

Imposing a sanction Removal Orders

This factsheet is to help you understand the consequences of imposing a Removal Order and to help you to decide whether to ask for a hearing.

We have finished our investigation about your fitness to practise. Based on the information we have obtained we have decided that your fitness to practise is impaired and that a Removal Order is appropriate.

If you don't do anything, we will impose the Removal Order.

If you think we are wrong to impose a Removal Order, you should ask us to hold a Fitness to Practise Panel hearing where an independent panel will decide whether to impose a sanction.

This factsheet explains both of your options.

The draft Notice of Decision

We will send you a draft of our Notice of Decision. This will say what the allegations are and the reasons why we think that your conduct, professional practice or health affects your fitness to practise. We will ask you if you want a hearing so a Fitness to Practise Panel can decide whether to impose a Removal Order.

We are committed to promoting equality and valuing diversity.

We want our processes to be fair, transparent and objective.

Please contact the person who sent you this factsheet if you need this document in a different format or to discuss how we can help you further.

We want to know if you are affected by illness, disability or any other factor which may fall into the category of protected characteristics and that may impact on our investigation process in any way.

Protected characteristics can mean, age, disability, gender reassignment, marriage and civil partner, pregnancy, race, religion, sexual orientation, according to the Equality Act 2010.

Imposing a Removal Order has serious consequences for you and your career. You can ask for a hearing if you want one.

We recommend that you read this leaflet carefully and get independent advice before deciding what to do.

For more information see Factsheet 5 about where to find help and advice.

What happens if you do not ask for a hearing?

If you do not ask for a hearing within 28 days of our letter, we will start the process of removing you from our Register. We will send a copy of the final Notice of Decision to:

- you
- the person who made the allegation, and
- your employer or university.

Appeal

You have 14 days from the date you receive the Notice of Decision to appeal against it to the Sheriff Court, even if you did not ask for a hearing.

The decision will come into effect after the 14-day appeal period or at the end of any unsuccessful appeal. If your appeal is successful, the decision will not come into effect.

What happens if you ask for a hearing?

If you decide you want a hearing, you should tell your caseholder as soon as possible and they will arrange a Fitness to Practice Panel hearing.

The Panel will hear evidence and make an independent decision about your fitness to practise. If they find that it is impaired, they will decide whether to impose a Removal Order.

The Panel can decide to impose a different sanction or decide not to impose a sanction.

Effects of a Removal Order

You will be removed from our Register and it will be an offence for an employer to employ you in any role that needs registration.

If in the future you want to work in a post which needs registration, you must apply to be restored. The earliest you can apply to be restored to our Register is three years after the date your registration was removed unless it was because of your health. In this case, you can apply to be restored at any time.

We will always take a Removal Order and the reasons for it into account when we decide on any future application for restoration.

Publicity

Our Public Information Policy is on our website and gives more information on how we publicise our decisions.

Investigation stage

While we are investigating a worker's case there is no public record or marker of this.

Temporary Orders

Workers subject to a current Temporary Order are listed on our website. If the order is a Temporary Suspension Order the worker's status on our Register will change to 'temporarily suspended'.

Hearings

We publish information about our impairment hearings in advance. This includes a summary of the allegations.

Decisions

We publish all Notices of Decision (accepted by the worker or made by a Panel) on our website. Health and other sensitive information may be withheld. The media read our website and may report on any decision published.

We may also give Disclosure Scotland information in line with the Protection of Vulnerable Groups (Scotland) Act 2010.

More information

You can find more information about our fitness to practise processes on our website: [sssc.uk.com](https://www.sssc.uk.com)

You can also contact your caseholder.

You may also find these documents helpful:

- Scottish Social Services Council **The Combined Fitness to Practise Rules 2021**
- **Factsheet 5** about where to go for help and advice
- our **Decisions Guidance** about how we make decisions
- our **Hearings Guide**.

You can find all of these on our website: www.sssc.uk.com

If you would like a printed copy of any document, please contact your caseholder.