

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT



Claim No.: CO/994/2021

BETWEEN:—

PROFESSIONAL STANDARDS AUTHORITY FOR HEALTH AND SOCIAL CARE
Appellant

-and-

(1) SOCIAL WORK ENGLAND

(2) M

Respondents

CONSENT ORDER

UPON the Appellant's appeal under s29 National Health Service Reform and Health Professions Act 2002; and

UPON the Parties having agreed these terms and the statement of reasons as set out in Schedules 1, and 2; and

UPON none of the parties being either a child or protected party

IT IS HEREBY ORDERED BY CONSENT THAT: —

1. The appeal is allowed and the decision of the Fitness to Practise Committee of the First Respondent that the Second Respondent's fitness to practise as a social worker is not impaired by reason of her misconduct, notified to the Second Respondent by letter dated 20 January 2021 is quashed;
2. The Second Respondent having admitted a-d of the allegation as set out in Schedule 2, the matter is to be remitted to the same panel of Adjudicators sitting as the Fitness to Practise Committee ("the Committee) for rehearing in respect of the issues of misconduct and impairment of fitness to practise and, if in the judgment of the Committee appropriate, sanction.
3. The case will be remitted for rehearing by the Committee as above with directions that:
 - i. The First Respondent present the case to the Committee in such a manner as to ensure that the procedural deficiencies described in paragraph 4 of Schedule 1 to this Order are rectified and the case is presented in accordance with the effect of this Order
 - ii. In addition to the evidence in the case as made available to the Committee at the first hearing, the First Respondent will provide the Committee with a copy of this Order including Schedules 1 and 2.

4. The First Respondent to pay the Appellant's reasonable costs of the claim up until 15 June 2021 to be assessed if not agreed.

**Order approved by Mrs Justice Collins Rice
Dated 24th September 2021**