

## Notice of Decision

<b>Registrant</b>	Elizabeth Scott
<b>Registration number</b>	3102045
<b>Part of Register</b>	Children and young people's worker
<b>Town of employment</b>	Musselburgh
<b>Sanction</b>	Warning to stay on your registration for a period of 12 months and condition imposed
<b>Date of effect</b>	15 May 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 children and young people workers, for a period of 12 months.
3. to place a condition on your registration, on the part of the Register for children and young people's workers, which you must meet within the timescales set out below.

## Findings of fact

We decided there is evidence that while employed as an Early Years Assistant Support by Thrive Childcare and Education Limited at Thrive Childcare and Education Musselburgh Nature Kindergarten in Musselburgh, and during the course of that employment, you did:

1. on or around 22 March 2024 when child AA approached another child's mother, ZZ, and her baby say to ZZ 'oh she does my head in man, always climbing on things and running around', or words to that effect

2. on or around 3 April 2024, in the presence of other children who were eating at snack time:
  - a. say 'someone is stinking', or words to that effect
  - b. pull child BB up by his arm to check his nappy

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. Social service workers must not abuse or harm a child. You did pull a child up by his arm when checking his nappy. This is not appropriate manual handling of a child and can potentially cause physical harm. Checking a child's nappy in the presence of other children in a public area is also not maintaining the child's privacy and dignity.
  - b. Social service workers must create and maintain the trust and confidence of people who use services. They must communicate in an appropriate and open way. You made an inappropriate comment about a child to a parent saying she does your head in. You also said in the presence of children that someone is stinking referring to a child's soiled nappy. Your language when speaking to the children and the parent of a child is unprofessional and does not display nurturing and caring actions that would be expected of a social care worker. This behaviour could potentially cause emotional harm to a child in your care.
  - c. Your behaviour is moderately serious. You previously mentioned to your employer during a supervision meeting that you sometimes find it difficult to stay calm and that you can sometimes raise your voice to the children. This gives rise to concerns that you are aware of your actions and the behaviour is attitudinal making the behaviour less remediable.
  - d. There is a pattern of behaviour in terms of the inappropriate comments made in the presence of the children and the parent of a child about another child over a period of around two weeks. You have shown limited insight into why this type of behaviour is concerning and failed to show understanding of how this behaviour can impact children, colleagues, your employer and the reputation of the profession.

- e. Members of the public would have concerns about you working with vulnerable children if no action was taken. The behaviour falls below what is expected from social service workers and an informed member of the public would expect the SSSC to make a finding that your fitness to practice is impaired and to mark conduct of this nature as unacceptable and that it must not happen again.
2. In relation to findings of fact 1 and 2 you have failed to follow parts 1.4, 2.2, 5.1, 5.7, 5.8 and 6.1 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 and the condition set out below.

### **The condition**

The conditions placed on your registration are:

1. You must provide the SSSC with evidence that your employer knows about the conditions on your registration. You must provide this within seven days of:
  - a. these conditions coming into effect, or
  - b. starting any job that needs registration with the SSSC.
2. Within three months of these conditions coming into effect, you must provide the SSSC with evidence that you have undertaken refresher learning, which must cover developing your knowledge and understanding of:
  - a. the SSSC Codes of Practice
  - b. the Health and Social Care Standards
  - c. protecting and safeguarding children
  - d. positive interventions and communication with young children in an early years setting
  - e. appropriate physical handling techniques in an early years setting.

You should discuss with your employer the most effective way of completing this learning and training. It can be face to face study or online training, mentoring, supervision, and/or independent study.

Within seven days of this training being completed, you must provide evidence to the SSSC of your satisfactory completion, and this must be signed by your employer.

3. Within two months of meeting condition 2 above, you must provide a reflective account to the SSSC. Your reflective account should demonstrate your understanding of the impact of your behaviour on others, and the standards expected of you as a registered worker. In providing your account, you are required to think about your actions by addressing each of the following points, using learning from the training topics in condition 2:
  - a. why your behaviour, as highlighted in the findings of fact, does not reflect the current SSSC Codes of Practice or the Health and Social Care Standards
  - b. how your behaviour as highlighted in the findings of fact, could undermine the trust and confidence in you as a registered social services worker
  - c. what are the key points you have taken from your refresher learning and how will you put this learning into practice in an early years setting
  - d. how you understand the possible impact on the reputation of the social services sector, due to the behaviour highlighted in the findings of fact
  - e. why your communication as highlighted in the findings of fact 2.a., could not be seen as fostering a supportive environment for children's development
  - f. how you understand the importance of safe handling techniques and how they keep children safe in an early years environment
  - g. how you are challenging your own attitudes and behaviour to ensure that you are treating the children in your care in a kind and respectful way
  - h. how the SSSC can be assured that you will not repeat the behaviours that have impaired your fitness to practise.

The SSSC Codes of Practice for Social Service Workers and Employers sets out the standards social workers, social care, early years and young people's workers and their employers should meet.

A copy of the Codes of Practice for Social Service Workers and Employers can be accessed using the link below.

<http://www.sssc.uk.com/about-the-sssc/codes-of-practice/what-are-the-codes-of-practice>

Please use the Code of Practice for Social Service Worker to assist you with your reflective account, in particular the following parts: 1.4, 2.2, 5.1, 5.7, 5.8 and 6.1.

### **Reasons for the sanction**

When making our decision we considered the following factors:

#### **Factors of concern**

- You have shown limited insight or regret. You have failed to take accountability for your actions and demonstrate how the behaviour is concerning.
- You are an experienced social service worker having worked in the social services sector since 2017. The behaviour also took place at work while you were working in a social service role.
- There is a pattern of behaviour shown in the inappropriate comments made in the presence of children and to the parent of a child. There are two separate incidents that happened within the space of around two weeks.
- There was no actual harm caused to the children but there was a risk of potential physical and emotional harm to the children.

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

- The incident where you pulled a child up by his arm to check his nappy is isolated.
- You have engaged and cooperated with the SSSC investigation.
- There have been no previous issues or concerns reported about your conduct or practice.

## **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 and condition 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 and condition on your registration if you do not ask for a hearing.

We wrote to you on 27 March 2025 to tell you we wanted to place a warning and condition 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 and condition on your registration.

## **Date of effect**

The notice comes into effect on 15 May 2025.