

SSSC Fitness to Practise Public Information Policy

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1. Introduction

1.1 This policy sets out how the Scottish Social Services Council (SSSC) communicates information about our fitness to practise cases. This helps us meet our responsibilities set out in the Regulation of Care (Scotland) Act 2001 to protect the public and maintain and uphold standards in the profession. The policy sets out:

- what information is on the SSSC Register (which is on [our website](#))
- additional information about our fitness to practise work and decisions available on our website.

2. Principles of this policy

2.1 This policy meets the following aims:

- make sure that all our stakeholders are aware of and understand who we are and what we do
- make sure we engage effectively with employers
- work with employers and partners to promote learning and development for the social service workforce from our fitness to practise work
- provide information to all our stakeholders about the role of registration in increasing standards and protecting people who use services.

2.2 To meet these aims we:

- are open, accessible, responsive and accountable
- use clear language
- make sure that our communication methods meet the needs of different groups
- work hard to develop good relationships with those with an interest in what we do.

2.3 We publish fitness to practise decisions and this is set out in our Rules which are [The Scottish Social Services Council \(Fitness to Practise\) Rules 2016 \(the Rules\)](#) as amended. In doing this, we must make sure that we comply with data protection legislation. In particular:

- we must process data fairly and lawfully
- data must be adequate, relevant and not excessive in relation to the purpose for which it is being processed.

2.4 Publishing information about fitness to practise hearings and decisions (including decisions to impose a sanction, all hearing outcomes and temporary order decisions) is necessary to:

- allow people with an interest to attend hearings
- reassure people that we can and do take action, both in a specific case that they may have an interest in and in general
- educate the social service workforce, their employers and the public about fitness to practise issues
- reassure people that referrals about workers are considered fully by publishing the summary allegations before full hearings and the findings and reasons for the decision after a hearing or decision
- help employers with recruitment decisions
- protect and enhance the safety and welfare of people who use social services and their carers.

3. Public SSSC Register

3.1 We have a public register of all social service workers currently registered and this is on our website www.sssc.uk.com. You can search to find out if someone is registered with us and see their registration number, town of employment, register part (and if applicable the type of service and level). The Register will show whether there is:

- a temporary conditions or suspension order
- a sanction following a fitness to practise investigation and decision with a link to the Notice of Decision (see paragraphs 8, 9 and 11 about when this will be published and what we might not publish).

3.2 Where relevant, it will also show specific post qualifying information held by registered social workers.

- For practice educators, it will show those that have provided evidence of their practice teaching qualification.
- For Mental Health Officers (MHOs), it will show those that have provided evidence of their MHO qualification.

3.3 Notices can also be accessed through our public Register either for three years if the decision is a Removal Order, or until a sanction has ended or the worker is later removed from the Register for reasons not related to their fitness to practise.

3.4 Access to our public Register is set out in the Regulation of Care (Scotland) Act 2001 and the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001 as amended.

4. Additional information available on our website

4.1 You'll find the following information at www.sssc.uk.com:

- details (including a summary of the allegations) of the hearings coming up in the next seven days
- decisions made by Fitness to Practise Panels (the hearing panel) and by SSSC officers
- information about current Temporary Orders
- information on the hearing process and contact details for the Clerk (Hearings Officer) to the panel for members of the public who would like to attend hearings
- information for the media who would like to attend hearings
- our data protection and privacy notice about how we use personal data
- information for employers and social service workers registered with the SSSC on how our Fitness to Practise Department carries out investigations.

5. Public and private hearings

5.1 Our hearings are normally public but they can be held in private. The public and the media cannot attend a private hearing.

5.2 If we know that the hearing is private we will say so on the website notice.

5.3 The panel can consider a request to make the hearing private at any time during a hearing. This means that we will not always be able to give advance notice.

5.2 If the allegation relates only to the person's health, the hearing will be held in private and there will be no information available on the website, unless in the public interest.

6. Information available before a hearing

6.1 Hearings are normally held online or at our offices in Dundee however they can be held in other locations.

6.2 Notices of scheduled hearings are published on our website www.sssc.uk.com seven working days before the hearing is due to take place. The notice will contain the information below.

Information about the worker	Information about the hearing
Full name	A summary of the allegations
Registration number	Location of hearing
SSSC Register part	Date of hearing
Town/most recent town of employment	Time of hearing

6.3 If a hearing is postponed or adjourned, we will publish this on the website. We will only provide the reason for the postponement or adjournment if there is a public interest.

6.4 Notices are removed from the website after a certain time. However it is possible for an individual to keep a copy of a Notice indefinitely and the SSSC has no control over this.

7. On the day of the hearing

7.1 Members of the public or the media wishing to attend a hearing must sign the [Protocol for Observers](#) before the hearing.

7.2 For in-person hearings a member of the Communications Team will escort the media and the public both to and from the hearing room. All members of the media and public will leave the room during adjournments, deliberation or for parts held in private and will wait in a waiting room if available, at reception or outside the premises.

7.3 For online hearings members of the public or the media must provide a telephone number so the Clerk can allow them access to the hearing. All members of the media and public will leave the hearing during adjournments, deliberations or for parts held in private.

7.4 We will brief members of the media and public on hearing procedures, and where necessary provide a copy of the [Protocol for Observers](#) and they will be expected to act accordingly.

7.5 Other than taking notes, the public and media present cannot record and/or broadcast the hearing.

The media are reminded they must adhere to the Editor's Code of Practice published by the Independent Press Standards Organisation (IPSO) and in particular that children under 16 years and other vulnerable witnesses should not be named.

8. Information available on the day the hearing ends

- 8.1 We will provide the outcome and sanction of any public hearing to the media on request on the day of a hearing. Any media wishing the findings of fact, finding of impairment (where applicable) and the hearing panel's reasons for sanctions should arrange to be present when this is read out at those hearings held in public. At our discretion we will give anyone attending the hearing a copy of the decision if required after the decision has been read in public. The Communications Team will not provide this information to those who are not in attendance. Nor will they provide a report on the hearing.
- 8.2 Transcripts of the hearing will not be provided other than as required by the Rules.

9. Information published after a hearing

- 9.1 The Clerk issues the Notice of Decision within seven days of the hearing. We normally publish the Notice of Decision on our website within 14 days of the hearing.
- 9.2 The notice will include the information below.

Information about the worker	Information about the hearing and outcome
Full name	Date of hearing
Registration number	Findings of fact (or a note to say no findings of fact were made)
SSSC Register part	Decision on impairment or no impairment
Town/most recent town of employment	Any sanction imposed
	Reasons for decisions

	Date the decision comes into effect
	See section 13 for information we may remove from a Notice of Decision

9.3 The notice will remain on the website until any sanction imposed by the panel has ended to inform those with an interest in the case and provide more general information to the public. The notice will also be accessible through the public Register, unless the worker is removed from it before the sanction has ended for reasons other than their fitness to practise being impaired.

This means those with an interest in the outcome can be informed of the panel's decision while balancing the requirement to be fair to the registrant.

9.4 The Notice of Decision is removed from the website after the stated timescale. However, it is possible for an individual to retain a copy of a Notice indefinitely and the SSSC has no control over this.

10. Public information on decisions made by SSSC officers

10.1 SSSC officers can place conditions, warnings, suspensions and removal orders on a registrant's registration. Where this happens, the following information will be published on the website when the decision comes into effect.

Information about the worker	Information about the decision and outcome
Full name	Decision
Registration number	Date of decision
SSSC Register part	Any sanction imposed
Town/most recent town of employment	Date the decision comes into effect
	See section 13 for information we may remove from a Notice of Decision

10.2 The notice will remain on the website to inform those with an interest in the case and provide more general information to the public.

11. Length of time a notice remains on the website or the public Register

11.1 The table below details how long a notice remains on the website or the public Register following a hearing or an SSSC officer decision.

Outcome	Decision	Website	Public Register
Impairment found.	Sanction imposed.	Notice remains until sanction has ended.	Notice remains until sanction has ended.
Impairment found.	Removal order imposed.	Notice remains for three years.	Notice remains for three years. Status of person shows they are removed.
No impairment or no findings in fact.	No sanction.	Notice remains for same period as a notice of hearing was displayed (usually seven days).	None.

11.2 The notice will be accessible through the public Register unless the worker is removed from the Register for reasons other than their fitness to practise being impaired before the sanction has ended.

11.3 The Notice of Decision is removed from the website after the stated timescale. However, it is possible for an individual to retain a copy of a Notice indefinitely and the SSSC has no control over this.

12. Temporary orders

12.1 Hearings about temporary suspension and temporary conditions orders are held in private and there is no advance information on our website. If a Temporary Order

is imposed by either a hearing or by an officer, this fact will be published on our website shortly after the hearing.

12.2 The table below details the information included.

Information about the worker	Information about the Temporary Order and where it is shown
Full name	Period of suspension or conditions
Registration number	Date the decision comes into effect
SSSC Register part	Shown on both the website and public Register
Town/most recent town of employment	

12.3 Temporary Order information will be accessible through the public Register unless the worker is removed from it before the order ends for reasons other than their fitness to practise being impaired.

13. Information that we may not publish and why

13.1 There are times when we do not publish the information set out in this policy. There can be a number of reasons for this, for example to:

- protect the identity of people who use services or their carers
- protect any person connected with the case
- protect the worker who may be vulnerable due to their health or other reason
- protect the family and, in particular the children, of a worker
- comply with a legal obligation.

13.2 This means there is information that we routinely don't publish, or we remove (or redact) such as:

- the registrant's date of birth and personal address
- information that may identify people who use social services

- information that may identify other people (including witnesses) connected with the hearing
- information about a registrant's health if this is not in the public interest (however, the fact a registrant was/is suffering from a particular condition may be relevant and made public)
- information that may adversely affect someone connected to the case.

13.3 We may also decide not to publish that a hearing is due to be held, or the outcome of a hearing. We may remove the worker's name from the notice of hearing or decision, or particular details from the notice or the decision. We make decisions like this on a case by case basis, taking account of all the available information.

13.4 Requests for additional information. We do not give out information about cases other than the information we put on our website. We will give information about our process and procedures.

13.5 In circumstances not covered by the policy or in exceptional circumstances, we will make our decision about publishing fitness to practise decisions in line with the principles and factors set out at in Principles on page 1.

14. Publicising decisions

14.1 We may publicise the outcomes of hearings and officer decisions to employers and other stakeholders with an interest in public protection to raise awareness about when we will investigate and take action. This is so the public know the standards of practice they can expect and the kinds of things they can refer to us. It will also help employers and people working in social services in the same way.

15. Search engine results

15.1 Search engines such as Google scan websites to give search results. How often they do this varies. This means that their search results may show links between a registrant's name and the SSSC after we have deleted notices. The link may appear in search results but there is no information available on our website to download.

15.2 We have no control over the time it may take Google or other search engines to update their records.

15.3 Registrants can approach Google to ask them to remove personal data from their search results. This is the link to the relevant part of the Google support website: <https://support.google.com/websearch/troubleshooter/3111061>. Other search engines may also have guidance.

15.4 Notices are removed from the website after the stated timescale. However it is possible for an individual to retain a copy of a notice beyond that timeframe and we have no control over this.

16. Appeals to the sheriff

16.1 Registrants can appeal against an SSSC decision to the Sheriff. We will post on our website when a decision is under appeal. We publish the anonymised outcomes of some appeals on our website for general information. We may make a statement about a particular appeal and this will be on the [appeals page](#) on our website if we do.

17. Information for employers

17.1 Social service employers use MySSSC, the SSSC's online information system. This gives employers/prospective employers secure access to the following information about their employees/prospective employees.

- Name.
- Part of Register they are on or have applied for.
- Registration number.
- Job title.
- Whether registered, suspended, removed, subject to a condition or have a warning on their registration.
- Date they applied to register.
- Work address.

If you have any questions about this policy please contact:

The Communications Team
Scottish Social Services Council
11 Riverside Drive
Dundee
DD1 4NY
Tel 0345 60 30 891
Email communications@sssc.uk.com

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Scottish Social Services Council
Compass House
11 Riverside Drive
Dundee
DD1 4NY

Tel: 0345 60 30 891
Email: enquiries@sssc.uk.com
Web: www.sssc.uk.com

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please contact the SSSC on 0345 60 30 891