

Notice of Decision

Registrant	Glenn Jackson
Registration number	4025436
Part of Register	Children and young people's worker
Town of employment	Perth
Sanction	Warning to stay on your registration for a period of 24 months and condition imposed
Date of effect	18 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 Children and young people workers, for a period of two years.
3. to place conditions on your registration, on the part of the Register for Children and young people workers, which you must meet in accordance with the timescales detailed in the conditions.

Findings of fact

We decided there is evidence that:

On or around 30 May 2021 while employed as a Residential Child Care Worker by Radical Services Ltd at [information redacted] and during the course of that employment, in relation to AA, then aged [information redacted] years old, a person you were supporting, you did:

1. shout at AA in an angry manner:
 - a. 'you will come and talk to me' or words to that effect
 - b. 'shut up' or words to that effect

2. when AA was anxious about [information redacted] say 'you always think you're a hard man so it's time to start acting like one' or words to that effect
3. physically restrain AA when doing so was not justified or necessary
4. while you were restraining AA, as outlined in allegation 3 above, ignore the requests of your colleagues to let AA go
5. accuse AA of taking your phone and refusing to give it back to you

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 protect people they support from harm and to behave in a manner which does not call into question their suitability to work in the profession. You restrained a vulnerable young person when there was no reason or justification for doing so. This behaviour would be likely to cause significant emotional harm to that young person and risked causing him physical harm.
 - b. People who use services have the right to be treated with dignity and respect and be protected from abusive behaviour. You verbally abused a young person in your care by shouting at him and using derogatory and inappropriate language towards him. This behaviour would be likely to cause significant emotional harm to that young person
 - c. This behaviour is relatively serious as physical restraint always poses a risk so must only be done when it is justified. Your comments to AA and refusal to let him go when asked by your colleagues raises questions about your ability to deal with heightened situations. Any repeat of such behaviour would pose an obvious risk of further emotional and physical harm to people you are supporting.
2. In relation to findings of fact you have failed to follow parts 2.2, 3.10, 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 the appropriate sanction is to place a warning on your registration for a period of two years and the conditions set out below.

The conditions

The conditions placed on your registration are:

1. You must tell your employer of these conditions within seven days of them coming into effect or within seven days of commencing in a role that is registerable with the SSSC.
2. If you commence employment with an agency, you must tell your agency supervisor as well as the service you are employed with, within seven days of these conditions coming into effect.
3. Within seven days of meeting condition 1 or 2 above you must provide evidence countersigned by your employer or agency that they are aware of the conditions placed on your registration.
4. Within two months of these conditions coming into effect you must provide the SSSC with evidence countersigned by your employer that you have undertaken learning or training which must cover:
 - a. relevant restraint/safe holding training (in accordance with your workplace)
 - b. relevant behaviour de-escalation training
 - c. Child Protection with a focus on the impact of poor and improper safe holding
 - d. positive behaviour management and support in relation to children and young people
 - e. SSSC Codes of Practice

You should discuss with your employer the most effective way of completing this learning and training. It can be face to face study or online training, mentoring, supervision and/or independent study.

5. Within two months of completing your learning and training, you must provide a reflective account to the SSSC, focusing on what you have learned from the training within condition 4 above and include the following points:
 - a. How your behaviour could have impacted on the social, emotional, cognitive, behavioural, and psychological well-being of the child with reference to each allegation.
 - b. Your understanding of your roles and responsibilities in protecting and promoting children and young people's human rights in relation to safe holding with reference to GIRFEC (Getting it Right for Every Child) principles.

- c. Your understanding of how your behaviour put the child at risk of harm and what you would have done differently in relation to:
 - i. De-escalation and support
 - ii. Physical safe holding and/or restraint
- d. Reflection upon the seriousness of using safe holds prematurely and the impact that this can have on vulnerable children.
- e. How your behaviour could be seen as an abuse of trust and could undermine the confidence in you as a social service worker caring for vulnerable children, as well as the reputation of the profession.
- f. How the SSSC can be reassured that you will not repeat your behaviours.

Reasons for the sanction

When making our decision we considered the following factors:

Factors of concern

- You used physical force on young person in your care when it was not justified
- You spoke to AA in a way which would be likely to distress him, and that distress was foreseeable.
- Your actions placed AA at risk of physical and emotional harm
- You were an experienced carer. It would have been reasonable to expect that you should have had the necessary skills to deal with this incident without resorting to physical restraint.
- You have offered limited insight and no apology for your actions.
- The behaviour took place at work, and your actions were an abuse of that position of trust

Factors in your favour

- Your previous good history working in the social care sector.
- You have co-operated with the SSSC investigation.
- The behaviour relates to a single 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 and the Fitness to Practise (Amendment) Rules 2021
- Decisions Guidance for Fitness to Practise Panels and Scottish Social Service Council staff.

Imposing the warning and condition

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 and conditions on your registration if you do not ask for a hearing.

We wrote to you on 2 September 2024 to tell you we wanted to place a warning and conditions 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 and conditions on your registration.

Date of effect

The notice comes into effect on 18 October 2024.