

### Notice of Decision

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| <b>Registrant</b>          | <b>Christine Anne Devine</b>            |
| <b>Registration number</b> | <b>6007286</b>                          |
| <b>Part of Register</b>    | <b>Part 2 – Domiciliary Care Worker</b> |
| <b>Sanction</b>            | <b>Undertakings</b>                     |
| <b>Date of Effect</b>      | <b>20 January 2021</b>                  |

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 agree undertakings with you.

#### Misconduct

That whilst being registered as a social care worker, and whilst employed as a care assistant at Jordanstown Care Home, Four Seasons Health Care:

1. On 08 January 2020 during night shift:
  - a. You failed to accurately record a service user's time of death on two different records.
  - b. You signed the initials of another staff member on these records.
2. On 08 January 2020 during night shift you completed hourly records for two service users in advance.

#### 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 meet relevant standards of practice and maintain clear and accurate records. Failing to accurately record information and completing records in advance undermines that trust and confidence.
- 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 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:

- 2.1 Being honest and trustworthy.
- 2.5 Holding, using and storing records in line with organisational procedures and data protection requirements.
- 2.6 Being reliable and dependable.

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:

- 6.1 Meeting relevant standards of practice and working in a lawful, safe and effective way.
- 6.4 Maintaining clear and accurate records as required by procedures established for your work.

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

Standard 1: As a social care worker, you must understand the main duties and responsibilities of your own role within the context of the organisation in which you work. This includes:

- 1.7 Keeping records that are up to date, complete, accurate and legible.

## **Sanction**

Having regard to the document '*Consensual Disposal Indicative Sanctions*' the Council decided that the appropriate sanction was to agree undertakings with you. An undertaking is an agreement between you and the Council.

### Agreed Undertakings:

1. That you notify the Northern Ireland Social Care Council within 14 days of accepting any post or employment requiring registration and provide the name and contact details of the organisation offering you the post.

2. That within 6 months of entering a role in social care which requires registration with the Northern Ireland Social Care Council you will:

i Provide a report from your Line Manager addressing the standard of your performance. In particular, your standard of record keeping and your ability to maintain clear and accurate records as required by procedures established for your work.

3. That after 12 months of entering a role in social care which requires registration with the Northern Ireland Social Care Council you will:

i Provide a report from your Line Manager addressing the standard of your performance. In particular, your standard of record keeping and your ability to maintain clear and accurate records as required by procedures established for your work.

4. That you will inform the following parties that you are subject to an undertaking under the NI Social Care Council's fitness to practise procedures, and disclose the undertakings listed above, to them:

- i. Any organisation or person employing, contracting with, or using you to undertake social care work
- ii. Any agency you are registered with or apply to be registered with (at the time of application)
- iii. Any prospective employer (at the time of application)
- iv. Any educational establishment at which you are undertaking a course of study connected with social care work, or any such establishment to which you apply to take such a course (at the time of application).

### **Reasons for the Sanction**

When reaching its decision the Council considered the following factors:

- You have not demonstrated sufficient insight or remorse into your actions or the potential consequences of your actions.
- Your actions at 1 b. and 2 were dishonest.
- 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.
- You have acknowledged the importance of record keeping and state that you have learnt from this incident.
- You have fully engaged with the Council's investigation.
- There is no previous record of misconduct with the Council.

### **Agreement**

Having been advised of the consequences, and having been recommended to take independent advice, you agreed to the undertakings above on 19 January 2021. A record of the undertakings has been placed on your entry in the Register. Other than the restrictions detailed in the undertakings, your ability to practise is not affected.

### **Duration of undertakings**

The undertakings will continue indefinitely. However, under Rule 13(12) you can apply to be released from an undertaking, and the Council will consider your request at that time.

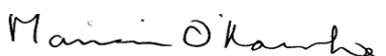
### **Consequences of non-compliance with an undertaking**

Under Rule 13(13), if the Council receives information that you have not complied with an undertaking, or you fail to provide information to confirm compliance when requested, the Council may:

- (a) Refer the original allegations to the Preliminary Proceedings Committee; and
- (b) Treat the failure to comply with an undertaking as a separate allegation of impaired fitness to practise and refer this allegation to the Preliminary Proceedings Committee.

### **Date of Effect**

This warning comes into effect on 20 January 2021.



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Director of Regulation & Standards

Date 20<sup>th</sup> January 2021