

Notice of Decision

Registrant	Keiron Hay
Registration number	4072499
Part of Register	Social care worker
Town of employment	Cupar
Sanction	Warning to stay on your registration for a period of 12 months
Date of effect	1 October 2024

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 social care workers for a period of 12 months

Findings of fact

We decided there is evidence that on or around 28 January 2023, while employed as a Support Practitioner by the Richmond Fellowship Scotland Limited, and during the course of that employment, while responsible for providing supported person AA with 1:1 care during a 24-hour shift, you did:

- a. leave your shift early, meaning AA was alone without support for a period of around nine hours
- b. fail to lock away AA's medication prior to leaving your shift
- c. fail to contact on-call to report you were leaving your shift, as was required by your employer
- d. cause AA distress by your actions at a

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 workers are expected to meet the relevant standards of practice and work in a lawful, safe and effective way. You were on shift with AA when, following his behaviour escalating, you withdrew from support. Instead of following the procedure in such instances, which would be to contact the on-call service (as it was out with office hours), you attempted to contact a Senior Support Worker, and Manager, leaving messages for both. As neither were working that day, the supported person was left on his own for around 9 hours and was noted to be anxious when support did arrive for him.
 - b. social service workers are expected to be reliable and dependable and not to put supported people at risk of harm. As well as leaving AA unattended, you left his medication out. While it is noted that AA would be unlikely to take more medication than he should, this should not have been left out.
 - c. your behaviour fell below the standards expected of a social service worker. Any repetition of the same or similar behaviour would raise public protection and public interest concerns and therefore there is a requirement to reaffirm the standards of professional conduct by imposing a warning on your registration.
2. In relation to findings of fact you have failed to follow parts 2.2, 2.4, 5.7 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 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 behaviour took place at work.
- Your actions resulted in a supported person being distressed.
- Your actions were a breach of the trust placed in you.

Factors in your favour

- You have a previous good history.
- You have cooperated with the SSSC investigation.
- You have indicated that you would double check processes and practices in future.

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 on your registration

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 15 August 2024 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 1 October 2024.