

Notice of Decision

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| Registrant | Daniel Hanford |
| Registration number | 4094454 |
| Part of Register | Residential Child Care Workers |
| Town of employment | Dumfries |
| Sanction | Warning to stay on your registration for a period of 18 months |
| Date of effect | 15 September 2023 |

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 Residential Child Care Workers, for a period of 18 months

Findings of fact

We decided there is evidence that while employed as a Residential Childcare Officer by Applied Care & Development Limited at [information redacted] in Dumfries, and during the course of that employment, and in relation to young person AA [information redacted] you did:

1. on or about 3 July 2022, during a verbal exchange with AA:
 - a. say, "Yeah, I don't care about my job" or words to that effect
 - b. in response to AA saying to you "you're not allowed to touch me" or words to that effect, reply "I can do what the fuck I want" or words to that effect

- c. by your actions at allegations 1.a. and 1.b., contribute to AA's emotional distress

and your fitness to practise is impaired because of your misconduct.

Reasons for finding your fitness to practise is impaired

1. Your fitness to practise is impaired because:

- a. social service workers must not abuse, neglect or harm people who use services. You used abusive and threatening language towards a young person in response to them displaying challenging behaviour towards you. Although challenging situations can be difficult to manage, social service workers should follow risk assessment policies and implement approved de-escalation techniques and support strategies.
- b. abusive behaviour by a social service worker is a breach of trust and confidence for social service users. It is a misuse of the power and position placed in social service workers.
- c. your behaviour was serious as it contributed towards emotional distress to a young person in your care. The behaviour is not considered to be easily remediable, but it is considered to be capable of remediation. You have remedied your behaviour to some extent through the insight, reflection and remorse you have shown. Your behaviour undermines the public trust and confidence in social services and due to the nature of the behaviour, it cannot be said to be fully remediated. If your behaviour was repeated service users would be placed at risk of emotional harm.
- d. action requires to be taken to protect the welfare and wellbeing of service users to mark the seriousness of the behaviour. Failure to take appropriate action would undermine the public's confidence and trust in the social services profession and jeopardise the integrity of the register. There are ongoing public protection and public interest concerns arising from your behaviour.
- e. in relation to findings of fact 1.a. to 1.c. you have failed to follow parts 1.1, 1.4, 2.2, 2.4, 3.10, 5.7 and 5.8 of the SSSC Code of Practice for Social Service Workers in force from 1 November 2016.

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 18 months. A warning marks the behaviour as unacceptable and that it should not happen again.

Reasons for the sanction

When making our decision we considered the following factors:

Factors of concern

- Your behaviour was serious, deliberate and to the detriment of those who placed their trust in you to act professionally and in their best interests.
- The conduct took place inside of work whilst employed as a social services worker.
- Your behaviour contributed towards emotional harm to a person who uses services.
- Your behaviour represents an abuse of the trust towards a vulnerable person who use services, their family and your previous employer.

Factors in your favour

- You have acknowledged failings, displayed remorse, provided insight, reflection and an apology.
- Your behaviour forms one episode of poor practice as opposed to forming a worrying pattern of behaviour. This was an isolated incident of concern.
- You have a good previous history with SSSC.
- You received two positive references in support of your practice.
- You have cooperated fully with the SSSC investigation of these matters.

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

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 1 August 2023 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 15 September 2023.