

Notice of Decision

Registrant	Richard McCaig
Registration number	4090739
Part of Register	Social care worker
Town of employment	Paisley
Sanction	Removal
Date of effect	19 April 2025

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 social care worker.

Findings of fact

We decided there is evidence that:

While employed as a Senior Support Worker by The Richmond Fellowship Scotland Limited at [information redacted], Paisley, you did:

1. on or around 23 February 2024, in respect of service user AA who lives with [information redacted], with authorisation, withdraw £300 from AA's bank account, with the express purpose of providing this money to AA, and did thereafter fail to deliver this money to AA

2. between around 23 February 2024 and 26 February 2024, use the funds that you failed to deliver to AA, as described above, for your own personal use, namely, to [information redacted].
 3. on or around 26 February 2024, at the [information redacted], Paisley, without authorisation access the service's money tin, commonly referred to as the '[information redacted]', which holds funds for the express purpose of paying for service users' activities, and did thereafter without authorisation, remove a sum of £200 from the service's money tin
 4. by your actions at allegations 1-3, act dishonestly
 5. on or around 21 February 2024, at the '[information redacted]', Paisley, with authorisation, cash a cheque for a sum of £150, from an account belonging to your employer, commonly referred to as the '[information redacted]', with the express purpose of depositing this money into the petty cash tin at the [information redacted] and did thereafter fail to deposit the withdrawn money from the bank into the service's petty cash tin
 6. on or around 21 February 2024, fail to log the cash withdrawal of a sum of £150 from the [information redacted] in the service's petty cash expenditure book
- and your fitness to practise is impaired because of your misconduct as set out in allegations 1.-6.

Reasons for finding your fitness to practise has been impaired

1. Your fitness to practise is impaired because:
 - a. Social service workers are expected to behave in a way, while inside or outside of work, which does not bring their suitability to work in the sector into question. Social service workers must be trustworthy,

honest and dependable. Social service workers must safeguard the wellbeing of the people who use the service. Social service workers must not abuse their position of trust and take advantage of the people who use the services.

- b. You were entrusted with managing the money of vulnerable service users. You failed to uphold the trust placed into you and did not follow your employer's procedure for managing the money of service user AA. You abused your position of trust and spent AA's money to [information redacted]. Honesty and integrity are core values of the social services profession. Your behaviour raises serious concerns about your underlying values, integrity and dependability.
 - c. You failed to follow relevant standards of practise in relation to your employer's petty cash account and failed to properly record the cash withdrawal. There is no evidence that you took that money for your own purposes however this was a failing in your practise to record and account properly for service user funds.
 - d. The behaviour was very serious, especially in relation to service user AA. Your actions were deliberate and you attempted to conceal them, although you did make admissions to your colleagues when it was noted that cash had gone missing from the service's money tin.
 - e. You have failed to engage with the SSSC and there is no evidence that you intend to remedy your behaviour. The SSSC is concerned that if you were not found to have your fitness to practise impaired, your behaviour may be repeated. Repeated behaviour would place vulnerable service users at risk of harm. Your behaviour falls below the expected standards from a social services worker and the SSSC is expected to reaffirm the standards of the profession.
2. You have failed to follow parts 2.1, 2.4, 2.5, 3.7, 3.10, 5.1, 5.2, 5.3, 5.7, 5.8, 6.1 and 6.3 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 behaviour took place during your course of employment in the social services sector and involved a vulnerable service user's money
- Your behaviour raises concerns about your underlying values and integrity
- You have failed to engage with the SSSC investigation
- You have not remedied the behaviour
- You initially attempted to conceal your actions.

Factors in your favour

- You had 2.5 years of positive history in the social services sector. Colleagues spoke positively about your practice prior to the misconduct
- This was an isolated incident during your employment
- You did make frank admissions and said that you had intended to replace the money when it was discovered that cash had gone missing from the service's money tin
- You expressed regret and remorse for your actions during your employer's investigation.

Reasons why other sanctions are not appropriate

- A warning would not be appropriate as your behaviour is very serious. You have failed to engage with the SSSC and the behaviour has not been remedied. The SSSC is concerned that the behaviour may be repeated. A

warning would give no protection to the people who use the services.

- A condition would not be appropriate because there are no conditions which could be placed on you which would address why your fitness to practise is impaired. Your behaviour is very serious and has not been remedied. There is no evidence to suggest that you would comply with any condition placed on you by the SSSC.
- A warning plus conditions would not be appropriate due to the reasons outlined above.
- A Suspension Order would not be appropriate as your behaviour is fundamentally incompatible with continuing registration. You have not engaged with the SSSC investigation, therefore, there is no evidence that a period of suspension would allow you to remedy the cause of the impairment of your fitness to practise.
- 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 6 March 2025 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 19 April 2025.