

## Notice of Decision

<b>Registrant</b>	Jennifer Meek
<b>Registration number</b>	3060123
<b>Part of Register</b>	Support Workers in Care at Home Service Support Workers in a Housing Support Service
<b>Town of employment</b>	Dunfermline
<b>Sanction</b>	Warning to stay on your registration for a period of 12 months
<b>Date of effect</b>	12 November 2021

This is notice of a decision made by 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 parts of the Register for Support Workers in Care at Home Service and Support Workers in a Housing Support Service, for a period of **12 months**.

### Findings of fact

We decided there is evidence that, between on or around 15 September 2017 and on or around 4 September 2020, while employed as a Support Worker by Scottish Autism in Dunfermline, and during the course of that employment, you did:

1. allow user of services AA, while unaccompanied by a Scottish Autism member of staff, to attend a local shop and buy goods using his bank card on or around the following specific dates:
  - a. 15 September 2017
  - b. 10 October 2017

- c. 13 October 2017
  - d. 25 February 2019
  - e. 5 March 2019
  - f. 12 April 2019
  - g. 17 May 2019
  - h. 24 May 2019
  - i. 17 June 2019
  - j. 15 July 2019
  - k. 2 August 2019
  - l. 6 September 2019
  - m. 14 February 2020
  - n. 23 March 2020
  - o. 14 April 2020
  - p. 15 April 2020
  - q. 11 May 2020
  - r. 15 May 2020
  - s. 5 June 2020
  - t. 13 July 2020
  - u. 7 August 2020
  - v. 4 September 2020
- 2. fail to act in accordance with the risk assessment put in place by your employer for AA, which stated that AA should be supervised 1:1 at all times, as a result of the conduct as detailed at allegations 1.a. – 1.v.
  - 3. fail to record on AA's daily logs that you had allowed AA to act as described at allegations 1.a. – 1.v. above
  - 4. on more than one occasion, accept a gift of confectionary from AA

and your fitness to practise is impaired because of your misconduct as detailed at allegations 1. – 4. above.

### **Reasons for finding your fitness to practise is impaired**

1. Your fitness to practise is impaired because:
  - a. social service workers are trusted by service users, families, colleagues and the public to be reliable and dependable. You allowed AA to go out unaccompanied, failed to update AA's care logs and accepted gifts of confectionary. Your misconduct breached the trust placed in you by service users, their families, your colleagues and the general public.
  - b. social service workers are expected to follow risk assessments and take necessary steps to reduce the risks of people who use services harming themselves or other people. You failed to follow the risk assessment which was put in place by your employer to protect AA. AA had previously experienced a significant gambling addiction. AA was also assessed as lacking awareness for his own personal safety in public spaces. AA's risk assessment stated that he was to be supervised by staff on a 1:1 basis at all times. By acting as you did, you placed AA at serious risk of physical, financial and emotional harm. Your decision making in this regard over a prolonged period of time was poor and gave rise to significant risks to AA's wellbeing.
  - c. you failed to record in AA's daily logs what you allowed AA to do. This meant that your employer was unaware that you were acting contrary to the risk assessment in place for AA, which meant that your employer was unable to take steps to stop these activities from occurring.
  - d. you accepted gifts of confectionary from AA and failed to maintain appropriate professional boundaries with AA, and placed AA at further risk of financial and emotional harm.
  - e. by acting in such a manner, your suitability to work in social services has been called into question. You were an experienced staff member, having worked in the service for 3 years before the first incident, which thereafter occurred on numerous occasions over a period of 3 years. You worked with AA on a regular basis and therefore were aware of the care they required to receive.
  - f. the behaviour is serious and falls below the standards expected of social services workers, for the reasons that are outlined above.
  - g. however, you have shown significant insight and regret for your conduct. You have acknowledged that your decision to allow AA to act as detailed was a significant error of judgement by you. You were

trying to encourage AA to be more independent, but you accept you should not have acted contrary to the risk assessment that was in place. You have demonstrated a clear understanding of the risk that arose to AA as a result of your conduct. Based on the detailed insight and regret demonstrated by you, the risk of similar behaviour being repeated appears to be low. It appears that you would present a limited risk to the public in the future, as it appears you have learned lessons from these events.

- h. the SSSC has a duty to uphold proper standards of conduct and behaviour from social service workers. Registration with the SSSC provides members of the public with assurances that the SSSC is satisfied that you are fit to practise. A finding of impairment is necessary to maintain public confidence in the integrity of the register and in the SSSC as a regulator, given the serious nature of the allegations.
2. In relation to findings of fact 1. – 4, you have failed to follow parts 2.4. 3.10, 4.2, 4.3, 5.7, 5.8, 6.1, 6.2 and 6.5 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**

- The behaviour was deliberate and occurred over a period of 3 years, during which time your employer was unaware of what was happening as events were not being recorded in AA's daily notes
- The behaviour occurred inside of work, during the course of your employment, when you were solely responsible for AA's care and wellbeing
- There was a pattern of behaviour over a period of 3 years
- There was a serious risk of financial, physical and emotional harm to AA, albeit there is no evidence of any actual harm being caused
- You breached the trust placed in you as a social service worker by your employer, service users and the public.

#### **Factors in your favour**

- You have shown significant insight and remorse for your actions

- There are no previous conduct concerns, in the context of a fairly long career as a social services worker
- You have been fully engaged with the SSSC and have been open and honest throughout the investigation.

### **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 7 October 2021 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 12 November 2021.