



Social worker: Carly Birks

Registration number: SW13504

Fitness to Practise

Final Order Review meeting

Date of meeting: 08 July 2026

Meeting venue: Remote

Final order being reviewed:
Suspension order (expiring 19 August 2026)

Meeting outcome: Impose a new order namely removal order with effect
from the expiry of the current order

Introduction and attendees:

1. This is the third review of the suspension order originally imposed for a period of 12 months by the case examiners of Social Work England on 22 February 2024. This disposal was agreed with Ms Birks. The order was reviewed by a panel of adjudicators on 9 January 2025 where the suspension order was extended for a period of 12 months. The order was further reviewed by a panel of adjudicators on 9 January 2026 where the suspension was further extended for a period of 6 months.
2. Ms Birks did not attend and was not represented.
3. Social Work England provided their written submissions as set out within the notice of hearing letter.
4. The panel of adjudicators conducting this review (hereafter “the panel”) and the other people involved in it were as follows:

Adjudicators	Role
Maxine Cole	Chair
Glenys Ozanne-Turk	Social worker adjudicator

Hearings team/Legal adviser	Role
Jo Cooper	Hearings officer
Raegan Kirkland	Hearings support officer
Sarfraz Ahmad	Legal adviser

Service of notice:

5. The panel note that notice of this hearing was sent to Ms Birks by electronic mail to the email address (namely their registered email address as it appears on the Social Work England Register).
6. The panel of adjudicators had careful regard to the documents contained in the final order review service bundle as follows:
 - A copy of the notice of the final order review hearing dated 29 May 2026 and addressed to Ms Birks at their email address which they provided to Social Work England;
 - An extract from the Social Work England Register as of 29 May 2026 detailing Ms Birks registered address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 29 May 2026, the writer sent by electronic mail delivery to Ms Birks at the email address referred to above: notice of hearing and related documents;
7. The panel accepted the advice of the legal adviser in relation to service of notice.

8. Having had regard to Rules 16, 44 and 45 of the Fitness to Practise Rules 2019 (“the rules”) and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Birks in accordance with the Rules.

Proceeding with the final order review as a meeting:

9. The notice of final order review informed Ms Birks that the review would take place as a meeting. The notice stated:

“If you would like to attend before the adjudicators in order to make oral submissions, please confirm your intention by no later than 4pm on 13 June 2026 Unless we hear from you to the contrary, we shall assume that you do not want to attend a hearing and Social Work England may decide to deal with the review as a meeting. If Social Work England do hold a meeting, the adjudicators will be provided with a copy of this letter setting out Social Work England’s submissions and a copy of any written submissions you provide.”

10. The panel received no information to suggest that Ms Birks had responded to the notice of final order review.

11. The panel heard and accepted the advice of the legal adviser with regard to Rule 16(c) of the Fitness to Practise Rules 2019 (as amended) which provides:

“Where the registered social worker does not state within the period specified by the regulator whether they intend to attend before the regulator, the regulator may determine whether to make an order by means of a meeting.”

12. The panel was satisfied that it would be fair and appropriate to conduct the review in the form of a meeting in accordance with Rule 16(c). The panel was satisfied that Ms Birks had intentionally absented herself and it concluded that adjourning the review would not secure her participation on a future occasion.

13. The panel also notes that Ms Birks had requested to be voluntarily removed from the Social Work register in email correspondence dated 31 October 2025. There has been no further information provided by Ms Birks contrary to this since the email correspondence and no further evidence provided by her for the panel to consider.

Review of the current order:

14. The purpose of this review is to review the current order, which is due to expire 19 August 2026. The order subject to review is a suspension order.

The regulatory concerns which resulted in the imposition of the final order were as follows:

“A referral from the Ms Birks’ employer, Lincolnshire County Council, was received on 17 February 2022 alleging that that the social worker had been suspended and following further investigation, dismissed from their employment. It was alleged that the

social worker failed to carry out their statutory duties, leaving vulnerable people at risk and without a service.

The regulatory concerns that were subject to the final order, were as follows:

“Whilst registered as a social worker between April to November 2021 you:

1. Did not carry out your statutory duties leaving vulnerable people at risk and without a service in that you:

1.1 Did not complete Adult Care Plans and / or Reviews.”

The case examiners’ decision on 15 February 2024, to dispose of the case by way of an accepted disposal of a 12 months’ suspension order.

“The case examiners concluded there was a realistic prospect of the regulatory concerns being found to amount to the statutory ground of lack of competence or capability.

In respect of impairment, the case examiners concluded that the social worker offered limited insight into the circumstances which culminated in the regulatory concerns. Whilst the social worker accepted the regulatory concerns in full and offered a significant amount of remorse for her alleged actions, her insight into how her health and wider circumstances impacted on her practice at the time was limited.

In the absence of further evidence of insight and remediation, the case examiners concluded that the risk of repetition was high.

The case examiners were of the opinion that any member of the public, given the seriousness of the regulatory concerns, would expect that the social worker should not be practising without restriction. The evidence suggested that the actions of the social worker had caused potential and significant harm to service users. This had the potential to undermine public confidence in the social work profession and there was a clear need to maintain proper professional standards.”

Case examiners determinations with regard to sanction:

“The case examiners were of the view that a one year suspension order provided an opportunity for the social worker to reflect on whether they wished to return to practice and undertake professional and personal development to assist them with their return to practice. This sanction would also mark the seriousness of the regulatory concerns.
Suspension recommendations

As part of the order, the case examiners made several recommendations. If completed, the following recommendations would assist in demonstrating Ms Birks’ remediation in preparation for the review of the order:

i. *“Provides a reflective piece demonstrating insight into the circumstances of their lack of competence or capability. This could provide evidence of remediation together with an action or wellbeing plan to assure the regulator that any future risk of repetition is low.*

ii. *Provides evidence of any continuing professional development and training undertaken during the period of suspension, in order to offer assurance to adjudicators that the social worker has maintained an appropriate level of knowledge and skill.*

iii. *Although a health concern has not been taken forward in this case, given the link between competence/capability and health, it may be beneficial for the social worker to provide medical evidence in relation to their health condition and how it has been managed, should they consent to do so.*

The social worker accepted this disposal on 22 January 2024.”

Social Work England submissions:

15. The submissions of Social Work England were contained within the notice of hearing.

“Subject to any further evidence or engagement prior to the review, Social Work England invites the Panel to find that the Social Worker’s fitness to practise remains impaired and to make a removal order.

There has been no evidence provided by the Social Worker to demonstrate insight, reflection and remediation in line with the recommendations made by the previous reviewing Panel and the Case Examiners as part of the accepted disposal. Social Work England sent evidence request letters to the Social Worker on 23 February 2026 and 28 April 2026 to which there has been no response. Accordingly, Social Work England submits that the risk of repetition remains high.

Social Work England previously submitted at the last review that the Social Worker had not engaged with Social Work England since February 2024. The Panel will find correspondence from the Social Worker from the 31 October 2025 stating that they no longer wish to practise as a Social Worker and wished to be removed from the register. Social Work England sent a letter explaining the voluntary removal process, however, the Social Worker did not complete the application and has not engaged with Social Work England since. This correspondence was regrettably not made available to the last Panel but is now included at pages 60-64 of the Hearing Bundle.

Accordingly Social Work England submit a Removal Order is appropriate in the circumstances. It is submitted that, given the previous Panel ordered a 6-month extension to afford the Social Worker a final opportunity to engage and to demonstrate insight, reflection and remediation, Social Work England submit a Removal Order is now appropriate in the circumstances. It is submitted that a further order would be

ineffective given that the Social Worker has stated that she no longer wishes to practise as a Social Worker and given the lack of engagement since the previous order.”

Social worker submissions:

16. Ms Birks did not provide any submissions or evidence for the meeting for the panel to consider. Her last communication to Social Work England was on 31 October 2025 as outlined above.

Panel decision and reasons on current impairment:

17. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. It took into account the decision of the case examiner and previous panel. However, it has exercised its own judgement in relation to the question of current impairment. The panel also took into account Social Work England's 'Impairment and sanctions guidance'.
18. The panel had regard to all of the documentation before it, including the decision and reasons of the previous panel.
19. The panel heard and accepted the advice of the legal adviser. In reaching its decision, the panel was mindful of the need to protect the public and the wider public interest in declaring and upholding proper standards of behaviour and maintain public confidence in the profession.
20. The panel first considered whether Ms Birks fitness to practise remains impaired.
21. The current concerns were remediable but Ms Birks has not adduced any evidence of developing insight or remediation. She has not provided any of the documentation recommended and has now disengaged from proceedings. She has not shown any progress since the suspension was imposed and has instead stated that she no longer intends to work in social work and wishes to be removed from the social work register.
22. In light of the lack of evidence of insight and remediation, and the failure of Ms Birks to adequately engage with these continuing regulatory proceedings, the panel found that there was a substantial risk of repetition of her failings and that a finding that her fitness to practice was impaired therefore remained necessary to protect the public.
23. Further, in light of the lack of evidence of developing insight and remediation, together with her disengagement in these proceedings, the panel concluded that members of the public would be deeply concerned if her fitness to practice was not found to be impaired and that such a finding would undermine public confidence in the profession. Such a finding would similarly fail to uphold professional standards.
24. The panel concluded that Ms Birks fitness to practise is currently impaired on both the personal and public components.

Decision and reasons:

25. Having found Ms Birks fitness to practise is currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel had regard to all the information within the hearing bundle and supplemental bundle and accepted the advice of the legal adviser.
26. The panel considered the submissions made by Social Work England within the bundles, within which they invited the panel to consider imposing a removal order. The panel also took into account the 'Impairment and sanctions guidance' published by Social Work England.
27. The panel was mindful that the purpose of any sanction is not to punish Ms Birks, but to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and by upholding proper standards of conduct and behaviour. The panel applied the principle of proportionality by weighing Ms Birks interests with the public interest.
28. The panel considered the following options:
29. No Action - The panel concluded that, in view of the nature and seriousness of Ms Birks's failings, which had not been remedied, and in the absence of exceptional circumstances, it would be inappropriate to take no action. Furthermore, it would be insufficient to protect the public, maintain public confidence and uphold the reputation of the profession.
30. Advice or Warning - The panel then considered whether to issue advice or a warning. The panel noted that neither of those sanctions would restrict Ms Birks's ability to practise and were therefore not appropriate in light of the seriousness of the professional competency concerns raised. Therefore, the panel concluded that issuing advice or a warning would be inappropriate and insufficient to meet the public interest.
31. Conditions of Practice Order - The panel went on to consider whether a conditions of practice order could be imposed. The panel considered the nature of Ms Birks's failings. The panel found that suitable conditions could not be formulated to adequately protect the public and satisfy the public interest. Ms Birks was also unlikely to comply with conditions in light of her last correspondence requesting to be removed from the register. Further, her lack of engagement, lack of evidenced insight and remediation was such, that the panel was not satisfied that the risk of harm to the public could be managed by conditions and also found that conditions would be insufficient to maintain public confidence or professional standards.
32. Suspension Order - Having determined that a conditions of practice order would not be appropriate, the panel considered whether to impose a further period of suspension. The panel concluded that this would not be appropriate or proportionate in all of the circumstances. Ms Birks has now been subject to a final order for 24 months and has failed, in that time, to demonstrate adequate insight and remediation into her actions.

The panel therefore concluded that, having failed to utilise the opportunities given by the original panel, there was little prospect of Ms Birks utilising any subsequent opportunities.

33. Further, the panel concluded that it would not maintain public confidence in the profession or professional standards to impose a further period of suspension upon a social worker who had failed to utilise the previous period of suspension to demonstrate remediation and insight.

Removal order

34. The panel was satisfied it could consider that a removal order was available to the panel as Ms Birks fitness to practise was originally found impaired on the basis of one or more grounds as set out in regulation 25(2), (b), (e) or (h) and she had been suspended from practice for a continuous period of two years immediately preceding the day when the removal order would take effect.
35. The panel noted that a removal order was a sanction of last resort where there was no other means of protecting the public or the wider public interest. The panel took the view that a removal order was necessary, appropriate and proportionate in this matter in light of the serious nature of Ms Birks failings and the absence of adequate engagement with the regulatory proceedings.
36. The panel concluded that whilst the public could be protected from harm by restricting Ms Birks from practising by way of a suspension order, a further period of suspension would not serve the wider public interest. Furthermore, in all of the circumstances, an order for removal was the only order that would adequately maintain public confidence in the profession and professional standards.

Right of appeal:

37. Under Paragraph 16(1)(b) of Schedule 2 of The Social Workers Regulations 2018 (as amended), the social worker may appeal to the High Court against:
- a. the decision of adjudicators:
 - i. to make an interim order, other than an interim order made at the same time as a final order under paragraph 11(1)(b),
 - ii. not to revoke or vary such an order,
 - iii. to make a final order,
 - b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.
38. Under Paragraph 16(2) of Schedule 2 of The Social Workers Regulations 2018 (as amended) 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.

39. Under Paragraph 15(1A) of Schedule 2 of The Social Workers Regulations 2018 (as amended), where a social worker appeals against a decision made under sub-paragraph (1), the decision being appealed takes effect from the date specified in that sub-paragraph notwithstanding any appeal against that decision.
40. This notice is served in accordance with Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended).