

Notice of Decision

Registrant	Margaret Collins
Registration number	4003283
Part of Register	Support Workers in Care at Home Service
Town of employment	Glasgow
Sanction	Warning to stay on your registration for a period of 12 months
Date of effect	21 May 2021

This is notice of a decision made by 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
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 **12 months**.

Findings of Fact

We decided that there is evidence that:

While employed as a Home Carer by Clyde Healthcare Limited, Glasgow and during the course of that employment you did:

1. on or around 10 July 2019 in relation to service user AA you did:
 - a. fail to attend to AA's tea call between 4:45pm and 5:45pm;
 - b. when questioned by your employer about your failure to attend AA's property between 4:45pm and 5:45pm, tell your employer that you had attended AA's property when this was not the case;

- c. by your actions at 1.b. above act dishonestly.
2. on or around 10 July 2019 in relation to service user BB, fail to attend to BB's after dinner call between 4:30pm and 6:30pm

and in light of the above, your fitness to practise is impaired due to your misconduct as detailed at 1 and 2 above.

Reasons for the finding that your fitness to practise is impaired

1. Your fitness to practise is impaired because:

- social service workers are expected to be reliable and dependable. It is expected that you will support vulnerable service users and meet the relevant standards of practise. On separate occasions you failed to attend to support AA and BB. Your behaviour placed AA and BB at risk of potential harm and resulted in them not receiving the required support including medication administration and meal preparation.
- social service workers are expected to open, honest and trustworthy. When asked by your employer if you had attended to support AA in the evening, you advised that you had, when you knew or reasonably ought to have known that this was not the case. Your actions breached the trust and confidence placed in you by your employer and the SSSC as your regulator.
- although the behaviour occurred twice on the same shift, it has been assessed that this was an isolated incident, rather than an emerging pattern of misconduct. You advised that you found this particular shift to be busy, and overwhelming. You did not inform your employer of this at the time, and they advised that they were unaware of any issues occurring specifically on this shift.
- while your behaviour occurred 18 months ago, it is of concern that you failed to be fully open and honest about your behaviour when questioned by your employer. As a result, your behaviour falls below the standards expected of social service workers. There is a need to reaffirm the standards of practise expected of social service workers and mark this behaviour as unacceptable. If no action were taken, the public would be of the opinion that there were no concerns with your

practise, when this is not the case.

2. In relation to findings of fact at 1 and 2 above, you have failed to follow parts 2.1, 2.2, 2.4, 2.5, 5.1, 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 that the appropriate sanction is to place a warning on your registration for a period of **12 months**.

Reasons for the sanction

When making our decision we considered the following factors:

Factors of concern

- Your actions meant that no welfare checks were carried out for AA and BB and that you were not present to assist AA and BB with medication administration and meal preparation. There was no prolonged harm, but there was potential for serious harm to both service users
- You were not open and honest about your actions with your employer. You attempted to conceal your wrongdoing from your employer.

Factors in your favour

- You have a previously good history with the SSSC
- It has been 18 months since the behaviour took place. You have remained in the sector and there have been no further concerns
- You have engaged with the SSSC investigation and provided comments demonstrating some insight, remorse and reflection into your behaviour
- This was an isolated incident.

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
- Decisions Guidance for Fitness to Practise Panels and Scottish Social Service Council staff.

Acceptance of the warning

Having been advised of the consequences of accepting or not accepting the **warning**, and recommended to take legal advice, you admitted that your fitness to practise is impaired and accepted the **12-month warning** on 23 April 2021.

Date of effect

The notice comes into effect on 21 May 2021.