

Notice of Decision

Registrant	Stacey McMillan
Registration number	3026206
Part of Register	Social worker
Town of employment	Glasgow
Sanction	Warning to stay on your registration for a period of 12 months
Date of effect	06 May 2025

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 place a warning on your registration, on the part of the Register for Social Workers, for a period of 12 months

Findings of fact

We decided there is evidence that on 7 November 2024, at Glasgow Sheriff Court, you were convicted of the following offences, namely:

1. on 8th June 2024 at O'Neill's Bar, 48 Union Street, Glasgow and Govan Police Office, Helen Street, Glasgow and in the course of a journey between them in the rear cell area of a marked police vehicle you did behave in a threatening or abusive manner which was likely to cause a reasonable person to suffer fear or alarm in that you did shout, swear, act in an aggressive manner, refuse to leave the said O'Neill's Bar despite repeated requests to do so and throw yourself to the ground at the front door of the said bar preventing other customers from entering or leaving; CONTRARY to Section 38(1) of the Criminal Justice and Licensing (Scotland) Act 2010

2. on 8th June 2024 at O'Neill's Bar, 48 Union Street, Glasgow you did resist, obstruct or hinder [information redacted] and [information redacted], both Police Constables, the Police Service of Scotland, then in the execution of their duty and did repeatedly kick your legs striking Police Constable [information redacted], refuse to walk and repeatedly attempt to bite Police Constable [information redacted] on the hand and attempt to break free from them while being placed under arrest; CONTRARY to the Police and Fire Reform (Scotland) Act_2012, Section 90(2)(a)

and in light of the above, your fitness to practise is impaired because of your conviction at allegation 1.a. and b.

Reasons for finding your fitness to practise is impaired

1. Your fitness to practise is impaired because:
 - a. As a Social Worker, you must not put yourself or other people at unnecessary risk and must not act in a way inside or outside of work that would bring your suitability to work in the profession into question.
 - b. While it is accepted that no service users were impacted by your actions, the behaviour occurred in the city centre of Glasgow and in full view of the general public. You behaved in a threatening or abusive manner, and when police officers attempted to place you under arrest, you attempted to break free, repeatedly kicked your legs striking one police officer and attempted to bite another on the hand.
 - c. Your actions were isolated in nature, out of character and you have apologised for your behaviour. You have demonstrated that you are aware of the impact that the behaviour has had on colleagues, your family and the wider social services profession. This gives confidence that the behaviour is less likely to be repeated in the future. Although there are no current concerns about your suitability to work with vulnerable people, there are ongoing public interest concerns arising from the behaviour.
 - d. Your behaviour is serious and although an isolated incident, falls below the standard expected of a registered worker. The SSSC has a duty to uphold proper standards of conduct and behaviour from social service workers. Registration with the SSSC provides members of the public with assurances that the SSSC is satisfied that you are fit to practise.

Due to the seriousness of your behaviour, a finding of impairment is necessary to maintain public confidence in the integrity of the register and in the SSSC as a regulator.

2. In relation to the findings of fact, you have failed to follow parts 6.6 & 6.7 of the SSSC Code of Practice for Social Service Workers in force from 1 May 2024.

The sanction

After referring to our Decisions Guidance, we decided the appropriate sanction is to place a warning on your registration for a period of twelve months.

Reasons for the sanction

When making our decision we considered the following factors:

Factors of concern

- While the behaviour did not take place within work, it was in full view of the general public.
- The behaviour resulted in a criminal conviction.
- Although there were no service users affected, your behaviour had the potential to cause wider reputational damage to the social services profession.

Factors in your favour

- The behaviour was an isolated incident and there have been no previous findings of impairment in respect of your fitness to practise.
- You have co-operated fully with the SSSC investigation.
- You have apologised for your actions and understand the impact that your conviction has had on your colleagues, family and reputation of the social services profession.

Documents we have referred to

When making our decision, we referred to the documents:

- 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 warning on your registration

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 warning on your registration if you do not ask for a hearing.

We wrote to you on 26 March 2025 to tell you we wanted to place a warning on your registration. After explaining the consequences of not asking for a hearing, and recommending you take legal advice, you have not asked that the case is referred to a Fitness to Practise Panel. We are therefore permitted by the Rules to impose this warning on your registration.

Date of effect

The notice comes into effect on 06 May 2025.