

## Notice of Decision

<b>Registrant</b>	Kath Meiklejohn
<b>Registration number</b>	3022279
<b>Part of Register</b>	Practitioners in a Care Home Service for Adults
<b>Town of employment</b>	Portlethen
<b>Sanction</b>	Warning to stay on your registration for a period of 24 months
<b>Date of effect</b>	3 June 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 place a warning on your registration, on the part of the Register for Practitioners in a Care Home Service for Adults, for a period of 2 years

### Findings of fact

We decided there is evidence that:

While employed as a Support Worker by Cornerstone, at [redacted] in Stonehaven, and during the course of that employment, you did:

1. on or around 12 April 2018 when hoisting service user AA:
  - a. say to AA 'AA for God sake sit up' or words to that effect
2. on dates unknown in or around 2016 in relation to service user AA:
  - a. grab AA's arm and say 'stop scratching' or words to that effect
  - b. when providing personal care to AA grab AA's left arm roughly and pin to her side

- c. by your actions at 2.b cause AA pain
- d. when moving AA:
  - i. grab AA's wrist
  - ii. put your fingers into AA's hips
- 3. on a date in or around 2017, when service user AA said good morning to you:
  - a. say 'God sake AA, I said good morning to you when I came in' or words to that effect
  - b. by your actions at 3.a, cause AA distress
- 4. on various date(s) unknown between in or around May 2016 and in or around May 2018 while service user BB was eating:
  - a. grab BB's wrists and take her spoon away from her
  - b. when BB apologised for nipping you, say to BB 'I'm not forgiving you' or words to that effect
  - c. say to BB 'take a drink or you're not getting your tea' or words to that effect
- 5. on dates unknown when BB was refusing to go to the toilet:
  - a. say to BB 'if you don't go to the toilet you will not get your cake or your day off' or words to that effect
  - b. by your actions at 5a above cause BB distress
- 6. on a date in or around April 2018 when service user EE, living with cerebral palsy, apologised to you for her behaviour say 'so you should be' or words to that effect
- 7. on a date unknown between May 2016 and May 2018 :
  - a. say in front of service user EE, living with cerebral palsy, 'you're eating like a pig' or words to that effect
  - b. by your actions at 7a. above cause EE distress

While employed as a Care Assistant by Cornerstone at [redacted] in Portlethen and during the course of that employment, you did:

- 8. on or around 18 June 2019 in relation to service user FF
  - a. administer FF's evening medication in the morning
  - b. fail to seek medical advice after your actions in 8a

9. on more than one occasion between in or around May 2019 and in or around October 2019, in relation to service user GG who is on a pureed diet and at risk of choking:
  - a. attempt to rush GG while feeding her
  - b. blend GG's foods together rather than blending each separately as required by GG's dietary guidelines
  - c. feed GG spaghetti and sweets which were not cut up or mashed enough as recommended by GG's dietician
10. between 11 January 2020 and 12 January 2020
  - a. fail to check FF's medication was the correct dose prior to administering
  - b. as a result of your actions at 10a above administer FF 200mg of Epilim on two occasions instead of the prescribed dose of 100mg

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 worker must not abuse, neglect or harm people who use services and must respect and maintain their dignity. On multiple occasions you have treated service users in a manner that has caused them emotional and physical harm. Your attitude towards service user AA was rude and dismissive. You said to a service user on more than one occasion that they couldn't do or get something if they didn't do what you wanted them to do. In addition to this you failed to prepare a service user's foods in line with their dietary guidelines. This behaviour falls far below the standard expected of a worker trusted to provide support to vulnerable people who have no option but to rely on workers to meet their basic needs.
  - b. Social services workers must meet relevant standards of practice and must not put themselves or other people at unnecessary risk. There are multiple concerns about your handling of service users. There are concerns that you have provided rough and unsafe care which put service users at risk of harm. You have rushed through the care of a service user rather supporting them with patience and understanding. You put a service user at risk of choking by failing to ensure her food was prepared in line with her dietary requirements. You have also made medication errors which put the service user at risk of harm and put them at further risk by failing to seek medical advice when you realised your error.

- c. Your actions were serious. Your actions fall into two main categories which are your attitude towards and treatment of service users, and medication errors. There are eight instances where you have been rude, dismissive or physically abusive towards service users or have attempted to rush through care. These raise serious concerns about your values. Your behaviour demonstrates a prolonged period of putting service users at risk of emotional and physical harm.
  - d. There is a pattern of repeated behaviour which falls below the standards expected of a social service worker. In relation to your actions while you were employed at [redacted] you have expressed very little in the way of insight. You attempt to justify and minimise your behaviour with the exception of your comment about how the service user eats which you apologised for. You have however demonstrated reflection and insight into the more recent behaviour at [redacted] and your employer carried out a period of increased supervision which has provided positive feedback on your current practice. Although the period of 2 years good practice goes some way to reducing the risk of repetition, the absence of insight into the more serious behaviour is concerning.
  - e. Although your current period of practice goes some way to lessening the public protection risk, it cannot be said that there is no ongoing risk due to the pattern of behaviour and level of seriousness of your actions. The SSSC has concerns that if the behaviour was to be repeated then service users will be placed at risk of physical and emotional harm. For that reason the behaviour must be marked as unacceptable in order to uphold the public confidence in the profession.
2. In relation to findings of fact 1-10 you have failed to follow parts 1.1, 1.2, 1.3, 1.4, 2.2, 2.4, 3.1, 5.1, 5.7, 5.8, 6.1 and 6.10 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 24 months.

### **Reasons for the sanction**

When making our decision we considered the following factors:

**Factors of concern**

- You have provided insight regret and apology for some of the allegations but not all. You have failed to demonstrate an understanding of the seriousness of your behaviours, particularly the handling of service user AA which required intervention by a colleague
- There is no suggestion that there was any specific circumstances that lead to your behaviours. They occurred over a prolonged period of time while carrying out your day-to-day duties
- All the behaviours occurred in work and were directed towards vulnerable people in your care
- There is a repeated pattern of behaviour over four years involving various service which falls below the standard expected
- Your behaviour resulted in physical and emotional harm of service users and there was also a serious risk of potential harm as a result of the medication errors

**Factors in your favour**

- You held registration for 1 year prior to the first incident with no previously reported concerns
- You have continued to work in the same role for two years since the most recent incident without any further issue
- Your employer has provided positive feedback on your recent practice
- You have engaged fully 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**

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 18 April 2022 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 3 June 2022.