

Notice of Decision

Registrant	Zoe Paul
Registration number	4065144
Part of Register	Social care worker
Town of employment	Fraserburgh
Sanction	Warning to stay on your registration for a period of 24 months
Date of effect	02 January 2025

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 worker for a period of two years.

Findings of fact

We decided there is evidence that while employed as a support practitioner at [information redacted] by Cornerstone Community Care, and in the course of your employment, you did:-

1. on 12 August 2024:
 - a. while standing behind your colleague ZZ, grab her breasts without her consent
 - b. slap ZZ on the bottom without her consent
 - c. touch your colleague YY on her bottom without her consent

2. on 15 August 2024, squeeze your colleague XX's bottom without her consent
3. on 16 August 2024, encourage AA, an individual who receives support, to tell you to 'shut up' by saying to AA 'what do we tell people who are annoying you' or words to that effect.

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. a social care worker should form open, positive relationships and maintain professional boundaries with individuals and colleagues that respect their dignity, wellbeing and safety. By inappropriately touching your colleagues without their consent, you have not maintained professional boundaries. You have disrespected your colleague's expectations they can go to work and not be made to feel uncomfortable by another colleague's behaviour towards them. While you may not have intentionally set out to make your colleagues feel this way, you have repeated this behaviour on several occasions, with no regard to how you might be making your colleagues feel.
 - b. You have also encouraged an individual who uses services to say 'shut up' which is not professional. It is not dignified to encourage a person you support to communicate with you, or anyone else, in this manner. If that behaviour was to be repeated, the individual's family may be concerned about the lack of respect shown to their family member.
 - c. Your behaviour is serious as it has caused your colleagues to feel uncomfortable in the workplace, and such behaviour risked causing more serious emotional harm. Although your actions do not appear to be sexually motivated, they were inappropriate, and you have failed to respect your colleagues. Your colleagues were of the view that, while they felt uncomfortable, your actions were intended as humour.
 - d. Given the behaviour was repeated on at least three occasions, this indicates a pattern of behaviour. You have shown some insight and regret, acknowledging that your behaviour was wrong. You have provided a reference from your current manager, who employ you in a

non-caring role, stating you get on well with staff. Your manager has known you for almost three years and states she has no concerns with your fitness to practise. This positive reference does lessen the risk of repetition, and it is considered that this employer will be capable of monitoring your future conduct in a role requiring SSSC registration. There is, however, a requirement to reaffirm standards of behaviour and to ensure public confidence in the SSSC as a regulator.

2. In relation to findings of fact 1-3 you have failed to follow parts 2.8, 6.1, 6.6 and 6.7 of the SSSC Code of Practice for Social Service Workers in force from 1 May 2024.

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.

Reasons for the sanction

When making our decision we considered the following factors:

Factors of concern

- Your misconduct took place in the workplace, with colleagues being made to feel uncomfortable as a consequence.
- The behaviour was repeated on several occasions indicating a pattern of behaviour.

Factors in your favour

- You have shown insight and regret for your actions.
- You have a previous good history with the SSSC.
- Your manager has provided a positive reference stating they have no concerns with your fitness to practise.

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 17 December 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 02 January 2025.