

## **Imposing a sanction - Removal Orders**

**This factsheet is to help you understand the consequences of imposing a Removal Order and to help you to decide whether to ask for a hearing.**

We are committed to promoting equality and valuing diversity.

We want our processes to be fair, transparent and objective.

Please contact the person who sent you this factsheet if you need this document in a different format or to discuss how we can help you further.

We want to know if you are affected by illness, disability or any other factor which may fall into the category of protected characteristics and that may impact on our investigation process in any way.

Protected characteristics can mean, age, disability, gender reassignment, marriage and civil partner, pregnancy, race, religion, sexual orientation, according to the Equality Act 2010.

We have finished our investigation about your fitness to practise. Based on the information we have obtained, we have decided that your fitness to practise is impaired and that a Removal Order is appropriate.

If you don't do anything, we will impose the Removal Order.

If you think we are wrong to impose a Removal Order, you should ask us to hold a Fitness to Practise Panel hearing where an independent panel will decide whether to impose a sanction.

This factsheet explains both of your options.

### **The draft Notice of Decision**

We will send you a draft of our Notice of Decision. This will say what the allegations are and the reasons why we think your fitness to practice is impaired. We will ask you if you want a hearing so a Fitness to Practise Panel can decide whether to impose a Removal Order

Imposing a Removal Order has serious consequences for you and your career. You can ask for a hearing if you want one.

We recommend that you read this leaflet carefully and get independent advice before deciding what to do.

For more information see Factsheet 5 about where to find help and advice.

## **What happens if you do not ask for a hearing?**

If you do not ask for a hearing within 28 days of our letter, we will start the process of removing you from our Register. We will send a copy of the final Notice of Decision to:

- you
- the person who made the allegation, and
- your employer or university.

## **Appeal**

You have 14 days from the date you receive the Notice of Decision to appeal against it to the Sheriff Court, even if you did not ask for a hearing.

The decision will come into effect after the 14-day appeal period or at the end of any unsuccessful appeal. If your appeal is successful, the decision will not come into effect.

## **What happens if you ask for a hearing?**

If you decide you want a hearing, you should tell your caseholder as soon as possible and they will arrange a Fitness to Practice Panel hearing. You can do this by phoning them or sending an email.

The Panel will hear evidence and make an independent decision about your fitness to practise. If they find that it is impaired, they will decide whether to impose a Removal Order.

The Panel can decide to impose a different sanction or decide not to impose a sanction.

## **Effects of a Removal Order**

You will be removed from our Register and it will be an offence for an employer to employ you in any role that needs registration.

If in the future you want to work in a post which needs registration, you must apply to be restored. The earliest you can apply to be restored to our Register is three years after the date your registration was removed unless it was because of your health. In this case, you can apply to be restored at any time.

We will always take a Removal Order and the reasons for it into account when we decide on any future application for restoration.

## **Publicity**

Our [Public Information Policy](#) is on our website and gives more information on how we publicise our decisions.

We publish all Notices of Decision (accepted by the worker or made by a Panel) on our website. Health and other sensitive information may be withheld.

We may also give Disclosure Scotland information in line with the Protection of Vulnerable Groups (Scotland) Act 2010.

## **Media interest**

The media read our website and our decisions are regularly reported in local and national newspapers and online news outlets. Occasionally they appear on television or radio news. We don't ask the media to report on decisions.

## **Social media**

When cases appear in the media members of the public may comment about them on social media. These comments are often made without full knowledge of the facts; may represent what is said in the notice and can be unpleasant.

To help manage the impact of any media attention you might want to think about:

- telling friends and family in advance
- deciding beforehand whether you want to read reports
- changing your social media settings, to restrict who can view your profile
- arranging for someone at work or a friend/family member to support you
- knowing about sources of help (see Factsheet 5).

## **More information**

You can find more information about our fitness to practise processes on our website: [sssc.uk.com](https://sssc.uk.com)

You can also contact your caseholder.

You may also find these documents helpful:

- Factsheet 5 about where to go for help and advice
- our Decisions Guidance about how we make decisions

You can find all of these on our website: [www.sssc.uk.com](https://www.sssc.uk.com)

If you would like a printed copy of any document, please contact your caseholder.