

Notice of Decision

Registrant	Jacqui Rose Callaghan
Registration number	6028931
Part of Register	Part 2
Sanction	Warning to remain on your registration for a period of 2 years
Date of Effect	16th March 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 a determination by a relevant regulatory body, 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 2 years.

Determination by a relevant regulatory body that the Registrant's fitness to practise is impaired;

- The Council considers that there is a real prospect that your fitness to practise will be found to be impaired by reason of a determination by a relevant regulatory body, namely, the Scottish Social Services Council, on the basis that there is sufficient evidence to prove the following allegations;
 1. "on or around 24th February 2016:
 - a. on an application for the post of Senior Carer at Cumbrae House Care Home, you did state that the reason for leaving your employment at Erskine Hospital was that it was too far to travel, when in fact you had been dismissed
 - b. during an interview for the post of Senior Carer at Cumbrae House Care Home, you did state that you left your employment at Erskine Hospital due to travel and short trips, when in fact you had been dismissed
 - c. your actions at allegations 2.a and 2.b above were dishonest [sic]
 2. on or around 16 May 2017, you did fail to declare on an application form for employment with Larchwood Care (NI) Limited that:
 - a. you had been dismissed from Cumbrae House Care Home

- b. you had been dismissed from Erskine Hospital, Bishopton
3. your actions at Allegation 2 above were dishonest
4. on or around 27 December 2016, you did fail to declare on an application for registration with the Northern Ireland Social Care Council that:
 - a. you had been dismissed from Cumbrae House Care Home, Glasgow
 - b. you had been dismissed from Erskine Hospital Bishopton
 - c. you had disciplinary findings against you by an employer
 - d. you were currently subject to a fitness to practise investigation by the Scottish Social Services Council
5. your actions at Allegation 4 above were dishonest

And in light of the above, your fitness to practise is impaired by reason of your Misconduct.”

Reasons

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

- Your behaviour has fallen below the standard expected of a person registered with the Northern Ireland Social Care Council.
- Social care workers are expected to create and maintain trust and confidence, and to be truthful, open, honest and trustworthy in their communication. Failure to declare previous disciplinary matters, dismissals, or regulatory investigations and actions, both to prospective employers and to regulatory bodies, calls into question your honesty. Failure to declare such matters undermines the regulatory and recruitment processes that promote high standards within care and protect service users from harm. Dishonesty is considered serious behaviour.
- The pattern of failure to declare previous dismissals and other matters suggests a significant risk of repetition. Given that disclosure of relevant matters forms part of the risk assessment procedure carried out by employers and regulators, this raises public protection concerns, as well as the public interest in effective regulation and safe recruitment.
- 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

The Standards of Conduct and Practice for Social Care Workers that your behaviour has breached, are as follows:

- | | |
|--------------|---|
| Standard 2 | As a social care worker, you must strive to establish and maintain the trust and confidence of service users and carers. This includes: |
| Standard 2.1 | Being honest and trustworthy; |
| Standard 2.2 | Communicating in an appropriate, open, accurate and straightforward way; |
| Standard 2.6 | Being reliable and dependable; |
| Standard 2.8 | Declaring issues that might create conflicts of interest and making sure that they do not influence your judgement or practice; |

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 2 years.

Reasons for the Sanction

When reaching its decision the Council considered the following aggravating and mitigating factors:

- Your actions were dishonest
- There was a repetitive pattern to the dishonesty
- You were issued a formal warning to remain for 30 months by another Regulator for reasons that included dishonesty with the Northern Ireland Social Care Council and an employer in Northern Ireland.
- Dishonesty puts the public at risk as well as public confidence in social care and the regulatory function.
- Your behaviour has demonstrated a disregard for the Council's Standards of Conduct and Practice.

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

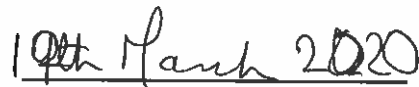
- You co-operated with the Council and provided submissions
- There have been no further reports of misconduct or referrals to the Council.
- You admitted that your fitness to practice is impaired and accepted the warning from the Scottish Social Services Council (SSSC)
- No harm came to any service users
- You demonstrated insight into your behaviour and expressed remorse

Date of Effect

This warning comes into effect on 16th March 2020. A record of the warning has been placed on your entry in the Register for a period of two years and does not affect your ability to practise.



Director 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.

