”

To which Ms Nawafleh replied at 10:18:

“No problem with your functioning then 🤔. I will look forward to it. Xxxx”

Person A replied at 10:24

““ 🤝 XxX Yes last night I was in Bed I was thinking of you as I always do and all of a sudden I saw this Rocket arise 🤖 😊 XxX to launch 🚀 XxX it felt really good...”

- On 8 November 2023 at 14:14, Person A wrote:

🤝 XxX Good afternoon Maxine thankyou for meeting with me your [Person A] at Costa I hope that you are okay 😊 XXX I am okay but I know that it is right for us to have privacy I think that it is okay to kiss and hug etc but when it comes to touching intimately I think that we are both uncomfortable with the surroundings with people and camera I feel that touching is a very intimate between my Beautiful Maxine and myself but in the car I feel that you mean no much to me to be touching in the car I think and know that touching and caressing should be performed in the privacy of your home in the Bedroom 🤔 XxX how do you feel about this? XxX thankyou Love always [Person A] 🤝 XxXxXx”

In response, Ms Nawafleh suggested meeting somewhere other than Costa for a bit and wrote at 15:10:

“That’s ok am I too old and felt a bit uncomfortable the same as you. Xxxx”

- On 18 November 2023 at 09:59, Person A sent a message to Ms Nawafleh: “Today I will send you an email with a picture of our bed with the duvet device that keeps the duvet on the bed without moving and it works perfectly duvet doesn’t move 1 inch

I will also send you a better picture of [Service User X’s] Megan doll

Last night him down there was being naughty but nice to

Missing you Lots my Maxine XxX

Love you so so much always [Person A] ❤️ XxXxXxXxXx”

- On the same date at 14:42, Person A asks Ms Nawafleh

“ 🤝 🤖 😊 You need me to Massage your back 😊 XxX”

Ms Nawafleh replies at 14:43

“My arse you mean”

232. Having considered the contemporaneous record of text messages, the panel went on to consider the written and oral evidence of Person A in relation to any sexual activity with Ms Nawafleh. It reminded itself of Person A's evidence as to how the relationship began on 9 October 2023 when Ms Nawafleh asked him "You like me, don't you [Person A]?" and then came to his home later that day. In his oral evidence he described the encounter in the following terms,

"I opened the door and didn't get to shut it . She grabbed me and pushed me against the wall and forced herself against me and pushed the vagina against me. That did happen. We hadn't even agreed to a relationship at all, she forced herself on me. That wasn't consensual. Then she held my hand and took me into the living room and that was consensual, and we were sitting in here and talking, I had no chance. I didn't even get to shut the door. It 100% happened."

233. The panel considered that Person A's references to Ms Nawafleh pushing her vagina against him and forcing herself upon her were references to sexual activity, stopping short of sexual intercourse.

234. As set out earlier within this decision, there were multiple references within Person A's written and oral evidence to meeting Ms Nawafleh in Costa. Person A described how, during their two-month relationship, he and Ms Nawafleh would meet about 3 times a week from Monday to Thursday, often during Ms Nawafleh's lunch break. She would call him to suggest where to meet and he would go to meet her, often at a Costa Coffee shop or Subway.

235. In his oral evidence, Person A described how he and Ms Nawafleh would go to a Costa coffee shop or McDonalds and remain in the carpark outside the restaurant "fondling in the car". He recalled an occasion where he and Ms Nawafleh had been in the car together somewhere in Derby. He said he was wearing a suit as Ms Nawafleh liked him to dress up. They had not got out of the car and had started kissing. Person A described to the panel how Ms Nawafleh had then started masturbating him with her hand outside his trousers. He said she had wanted him to orgasm in his suit. Her hand had been outside his trousers. He said that he had not wanted to have an orgasm in his suit. He said that the interaction had taken place in the carpark. He had been in complete control but he had been uncomfortable with it. They had then started coming to Person A's home where there was more privacy. He stated that he and Ms Nawafleh had sexual intercourse in his home three times on three separate occasions.

236. The panel considered that Person A's oral evidence was consistent with text messages between Person A and Ms Nawafleh on 8 November 2023 (see above) where Person A states that he is uncomfortable "*when it comes to touching intimately*" in the car where there are people and cameras. He suggests that this should be done in the privacy of the bedroom. The panel found Person A's description of "*fondling in the car*" and being masturbated by Ms Nawafleh as clear evidence of sexual activity between them. The panel found his account credible in its detail and also due to the references to his

clothing which was consistent with references throughout the text messages to Ms Nawafleh taking an interest in his clothing.

237. The panel noted that throughout his written and oral evidence, Person A referred to conversations where Ms Nawafleh had referred to her husband and herself as “friends”, apparently comparing this to the relationship she had with Person A. Person A makes repeated references to “love and passion” between himself and Ms Nawafleh.
238. Person A, in both his written and oral evidence, stated that he and Ms Nawafleh had had sexual intercourse on three separate occasions at Person A’s home. He described the first occasion taking place around a week or two after their first intimate encounter on 9 October 2023. He stated that it was a Monday and that it took place at his home. The panel noted that this was consistent with his account that Ms Nawafleh only came to the house when Service User X was at the day centre.
239. The panel accepted that there was no direct reference to sexual intercourse within the text messages between Ms Nawafleh and Person A. However, the panel concluded that in general terms, what was described in the text messages amounted to “sexual activity.” The panel was satisfied that Person A’s description of Ms Nawafleh masturbating Person A, which was supported by text messages between them, was credible and on its own sufficient to find Paragraph 1.b. of the Allegation proved.
240. The panel reminded itself of Ms Nawafleh’s position that she was the victim of sexual harassment by Ms Nawafleh. The panel has rejected that account. The panel found that the text messages pointed to a reciprocal intimate and sexual relationship between Person A and Ms Nawafleh which was consistent with Person A’s account.
241. **Accordingly found Paragraph 1.b. of the Allegation proved on the balance of probabilities.**

1. You failed to maintain appropriate professional boundaries with Person A, the father of a service user, Service User X, in that between approximately October 2023 and December 2023...

242. Having found sub-paragraph 1.a. and 1.b. of the Allegation proved, the panel went on to consider whether, in engaging in a personal relationship with Person A and engaging in sexual activity with him on one or more occasions, Ms Nawafleh had failed to maintain professional boundaries with Person A between approximately October and December 2023.
243. The panel noted that Andrew Brickles and Rebecca Whiteman had, in their written statements, set out their views that Ms Nawafleh’s conduct amounted to a breach of appropriate professional boundaries.
244. Andrew Brickles, in his witness statement wrote:

“There is no local authority policy where it is prescribed that a social worker may not enter into a relationship with the SU’s carer. In my view, it is such a clear rule that any registered social worker would know that entering into a sexual relationship with the SU’s carer is inappropriate. It is a basic principle of social work that all who practise in this profession should know. The burden should lie on the social worker rather than the carer to avoid an intimate relationship especially where the carer is a family member.”

245. Mr Brickles also spoke of his shock at receiving Person A’s telephone call on 14 December 2023. He described it as *“a horrible call to take as it goes against everything we are supposed to stand for as social workers”*.

246. Rebecca Whiteman similarly wrote in her statement:

“Personal relationships are not permitted with service users or their carers as a social worker must always remain professional. As I mentioned in my remarks to Social Work England, the sharing of personal contact information is not permitted. Social workers are given work phones to avoid the need for this and to ensure professional boundaries are not crossed...”

The guidelines for relationships between service users and carers is not prescribed explicitly in any Council policy. However, it is evident that intimate relationships are not permitted from the essence of the Council’s Code of Conduct where it states that social workers should avoid conflict of interests.... The Code of Conduct is referenced in the Social Worker’s job description so she should have been aware of it.... It is also taught during the academic component of training to become a social worker. I would also say it is general knowledge and that given the Social Worker’s experience she should have known this was the case.

There are several risks that crossing professional boundaries can cause. There is a reputational risk to the local authority. More importantly, this can result in professional decisions being influenced by the relationship, through such things like over the prescription of care to the detriment of service users. Not hearing the voice of the service users and advocating on their behalf.”

247. The panel reminded itself that both Mr Brickles and Ms Whiteman gave evidence as witnesses of fact and not as expert witnesses. However, the panel accepted that they were entitled to offer opinions on the council’s code of conduct and to comment from their own knowledge and experience as registered social workers as to what constitutes appropriate professional boundaries.

248. Even without the opinions of Mr Brickles and Ms Whiteman, the panel considered that it was self-evident that for a social worker to enter into a personal relationship with the parent of a service user, which included engaging in sexual activity on one or more occasions, constituted a gross failure to maintain an appropriate professional boundary.

249. **Accordingly, the panel found the stem of Paragraph 1 of the Allegation was proved on the balance of probabilities.**

2. Your conduct at paragraph 1 (a) and/or (b) above was sexually motivated.

250. Having found Paragraph 1 proved in its entirety, the panel went on to consider whether the conduct described in Paragraph 1 was sexually motivated. The panel reminded itself that the High Court in *Basson v GMC* [2018] EWHC 505 (Admin), had defined acting with sexual motivation as conduct done either in pursuit of sexual gratification or in pursuit of a future sexual relationship. The panel had regard to the legal advice it had received that the best evidence of a sexual motivation could be the behaviour itself and where there was no plausible alternative explanation other than that the behaviour is sexually motivated then the panel may well find that it was.

251. The panel considered that there could be no other plausible explanation for Ms Nawafleh's conduct other than that it was sexually motivated. The panel could think of no other reason why Ms Nawafleh would have asked Person A, in a telephone call on 9 October 2023, whether he liked her and then invited herself over to his home where, in his words:

“She grabbed me and pushed me against the wall and forced herself against me and pushed the vagina against me.”

252. The panel concluded that Ms Nawafleh's conduct was clearly in pursuit of a sexual relationship. The text messages between them are reciprocal, personal and intimate. The texts are replete with expressions of love, affection and sexual innuendo. The text messages are corroborated by Person A's accounts of his interactions with Ms Nawafleh. The panel found that Person A's description of Ms Nawafleh masturbating him and wanting him to orgasm in his suit was a clear indication that she derived sexual gratification from their relationship.

253. **Accordingly, the panel found Paragraph 2 of the Allegation was proved on the balance of probabilities.**

3. On or around 18 December 2023 in a call to Social Work England you failed to declare that you were under investigation and suspended by your employer Staffordshire County Council.

254. It is alleged that, having been made aware of the investigation by the council into her conduct, Ms Nawafleh failed, in a telephone call to Social Work England on or around 18 December 2023, to declare that she was under investigation and that her employment had been suspended by the council.

255. The panel first considered when Ms Nawafleh had been made aware of the council's investigation and the suspension of her employment. It noted that, at the time Person A first raised a complaint with the council on 14 December 2023, Ms Nawafleh had already resigned from her role the previous day. She had emailed her resignation to her

line manager, Andrew Brickles, on 13 December 2023, without giving any reasons. A copy of that email was in evidence before the panel.

256. Following Person A's complaint on 14 December 2023, the council commenced its disciplinary investigation into the allegations against Ms Nawafleh on 18 December 2023.
257. At 12:39 on 18 December 2023, Rebecca Whiteman telephoned Ms Nawafleh to inform her that she was under investigation and had been suspended. Ms Whiteman provided a statement for these proceedings to which she exhibited a telephone note of her call to Ms Nawafleh.
258. Immediately following that telephone call, Ms Nawafleh called Social Work England. The note of the telephone call taken by the call handler at Social Work England at 13:10 on 18 December records that Ms Nawafleh:

“Rang re employment details – stated they are currently not working as a social worker”.

259. On the face of it, the note taken by the call handler suggested that Ms Nawafleh provided no reasons as to why she was currently not working as a social worker. Social Work England's position is that, at the time of her call to it on 18 December 2023, Ms Nawafleh knew that she was under investigation, she knew she had been suspended and she was, therefore, under a duty to inform Social Work England of that fact.
260. Ms Nawafleh's position, as set out in her statement of 13 May 2023, is that is that:

“As advised by the Senior Manager RW to contact Social Work England immediately and to inform them that that I am not practising as advised. You will be able to see that reflected on my record on the Social Work England system on that date as soon as the Senior Manager advised. I confirmed this by email immediately to RW.”

261. Following the initial call by Ms Whiteman to Ms Nawafleh on 18 December 2023, there was a further telephone call between them later that afternoon. The panel identified that there was an error within Ms Whiteman's witness statement. In her statement, she referred to having had a single telephone conversation with Ms Nawafleh on 18 December 2023, that call having been made at 12:39. However, Ms Whiteman's contemporaneous telephone note records that fact of the second call at 16:58 that day, in response to a telephone message which had been left by Ms Nawafleh at 15:20.
262. The panel also observed that there appeared to have been some confusion within that second call in that Ms Nawafleh appears to have reported to Ms Whiteman that she had called the General Social Work Council (which appears to have been a reference to the General Social Care Council, a predecessor body to Social Work England) when she had, in fact, called Social Work England. Ms Nawafleh in her statement of 13 May 2024 acknowledged her mistake:

“When I mentioned the old regulator name it was unintentional on my part and it was not meant to deceive or mislead anyone”

263. The panel accepted that the reference to the “General Social Work Council” appears to have been an error on Ms Nawafleh’s part and there is no dispute that it was Social Work England that she called.
264. Having determined that Ms Nawafleh and Ms Whiteman spoke twice on 18 December 2023, the panel carefully considered what Ms Nawafleh was told in each of those calls to determine the extent of her knowledge about the council’s investigation and her suspension at the time of her call to Social Work England at 13:10 that day.
265. In response to panel questions, Ms Whiteman stated that, in the first call at 12:39 that day, she had made Ms Nawafleh aware of the council’s investigation and had read out a script provided to her by human resources (HR). Ms Whiteman told the panel that this was a standard script to be used when suspending a member of staff. She could not remember whether she had advised Ms Nawafleh to contact the regulator. Ms Whiteman recorded that Ms Nawafleh had responded that the alleged “incident” had not happened.
266. When they had spoken again at the end of that day, Ms Nawafleh had told Ms Whiteman that she had sent Mr Brickles a further resignation notice, with immediate effect due to ongoing investigations into her physical health. Ms Whiteman reported that it was during this call that Ms Nawafleh advised that she had informed “*the general social work council*”. The panel noted that there was also an email from Ms Nawafleh to Ms Whiteman sent at 16:55 on 18 December 2023 in which Ms Nawafleh states that she has “*informed the general social care council as required*”.
267. On 18 December 2023, Ms Whiteman referred the matter to Social Work England. In oral evidence, she told the panel that she was not confident that Ms Nawafleh had self-referred and, therefore she had made a referral.
268. The panel concluded from Ms Whiteman’s evidence that in the call on 12:39, she had notified Ms Nawafleh of the fact of both her suspension and the council’s disciplinary investigation. While Ms Whiteman was unable to recall whether she had also informed Ms Nawafleh of the need to notify Social Work England, the panel considered that she was more likely than not to have done so. Ms Nawafleh, in her statement of 13 May 2023 wrote “*As advised by the Senior Manager RW to contact Social Work England immediately and to inform them that that I am not practising as advised*” and, indeed, the evidence indicated that she called Social Work England immediately following the call with Ms Whiteman at 12:39.
269. The panel noted that, in her contemporaneous note of her later call with Ms Nawafleh, after Ms Nawafleh has spoken to Social Work England, Ms Whiteman recorded that Ms Nawafleh “*advised that she had informed the general social council she had been suspended*” (emphasis added). The panel observed that this was different to the note recorded by the call handler at Social Work England who wrote that Ms Nawafleh had

telephone “*re employment details – stated they are not currently working as a social worker*” and there had been no reference to suspension.

270. The panel carefully considered whether it was more likely that:

(a) When Ms Nawafleh had called Social Work England, she had not informed them of the investigation or suspension; or

(b) When Ms Nawafleh had called Social Work England, she had informed the call handler of the investigation and suspension but the call handler had made an inaccurate or incomplete note.

271. The panel was assisted by the oral evidence of Ms Leanne Bentham-Hill, Head of Registration and Advice at Social Work England. Ms Bentham-Hill, in her oral evidence to the panel said that, if Ms Nawafleh had reported that the reason that she was not currently working as a social worker was because she was suspended under investigation, the call handler would have recorded this. If Ms Nawafleh had been unsure of what to report, Ms Bentham-Hill said that she would have expected her to have asked the call handler who would have given her that information. Ms Bentham-Hill confirmed that staff in the call centre would be aware of the standards and know how to navigate to them on the website.

272. The panel was satisfied, relying on Ms Bentham-Hill’s evidence, that had Ms Nawafleh reported to the Social Work England call handler on 18 December 2023 that she had been suspended by her employer under investigation, the call handler would have recorded it. The panel considered that, from a regulatory perspective, it would have been an important matter for the call handler to note.

273. Ms Bentham-Hill, in her oral evidence to the panel, stated that it was the social worker’s responsibility to inform Social Work England of any concerns relating to their practice. She referred to Standard 6.6 which requires social workers to:

“Declare to the appropriate authority and Social Work England anything that might affect my ability to do my job competently or may affect my fitness to practise, or if I am subject to criminal proceedings or a regulatory finding is made against me, anywhere in the world.”

274. Ms Bentham-Hill stated that Social Work England’s Safe and Effective practice declarations and fitness to practise self-referrals guidance, which was exhibited to her witness statement, provided guidance as to when a self-referral should be made:

“...you should not wait until renewal to tell us about something that may impair your fitness to practise.

If there has been a change in your fitness to practise, you must tell us about it as soon as possible by making a self-referral.”

275. Ms Bentham-Hill confirmed that the guidance also provided an indication of what might constitute something that impacts a social worker's fitness to practise, and makes reference to employment proceedings:

"Things that impact your fitness to practise include, but are not limited to (any of the following:

"...

- *employment proceedings*

...

We may consider whether your actions were dishonest if you do not disclose things that impact your fitness to practise.

...

Where the concerns are particularly serious, or raise significant risks, you and your employer need to make an immediate referral to us. This is so we can decide if an interim order is necessary to restrict your practice. Our professional standards do not require you to tell us if you have been suspended from work. However, you should tell us immediately if the concerns raised by your employer are serious enough to affect your fitness to practise."

The panel accepted, on the basis of Ms Bentham-Hill's evidence and Social Work England's guidance as set out above that Ms Nawafleh was under an obligation at the time of her call to Social Work England at 13:10 on 18 December 2023 to notify them not only that she was not currently practising as a social worker, which she had done, but also that her employment had been suspended and she was under investigation by her employer. The panel has found that Ms Nawafleh did not do so. The panel concluded that this amounted to a culpable failure.

276. **Accordingly, the panel found Paragraph 3 of the Allegation proved on the balance of probabilities.**

4. You applied for voluntary removal from the social work register on 28 January 2024 indicating that you were unaware of any current allegation, investigation or proceedings which may result in action being taken against you, despite being suspended from duty, pending a disciplinary investigation by your employer.

277. There is no dispute that, on 28 January 2024, Ms Nawafleh applied to Social Work England seeking voluntary removal from the social work register.

278. Nor is there any dispute that, at the date of her application, she was aware that she had been suspended from duty, pending a disciplinary investigation by her employer. The panel has found at Paragraph 3 of the Allegation that Ms Nawafleh was made aware of the investigation and her suspension on 18 December 2023, in a telephone call with Rebecca Whiteman.

279. Ms Bentham-Hill exhibited the online application for voluntary removal (VR) from the social work register which Ms Nawafleh had submitted on 28 January 2024. In her written statement, Ms Bentham-Hill explained that guidance for VR is available on the Social Work England website. This states that before a social worker submits an application for VR, they must make a declaration in which they confirm that they:

- *are unaware of any current allegation, investigation, proceedings or order which may result in action being taken against you*
- *understand that until your name is removed from the register you may continue to receive communications from us*
- *wish to remove your name from our register*
- *understand and agree that once your name has been removed from the register you will not practise in England using the protected title of ‘social worker’ without becoming registered again with Social Work England or any subsequent body fulfilling a similar regulatory role.*

280. Ms Bentham-Hill said that, in the VR application, social workers are given the option to tick the declarations and then submit the application. Ms Bentham-Hill stated that Ms Nawafleh had checked all the boxes confirming the above declarations and had submitted the form. If she had not checked all of the boxes she would not have been able to submit the form.

281. The matter had come to light when the registration team had conducted checks on Social Work England’s case management system which had shown that there was an open fitness to practise case in relation to Ms Nawafleh. Further checks were conducted and once it was established that Ms Nawafleh was aware of the ongoing fitness to practise investigation, she was contacted on 23 April 2024 via the registration team’s message centre to the effect that she could not be removed from the register until the investigation into her fitness to practise had been completed.

282. Ms Nawafleh does not dispute that she made the declaration as alleged. Her position is that she did so based on a misunderstanding as to the scope and intent of the declaration, which is discussed in the context of the panel’s findings in relation to Paragraph 5, below. The panel noted that Paragraph 4 makes no allegation as to Ms Nawafleh’s intention at the time of making the declaration. It is sufficient for the purposes of proving this Allegation that she made the declaration as alleged, and that she did so knowing that she had been suspended from duty, pending a disciplinary investigation by your employer.

283. The panel was satisfied on the basis of Ms Whiteman’s evidence that Ms Nawafleh had been informed on 18 December 2023 that she had been suspended under investigation. It was further satisfied that she had made the declaration as alleged when completing the online form for voluntary removal.

284. Accordingly, the panel found Paragraph 4 of the Allegation proved on the balance of probabilities.

5. Your actions at paragraph 3 and/or 4 were dishonest

285. Having found Paragraphs 3 and 4 of the Allegation proved, the panel went on to consider whether Ms Nawafleh’s conduct as found proved in those paragraphs was dishonest.

Dishonesty in relation to Paragraph 3

286. The panel applied the test set out in *Ivey v Genting Casinos (UK) t/a Crockfords* [2017] UKSC 67 (“*Ivey*”).

287. Applying the first limb in *Ivey* the panel was satisfied that at the time Ms Nawafleh called Social Work England on 18 December 2023, she was aware that she had been suspended by her employer and was under investigation. The panel noted that, at the time of her call to Social Work England, Ms Nawafleh had only just been informed by Rebecca Whiteman of the investigation and suspension. The panel acknowledged that Ms Nawafleh had called Social Work England at the earliest opportunity, however, her declaration to the call handler was incomplete and, in the view of the panel, misleading. The panel considered that, having only just learned of the investigation and her suspension, these matters must have been at the forefront of her mind. The panel made due allowance for the fact that Ms Nawafleh may have been anxious and flustered having just been made aware of her suspension. However, in the view of the panel, this did not explain the significant omission from what she told the Social Work England call handler.

288. The panel reminded itself that Ms Nawafleh was of good character with no previous findings of dishonesty against her. However, the panel concluded that the weight of the evidence pointed to Ms Nawafleh’s omission being deliberate. The panel concluded that Ms Nawafleh had intentionally withheld the information about her suspension from her regulator.

289. Applying the second limb of *Ivey*, the panel considered whether these actions were dishonest by the standards of ordinary decent people and concluded that a member of the public would consider that a professional person deliberately withholding information from the regulator was dishonest.

290. Accordingly, the panel found Paragraph 5 in relation to Paragraph 3 proved on the balance of probabilities.

Dishonesty in relation to Paragraph 4

291. The panel went on to apply “*Ivey*” in relation to conduct found proved in Paragraph 4 of the Allegation.

292. In applying the first limb of “Ivey” to the facts, the panel had regard to Ms Nawafleh’s written statement of 13 May 2023 where she set out the basis of her misunderstanding as to the scope and intent of the declaration on the VR application form. She stated,

“My response to the voluntary removal was based strictly on the wording of the regulation and my understanding of the situation at the time. The regulation specifically inquired about current awareness of an investigation by the regulator, and I was not aware of any ongoing investigation by the regulator at the time of my declaration. Therefore, I responded truthfully based on the information available to me. It was not my intention to be dishonest or misleading. I followed the guidelines outlined in the regulation and provided my response accordingly.”

293. The panel had close regard to the wording of the declaration set out within the online VR application form which requires applicants for VR to confirm that they:

“are unaware of any (emphasis added) current allegation, investigation, proceedings or order which may result in action being taken against you.”

294. The panel considered that there was nothing within the wording which suggested that the declaration was limited to allegations or investigations by the regulator, as opposed to by an employer or any other body. The panel further noted that the wording of the declaration was not limited to any action currently being taken against a social worker but extended to any allegation, investigation, proceedings or order which may result in action being taken. The panel considered that the intended scope of the declaration was wide to capture matters within the knowledge of the social worker which may not yet have been referred to the regulator.

295. The panel reminded itself, however, that applying the first limb of “Ivey” the reasonableness of Ms Nawafleh’s belief (as to the proper interpretation of the declaration) was a matter of evidence going to whether she genuinely held the belief; it was not an additional requirement that her belief must be reasonable.

296. The panel accepted that there was no evidence to suggest that, as at 28 January 2024, when Ms Nawafleh completed the VR application, she had been notified that she had been referred to Social Work England. Although Ms Whiteman in her oral evidence stated that she referred Ms Nawafleh to Social Work England on 18 December 2023, there was nothing before the panel to indicate that Ms Nawafleh had been informed of this at the time of the referral. The letter from Ms Whiteman to Ms Nawafleh of 18 December 2023, informing her in writing of her suspension, makes no reference to Social Work England. The first reference to a referral to Social Work England by the council, appears to be within its letter of 6 February 2024, notifying Ms Nawafleh of the outcome of the disciplinary hearing.

297. The panel balanced this evidence against other contextual factors. The panel took into account that, at the time of the declaration, she was an experienced social worker with at least 16 years’ experience. *The safe and effective practice declarations and fitness to*

practise self-referrals guidance was guidance which, as an experienced social worker, Ms Nawafleh would have been expected to know or have been able to check with Social Work England by phone or on their website. That guidance, as noted into the panel's reasons in relation to Paragraph 4, describes circumstances, including employment proceedings' which may impact on a social worker's fitness to practise. Further, the panel noted that on 18 December 2023, Ms Whiteman had specifically advised Ms Nawafleh to inform Social Work England, at the time she had informed her of the council's investigation and her suspension. The panel observed that Ms Nawafleh had instigated the VR process at a time when she was the subject of a disciplinary investigation by the council in which she had decided not to participate and which had yet to conclude. The panel noted that her disciplinary hearing was held some 9 days later on 6 February 2023. The panel considered that the allegations against her were, therefore, very much live at the time of her VR application. The panel concluded, viewing the evidence in the round, that it was more likely than not that Ms Nawafleh's VR application was an attempt to avoid an investigation into her fitness to practise. The panel concluded, on that basis, that Ms Nawafleh's belief that the scope of the declaration on the VR application form about current allegations was not genuinely held.

298. Applying the second limb of *Ivey*, the panel considered whether these actions were dishonest by the standards of ordinary decent people and concluded that a member of the public would consider that a professional person making a false declaration in order to avoid regulatory action was dishonest.
299. Accordingly, the panel found Paragraph 5 in relation to Paragraph 4 proved on the balance of probabilities.

Finding and reasons on grounds

300. Having announced its findings on the facts, the panel went on to consider whether the facts it had found proved were sufficiently serious so as to amount to the statutory ground of misconduct.
301. The panel took into account all the evidence it had received at the fact-finding stage; it received no new evidence at this stage of proceedings.
302. Ms Culleton set out the law in relation to the statutory ground of misconduct. She submitted that both the finding of sexually motivated conduct and that of dishonesty against Ms Nawafleh were serious. She said that the conduct fell short of what would be considered proper in the circumstances such that it could be properly characterised as misconduct and would be regarded as deplorable by other social workers. She highlighted Mr Brickles' shock on receiving Person A's telephone call on 14 December 2023 as an example of how other social workers would view Ms Nawafleh's conduct.
303. Ms Culleton submitted that the panel might also consider that Ms Nawafleh's conduct, in engaging in a personal and sexual relationship with the father of a service user amounted to an abuse of her position and power as a social worker.

304. Ms Culleton submitted that Ms Nawafleh had breached the following Social Work England Professional Standards (2019):

- 2.1 *Be open, honest, reliable and fair*
- 2.3 *Maintain professional relationships with people and ensure that they understand the role of a social worker in their lives.*
- 2.7 *Consider where conflicts of interest may arise, declare conflicts as early as possible and agree a course of action.*
- 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.*
- 6.6 *Declare to the appropriate authority and Social Work England anything that might affect my ability to do my job competently or may affect my fitness to practise, or if I am subject to criminal proceedings or a regulatory finding is made against me, anywhere in the world.*
- 6.7 *Cooperate with any investigations by my employer, Social Work England, or another agency, into my fitness to practise or the fitness to practise of others.*

305. Ms Culleton submitted that Ms Nawafleh's conduct had caused harm both to Service User X and to Person A. She reminded the panel of the evidence of Ms Whiteman who highlighted that, following these events, there had been a breakdown in Service User X's trust in social workers and the council.

306. The legal adviser reminded the panel that at this stage of proceedings, there is no burden or standard of proof and a decision on misconduct is a matter for the panel's judgement alone. She said that there was no statutory definition of misconduct and referred the panel to the cases of *Roylance v GMC (No. 2)* [2000] 1 AC 311 and *Remedy UK Ltd v GMC* [2010] EWHC 1245 (Admin) in which the courts had considered what may or may not amount to misconduct.

307. The panel was advised that the standards for social workers could be found in the relevant provisions of Social Work England's Professional Standards of July 2019 and its Professional Standards Guidance of April 2020 and that it should consider whether Ms Nawafleh had breached any of those provisions, the extent of any such breach and the circumstances or context in which the breach occurred. The panel was reminded that not every breach of a social worker's duty will amount to misconduct; the misconduct must be serious. The legal adviser referred the panel to the case of *Nandi v General Medical Council* [2004] EWHC 2317 (Admin) in which it was said that misconduct was "conduct which would be regarded as deplorable by fellow practitioners" and that this should be seen as a measure of the extent to which conduct could be found to have fallen short of what is expected in the circumstances.

308. The panel was reminded that the starting point is that dishonesty and sexually motivated conduct in a professional person is almost always extremely serious.

309. The panel started by considering which of Social Work England’s professional standards, if any, Ms Nawafleh had breached. Having reviewed Social Work England Professional Standards (2019) in their entirety, it was satisfied that Ms Culleton had identified those that were relevant to the nature, character and context of Ms Nawafleh’s proven conduct.

310. The panel considered Ms Nawafleh’s proven conduct against each of the relevant standards in turn:

2.1 Be open, honest, reliable and fair

The panel has found that Ms Nawafleh acted dishonestly on two separate occasions. She failed to declare in a call to Social Work England on 18 December 2023 that she was under investigation and that her employment had been suspended by the council. She also made a false declaration as part of an application for voluntary removal from the social work register. The panel considered that, in so doing, she fell far short of the duty to be open, honest, reliable and fair.

2.3 Maintain professional relationships with people and ensure that they understand the role of a social worker in their lives.

The panel has found that Ms Nawafleh failed to maintain an appropriate relationship with Person A. She breached appropriate professional boundaries with the father of a service user, entering into a personal and sexual relationship with him and abusing her position as a social worker.

2.7 Consider where conflicts of interest may arise, declare conflicts as early as possible and agree a course of action.

The panel considered that, entering into a personal and sexual relationship with the father and carer of a service user on her caseload, gave rise to a serious conflict of interest. Ms Nawafleh should have reported to her line manager immediately if she found herself starting to have feelings for Person A. It was of the view that Ms Nawafleh’s conduct created a risk of her professional decisions being influenced by her relationship to the detriment of Service User X. Further, her conduct created a risk that Service User X’s understanding and trust in the role of the social worker would be damaged.

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.

In the view of the panel, there could be no doubt that Ms Nawafleh’s proven sexually-motivated conduct in entering into a personal and sexual relationship with the father of a service user called into question her suitability to work as a social worker. The panel agreed with the professional opinion of Mr Brickles, that

“it is such a clear rule that any registered social worker would know that entering into a sexual relationship with a service user’s carer is inappropriate. It is a basic principle of social work that all who practice in this profession should know.”

Similarly, her dishonesty on two occasions would also bring into question her suitability to work as a social worker.

6.6 Declare to the appropriate authority and Social Work England anything that might affect my ability to do my job competently or may affect my fitness to practise, or if I am subject to criminal proceedings or a regulatory finding is made against me, anywhere in the world.

The panel has found that Ms Nawafleh failed, on two separate occasions, to make appropriate disclosures about the fact that she was subject to a disciplinary investigation by her employer and that her employment had been suspended. On one of these occasions, she made a false declaration which the panel has found was dishonest.

6.7 Cooperate with any investigations by my employer, Social Work England, or another agency, into my fitness to practise or the fitness to practise of others.

The panel noted that Ms Nawafleh did not engage with the council’s investigations into her conduct, citing concerns relating to her health and the potential negative impact that engagement in the investigation could have on her health. The panel accepted that, at an earlier stage of proceedings, Ms Nawafleh had provided responses to the regulatory concerns against her. However, there has been no engagement from her in these proceedings since May 2024. The panel noted, however, that this conduct was not the subject of any specific allegation against her.

311. The panel was in no doubt that these breaches of the standards were serious and that Ms Nawafleh’s conduct fell far short of what would be expected of a social worker. The panel determined that other social workers would be appalled and dismayed to learn that a social worker had acted in the way the panel has found Ms Nawafleh did. It accepted Ms Culleton’s submission that Mr Brickles’ shock at Person A’s disclosures, which he said *“had stayed with him”* provided a measure of how the conduct would be regarded by other social workers.
312. The panel reminded itself that it had found both sexual misconduct and dishonesty in relation to Ms Nawafleh’s conduct. Both had taken place in the context of her role as a social worker. The panel considered that each of these represented a significant departure from the standards and each, on its own, was sufficiently serious so as to amount to the statutory ground of misconduct. The panel considered that there were a number of features to the conduct which increased the seriousness. These are set out below, taking the sexual misconduct and dishonesty in turn.

Sexual Misconduct

Initiation of the relationship

313. The panel has found that it was Ms Nawafleh who instigated the relationship with Person A. It was uninited by Person A. She had asked him if he liked her in the call on 9 October 2023; she had suggested she come to his home; and she had initiated a physical relationship with him on arrival at his home. Person A in his oral evidence described how she “*grabbed me and pushed me against the wall and forced herself against me and pushed the vagina against me*”. He said “*We hadn’t even agreed to a relationship at all, she forced herself on me. That wasn’t consensual*”. The fact that Person A responded positively to Ms Nawafleh’s attention did not, in the view of the panel mitigate the seriousness of them. It was she who was the professional and she who bore the responsibility for maintaining appropriate boundaries.
314. The panel also considered that it was significant that the conduct was instigated in Person A’s own home.

Abuse of position

315. The panel considered that, in initiating the relationship as she had done, Ms Nawafleh had abused her position as a social worker. The context of the relationship with Person A was that he was the father and primary carer of a service user who relied on social services for support and to whom she owed a professional duty of care. Service User X was a vulnerable young man who also relied on social services for support. Ms Nawafleh was his allocated social worker and was, therefore, in a position of power in relation both to Service User X and Person A.
316. The panel considered that Person A had his own vulnerabilities mainly due to his situation as Service User X’s carer. The panel noted that Person A described Ms Nawafleh as “the boss” in the relationship. It was clear from Person A’s evidence and from the text messages that she had largely dictated the terms of their relationship. He was clearly besotted with her and she knew this. In the view of the panel, she had abused this for her own sexual gratification. She had exploited the power differential which existed between them. This constituted a breach of trust not only with Person A and Service User X but with the council as her employer and with the public.

Understanding of professional responsibilities

317. Ms Nawafleh continued the relationship knowing that it was improper and amounted to a breach of her professional position. There is clear evidence within the text messages between Person A and Ms Nawafleh that they had discussed this. Person A said that Ms Nawafleh’s response was that she did not want to be a social worker anyway which, in the view of the panel, indicated a lack of insight by her and an apparent attempt to distance herself from the impropriety of her own actions.

Harm to Person A and Service User X

318. Ms Nawafleh's actions caused harm to both Person A and to Service User X. Mr Brickles and Ms Morris both spoke of Person A's emotional distress following the ending of the relationship with Ms Nawafleh. Mr Brickles had been sufficiently concerned to suggest that Person A see his GP.
319. Ms Whiteman told the panel that Service User X's trust in social workers and the council had been damaged by Ms Nawafleh's actions and had resulted in a reduction in his engagement with services, to his detriment. The panel concluded from Person A's responses during the hearing that his trust in social workers had also reduced. He highlighted that prior to these events, he had always maintained a professional working relationship with social workers involved in Service User X's care and support.

Dishonesty

320. The panel considered that the context of Ms Nawafleh's dishonesty was significant. It took place not only within the context of her role as a social worker but in her communications with her regulator. The panel considered that this increased the seriousness of her conduct. Social Work England's primary function is to protect the public and it relies on members of the social work profession to make full and honest declarations about any issues which give rise to concerns about their fitness to practise in order to fulfil its statutory function.
321. The dishonesty was repeated. On the first occasion she failed to make a disclosure which she was duty bound to make. On the second occasion she made a false declaration. The panel considered that other members of the profession would consider such conduct to be deplorable and was in no doubt that it was a falling far short of the standards to be expected of a registered social worker.
322. The panel was in no doubt that Ms Nawafleh's sexual misconduct and dishonesty both individually and together were sufficiently serious so as amount to the statutory ground of misconduct.

Finding and reasons on current impairment

323. Having determined that Ms Nawafleh's actions were sufficiently serious as to amount to a finding of misconduct, the panel went on to consider whether her fitness to practise is currently impaired by reason of that misconduct. When considering the question of impairment, the panel took into account Social Work England's 'Impairment and sanctions guidance' (updated 23 April 2026).
324. Ms Culleton, on behalf of Social Work England, set out the law on impairment. She cited *Cohen v GMC* [2008] EWHC 581 (Admin) and *Council for Healthcare Regulatory Excellence v NMC and Paula Grant* [2011] EWHC 927 (Admin).
325. Ms Culleton submitted that the conduct identified was difficult to remedy as it arose from attitudinal or character flaws such as breaching professional boundaries, abuse of position and dishonesty. She submitted that Ms Nawafleh had denied the conduct and had shown no insight into her actions. In her denial, she had given a dishonest

account suggesting that she was the victim of sexual harassment. The lack of insight meant that there had been no remediation of the conduct and there was no hope of remediation. It could not, therefore, be said that she was highly unlikely to repeat the misconduct.

326. Ms Culleton submitted that a finding of impairment was required not only on the personal element but also the public element of impairment in order to maintain confidence in the profession and to uphold proper professional standards.
327. The legal adviser reminded the panel that fitness to practise proceedings are forward looking and that a finding of past impairment does not necessarily lead to a conclusion of current impairment. The panel should take into account Ms Nawafleh's conduct at the time of the events and any relevant factors since then such as any evidence it has as to her insight, expressions of remorse or apology, the timeliness of any admissions, and any steps that she has taken towards remediation. She invited the panel to have regard to paragraph 16 of Social Work England's 'Impairment and sanctions guidance' which sets out factors which are relevant to a decision on personal impairment.
328. The legal adviser reminded the panel of the case of *Cohen v General Medical Council* [2008] EWHC 581 (Admin) and advised that the panel should ask itself whether the misconduct found is capable of remedy; whether it has been remedied; and whether it is highly unlikely to be repeated.
329. The legal adviser further reminded the panel of the observations of *Dame Janet Smith in the 5th Shipman report*, in which she identified a series of questions that should be considered in determining whether a doctor's fitness to practise is impaired. The legal adviser said that those questions were equally relevant to regulatory proceedings against a social worker.
330. The legal adviser reminded the panel not to lose sight of all three elements of Social Work England's overarching objective and that it should ask itself not only whether Ms Nawafleh continues to present a risk to members of the public in her current role but also whether the need to uphold proper professional standards and public confidence in the social work profession would be undermined if a finding of impairment were not made in the particular circumstances. This is referred to in Social Work England's Impairment and sanctions guidance as 'the public impairment element', and that guidance sets out that a finding of public impairment may be made even if there is no personal impairment and even if the panel does not consider that the social worker presents a risk to the public.
331. The panel accepted the advice of the legal adviser. In approaching the question of impairment, it started by asking itself whether Ms Nawafleh's misconduct was remediable, whether it had been remedied and whether it was highly unlikely to be repeated.
332. The panel bore in mind that both dishonesty and sexual misconduct are difficult to remedy in that they often arise from attitudinal concerns. However, the panel

acknowledged that there are steps which a social worker can take to remedy such concerns and to reduce the risk of repetition. The panel noted that prior to these events, she was a person of good character and an experienced social worker.

333. The panel next considered whether Ms Nawafleh had remedied her misconduct such that it could conclude that it was highly unlikely to be repeated. Ms Nawafleh has produced no written reflection into the matters which have brought her before her regulator. The panel had regard to the written responses of March and May 2024 and carefully reviewed these when considering the question of impairment.
334. Ms Nawafleh, in those statements, denied both sexual misconduct and dishonesty. The panel acknowledged her right to advance a robust defence. However, the panel considered that it was an aggravating factor that Ms Nawafleh, in denying her sexual misconduct, advanced a defence that she was the victim of sexual harassment by Person A, which the panel has found was wholly unsupported by the evidence of the text messages between them. The panel concluded that this showed a significant lack of insight by Ms Nawafleh into the seriousness of her actions and suggested a deep-seated attitudinal concern. Within her written responses, the panel could find no recognition by Ms Nawafleh of any wrongdoing, despite it being clear from the text messages with Person A that she understood the impropriety of a social worker having an intimate relationship with the parent/carer of a service user.
335. The panel could find no evidence within the statements presented by Ms Nawafleh that she has taken any steps to remedy her misconduct. On that basis, the panel was not reassured that she was highly unlikely to repeat the misconduct which it has found.
336. The panel had regard to Dame Janet Smith's guidance in the case of *Grant*:
- “Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her fitness to practise is impaired in the sense that s/he:*
- i. has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
 - ii. has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*
 - iii. has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*
 - iv. has in the past acted dishonestly and/or is liable to act dishonestly in the future.”*

337. The panel concluded that all four parts of the test were met and that in the absence of any evidence of insight by her, a real risk of repetition of her conduct remained. The

panel, therefore, found that Ms Nawafleh's fitness to practise is currently impaired on the personal element.

338. The panel next considered the public element. The panel had no doubt that Ms Nawafleh's conduct brings the social work profession into disrepute. Social workers are trusted with the health, safety and well-being of some of the most vulnerable members of society. The public must be able to trust social workers to act within appropriate professional boundaries and to act with honesty and integrity at all times. The panel considered that the public would be horrified by Ms Nawafleh's conduct.
339. The panel concluded that a finding of impairment is required on the public element of impairment to maintain public confidence in the profession and to maintain proper professional standards for social workers.
340. The panel concluded for the reasons set out above that Ms Nawafleh's fitness to practise is currently impaired.

Decision and reasons on sanction

341. Having determined that Ms Nawafleh's fitness to practise is currently impaired by reason of her misconduct, the panel went on to consider whether it was impaired to a degree that required action to be taken on her registration.
342. Ms Culleton, on behalf of Social Work England, outlined the key principles set out in Social Work England's 'Impairment and sanctions guidance.' She reminded the panel that the purpose of a sanction was to protect the public, which included maintenance of public confidence in the profession and upholding and maintaining professional standards.
343. Ms Culleton reminded the panel of the sanctions available to it and that it should approach these in ascending order, starting with the least restrictive. She submitted on behalf of Social Work England that the facts found proved, and the misconduct and impairment found by the panel, indicated that the appropriate and proportionate sanction was one of a removal order. She referred the panel to paragraph 149 of the 'Impairment and sanctions guidance' which identifies certain factors which, if present, may indicate that a removal order is appropriate. She indicated that, of these, the following were relevant: abuse of position or trust; sexual misconduct; dishonesty; persistent lack of insight into the seriousness of their actions or consequences; and an unwillingness or inability to remediate.
344. Ms Culleton submitted that a lesser sanction would be insufficient. She reminded the panel that the sexual misconduct had persisted over a two-month period and there had been two instances of dishonesty. She highlighted that the panel had found that the concerns were attitudinal and that there had been a lack of insight or remediation by Ms Nawafleh. Ms Culleton noted that the lack of insight had extended to Ms Nawafleh's assertion that she was the victim of sexual harassment by Person A, a defence which the panel had rejected as false and that this exacerbated her lack of insight. Ms

Culleton submitted that these were all things which placed the matter at the high end of the spectrum when considering sanction.

345. The panel accepted the advice of the legal adviser and exercised its own independent judgement having regard to Social Work England's overarching objective and Social Work England's 'Impairment and sanctions guidance'. She advised that the purpose of a sanction is not to be punitive but to protect members of the public and to safeguard the public interest. Any sanction imposed must be proportionate, weighing both the interests of the public with those of Ms Nawafleh, and the panel should have regard to the impact of any sanction upon her both in financial and reputational terms.
346. The legal adviser reminded the panel that the sanctions available under paragraph 12(3) of Schedule 2 to the Social Workers Regulations 2018 are:
- no further action
 - advice
 - warning order of one, three or five years
 - conditions of practice order of up to three years
 - suspension order of up to three years or
 - removal order
347. The legal adviser advised that the panel should take into account any mitigating and aggravating factors it has identified. It should start with consideration of the least restrictive sanction and move through all the available sanctions in ascending order of seriousness until it identifies the sanction that is sufficient to protect the public, maintain confidence in the profession, and uphold professional standards. She referred the panel to the detailed guidance within the 'Impairment and sanctions guidance' in relation to the factors which the panel should take into account in relation to each sanction, and those sections of that guidance that specifically deal with abuse of trust, sexual misconduct and dishonesty.
348. Before considering the sanctions available to it, the panel considered whether there were any mitigating or aggravating factors in relation to sanction. It acknowledged by way of personal mitigation that Ms Nawafleh has no previous fitness to practise history. However, the panel could identify no factors which mitigated the conduct which it has found proved.
349. The panel considered that a number of aggravating factors were present. It reminded itself that when considering misconduct, the panel had identified certain factors which increased the seriousness in relation to the misconduct. These included the fact that it was Ms Nawafleh who had initiated the relationship; that it was an abuse of her position as a social worker; that the relationship had continued for a period of almost two months; that it had continued notwithstanding that Person A had raised the potential conflict which existed by reason of her being his son's social worker; and that both

Service User X and Person A had been harmed by her conduct. In relation to her proven dishonesty, the panel had found that there were two instances of it and that the context of it increased the seriousness.

350. The panel found the persistent lack of insight by Ms Nawafleh into the seriousness of her misconduct to be an aggravating factor. The panel found no evidence of recognition of the harm she had caused to Person A or Service User X and no remorse for her actions. She had sought to impugn Person A's character by asserting that he had sexually harassed and threatened her. She had also sought to undermine Person A's credibility in casting doubt on the authenticity of the text messages between them. Whilst acknowledging, as it had done at the impairment stage, that Ms Nawafleh was entitled to advance a robust defence to the allegations against her, the panel found her attempt to deflect blame was an aggravating feature which underlined the extent of her lack of insight. The panel found that this lack of insight pointed to an inability to remediate the deep-seated attitudinal issues which underpinned her conduct.

351. Having identified the mitigating and aggravating factors, the panel went on to consider each of the available sanctions in turn.

No further action

352. The panel first considered whether a sanction was necessary. In light of its findings on impairment, the panel was of the view that a sanction was required. The panel has found abuse of position, sexual misconduct, and dishonesty by Ms Nawafleh, each of which amounts to a breach of a core tenet of the profession. It has also found that a service user and his father were harmed by her actions. The panel has found that Ms Nawafleh has demonstrated a persistent lack of insight, that she has not remedied her misconduct, and that there is a risk of repetition. The panel therefore considered that a sanction was required to protect the public.

353. The panel has further found that other social workers and the public would be appalled by her actions. The panel concluded that taking no action would not protect the wider public interest. It would send the wrong message to the public and significantly undermine public confidence in the profession and the regulator's response to such conduct.

Advice or warning

354. The panel next considered whether to issue advice or to impose a warning. The panel bore in mind that neither advice nor a warning would restrict Ms Nawafleh's practice and so would not protect the public against the risk of repetition of the very serious misconduct which it has found.

355. The panel was also mindful that Ms Nawafleh breached the fundamental tenets of the profession. The panel was of the view that neither advice nor a warning would be sufficient to protect and promote public confidence in the profession or to affirm the importance of upholding professional standards. The panel found that to issue advice or give a warning would undermine public confidence in social workers and proper

standards for social workers in a case where abuse of trust, sexual misconduct, and dishonesty had been established.

356. The panel next considered whether a conditions of practice order would be the appropriate and proportionate response. The panel reminded itself that the purpose of a conditions of practice order is to allow a social worker to practise with restrictions. Such orders protect the public whilst the social worker takes steps to remediate their practice. They may be appropriate where there are identified shortcomings which are capable of remedy, where the social worker has demonstrated insight and a willingness to remedy those shortcomings and where appropriate, proportionate and workable conditions can be put in place which sufficiently mitigate the identified risks.
357. The panel had regard to paragraphs 118 and 119 of the Impairment and sanctions guidance which set out circumstances where a conditions of practice order may not be appropriate:

“When a conditions of practice order may not be appropriate

118. 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.

119. For example, conditions are unlikely to be appropriate in cases of (any of the following):

- *sexual misconduct*
- *violence*
- *dishonesty*
- *abuses of trust*
- *discrimination involving a protected characteristic”*

358. The panel did not consider that any of the factors which may suggest conditions as being appropriate were evident in this case. The panel considered that Ms Nawafleh’s misconduct was attitudinal and behavioural in nature and did not lend itself to being managed by way of conditions. Furthermore, the panel acknowledged that sexual misconduct, dishonesty and abuse of trust are all identified in the Impairment and sanctions guidance as specific examples of when conditions would be unlikely to be appropriate. The panel could think of no conditions it could formulate that would address these factors or which would satisfy the significant public interest considerations in the case.
359. The panel next considered whether a suspension order would be the appropriate and proportionate sanction. The panel had regard to paragraphs 136 to 138 of the ‘Impairment and sanctions guidance’ which set out the circumstances in which suspension may be appropriate and circumstances where it may not be appropriate:

“When a suspension order may be appropriate

136. Suspension is appropriate where (both of the following apply):

- *the decision-makers cannot formulate workable conditions to protect the public or the wider public interest*
- *the case falls short of requiring removal from the register (or where removal is not an option)*

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*

When a suspension order may not be appropriate

138. Suspension is likely to be unsuitable in circumstances where (both of the following):

- *the social worker has not demonstrated any insight and remediation*
- *there is limited evidence to suggest they are willing (or able) to resolve or remediate their failings”*

360. The panel found that the factors which might indicate that suspension was appropriate were not present in this case. The panel did not find that this was a case which fell short of requiring removal. In considering suspension, it necessarily considered the factors which, if present may indicate that a removal order is appropriate, noting that these include where there has been an abuse of position or trust, sexual misconduct, dishonesty and/or a persistent lack of insight. The panel considered that a suspension order would be insufficient to protect the public or to address the seriousness of the misconduct it has found.

361. It has found a persistent lack of insight by Ms Nawafleh into her misconduct and an unwillingness and inability to remedy her deep-seated attitudinal issues. Further the panel considered that no purpose would be served by a suspension where Ms Nawafleh had indicated that she would not engage further with Social Work England and no longer wishes to practise as a social worker.

Removal order

362. The panel, therefore, concluded that a removal order was the only sanction sufficient to protect the public, maintain confidence in the profession and to maintain proper

professional standards for social workers. In reaching this view it took into account the reputational and financial impact that such an outcome may have on Ms Nawafleh but considered that the protection of the public and the wider public interest outweighed Ms Nawafleh's interests.

363. The panel reminded itself that it has found abuse of trust, sexual misconduct, and dishonesty by Ms Nawafleh. Each of these represents a breach of a core tenet of the social work profession and each gives rise to a risk of harm to the public, including service users and their families, and to public confidence in the profession. Social workers hold positions of trust in society. Abuse of position, sexual misconduct and dishonesty threaten that trust and undermine public confidence in social workers.
364. The panel acknowledged that a removal order is a sanction of last resort and should be reserved for those categories of cases where there is no other means of protecting the public and the wider public interest. The panel decided that Ms Nawafleh's case falls into this category because of the nature and extent of her misconduct, the persistent lack of insight into the seriousness of her actions or consequences, and the indication that she is unable or unwilling to remediate, and she has stated that she does not wish to practise as a social worker in the future. The panel was satisfied that any lesser sanction would undermine public trust and confidence in the profession.
365. Accordingly, the panel determined to impose a removal order.

Interim order:

366. In light of its findings on sanction, the panel next considered an application by Ms Culleton for an interim suspension order to cover the appeal period before the final order becomes effective.
367. It was mindful that without an interim order, Ms Nawafleh would be able to practise unrestricted until the removal order takes effect. The panel decided that it would be wholly incompatible with its earlier findings if no interim order were to be imposed in circumstances where a real risk of harm to the public has been identified and there are significant public interest concerns.
368. The panel concluded that an interim suspension order for a period of 18 months is necessary for the protection of the public. When the appeal period expires this interim order will come to an end unless an appeal has been filed with the High Court. If there is no appeal, the final order of removal shall take effect when the appeal period expires.

Right of appeal

369. Under Paragraph 16(1)(a) of Schedule 2 of the regulations, the social worker may appeal to the High Court against the decision of adjudicators:
- the decision of adjudicators:
 - to make an interim order, other than an interim order made at the same time as a final order under Paragraph 11(1)(b),

- not to revoke or vary such an order,
 - to make a final order.
- the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.
370. Under Paragraph 16(2) of Schedule 2 of the regulations an appeal must be filed before the end of the period of 28 days beginning with the day after the day on which the social worker is notified of the decision complained of.
371. Under Regulation 9(4) of the regulations this order may not be recorded until the expiry of the period within which an appeal against the order could be made, or where an appeal against the order has been made, before the appeal is withdrawn or otherwise finally disposed of.
372. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to Practice Rules 2019 (as amended).

Review of final orders:

373. Under Paragraph 15(1), 15(2) and 15(3) of Schedule 2 of the regulations:
- 15(1) The regulator must review a suspension order or a conditions of practice order, before its expiry
 - 15(2) The regulator may review a final order where new evidence relevant to the order has become available after the making of the order, or when requested to do so by the social worker
 - 15(3) A request by the social worker under sub-paragraph (2) must be made within such period as the regulator determines in rules made under Regulation 25(5), and a final order does not have effect until after the expiry of that period
374. Under Rule 16(aa) of the rules a social worker requesting a review of a final order under Paragraph 15 of Schedule 2 must make the request within 28 days of the day on which they are notified of the order.

The Professional Standards Authority:

375. Please note that in accordance with section 29 of the National Health Service Reform and Health Care Professions Act 2002, a final decision made by Social Work England's panel of adjudicators can be referred by the Professional Standards Authority ("the PSA") to the High Court. The PSA can refer this decision to the High Court if it considers that the decision is not sufficient for the protection of the public. Further information about PSA appeals can be found on their website at:
- <https://www.professionalstandards.org.uk/what-we-do/our-work-with-regulators/decisions-about-practitioners>.