



## Notice of Decision

<b>Registrant</b>	<b>Keith Andrew Coffey</b>
<b>Registration number</b>	<b>1134420</b>
<b>Part of Register</b>	<b>Part 2 – Adult Residential Care Worker</b>
<b>Sanction</b>	<b>Undertakings</b>
<b>Date of Effect</b>	<b>11 March 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 Practice is impaired by reason of misconduct, as defined in Part 1, Rule 4(1)(a) of the NISCC Fitness to Practice (Amendment) Rules 2019.
2. To agree undertakings with you.

### Impairment

Your actions, as outlined below, amount to impaired fitness to practise by reason of misconduct.

Whilst employed as Registered Manager of Green Isle Residential Home:

1. By your own admission, in or around October 2017 you failed to report a safeguarding incident that you allegedly witnessed. Namely, that a staff member made inappropriate physical contact with a vulnerable service user.
2. You delayed reporting the alleged incident set out at (1) above until the 12<sup>th</sup> February 2020 and then subsequently failed to provide a witness statement to the PSNI.
3. That your actions set out at (1) and (2) above put service users at risk of harm.

### Reasons

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

- People who use services have the right to expect that the care they receive from social care workers will protect them from harm. In providing that care, social care workers should be reliable and dependable. You were in a senior position of responsibility and you omitted to follow the correct reporting procedures in respect of an allegedly serious safeguarding concern. By failing to adequately report the alleged actions of your staff you placed service users at risk of harm.

- Your actions were serious and the delay in reporting was deliberate.
- There is a public interest concern given that you may again work as a Social Care Manager in a position where you would be entrusted to ensure the safety and wellbeing of all vulnerable service users.
- 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 2: As a social care worker, you must strive to establish and maintain the trust and confidence of service users and carers. This includes:**

2.6 Being reliable and dependable;

**Standard 3: Promote the autonomy of service users while safeguarding them as far as possible from danger or harm. This includes:**

3.2 Using established processes and procedures to assess, respond to and manage dangerous, abusive, discriminatory or exploitative behaviour and practice;

3.3 Following practice and procedures designed to keep you and other people safe from violent and abusive behaviour at work;

3.4 Bringing to the attention of your employer or the appropriate authority, without delay, resource or operational difficulties that might get in the way of the delivery of safe care;

3.5 Informing your employer or an appropriate authority, without delay, where the practice of colleagues or others may be unsafe or adversely affecting standards of care;

3.7 Recognising and using responsibly with service users and carers, the power that comes from your work role.

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

5.1 Abuse, neglect or harm service users, carers or colleagues;

5.7 Put yourself or other people at unnecessary risk

**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;

6.3 Being personally accountable for your actions and able to explain and account for your actions and decisions;

6.8 Ensuring that if there is a conflict between the Social Care Council standards of conduct and your work environment, your first obligation is to the standards;

6.11 Being open and honest with people if things go wrong, including providing a full and prompt explanation to your employer of what has happened;

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

**Standard 1: Understand the main duties and responsibilities of your own role within the context of the organisation in which you work. This includes:**

- 1.3 Knowing your main responsibilities to those service users and carers you support including duty of care;
- 1.8 Reporting any adverse events, incidents, errors and near misses that are likely to affect the quality of care and wellbeing of service users or carers;
- 4.3 Knowing your own role and responsibilities in relation to safeguarding;

**Standard 4: Support the safeguarding of individuals. This includes:**

- 4.5 Taking the appropriate actions to safeguard a service user or carer if you suspect they are being harmed or abused or if they disclose that they are being harmed or abused;
- 4.6 Reporting suspected or actual harm or abuse to the designated person in accordance with employer safeguarding policies.

**Sanction**

Having regard to the document '*Indicative Sanctions for Consensual Disposal*' the Council decided that the appropriate course of action was to agree undertakings with you. An undertaking is an agreement between you and the Council, setting out limits within which you must practise.

**Agreed Undertakings:**

1. That you will not practise as a Social Care Manager in any setting requiring compulsory registration with the NI Social Care Council
2. That you will notify the NI Social Care Council within 7 days of accepting any post or employment requiring registration with the Social Care Council and provide the name and contact details of the organisation offering you the post
3. That you will inform the NI Social Care Council of any professional investigation started against you, and/or any professional disciplinary proceedings taken against you within 7 days of you receiving notice of them
4. That you will inform the following parties that you are subject to undertakings 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)

Having considered the factors set out in the '*Consensual Disposal Indicative Sanctions*' the Council considers the above proposed undertakings to be appropriate for the following reasons:

- Your actions had the potential to place service users at risk of harm.
- Your actions took place while you were at work, and in a position of responsibility as a Registered Manager.
- There was a period of three years where the harm was not reported.
- You demonstrated deceitful behavior by not bring the information to the relevant investigatory bodies.
- You failed to fulfil the responsibilities placed on you as a NISCC registered member of staff.

**However;**

- You have co-operated with the Social Care Council's investigation and engaged courteously throughout by email and telephone.
- You have demonstrated insight regarding your actions.
- You have admitted the allegations raised and apologised for those actions.
- You have demonstrated insight regarding your actions and have provided a personal reflection in relation to the incident.
- You have not been subject to any previous referral to the Social Care Council.

**Agreement**

Having been advised of the consequences, and having been recommended to take independent advice, you agreed to the 4 undertakings detailed above. 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.

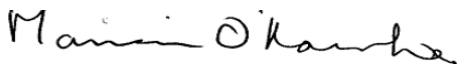
**Consequences of non-compliance with an undertaking**

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**

The undertakings come into effect on 11 March 2021



11<sup>th</sup> March 2021

---

Marian O'Rourke  
Interim Director of Regulation and Standards

Date