

Information for witnesses participating in an in-person hearing

This factsheet is designed to give witnesses practical information to help prepare for attending a hearing being held in person.

We are committed to promoting equality and valuing diversity and want our processes to be fair, transparent and objective. So please tell us if you:

- need this Factsheet in a different format or to discuss how we can help you access it
- are affected by illness, disability or any other factor which may fall into the category of protected characteristics and that may impact on our investigatory and/or hearing processes in any way.

Protected characteristics can mean age, disability, gender reassignment, marriage and civil partner, pregnancy, race, religion and sexual orientation.

What types of hearing do we have?

There are four types of hearing.

- A Fitness to Practise Panel Application hearing is where the Panel consider the fitness to practise of a worker applying to be registered and decide whether to grant their application.
- A Fitness to Practise Panel Impairment hearing is where the Panel decide whether a registered worker's fitness to practise is impaired, and if so, what sanction should be imposed.
- A Fitness to Practise Panel Restoration hearing is where the Panel decide whether a former registered worker's application to be restored to our Register should be granted.
- A Fitness to Practise Panel Temporary Order hearing is where the Panel decide whether a Temporary Order should be imposed on a worker's registration while we carry out our investigation.

Who participates in our hearings?

The following parties are involved in our hearings:

- The registered worker/person applying to be registered/restored to the register, and their representative/supporter (if they have one).
- The presenter, a solicitor who will present the SSSC's case.
- A Hearing Clerk who makes sure the hearing process runs smoothly.
- The Panel. This includes a Legally Qualified Chair (LQC), a social services member and a lay member. The LQC is a qualified solicitor or advocate who will lead the hearing. The social services member will have experience of working in social services and is registered with us. The lay member is not and has not been involved in social services work in the past five years.

Other witnesses may also be involved in the hearing who may have been asked to participate by either the SSSC or the worker.

Members of the public and local and national media may attend if the hearing is held in public.

How are hearings held?

The majority of our hearings are now held remotely using Microsoft Teams. However, the hearing may take place in person in our offices in Dundee, or very occasionally at another location. The SSSC presenter will tell you how the hearing is going to take place when they contact you to ask you to give evidence at the hearing.

To watch a video about in-person hearings, please click here:

<https://youtu.be/zIA96vallrk>

Useful information about a hearing being held in person

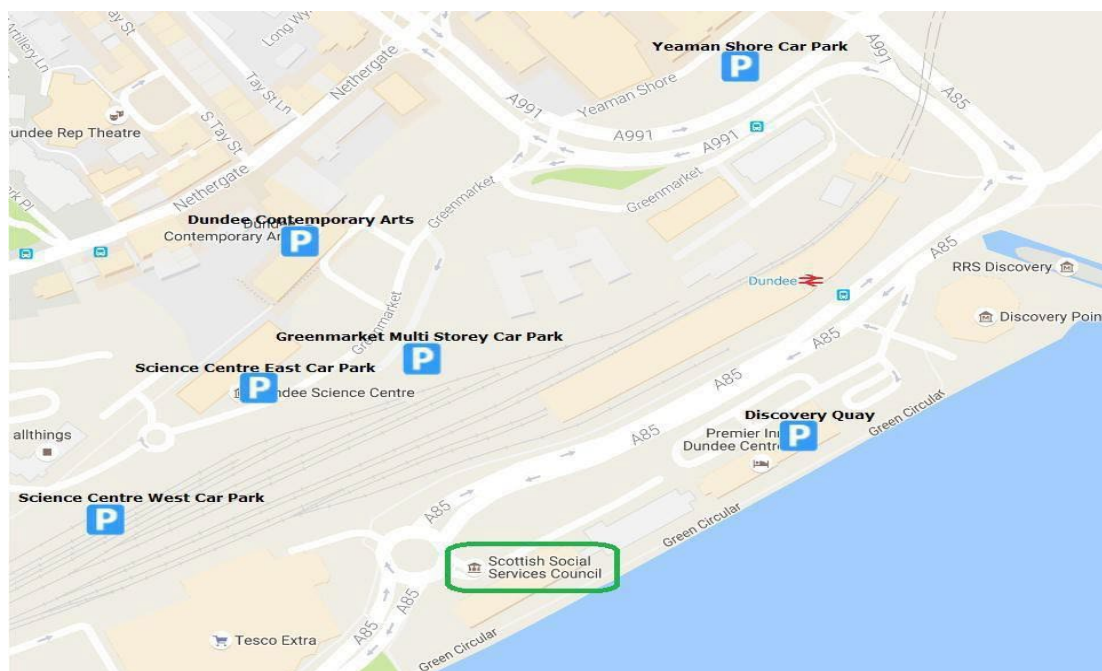
Most hearings taking place in person are held at our offices in Dundee. There is limited parking at our offices. There is a small car park at Discovery Quay with larger car parks at Yeaman's Shore and Greenmarket. These are on the map on the next page. For information, visit: www.dundee.gov.uk/visitorparking.

Directions

By car - please use this website: www.theaa.com/route-planner/index.jsp or contact the Hearing Clerk.

By train - Our offices are five minutes walking distance from Dundee railway station.

By bus - Our offices are a short taxi journey from Dundee bus station. Walking from the bus station will take approximately 15-20 minutes.



Arriving at our offices

When you arrive, you should go to reception and explain you are a witness for a hearing. You will be asked to sign in. You will then be directed to a waiting room. It is important that you do not discuss your evidence with any other witnesses while you are waiting to give evidence.

Once you have settled in, you will be greeted by a Hearing Clerk who will introduce themselves and answer any questions you may have. The SSSC presenter may also come along to meet you prior to the hearing beginning.

Facilities

Wi-Fi is freely available for you to use.

Toilets are in the main corridor outside the hearing rooms and there is a toilet in reception.

We will provide you with lunch. Please let the Hearing Clerk know if you have any dietary requirements.

All mobile phones must be switched off if possible.

Please speak to the Hearings Officer if you need to leave our offices while you are waiting.

Expenses

We can arrange your travel in advance of the hearing for you or reimburse your travel expenses in line with our staff subsistence policy. We ask you to use public transport wherever possible and will ask for receipts before making any payment.

You should return a completed expenses claim form as soon as possible after attending a hearing. Please ask the SSSC presenter or the Hearing Clerk for a copy of the form. We cannot reimburse you for any loss of earnings.

If you need overnight accommodation, you should discuss this with the SSSC presenter as soon as possible and arrangements can be made.

When do hearings take place?

The SSSC's presenter will write to you around 2 to 3 months before the hearing is scheduled to start to advise you of the hearing dates and when you are required to give evidence. Hearings usually take place between 10am and 5pm.

The SSSC's presenter will confirm when the hearing is taking place and the date and time you need to be available. Please note that this is only an estimation. Unexpected issues may arise which may result in a delay. In this event, the Hearing Clerk will try and keep you updated as best they can. The Panel will be aware that you are waiting and will do their best to hear your evidence on time wherever possible.

It is important that you advise us as soon as possible of any dates that you are unable to be available for otherwise we will assume that you can participate on the dates suggested.

If at any time you think you are unable to participate in a hearing, or you have any concerns about participating, you should contact the SSSC presenter as soon as possible. We can then discuss your particular circumstances. We may ask you for paperwork to confirm certain details, for example if you are ill or on holiday. We can consider alternative arrangements if you tell us as soon as possible.

Guidance for giving evidence at a hearing

Important: Giving evidence can feel stressful, especially if questions are firm or challenging. This guidance is intended to help you focus on your role, answer clearly and truthfully, and manage pressure during the hearing.

Your Role

You are here to tell the truth, not to argue, persuade, or "win". If your memory has changed since you gave your statement you should be honest about this during your evidence. Try to avoid expressing frustration or being sarcastic or

rude in your answers. Giving evidence is an important part of our processes, and your taking part is valued by everyone involved.

Giving evidence is usually divided into two parts. Firstly, there will be what is known as Examination-in-Chief. This is where the SSSC presenter will ask you questions. You may have already spoken with the SSSC presenter during the course of the SSSC's investigation.

After the Examination-in-Chief, the worker and/or their representative will be allowed to ask you questions. This is known as cross examination. Cross-examination is a normal part of the process. The person asking questions may challenge what you have said or suggest that your evidence is not true, but remember this is about testing evidence, not judging you personally.

Key Principles

Listen fully

- Wait for the whole question.
- Do not interrupt.
- If you don't understand, say so.

Answer only the question asked

- Keep answers short and factual.
- Do not volunteer extra information.
- Avoid explaining unless asked.

Stay calm

- Pause before answering — this is allowed.
- Breathe slowly if you feel tense.
- Focus on the question, not the tone.

What to Do When You Don't Know

Be honest

You should not guess the answer to a question. If you are not sure of the answer to a question, it is okay to say:

- "I don't know."
- "I don't remember."

- “Could you repeat the question?”

Handling Pressure

If the questioner seems confrontational

- Stay polite and respectful.
- Keep your voice steady.
- Do not argue or match their tone.
- Stick to your truth.
- Avoid sarcasm or frustration.

If you feel overwhelmed

- Take a breath.
- Look at the panel members/chair.
- Ask for the question to be repeated.
- Ask for a short break if needed.

Practical Tips for the Day

Before you begin

- Arrive early if it is in person, or log on early if it is a virtual hearing.
- Bring your glasses or hearing aids if you use them.

During evidence

- Sit comfortably.
- Speak slowly and clearly.
- Take your time — there is no rush.

Remember

- You are not on trial.
- You are not expected to be perfect.
- You are only expected to be honest, calm, and clear.

What should you wear?

You should wear clothes that you feel comfortable in when participating in the hearing. Our Fitness to Practise Panel hearings are a formal, legal process.

Can you have a supporter with you when you give your evidence?

You can have a person with you to support you while you wait to give evidence.

This cannot be the worker or another witness in the case. It is important that you do not discuss your evidence with any other person while you are waiting to give evidence.

The supporter may be able to sit in the hearing but sometimes the Panel may decide to hear all or part of a hearing in private. This might include your evidence and if so, the supporter may be asked to leave.

A supporter cannot speak during the hearing.

What should you have with you?

You should not have a copy of your statement with you in the hearing. The SSSC presenter may refer you to documents which can include your written statement. These will be made available during the hearing. If you would like a copy of your statement before the hearing, please contact the SSSC presenter.

How long will the hearing last?

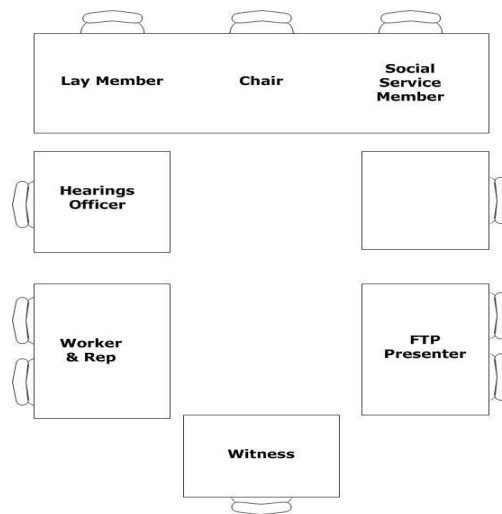
The length of a hearing varies from case to case. If the hearing is expected to last for several days, you are unlikely to be asked to participate every day. The SSSC presenter will confirm the exact date and time you are required to attend.

We do try to stagger the attendance of witnesses to reduce waiting times, but sometimes this is not possible. You can discuss your arrangements with the SSSC presenter.

What happens when you are giving evidence?

The Hearing Clerk will show you to the hearing room when it is time for you to give evidence. Our hearings are formal and your evidence will be audio recorded.

The layout of the hearing room will likely be as shown below:



The LQC of the Fitness to Practise Panel will explain to you what case is being heard and ask everyone to introduce themselves to you.

You will not be asked to take an oath, but you are expected to be honest when giving evidence. If you are a registered worker, you will also be reminded of your obligations under the SSSC Code of Practice for Social Service Workers to be honest and trustworthy.

You will be asked questions about what you saw and heard. You might be asked questions about your professional responsibilities. The SSSC presenter will ask you questions based on the statement you provided to us. You will be asked to give your name and you may be asked about your recent career history. If you have any concerns about the worker or members of the public hearing this information, please speak to the SSSC presenter about this before the hearing. The SSSC presenter may also show you documents, which can include your written statement and policies and procedures. They might ask you to comment on those too.

The worker or their representative will ask questions next. Their questions might suggest that you are mistaken about the circumstances or that your evidence is false. This is because they are entitled to cross examine (challenge) your evidence.

The Panel and LQC may also ask questions. They can ask questions about anything they think is important. They may also ask you questions about the worker's position if the worker is not present.

If you do not understand any of the questions, please ask for them to be repeated. We understand giving evidence may be difficult for you or that some time may have passed since the circumstances you are giving evidence about, but you should take your time to answer the questions truthfully. The Panel is

experienced at hearing evidence from witnesses and recognise that some questions may be more difficult to answer than others.

In some cases, you may be asked to leave the hearing room during your evidence. If this happens, please do not worry, it is not because you have done anything wrong but because the Panel need to discuss a particular matter before going on.

The Hearing Clerk will tell you where to wait until the Panel is ready to hear your evidence. It is important that you do not discuss your evidence with anyone else while you are waiting.

How long will it take to give evidence?

The time it takes to give your evidence will depend on how much information you have to tell the Panel and how many questions you are asked. We will try to make sure your evidence is completed on the day we have asked you to be available. Sometimes this is not possible, and we may ask you to be available on another day to complete your evidence.

After you have given evidence

When you have finished giving evidence, you may sit in the public seating area (if the hearing is in public) to listen to the rest of the hearing or you may leave the building. You should not discuss your evidence with any other witnesses involved in the hearing.

If you would like to speak with the SSSC presenter after giving your evidence, you should tell the Hearing Clerk who will be able to pass this message on. The Hearing Clerk will tell you where to wait.

When there is a break in the hearing, the SSSC presenter will speak to you. This may not happen immediately as the hearing may be continuing.

We cannot discuss the case or your role as a witness until the hearing has finished. If you wish to discuss the case, please contact the SSSC presenter after the hearing has finished.

Details of outcomes are on our website (where appropriate) under fitness to practise: www.sssc.uk.com.

If you wish, we can let you know when the decision is on our website so you can check the outcome.

Are hearings held in public?

We publish notice of impairment hearings on our website a week in advance and these hearings are usually held in public. This allows members of the public and the media, or any other person with an interest in the case to attend.

In certain circumstances, the Panel may decide to hear all or part of an impairment hearing in private, for example to protect a vulnerable witness or when a worker's health is discussed.

We do not publish notice of our Application, Restoration or Temporary Order hearings. These hearings are usually held in private.

Our Public Information Policy explains why we publicise our hearings and decisions and is on our website.

Will your name be made public?

Impairment hearings involving registered workers are usually held in public. This means the media may attend. We cannot control or influence what the media say in any of their reports. They may use your name and quote something you have said during your evidence in a public hearing.

Following an Impairment hearing, a version of the Panel's Notice of Decision will be published on our website. This notice is redacted and names of witnesses are anonymised and personal details of witnesses will be redacted.

When you might need support

We know that being a witness to an incident can be upsetting. Speaking about what you have witnessed so you can help us with our investigation can be difficult.

All our Hearing Clerks are trained Mental Health First Aiders. They will be your contact and provide support on the day of the hearing, including calling you after the hearing to discuss any concerns you might have.

If you would benefit from emotional support and practical advice at any time during our Fitness to Practise investigation, you can call our dedicated wellbeing line. This is an independent, free and confidential telephone service, available 24 hours a day, 7 days a week on 0808 169 4430 (or +44 141 271 7133 if you're calling from abroad).

Organisations providing support

The following independent organisations offer support for your wellbeing.

Breathing Space

A phone advice service offering emotional support.

Tel: 0800 83 85 87

Email: info@breathingspacescotland.co.uk

Web: www.breathingspace.scot

The Samaritans (Scotland)

A service offering listening and support to people in times of need.
www.samaritans.org/your-community/samaritans-work-scotland

Tel: 0131 116 123

Email: scotland@samaritans.org

NHS Inform

Get help with your mental wellbeing.

Web: <https://www.nhsinform.scot/healthy-living/mental-wellbeing/>

NHS Education for Scotland resources

Three short videos with information on mental health, how to maintain it and the things that can lead to mental distress or mental ill-health: 'Mental health improvement, self-harm and suicide prevention'.

Web: <https://learning.publichealthscotland.scot/course/view.php?id=620>

Wellbeing Scotland

Trauma and wellbeing services for those affected by childhood abuse and sexual exploitation.

Helpline: 01324 630100

Web: <https://www.wellbeingScotland.org/>

National Wellbeing Hub

The National Wellbeing Hub is a resource for people who work in health and social care.

Web: <https://wellbeinghub.scot/>

Tel: 0800 111 4191

Workforce Specialist Service

Workforce Specialist Service is a confidential mental health service for health and social care workers in Scotland.

Access online: <https://www.practitionerhealth.nhs.uk/regulated-nhs-care-staff-in-scotland>

Tel: 0300 0303 300

Victim Support Scotland

Helpline: 0800 160 1985

Web: victimsupport.scot

Other Resources

Students

Most universities and colleges offer a student advice and counselling service. You may find information about this on your university or college website or by speaking to your course leader or lecturer.

'Side Effects' video

Animation on the importance of looking after yourself as well as others.
<https://www.youtube.com/watch?app=desktop&v=wN5BqCKO9DY>

Sleepio app

Digital sleep programme.

Web: www.sleepio.com

Feeling Good app

Positive Mental Training audio programmes based on scientific research.

Web: www.feelinggood.app

You can find further information on our website: www.sssc.uk.com

If you would like a printed copy of any document, please contact the SSSC presenter.