

Notice of Decision

Registrant	Yvonne Millar
Registration number	3061789
Part of Register	Support Workers in a Housing Support Service Support Workers in Care at Home Service
Town of employment	Stirling
Sanction	Removal
Date of effect	7 May 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 parts of the SSSC Register for Support Workers in a Housing Support Service and Support Workers in a Care at Home Service.

Findings of fact

We decided there is evidence that on 22 June 2023, you were convicted of the following offence at Stirling Sheriff Court:

1. on 27 June 2022, at [information redacted], you did steal a sum of money and in light of the above your fitness to practise is impaired by your conviction.

Reasons for finding your fitness to practise has been impaired

1. Your fitness to practise is impaired because:
 - a. Social services workers, in whom the public, service users, and their families place their trust, are expected to treat service users with dignity and respect, and to not abuse the trust and confidence placed

in them. By being convicted of stealing money from a service user, you have knowingly and deliberately caused financial harm to a vulnerable service user in your care. This behaviour amounts to an abuse of trust and your position and is indicative of a deep-seated attitudinal issue that is fundamentally incompatible with professional registration with the SSSC.

- b. There are no circumstances or context that impact on the severity of the behaviour. The SSSC held the behaviour resulting in conviction breaches fundamental tenets of the profession and is of the highest seriousness. Repetition of the behaviour resulting in conviction would put service users at an increased risk of financial harm.
 - c. Given the heightened seriousness and risk of repetition the SSSC considered that there is an elevated public protection concern resulting from the behaviour. A reasonable member of the public in receipt of all the information would consider the reputation of the profession to be damaged, and there is a clear and identifiable need to reaffirm proper standards of care. The SSSC found that your fitness to practise is currently impaired.
2. You have failed to follow parts 2.1, 2.4, 5.1, 5.2, 5.7, and 6.1 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

- The behaviour resulting in conviction was in the course of your employment, using the access you had to personal information of a service user for your financial gain.
- The financial abuse resulting in conviction was intentionally harmful behaviour.

Reasons why other sanctions are not appropriate

- A warning would not be appropriate as it would not adequately address the

impairment of your fitness to practise and 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 why your fitness to practise is impaired, and 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/impairment of your fitness to practise 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.
- 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 21 March 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 7 May 2024.