

**Notice of Decision**

<b>Registrant</b>	<b>John Graham</b>
<b>Registration number</b>	<b>6030655</b>
<b>Part of Register</b>	<b>Part 2 – Domiciliary Care Worker</b>
<b>Sanction</b>	<b>Warning to remain on your registration for a period of 3 years</b>
<b>Date of Effect</b>	<b>26 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 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 3 years.

**Misconduct**

That whilst being registered as a social care worker, and whilst employed as a Community Care Worker at Jark Healthcare Services Ltd:

- Between 12 October 2020 and 03 December 2020 you failed to carry out allocated work with service user A; and
- Between 12 October 2020 and 03 December 2020 you claimed for and received payment for hours not worked (as above) to the sum of approximately £974.75.

**Reasons**

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

- Social care workers are expected to establish and maintain the trust and confidence of service users and carers. Failing to honour work commitments without explanation or authorisation and claiming and receiving payment for hours not worked undermines that trust and confidence.
- Your behaviour occurred over a prolonged period of approximately 8 weeks.
- Your actions were dishonest.
- 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;
- 2.6 Being reliable and dependable;
- 2.7 Honouring work commitments, agreements and arrangements and, when it is not possible to do so, explaining why to service users and carers;
- 2.11 Not engaging in practices which are fraudulent in respect of use of public or private monies.

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

- 5.8 Behave in a way, in work or outside work, which would call into question your suitability to work in social care services.

## **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 3 years.

## **Reasons for the Sanction**

When reaching its decision the Council considered the following factors:

- Your actions could have had a detrimental impact on the wellbeing of the service user.
- You were in a paid position to provide support to the service user.
- Your actions occurred over a prolonged period of approx. 8 weeks.
- You claimed for and accepted payment for work you knowingly did not complete.
- Your actions 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:

- You made admissions to both your employer during investigation and to NISCC.
- There is no evidence of direct or indirect harm to the service user.
- You have fully engaged in the Council's investigation and expressed an apology and demonstrated some remorse.
- There is no previous record of misconduct with the Council.

## **Consent**

Having been advised of the consequences, and having been recommended to take independent advice, you consented to the imposition of a warning on 25 March 2021. A record of the warning has been placed on your entry in the Register for a period of 3 years and does not affect your ability to practise.

**Date of Effect**

This warning comes into effect on 26 March 2021.

*Maini Okunba*

26<sup>th</sup> March 2021

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Director of Regulation & Standards

Date