Case study

professional standards authority
for Health and Social Care

Fitness to Practise appeal

A social worker who persistently sexually harassed junior colleagues

Background/context

This case involved a social worker who over a couple of years subjected several of his junior, female colleagues to sexual comments and persistently crossed professional boundaries. This resulted in his colleagues feeling 'uncomfortable, confused, vulnerable' – one of his colleagues went as far as reporting his behaviour to the police. Comments he made to his colleagues included: 'How did you meet your boyfriend, I bet you were at it like rabbits.' 'The only thing that needs resurrecting around here is my libido.' He asked another colleague to accompany him to the Shrek experience and suggested she should 'wear a school uniform' and told another colleague to film herself and her husband having sex.

What the panel heard

The HCPC* panel heard evidence from each of the social worker's colleagues and concluded that the registrant's behaviour had been inappropriate. However, the panel did not find that his behaviour had been harassing or sexually motivated. Even though the panel believed that there could also be a risk of him repeating this type of behaviour – they imposed a caution order – this is the minimum sanction available to a panel and it meant that the registrant could return to practise without any restrictions.



Fitness to Practise case study

Abuse of process and the public interest

Why we decided to appeal

We appealed this case because we believed that the panel was wrong to say that the registrant's conduct did not amount to harassment and was not sexually motivated. We were very concerned that the registrant might repeat such behaviour and that this could have a very serious effect on other junior colleagues. We also believed that the sanction handed down by the panel did not address the serious nature of his behaviour (with the potential for him to repeat this behaviour). The registrant did not engage in the fitness to practise process and did not attend the original panel hearing. He had also shown no insight into his actions.

The result

The Court agreed with us – saying that the panel had failed to take account of the complainants' detailed evidence and that the panel's approach to whether the alleged behaviour was harassing or sexually motivated was wrong. The Court said that in relation to the decision that the behaviour was not sexually motivated the panel had instead taken its decision on a 'broad brush basis which did not engage with the facts of any of the witnesses'. The Court found that the conduct did amount to harassment and was sexually motivated. The case was sent back to Social Work England* to consider a new sanction.

*From 2 December 2019 – Social Work England took over responsibility for social workers in England from Health and

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