



The Fitness to Practice Process

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The Fitness to Practice Process



(1) Screening



(2) Investigation



(3) Decision



(4) Hearing



(5) Appeal

You can find more information about this process in [SSSC factsheet #1](#).



Stage 1 - Screening

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- When someone raises a concern, the information is screened by the SSSC.
- There are three factors the SSSC considers:
 - (1) Whether the information suggests an impairment on your Fitness to Practice
 - (2) The type of behaviour
 - (3) The risk of harm stemming from the behaviour, and the likelihood of it being repeated

Stage 1- Screening



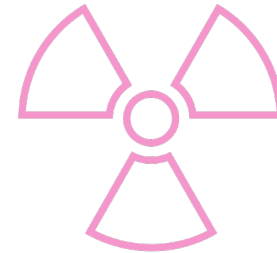
If the SSSC decides that the information does not affect your fitness to practice, no further action is taken.



If the SSSC decides that the information given **could** affect your fitness to practice, they will open a case to investigate it.

Stage 1- Screening (Risk Assessment)

If the SSSC decide your case is high risk, then they will assess whether a Temporary Order is required.



What is a Temporary Order?

A Temporary Order is an order which can either restrict or suspend a worker's registration whilst their case is investigated.

If you receive a temporary conditions order (TCO), you will still be able to work while your case is investigated. However, your work will be subject to the condition(s) imposed, for example, additional supervision.

You can find more information about conditions in our slideshow 'Registration Conditions'.

If you receive a temporary suspension order (TSO), you will not be able to continue to work in your registered role whilst the SSSC's investigation is ongoing.

You can find more information about this in our slideshow 'Temporary Suspension Orders'.

The opt-in process

If the SSSC seeks to impose a Temporary Order, you have 21 days to decide whether you want a hearing.

If you do not ask for a hearing, they will impose the Temporary Order.

You will receive a letter from the SSSC explaining who you need to contact to ask for the hearing.

You can find more information in our slideshow 'Temporary Order Hearings'.



Stage 2 - Investigation

Who will the SSSC contact during the investigation?

The worker. They may ask for their response to the allegations using the Personal Statement form.

See our slideshow on 'Insight and the Personal Statement Form' for more information.

The individual or organisation who initially reported the worker to the SSSC

The worker's employer, or place of Higher Education (if they are a student).

Steps the SSSC may take during investigation

- **Request paperwork-** i.e. minutes from meetings and interviews, statements, disciplinary paperwork.
- **Contact medical professionals-** to provide or confirm information you may have provided regarding treatments or conditions.
- **Contact potential witnesses-** for witness statements. This may be colleagues, employers or those who interact with the service you provide.
- **Contact the Procurator Fiscal, Crown Office, Scottish Courts Service, or the police -** to provide or confirm information.



How long does an investigation take?

- There is no set time and this can vary from 6-12 months or more.
- The length of the investigation can be impacted by:
 - The cooperation of other people in providing statements and information
 - Whether there is a separate investigation ongoing, for example by the police
- You may contact your caseholder at any point during the investigation for an update.

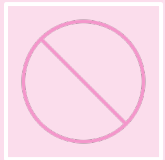


Stage 3 - the decision

Three Potential Outcomes



No further action is taken



A finding that your Fitness to Practice is impaired and a sanction is imposed. For more information on sanctions, see our slideshow 'Sanctions' and [SSSC factsheet #3](#).



The case is referred to a Fitness to Practice Panel for a hearing to decide on fitness to practice and sanction

Sanctions and the Opt-in Process

If the SSSC seeks to impose a sanction, you have 28 days to decide whether you want a hearing.

If you do not ask for a hearing, the sanction will be imposed.

If you ask for a hearing, a Fitness to Practice hearing will be arranged.

You can find more information about these hearings in our 'Fitness to Practice Impairment Hearings' slideshows.

Sanctions and the Opt-in Process

You will receive a draft Notice of Decision. If you do not ask for a hearing within 28 days of this letter, the process of imposing the sanction will begin and you will receive a final Notice of Decision.

If you wish to appeal, you have 14 days from the date you receive the Notice of Decision to do so (even if you did not ask for a hearing).

For more information, see the [SSSC Factsheet #10](#).