

## Notice of Decision

<b>Registrant</b>	Amy Callard
<b>Registration number</b>	3114841
<b>Part of Register</b>	Practitioners in Day Care of Children Services
<b>Town of employment</b>	Aberdeen
<b>Sanction</b>	Warning to stay on your registration for a period of 12 months
<b>Date of effect</b>	23 February 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 place a warning on your registration, on the part of the Register for Practitioners in Day Care of Children Services, for a period of 12 months.

## Findings of fact

We decided there is evidence that between 30 January 2023 and 1 February 2023, while employed as a Senior Practitioner by [information redacted] at [information redacted], Aberdeen and during the course of that employment you did:

1. on or around 31 January 2023, laugh with colleague ZZ when discussing difficulties with child XX's [information redacted]
2. on or around 1 February 2023:
  - a. when child XX was crying on a walk, laugh when another colleague said "it is because she can't [information redacted], [information redacted]"

redacted], she shouldn't be on a walk if she can't [information redacted]" or words to that effect

- b. imitate a child's [information redacted] to colleague ZZ and laugh about this in the presence of children

And in light of the above allegations your fitness to practise is impaired due to your misconduct.

### **Reasons for finding your fitness to practise is impaired**

1. Your fitness to practise is impaired because:
  - a. Social service workers are expected to work in a way that promotes diversity and respects different cultures and values. Laughing with colleagues when discussing difficulties [information redacted] is disrespectful and demonstrates a lack of care and compassion towards a vulnerable child that you were trusted to care for and protect from harm. Imitating [information redacted] was discriminatory and offensive. This was also done in the presence of a child who may have witnessed this. These actions call into question your suitability to work in social services.
  - b. The behaviour is concerning because it may indicate an underlying issue with your values.
  - c. While the incidents took place over a short period of time, we cannot be satisfied there is no risk of repetition given that the worker has not cooperated with our investigation and does not appear to have worked in the sector in the meantime.
  - d. The worker has denied all the allegations but has stated that she realises the impact that it would have had if they were true. We cannot be satisfied that there is no risk of repetition. Given this, there is a need to protect children and users of services from similar behaviour.
  - e. A reasonable member of the public would be concerned about this type of behaviour. This would have a negative impact on the reputation of the profession if no action was taken by the SSSC.

2. In relation to findings of facts 1 and 2 you have failed to follow parts 1.1, 1.4, 1.5, 2.2, 2.3, 5.1, 5.5, 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 12 months.

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

We wrote to you on 16 January 2024 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 23 February 2024.