

Notice of Decision

Registrant	Cara Murchan
Registration number	6014443
Part of Register	Part 2 – Domiciliary Care Manager
Sanction	Warning to remain on your registration for a period of 4 years
Date of Effect	19 November 2020

This is a notice of decision of the Northern Ireland Social Care Council (the Council).

Decision

The Council has decided:

1. that there is evidence that your Fitness to Practise is impaired by reason of misconduct, as defined in Part 1, Rule 4 of the NISCC Fitness to Practise (Amendment) Rules 2019.
2. to issue a warning and direct that a record of the warning should be placed on your entry in the Register for a period of 4 years.

Misconduct

That whilst being registered as a social care worker, and whilst employed as Assistant Manager at Glanree Support Living Scheme, Southern Health and Social Care Trust (SHSCT):

1. During the period of 2015-2018 you failed to follow Trust Financial Procedures for Supported Living as follows:
 - a) Between August 2015 and November 2016 approximately £15,000 had been spent between two local furniture businesses. The appropriate documentation by way of expenditure forms, quotes or records to indicate meaningful discussion with service users in relation to their choices was not completed.
 - b) On 04 December 2015 you wrote three separate cheques to a local furniture business for the sums of £649, £497 and £998 in an attempt to bypass the requirement for the Trust's Finance Department and more senior management to be included in the authorisation process for this level of spending from the budget account.
 - c) In May 2017 you arranged for the purchase of wardrobes for service user A and service user B and arranged for payment of £1,200 from service user A to be made in cash and the sum of £1,200 from service user B to be made in cash. In doing so, you did not follow the procedure in respect to large value purchases which ought to have been made through the service users personal or Patient's Private Property (PPP) account.
 - d) In respect to the purchase of the wardrobes for service user A and B above, the appropriate documentation by way of expenditure forms (completed for service user A only), quotes or records to indicate meaningful discussion with either service user in respect to their choices was not completed.

2. When arranging a holiday for three service users in September 2017, you failed to follow the Holiday Procedure for Supported Living and Trust Financial Procedures for Supported Living as follows:
 - a) You failed to make contact with the service user's case managers, independent advocates or families in relation to the holiday. In doing so, no consideration was therefore given to the possibility of a family member supporting the service users on their desired holiday or whether they wished to be involved in the holiday plans.
 - b) Documentation by way of quotes to ascertain value for money was not completed.

Reasons

The reasons that this behaviour is considered to constitute impaired fitness to practise are:

- The public has the right to expect a registered social care worker, in whom it places trust and confidence, to adhere to policies and procedures. Failing to follow the Trust Financial Procedures for Supported Living and the Holiday Procedure for Supported Living undermines that trust and confidence and had the potential to put service users at risk of financial disadvantage.
- Your behaviour has fallen below the standard expected of a person registered with the Northern Ireland Social Care Council.

NISCC Standards of Conduct and Practice for Social Care Workers

The Standards of Conduct for Social Care Workers that this behaviour breaches are:

Standard 5: As a social care worker, you must uphold public trust and confidence in social care services. In particular you must not:

- 5.2 Exploit service users, carers or colleagues in any way;
- 5.8 Behave in a way, in work or outside work, which would call into question your suitability to work in social care services.

Standard 6: As a social care worker, you must be accountable for the quality of your work and take responsibility for maintaining and improving your knowledge and skills. This includes:

- 6.3 Being personally accountable for your actions and able to explain and account for your actions and decisions;
- 6.4 Maintaining clear and accurate records as required by procedures established for your work;
- 6.12 Co-operating with any investigation or formal inquiry into your conduct, the conduct of others, or the care or the services provide to a service user where appropriate.

Sanction

Having regard to the document '*Consensual Disposal Indicative Sanctions*' the Council decided that the appropriate sanction was the imposition of a warning on your registration for a period of 4 years.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- Your actions had the potential to cause financial disadvantage to service users.
- Your actions did not support the ethos of supported living which is to promote independence and support tenants to meet their financial responsibilities.
- You were Assistant Manager of the scheme and in a position of responsibility.
- Your behaviour was not an isolated incident and occurred over a prolonged period of time.
- Your actions at 1 b) above were deliberate.
- You have failed to demonstrate any insight or remorse.
- You have failed to engage with the Council or respond to any correspondence.
- Your behaviour has demonstrated a serious disregard for the NISCC Standards of Conduct and Practice.

The following mitigating circumstances were taken into account in reaching this decision:

- There is no evidence of direct harm to service users.
- There is no evidence that you gained financially from your actions.
- The investigation team considered the robustness of the Trust's procedures for supported living and noted that they had some limitations.
- No previous record of misconduct with the Council.

Date of Effect

This warning comes into effect on 19th November 2020

Maini Okamba

19th November 2020

Head of Regulation and Standards

Date

You have the right to appeal this decision to the Care Tribunal. Any appeal must be lodged in writing within 28 days from the date of this Notice of Decision.