

Notice of Decision

Registrant	Chelsea Soutar
Registration number	4056751
Part of Register	Social care worker
Town of employment	Arbroath
Sanction	Removal
Date of effect	31 August 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 impose a Removal Order removing your registration from the part of the SSSC Register for Social care worker.

Findings of fact

We decided there is evidence that while employed as a Care Assistant by Newlands Care Angus Limited in Arbroath and during the course of that employment you did:

1. in relation to service user AA, take a gold ring from AA's purse
2. by your actions at allegation 1 above, act dishonestly in that you took a personal item from AA that did not belong to you

and your fitness to practise is impaired because of your misconduct as set out in allegation 1-2.

Reasons for finding your fitness to practise has been impaired

1. Your fitness to practise is impaired because:

- a. Social service workers are expected to create and maintain the trust and confidence of those who use services. They must not exploit and abuse the trust of vulnerable individuals in their care. Social service workers are expected to be reliable and dependable and be trustworthy. They must not place people who use services at risk of harm. They should not behave in a way which would bring their suitability to work in social services into question.
 - b. You took a gold ring from AA's purse. Your actions were dishonest in that you took a ring from AA that did not belong to you. Your actions caused emotional harm to AA as the ring held a significant amount of sentimental value. AA was upset to learn that someone they trusted to allow into their home, to provide care, had acted dishonestly. Individuals receiving care within their own homes must be able to place reliance and trust on the honesty and integrity of workers. Your behaviour falls far below the standards expected of a registered social service worker.
 - c. Your behaviour showed a serious abuse of trust in the home of a vulnerable person who you were entrusted to care for. There is a foreseeable risk that the behaviour may be repeated in the future should you be allowed to continue to work in social services.
 - d. Your behaviour is fundamentally incompatible with professional registration and breaches the fundamental tenets of the social service profession. It is also indicative of an underlying values issue. Your actions abused the trust and confidence placed in you by AA, your employer and the SSSC as your regulator.
 - e. Given the seriousness of your behaviour, the public would expect the SSSC to make a finding of impairment to your fitness to practise and to take action to mark that behaviour of this nature by a registered social care worker is entirely unacceptable. There is a clear requirement to reaffirm clear standards of professional conduct. It is highly likely that your behaviour would damage the reputation of the profession and the SSSC should no action be taken.
2. You have failed to follow parts 1.4, 2.1, 2.4, 3.6, 3.10, 5.1, 5.2, 5.3 and 5.7 of the SSSC Code of Practice for Social Service Workers in force from 1 November 2016.

Sanction

After referring to our Decisions Guidance, we decided to impose a Removal Order, removing your registration from the SSSC Register.

Reasons for the sanction

When making our decision we considered the following factors:

Factors of concern

- Your behaviour demonstrated a serious disregard for the Codes of Practice.
- Your behaviour took place during the course of your employment while caring for a vulnerable person. People who use services should feel safe and protected from harm in their own environment.
- You have not cooperated in a meaningful way with the SSSC investigation and have not provided comments.
- Your actions caused emotional harm to the service user involved.

Factors in your favour

- It was an isolated incident.
- You have been registered with the SSSC since October 2020 and have had no previous history with the SSSC.

Reasons why other sanctions are not appropriate

- A warning would not be appropriate as it would not adequately address the misconduct. The behaviour is extremely serious. A warning would give no protection to service users or the public.
- A condition would not be appropriate because there are no conditions which could be placed on you which would address your misconduct. The type of behaviour at issue is not the type of behaviour which conditions would rectify. You are not currently working in the sector a condition would not be workable or enforceable. There is no evidence to suggest that you would comply with any condition placed on you by the SSSC.
- A warning plus conditions would not be appropriate due to the reasons outlined above.

- A Suspension Order would not be appropriate as your behaviour is fundamentally incompatible with continuing registration. The interests of people who use services and the public would not be sufficiently protected by any period of suspension. There is no evidence a period of suspension would allow you to remedy the misconduct. There is little evidence you acknowledge your failings and the pattern of behaviour and lack of insight suggest the behaviour is likely to be repeated.
- For the reasons outlined above a Suspension Order plus conditions would not be appropriate.
- The SSSC considers a Removal Order is the most appropriate sanction as it is both necessary and justified in the public interest and to maintain the continuing trust and confidence in the social service profession and the SSSC as the regulator of the profession.

Documents we have referred to

- The 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 Removal Order

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 Removal Order if you do not ask for a hearing before a Fitness to Practise Panel.

We wrote to you on 18 July 2024 to tell you we wanted to place a Removal Order on your registration. After explaining the consequences and recommending you take legal advice, you have not asked for the case to be referred to a Fitness to Practise Panel. We are therefore permitted by the Rules to impose this Removal Order.

Date of effect

The notice comes into effect on 31 August 2024.