

## Notice of Decision

<b>Registrant</b>	Louise Williams
<b>Registration number</b>	3059579
<b>Part of Register</b>	Supervisors in a Care Home Service for Adults
<b>Town of employment</b>	Irvine
<b>Sanction</b>	Removal
<b>Date of effect</b>	26 May 2022

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 Supervisors in a Care Home Service for Adults.

### Findings of fact

We decided there is evidence that

1. On 18 January 2022, you were convicted of embezzlement at Kilmarnock Sheriff Court, in that  
  
between 5 and 6 February 2018, both dates inclusive, (Information redacted) and elsewhere you did while being treasurer of (Information redacted) Under-14's Boys football club, (Information redacted) embezzle £549.71
2. On dates unknown to the SSSC but believed to be in or around February 2020, while employed as a Supervisor at Fullerton Care Home in Irvine for HC-One Oval Ltd, you failed to inform your professional regulator, the SSSC, that you had been charged by Police Scotland in relation to your behaviour as detailed at allegation 1 above

and in light of the above your fitness to practise is impaired because of your criminal conviction as set out in allegation 1 and because of your misconduct as set out in allegation 2.

### **Reasons for finding your fitness to practise has been impaired**

1. Your fitness to practise is impaired because:
  - a. social services workers must not behave, while in or outside of work, in a way which would bring their suitability to work in social services into question. You have been convicted of embezzlement while acting as treasurer of a children's football club. Being convicted of a crime of dishonesty while acting in a position of trust calls into question your suitability to work as a social services worker, as it demonstrates that you are willing to abuse the trust placed in you for your own financial gain. Your actions caused financial harm and could have caused emotional harm. Your behaviour breaches the trust and confidence placed in you as a social services worker.
  - b. social services workers should communicate in an open way. Social services workers should tell the SSSC about anything that may affect their fitness to practice. You failed to notify the SSSC of your criminal charge. By failing to communicate your criminal charge to the SSSC, you prevented the SSSC from carrying out the appropriate risk assessment to assess whether action needed to be taken in respect of your registration with the SSSC in light of the criminal charge against you. Your behaviour could have potentially placed users of services and the wider public at an increased risk of harm. Your behaviour calls into question your suitability to work in social services.
  - c. your behaviour amounts to misconduct as it involves acts by you which fall far below the standard expected of a social services worker.
  - d. while this was an isolated incident and took place over four years ago, it was a serious one. The behaviour is fundamentally incompatible with the values of the profession. Users of services should be able to trust the workers that look after them. There is also no evidence of any insight, regret or reflection. Therefore, the SSSC has concluded that there is a risk of similar behaviour being repeated.
  - e. there is a need to protect service users from potential financial and emotional harm. There is a real risk of financial harm being caused if your behaviour were to be repeated. There is also a real risk of emotional harm if further financial abuse were to take place. There is also a real risk of causing distress to service users if you were to again abuse a position of trust, such as the trust placed in you as a social services worker.

- f. there is public interest in maintaining trust and confidence in the register and upholding proper standards of behaviour in the profession. You have abused a position of trust for your own financial gain and acted dishonestly. Your behaviour, as stated, is fundamentally incompatible with the values of the profession. Therefore, your behaviour damages the reputation of the profession. A fully-informed member of the public would expect a finding of impairment to be made in this case, given the factors as outlined above.
2. You have failed to follow parts 2.1, 2.2, 2.4, 3.8, 5.7, 5.8, 6.1 and 6.3 of the SSSC Code of Practice for Social Service Workers 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

- You have been convicted of a criminal offence relating to a crime of dishonesty.
- Your behaviour potentially caused financial and emotional harm.
- Your behaviour potentially caused harm to a vulnerable group.
- Though the behaviour did not take place within work, you were acting in a position of trust at the time of the offence.

#### Factors in your favour

- No previous findings have been made against you by the SSSC.
- Your previous employer and colleagues have commented positively on your professional practice.

### **Reasons why other sanctions are not appropriate**

- A warning would not be appropriate as the behaviour is serious and amounts to a breach of a fundamental tenet of the profession. There has been no insight or remorse. Because of the lack of insight and the seriousness of the behaviour, public protection concerns remain.
- A condition would not be appropriate because, as already stated, the

behaviour amounts to a violation of a fundamental tenet of the profession. The behaviour amounts to an abuse of a position of trust for personal financial gain. There is no evidence of remediation. There are also concerns about the risk of repetition. Given the seriousness of the behaviour and the lack of insight, a condition would not be appropriate, with reference to the SSSC's Decisions Guidance.

- A warning plus conditions would not be appropriate due to the reasons outlined above.
- A Suspension Order would not be appropriate because the behaviour is serious and continues to give rise to public protection concerns. No insight has been demonstrated. The behaviour has not been remediated. The behaviour does give rise to values concerns because it amounts to dishonest behaviour.
- 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 Order**

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 7 April 2022 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

#### **Date of effect**

The notice comes into effect on 26 May 2022.