

## Notice of Decision

<b>Registrant</b>	Adedoyinsola Adegbite
<b>Registration number</b>	4112150
<b>Part of Register</b>	Support Workers in a Care Home Service for Adults
<b>Town of employment</b>	Dundee
<b>Sanction</b>	Removal
<b>Date of effect</b>	23 February 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 Support Workers in a Care Home Service for Adults.

### Findings of fact

We decided there is evidence that while employed as a Care Assistant by ICARE 24 Ltd, you did:

1. accept shifts for a care home in Tayside and arrange for ZZ to complete those shifts using your name, on dates including the following:
  - a. 11 April 2023
  - b. 13 April 2023
  - c. 14 April 2023
  - d. 27 April 2023
  - e. 2 May 2023
  - f. 3 May 2023
  - g. 10 May 2023
  - h. 10 May 2023
  - i. 19 May 2023
  - j. 25 May 2023
  - k. 29 May 2023

- l. 30 May 2023
- m. 3 June 2023
- n. 4 June 2023
- o. 13 June 2023
- p. 18 June 2023
- q. 21 June 2023
- r. 22 June 2023
- s. 23 June 2023
- t. 24 June 2023
- u. 25 June 2023
- v. 3 July 2023
- w. 4 July 2023
- x. 9 July 2023

2. accept payment from ICARE 24 Ltd for shifts that you did not carry out at a care home in Tayside, on dates including the following:

- a. 21 April 2023
- b. 28 April 2023
- c. 5 May 2023
- d. 12 May 2023
- e. 19 May 2023
- f. 26 May 2023
- g. 2 June 2023
- h. 9 June 2023
- i. 16 June 2023
- j. 23 June 2023
- k. 30 June 2023
- l. 7 July 2023
- m. 14 July 2023

3. by your actions at allegations 1 and 2 act dishonestly in that you deliberately sought to mislead your employer, ICARE 24 Ltd, that it was you that carried out the shifts when this was not the case

and your fitness to practise is impaired because of your misconduct as set out in allegations 1-3.

### **Reasons for finding your fitness to practise has been impaired**

1. Your fitness to practise is impaired because:
- a. service users have the right to expect honesty and integrity from social service workers in whom they and the public place their trust and confidence. The allegations against you raise concerns over your character and values.

- b. you accepted these shifts knowing that you were not going to carry them out. You would have been unable to complete some of these shifts because you were employed by another care home on a permanent basis. You arranged for ZZ to carry out shifts that you had agreed to do. You did this knowing that they would be doing so using your identity. This happened on several occasions over a period of months.
  - c. you then accepted payment for shifts that you did not carry out.
  - d. your behaviour was serious and dishonest. Your actions were an abuse of the trust and confidence placed in you by your employer, service users, their families and the wider public. ZZ was not registered with the SSSC and we could not give assurance of his fitness to practise with vulnerable persons. Service users and their families trust that the people caring for them are registered workers, you abused their trust and placed service users at risk of harm. Your behaviour calls into question your suitability to work with service users in the longer term.
  - e. the allegations are serious and violate fundamental values of the profession.
  - f. if this behaviour were to be repeated, this would place vulnerable people at risk of harm. This therefore raises a public protection issue.
  - g. there is a public interest in maintaining trust and confidence in the register and upholding proper standards of behaviour in the profession. The behaviour damages the reputation of the profession. It is therefore considered that your ability to practise safely and effectively is currently impaired, on account of your misconduct.
2. You have failed to follow parts 2.1, 2.2, 2.4, 3.10, 5.7, 5.8, 6.1, 6.3, 6.4 and 6.5 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 was deliberate
- Your behaviour amounted to a pattern of dishonesty
- Your behaviour related to your employment in social services
- Your behaviour placed residents at risk of harm
- Your behaviour was an abuse of trust
- There was concealment of wrongdoing.

### Factors in your favour

- You have shown some insight into your behaviour
- There were positive references about your practice
- You cooperated with the SSSC investigation.

## **Reasons why other sanctions are not appropriate**

- A warning would not be appropriate as the behaviour is serious.
- A condition would not be appropriate because the type of behaviour at issue is not the type of behaviour which conditions would rectify.
- 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.
- 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 11 January 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 23 February 2024.