

Notice of Decision

Part of Register	Residential Child Care Workers with Supervisory Responsibilities
Sanction	Warning to stay on her registration for a period of twelve months

This is notice of a decision of the Scottish Social Services Council (the Council).

Decision

The Council decided:

1. that there is evidence that the Registrant committed Misconduct, as defined in Rule 2(1) of Part 1 of the Scottish Social Services Council (Conduct) Rules 2013 (the Rules)
2. to impose a warning on her registration on the part of the Register for **Residential Child Care Workers with Supervisory Responsibilities** as maintained by the Council, for a period of **Twelve months**

Misconduct

The Misconduct is:

On or around [date] while employed as a Senior Residential Practitioner by [organisation] the Registrant did:-

- a. send to her colleague, AA, at their work email account from her personal email account an email which contained the phrase "Illegal immigrants just like sperm millions of bastards enter but only one fucker actually works!"

Reasons

The reason that this behaviour is considered to be Misconduct is:

- Service users have the right to expect that they will be treated with dignity and respect and protected from harm by social service workers in whom they and the public place have placed their trust and confidence.

In sending an email which contained discriminatory and prejudicial content this behaviour constituted exploitative, discriminatory, abusive behaviour which was

demeaning to the subjects of the communication and could have caused offence to colleagues

Code of Practice

The Parts of the Code of Practice for Social Service Workers that this behaviour breaches are:

- 1.6 Respecting diversity and different cultures and values.
- 2.2 Communicating in an appropriate, open, accurate and straightforward way;
- 2.4 Being reliable and dependable;
- 5.8 Behave in a way, in work or outside work, which would call into question your suitability to work in social services.

Sanction

Having regard to the document "Indicative Sanctions Guidance and Interim Orders: Guidance for Sub-committees" the Council decided that the appropriate sanction was the imposition of a warning on your registration for a period of **Twelve months.**

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- **Factors of concern**
 - There was a risk of harm to the Registrant's colleague who received the email and to the subjects of the email. An email containing such a statement is discriminatory and demeaning to the subjects of the communication.
- **Factors in the Registrant's favour**
 - There was no harm caused to others or to service users.
 - The Registrant has demonstrated insight and apologised for her actions
 - This was an isolated incident and there have been no concerns about her practice since this incident

- The Registrant has a previous good history with the Council and her employer
- The Registrant has taken rehabilitative steps in the form of attending training with her employer. Specifically she has attended and completed anti-racist training, information security and a guide to data protection training and a mentally healthy workplace training. She is on a waiting list to attend further training including promoting positive behaviour training. She has also read a number of books including those regarding computer competency
- The Registrant has cooperated with the Council's investigation and admitted the facts at an early stage
- Taking into account the factors noted above, it is unlikely that such behaviour would be repeated by the Registrant.

Matters taken into account

In coming to its decisions, the Council had regard to these documents:

- the Regulation of Care (Scotland) Act 2001
- the Scottish Social Services Council (Conduct) Rules 2013 SCHEDULE 2 Paragraph 26 and
- the "Indicative Sanctions and use of Interim Orders: Guidance for Sub-committees" dated March 2012.