

Notice of Decision

Registrant	Angela Carson
Registration number	3120306
Part of Register	Support Workers in a Care Home Service for Adults
Town of employment	Falkirk
Sanction	Removal
Date of effect	14 March 2024

This is notice of a decision of the Scottish Social Services Council (SSSC).

Our decision

We decided:

1. that based on the facts found your fitness to practise is impaired, as defined in Rule 2 of Part 1 of the Scottish Social Services Council (Fitness to Practise) Rules 2016 (the Rules) as amended by the Fitness to Practise (Amendment) Rules 2017 and the Fitness to Practise (Amendment) Rules 2021
2. to impose a Removal Order removing your registration from the part of the SSSC Register for Support Workers in a Care Home Service for Adults.

Findings of fact

We decided there is evidence that while employed as a Support Worker by [information redacted] in Falkirk, and during the course of that employment, you did:

1. between 26 March 2021 to 27 March 2021 both dates inclusive act contrary to the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016, Section 26(1) being a person having the care of another individual namely, by virtue of being a care worker in terms of the aforementioned Act did ill-treat or willfully neglect resident AA in that you did fail to tend to him, and his continence needs and remove his buzzer from the wall
2. between 26 March 2021 to 27 March 2021 in relation to resident BB
 - a. fail to attend to his continence needs in that you did not complete four hourly continence checks as required by his care plan

- b. falsify BB's electronic notes to the effect that you had provided care to BB when you had not
 - c. remove BB's sleepwear alone prior to your colleague ZZ arriving, in the knowledge that BB required the assistance of two people to get undressed
 - d. by your actions in falsifying BB's electronic notes at 2.b. above act dishonestly
3. between 26 March 2021 to 27 March 2021 in relation to resident CC
- a. fail to attend to his continence needs in that you did not complete four hourly continence checks as required by his care plan
 - b. falsify BB's electronic notes to the effect that you had provided care to CC when you had not
 - c. by your actions in falsifying CC's electronic notes at 3.b. above act dishonestly

and your fitness to practise is impaired because of your conviction as set out at 1 and your misconduct as set out at 2 and 3.

Reasons for finding your fitness to practise has been impaired

1. Your fitness to practise is impaired because:
 - a. Social services workers must not abuse, neglect or harm people who use services. They must be reliable and dependable and meet relevant standards of practice. Your behaviour is fundamentally incompatible with SSSC registration. You neglected three vulnerable individuals in your care. You failed to adhere to their care plans and did not change their continence pads which resulted in them being soaked in urine for a prolonged period. You were found to have removed one individual's buzzer from the wall, this took away their ability to request assistance. Your behaviour placed the individuals at risk of both physical and emotional harm. Further, you attempted to conceal your wrongdoing by completing electronic records indicating that you had provided care when you had not.
 - b. Your behaviour is at the higher end of the scale of seriousness and amounts to a failure to provide an acceptable level of care. It raises significant concerns about your suitability to care for vulnerable people and calls into question your underlying values. As a social service worker, you are expected to promote and protect the safety

and wellbeing of residents in your care and your misconduct completely contradicts these responsibilities.

- c. You have not provided the SSSC with comments regarding your behaviour. Therefore, we have been unable to assess your level of insight. Given the nature of the behaviour, the SSSC cannot take reassurance that there is not a risk of repetition.
 - d. The public would have concerns over this type of behaviour. Social service workers are entrusted to care for vulnerable individuals. A reasonably informed member of the public would lose confidence in the SSSC as regulator if you were deemed not to be impaired.
2. You have failed to follow parts 1.4, 2.1, 2.4, 3.10, 5.1, 5.7, 5.8, 6.1 and 6.2 of the SSSC Code of Practice for Social Service Workers in force from 1 November 2016.

Sanction

After referring to our Decisions Guidance, we decided to impose a Removal Order, removing your registration from the SSSC Register.

Reasons for the sanction:

When making our decision we considered the following factors:

Factors of concern

- The behaviour is serious and concerned multiple individuals.
- The conduct took place inside the workplace. You were entrusted with the care of vulnerable individuals, and you neglected them.
- You placed the individuals at risk of both emotional and physical harm.
- You have not engaged with the SSSC in a meaningful way.
- The behaviour includes elements of dishonesty which highlights a values issue.

Factors in your favour

- You have a good previous history with the SSSC.

Reasons why other sanctions are not appropriate

- A warning would not be appropriate as it would not adequately address the impairment of your fitness to practice. The behaviour is at the highest end of the scale of seriousness. The risk of repetition has been assessed

as high. A warning would give no protection to individuals who use services or the public.

- A condition would not be appropriate because there are no conditions which could be placed on you which would address why your fitness to practice has been impaired. Your behaviour suggests an attitudinal and values issue and this cannot be rectified by conditions. You have not demonstrated insight, the SSSC has no information that your behaviour has been remediated.
- A warning plus conditions would not be appropriate due to the reasons outlined above.
- A Suspension Order would not be appropriate as your behaviour is fundamentally incompatible with continued registration. The interests of people who use services and the public would not be sufficiently protected by any period of suspension. There is no evidence a period of suspension would allow you to remedy the cause of the impairment of your fitness to practise.
- For the reasons outlined above a Suspension Order plus conditions would not be appropriate.
- The SSSC considers a Removal Order is the most appropriate sanction as it is both necessary and justified in the public interest and to maintain the continuing trust and confidence in the social service profession and the SSSC as the regulator of the profession.

Documents we have referred to

- The Regulation of Care (Scotland) Act 2001
- Scottish Social Services Council (Fitness to Practise) Rules 2016 (the Rules) as amended by the Fitness to Practise (Amendment) Rules 2017 and the Fitness to Practise (Amendment) Rules 2021.
- Decisions Guidance for Fitness to Practise Panels and Scottish Social Service Council staff.

Imposing the Removal

Under the Scottish Social Services Council (Fitness to Practise) Rules 2016 (the Rules) as amended by the Fitness to Practise (Amendment) Rules 2017 and the Fitness to Practise (Amendment) Rules 2021, we can impose a Removal Order if you do not ask for a hearing before a Fitness to Practise Panel.

We wrote to you on 29 January 2024 to tell you we wanted to place a Removal Order on your registration. After explaining the consequences and recommending you take legal advice, you have not asked for the case to be referred to a Fitness to Practise Panel. We are therefore permitted by the Rules to impose this Removal Order.

Date of effect

The notice comes into effect on 14 March 2024.