

Notice of Decision

Registrant	Yvonne Morrison
Registration number	3028288
Part of Register	Support Workers in a Housing Support Service Support Workers in a Care at Home Service
Town of employment	Aberdeen
Sanction	Warning to stay on your registration for a period of 18 months
Date of effect	5 April 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 a Housing Support Service and Support Workers in a Care at Home Service for a period of 18 months.

Findings of fact

1. We decided there is evidence that between 10 August 2020 and 1 June 2022 while employed as a Support Worker by Mears Supported Living Limited at Mears Supported Living – Aberdeenshire in MacDuff, and during the course of that employment you did:
 - a. on or around 30 May 2022, allow [information redacted], who was not employed by your employer, to drive you and service user AA to and from a fitness class without authorisation

- b. on various unknown dates, allow [information redacted] to drive you and AA to and from activities for AA without authorisation
- c. on a date unknown, tell AA not to tell other members of staff about allegation 1.b. above
- d. on a date unknown, attend a personal hairdressing appointment with AA during working hours and not as part of a scheduled activity for AA
- e. on or around 1 June 2022:
 - i. attend a personal nail and eyebrow appointment with AA during working hours and not as part of a scheduled activity for AA
 - ii. in relation to attending the personal appointments at allegations 1.d and 1.e.i. above, tell AA “don’t say anything to staff, as anything they don’t know won’t harm them” or words to that effect
- f. your actions at allegations 1.c and 1.e.ii above were dishonest in that you attempted to conceal that you attended personal appointments with AA during working hours and that [information redacted] was driving you and AA to and from AA’s activities

and in light of the above 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 care for service users, act in their best interests and protect them from harm. They are also expected to understand and respect the imbalance of power in the relationship of a social service worker and a service user, not to exploit this and ensure that professional boundaries are maintained.
 - b. There is a pattern of you allowing [information redacted] to drive you and a service user to and from activities when [information redacted] was not employed by your employer, and this was not authorised. Employers, service users and the public place complete reliance on social service

workers to care for vulnerable people and protect them from harm. Social service workers are only employed in this role when employers are satisfied that they are suitable to carry out such a trusted role and appropriate checks have been carried out. You breached this trust by allowing [information redacted] to regularly be in the company of a vulnerable service user, even though he was not employed by your employer and therefore no appropriate checks had been carried out in relation to him working with vulnerable people.

- c. There is some information to suggest that previous management may have authorised [information redacted] to drive you and AA prior to these allegations. However, this appears to have been only for a specific period and for a specific purpose. You appear to have carried on this arrangement informally. Your position is that you thought your employer knew about this and had no issue with it. Your former employer has acknowledged that previous management may have “turned a blind eye” to this. This must be borne in mind. However, you did not have authorisation to continue this arrangement during this period and chose to do so.
- d. You also attended two personal appointments during your working hours with AA, when these were not part of an activity scheduled for AA. This included a hair, nails and eyebrows appointment. [information redacted] Staff are employed to support AA in the activities that she wants to do and encourage her independence. By attending these personal appointments with AA during your working hours your actions have been completely contrary to her care plan. Instead of supporting AA with activities she enjoys you have used this time for your own personal benefit. This may be considered as exploiting AA’s kind nature and is completely contrary to the support you ought to have provided, as set out in AA’s care plan.
- e. Social service workers are also expected to act honestly and with integrity. You have thereafter been dishonest by telling AA not to tell staff about [information redacted] driving you both and you taking AA to your personal appointments. You did this to conceal your wrong-doing. The public must be able to place complete reliance on the integrity of social service workers. Dishonesty, particularly when associated with professional practice is serious because it undermines trust in social services.

- f. There is a pattern of behaviour. Your actions in allowing [information redacted] to drive you and a service user do not appear to have been carried out with the intention of causing harm however this is a concerning error in judgement. However, the fact this was previously authorised may have mistakenly led you to believe that there were no risks with this. Your actions in attending personal appointments shows a disregard for the service user and instead demonstrates you prioritising yourself potentially to her disadvantage. Overall, the behaviour is serious but is capable of being remediated.
- g. You have accepted some responsibility for most of the allegations. You admit that [information redacted] drove you and AA, but you deny that this was unauthorised. You also accept attending personal appointments on the occasions detailed above but state that AA agreed to this. You stated you intended to cancel these, but the service user wanted to come. [information redacted] As a social service worker, you are expected to encourage service users to make their own choices and ought to have been aware that this was not an appropriate use of AA's supported time, regardless of whether she agreed to this. You have accepted in hindsight that you shouldn't have attended these appointments with AA. You also accept that you told AA not to tell staff about these allegations. However, you have expressed limited regret/apology and reassurance that you understand why your actions were wrong.
- h. You have worked in the care sector for at least 10 years in previous roles and there have been no previous findings of misconduct or impairment of your fitness to practice. The most recent allegations occurred over 18 months ago. You have gained new employment in the care sector since then and have worked during this period with no further concerns. Positive references have been provided by your current employer and a colleague.
- i. Following these incidents, you were subject to a Temporary Conditions Order (TCO) for a period of 9 months during the SSSC investigation. Part of this involved having supervision with your new employer every 4 weeks and submitting the notes to the SSSC. The supervisions should included discussions around professional boundaries, the power of the your role and service user independence.
- j. While there is limited acknowledgment of wrong-doing/insight, your previous history, the length of time since the behaviour occurred and your good practise and co-operation with the TCO in the meantime suggests there is a low risk of the behaviour being repeated. However, a reasonable

member of the public would be concerned if no action were taken. There is a need to uphold clear standards of conduct and practice and mark the behaviour as unacceptable.

- k. In relation to findings of fact 1a-f above you have failed to follow parts 1.1, 1.2, 2.1, 2.2, 2.4, 3.1, 3.10, 5.2, 5.3, 5.4, 5.7, 5.8 and 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 18 months.

Reasons for the sanction

When making our decision we considered the following factors:

Factors of concern

- There was a pattern of behaviour
- While you have admitted some of the behaviour you have expressed limited apology or insight
- Using a service user's time to attend personal appointments is an abuse of trust
- You were dishonest to conceal your wrong-doing
- The behaviour occurred at work when your obligations as a social service worker should have been at the forefront of your mind

Factors in your favour

- You have extensive experience working in the care sector and no previous findings of misconduct or impairment of your fitness to practise
- The most recent behaviour occurred over 18 months ago. You have worked in the care sector since then with no evidence of further concerns regarding your practise
- You have fully co-operated with the SSSC's investigation, including complying with the terms of a TCO for 9 months

- Positive references have been provided by your current employer and a colleague.

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

We wrote to you on 21 February 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 5 April 2024.