

Notice of Decision

Registrant	Sheila Erdem
Registration number	3121950
Part of Register	Support Workers in a Housing Support Service Support Workers in Care at Home Service
Town of employment	Elgin
Sanction	Warning to stay on your registration for a period of 12 months
Date of effect	8 July 2021

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
2. to place a warning on your registration, on the parts of the Register for Support Workers in a Housing Support Service and Support Workers in a Care at Home Service, for a period of **12 months**.

Findings of Fact

We decided that there is evidence that

1. on or around 7 February 2019 while employed as a Carer by Mears Care (Scotland) Limited in Elgin, you did:
 - a. fail to notify your employer that you would not be attending your 4pm shift
 - b. by your actions at allegation 1.a. above cause or contribute to:
 - i. service users AA, BB, CC and DD receiving their meals approximately 1 hour late

- ii. AA, BB, CC and DD not receiving their teatime dose of [redacted]
2. on or around 5 August 2019, while employed as a Care Assistant by Intobeige Ltd. at Spynie Care Home in Elgin, and during the course of that employment, you did shout at service user FF “for God sake FF, stop moving things and go away” or words to that effect

and in light of the above your fitness to practise is impaired because of your misconduct.

Reasons for the finding that your fitness to practise is impaired

1. Your fitness to practise is impaired because:
 - a. You failed to notify your manager that you would not be attending your shift due to illness. This meant that your employer was unable to arrange cover to ensure that the service users would receive their care on time. This resulted in service users AA, BB, CC and DD, receiving their meals late. The employer reported that some of the service users were so hungry that they ate their food with their hands when they received it. The employer also stated that as a result of the late calls, the service users were unable to receive their teatime dose of medication.
 - b. The behaviour is considered to be serious as you were responsible for the wellbeing of vulnerable people who relied on you to provide care and in some cases ensure that the service users who required it had received their medication. Your actions in failing to attend for your shift or notify your employer that you were unable to do so resulted in potential harm to services users. The employer noted that service users were unable to have their medication due to the delay. This placed the service users at risk of harm in that the [redacted] was prescribed medication for the management and prevention of pain and discomfort.
 - c. Your employer was prevented from arranging alternative cover or informing the service users that their visits were late. This resulted in distress and potential emotional harm to vulnerable people who rely on carers to ensure their wellbeing and to provide their meals and medication.
 - d. You shouted at a service user which was a failure to communicate in an appropriate manner and a failure to treat a person in your care with dignity and respect. This was a loss of composure by you although we had information that it was a particularly difficult shift for you on that day.

- e. Given the nature of your behaviour overall and the potential for harm that could have been caused to service users, a finding of impairment is required to protect vulnerable people and uphold the public confidence.
2. In relation to findings of fact 1 and 2 you have failed to follow parts 2.2, 2.4, 2.5, 5.1, 5.7, 6.1 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 that 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

- you have failed to show insight or regret for your actions
- your behaviour is considered to be a breach of trust as you were responsible for the wellbeing and care of vulnerable service users
- some of your conduct took place within work while you were responsible for caring for vulnerable people.

Factors in your favour

- you have a good previous history
- you have cooperated with the SSSC's 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
- Decisions Guidance for Fitness to Practise Panels and Scottish Social Service Council staff.

Acceptance of the warning

Having been advised of the consequences of accepting or not accepting the **warning**, and recommended to take legal advice, you admitted that your fitness to practise is impaired and accepted the **warning** on 18 June 2021.

Date of effect

The notice comes into effect on 8 July 2021.