

## Notice of Decision

<b>Registrant</b>	Caroline Buchanan
<b>Registration number</b>	4091262
<b>Part of Register</b>	Support Workers in Care at Home Service
<b>Town of employment</b>	Glasgow
<b>Sanction</b>	Warning to stay on your registration for a period of 48 months and conditions imposed
<b>Date of effect</b>	15 May 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 Support Workers in Care at Home Service, for a period of 4 years.
3. to place a condition on your registration, on the part of the Register for Support Workers in Care at Home Service, which you must meet within 3 months of commencing new employment.

### Findings of fact

We decided there is evidence that while employed as a Social Care Worker at Caledonia Social Care (West), and during the course of that employment, you did:

1. in relation to service user AA:
  - a. between 12 May and 19 May 2022 borrow £70 from AA and only repay £10

- b. on exact date unknown between on or around January 2022 and on or around May 2022, arrange to attend a [information redacted] event with AA out with scheduled support times and without the knowledge or authorisation from Caledonia Social Care (West)
- c. on exact date unknown between on or around January 2022 and on or around May 2022, contact AA using your personal mobile number without the knowledge or authorisation from Caledonia Social Care (West)

2. in relation to service user BB:

- a. visit BB out with scheduled supported times on 20 May 2022 & 25 May 2022
- b. arrange for [information redacted] to carry out grass cutting and painting at BB's house
- c. by your actions as detailed at 2b. breach your employer's Handbook for Care at Home Employees Policy
- d. on an exact date unknown between on or around December 2021 and on or around May 2022, borrow £250 from BB and fail to repay

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 are expected to maintain professional boundaries. You admit to attending a social event with AA and contacting AA with your personal mobile phone. You also admit to attending service user BB's home outside of your working hours. Attending service users' homes and contacting them outside the remit of your employment blurs the boundaries of what is and isn't appropriate from a social care worker and places the service users at risk of emotional dependence on the additional support. The behaviour also has the potential to damage relationships between the service users and other care workers as your actions are likely to create confusion in the minds of the service users as to what level of care they should expect from social service workers.

- b. Social service workers are expected to not abuse the trust of people who use services or the access they have to their personal information or property. You borrowed money from both AA and BB, this was an abuse of your position of trust. Your actions resulted in financial harm to the service users concerned.
  - c. Social service workers should not exploit people who use services. You admit to allowing [information redacted] to carry out work for BB in exchange for payment. Your behaviour overstepped professional boundaries and exploited a vulnerable service user's good nature for [information redacted] financial gain.
  - d. Although you have provided some comments to the SSSC, they are limited and you have failed to show remorse, regret and insight into your behaviour. We have therefore concluded there is a real risk of repetition.
  - e. Although you had only worked in social care for a relatively short period of time, you were well aware of your employer's policies and procedures particularly in relation to accepting money and acceptable boundaries and yet have still proceeded to overstep these.
  - f. There is a public interest in maintaining trust and confidence in the register and upholding proper standards of behaviour in the profession. Your behaviour damages the reputation of the profession and needs to be marked as unacceptable.
2. You have failed to follow parts 2.1, 2.2, 2.4, 2.7, 3.3, 3.6, 3.7, 4.2, 4.3, 5.1, 5.3, 5.4, 5.7, 5.8, 6.1, 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 four years and the condition set out below.

### **The condition**

The condition placed on your registration is:

1. You must tell your employer of these conditions within seven days of them coming into effect or within seven days of commencing in a role that is registerable with the SSSC.
2. If you commence employment with an agency, you must tell your agency supervisor as well as the agency you are employed with, within seven days of these conditions coming into effect.
3. Within seven days of meeting condition one or two above you must provide evidence countersigned by your employer or agency that they are aware of the conditions placed your registration. Within three months of these conditions coming into effect, you must provide a reflective account to the SSSC and include the following points:
  - a. Reflection upon your actions and what you should have done differently in relation to borrowing money from service users.
  - b. Your understanding of why it is important to adhere to professional boundaries and how your behaviour breached these boundaries.
  - c. Reflection upon why your behaviour was unacceptable in line with the SSSC Codes of Practice.
  - d. How your behaviour could be seen as harmful and could undermine the trust and confidence in you as a social service worker caring for vulnerable people, as well as the reputation of the profession in relation to:
    - i. Borrowing money from service users
    - ii. Breaching professional boundaries
  - e. What you have learned through the fitness to practise process and how you will reassure the SSSC these behaviours will not be repeated.

### **Reasons for the sanction**

When making our decision we considered the following factors:

#### **Factors of concern**

- Although you have admitted to the behaviour, you have failed to demonstrate any insight, remorse, regret or apology for your behaviour.
- The behaviour occurred while you were carrying out your duties as a social care worker. You also contacted service users outside your remit of carrying out care.

- There is a pattern of concerning behaviour in that you acted in a similar manner with more than one service user.
- You borrowed money from service users and failed to pay this back. This placed the service users involved at a financial disadvantage for your own financial gain.
- You abused the position of trust of vulnerable service users, service users you were responsible for protecting against this type of behaviour.

### **Factors in your favour**

- Although your comments were sparse, you have cooperated to some extent with the SSSC investigation.

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

We wrote to you on 2 April 2024 to tell you we wanted to place a warning and condition 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 and condition on your registration.

### **Date of effect**

The notice comes into effect on 15 May 2024.

