

Notice of Decision

Registrant	Scott Campbell
Registration number	3075148
Part of Register	Residential Child Care Workers Support Workers in a Housing Support Service Support Workers in Care at Home Service
Town of employment	Elgin
Sanction	Removal
Date of effect	10 February 2022

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 impose a Removal Order removing your registration from the part of the SSSC Register for Residential Child Care Workers, Support Workers in a Housing Support Service and Support Workers in a Care at Home Service.

Findings of fact

We decided there is evidence that

1. on 27 June 2019, at Elgin Sheriff Court, you were convicted of offences, namely that on 8 March 2019 at REDACTED, Elgin you did:
 - a. assault REDACTED and push her onto a bed, repeatedly hold a pillow over her head and hold a duvet over her head and it will be proved in terms of section 1 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 that the aforesaid offence was aggravated by involving abuse of REDACTED

- b. 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 and swear and prevent REDACTED from leaving a bedroom, contrary to section 38(1) of the Criminal Justice and Licensing (Scotland) Act 2010 and it will be proved in terms of section 1 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 that the aforesaid offence was aggravated by involving abuse of REDACTED
- 2. on 7 June 2021, at Inverness Sheriff Court, you were convicted of offences, namely that you did:
 - a. on various occasions between 30 May and 9 June 2019, both dates inclusive, engage in a course of conduct which caused REDACTED, fear or alarm in that you did enter the property uninvited, fail to leave when asked to do so, act in an aggressive manner towards her and loiter outside of the property and on another occasion enter the property uninvited, REDACTED; contrary to section 39(1) of the Criminal Justice and Licensing (Scotland) Act 2010; you did commit this offence while on bail on 8 March, 3 April and 5 April 2019 at Elgin Sheriff Court and it will be proved in terms of section 1 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 that the aforesaid offence was aggravated by involving abuse of REDACTED
 - b. you being an accused person and having being granted bail on 27 December 2019 at Elgin Sheriff Court in terms of the Criminal Procedure (Scotland) Act 1995 and being subject to the condition inter alia that you do not enter or seek to enter REDACTED and that you do not approach or contact REDACTED in any way did on 27 December 2019 fail without reasonable excuse to comply with said condition in respect that you did enter REDACTED and attempt to approach or contact REDACTED contrary to the Criminal Procedure (Scotland) Act 1995, Section 27 (1) (b); you did commit this offence while on bail, having being granted bail on 25 June 2019 at Elgin Sheriff Court and it will be proved in terms of section 1 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 that the aforesaid offence was aggravated by involving abuse of REDACTED that the aforesaid offence was aggravated by involving abuse of REDACTED

and in light of the above your fitness to practise is impaired because of your convictions as set out in allegations 1 and 2.

Reasons for finding your fitness to practise has been impaired

1. Your fitness to practise is impaired because:
 - a. Social service workers must not behave while in or outside work in a way which would bring their suitability to work in social services into question. You have been convicted of crimes of violence and threatening behaviour. This calls into question your suitability to work in social services as it demonstrates that you are willing to place other people at risk of harm and indicates a loss of self-control. The behaviours fall far short of the standards of practice expected from social services workers and call into question your character and conduct.
 - b. The convictions for aggravated assault, stalking, breach of bail and threatening behaviour towards REDACTED which took place outside work are very serious. Your repeated violent, abusive and threatening behaviours demonstrate persistent contempt for the safety, rights and dignity of others and are examples of behaviours which are fundamentally incompatible with professional registration.
 - c. The repeated breach of bail conditions demonstrates that you are not reliable and dependable and that you have a disregard for the law and the legal process.
 - d. You have not engaged with the SSSC, and we cannot be satisfied that the behaviours will not be repeated. You have not shown any awareness, remorse or insight into your behaviours nor indicated that you should have behaved differently.
 - e. Your continued registration without any finding of impairment to your fitness to practise would undermine public confidence in the social service profession, the SSSC as regulator and the integrity of the Register.
2. You have failed to follow parts 2.4, 5.7 and 5.8 of the SSSC Code of Practice for Social Service Workers in force from 1 November 2016.

Sanction

After referring to our Decisions Guidance, we decided to impose a Removal Order, removing your registration from the SSSC Register.

Reasons for the sanction

When making our decision we considered the following factors:

Factors of concern

- Your violent and threatening behaviours were abusive and caused harm
- The behaviours happened over several months in 2019 which indicates a pattern of deliberate actions
- You have not engaged meaningfully with the SSSC investigation, and we cannot be satisfied that your behaviours will not be repeated
- You have not shown awareness, remorse or insight into your behaviours and we do not know whether your attitudes/values have changed towards these behaviours which are not easily remediable
- You have failed to uphold the standards of practice set out in the Codes of Practice which presents a risk to public protection and damage to the reputation of the profession. Your behaviour is fundamentally incompatible with professional registration.

Factors in your favour

- You have not previously been found to have committed misconduct or that your fitness to practise was impaired.

Reasons why other sanctions are not appropriate

- A warning would not be appropriate as it would not reflect the seriousness of the behaviours or address the risk to others and the need to protect the public.
- A condition would not be appropriate given the seriousness of the behaviours and your lack of insight and reflection. The types of behaviour at issue are not the types of behaviour which conditions would rectify. You are not currently working in the sector.
- A warning plus conditions would not be appropriate due to the reasons outlined above.
- A Suspension Order would not be appropriate as your behaviour/impairment of your fitness to practice is fundamentally

incompatible with continuing registration. There is no evidence a period of suspension would allow you to remedy the cause of the impairment of your fitness to practice.

- For the reasons outlined above a Suspension Order plus conditions would not be appropriate.
- The SSSC considers a Removal Order is the most appropriate sanction as it is both necessary and justified in the public interest and to maintain the continuing trust and confidence in the social service profession and the SSSC as the regulator of the profession.

Documents we have referred to

- The 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 Removal Order

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 Removal Order if you do not ask for a hearing before a Fitness to Practise Panel.

We wrote to you on 10 December 2021 to tell you we wanted to place a Removal Order on your registration. After explaining the consequences and recommending you take legal advice, you have not asked for the case to be referred to a Fitness to Practise Panel. We are therefore permitted by the Rules to impose this Removal Order.

Date of effect

The notice comes into effect on 10 February 2022.