

**Notice of Decision**

<b>Registrant</b>	<b>Michael Buchanan</b>
<b>Registration number</b>	<b>7010195</b>
<b>Part of Register</b>	<b>Part 2 – Adult Residential Care Worker</b>
<b>Sanction</b>	<b>Warning to remain on your registration for a period of 2 years</b>
<b>Date of Effect</b>	<b>17<sup>th</sup> November 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 a Caution in the United Kingdom for a criminal offence, 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.

**Caution in the United Kingdom**

That whilst being registered as a social care worker, on 29<sup>th</sup> October 2020 you received a Caution for the following offences:

- 07<sup>th</sup> May 2020 – Attempted criminal damage;
- 09<sup>th</sup> May 2020 – Common Assault;
- 10<sup>th</sup> May 2020 – Common Assault.

**Reasons**

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

- Your actions were violent in nature.
- The public has the right to expect that social care workers, in whom it places its trust and confidence, will uphold the law and not engage in offending behaviour; nor otherwise behave in a way in work or outside work which would call into question their suitability to work in social services.
- 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:

- 5.7 Put yourself or other people at unnecessary risk;

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 2 years.

### **Reasons for the Sanction**

When reaching its decision the Council considered the following factors:

- A caution was received as a result of your actions which were violent in nature.
- You committed these offences whilst heavily intoxicated.
- 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:

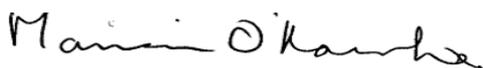
- The offences occurred outside of a social care environment.
- You have demonstrated insight into your behaviour and have positively co-operated with the Council's enquiries.
- You admitted to the above offences by accepting the Certificate of Caution from the PSNI on 29<sup>th</sup> October 2020.
- No previous record of misconduct with the Council.
- The Council is not aware of any further offence since this matter came to the Council's attention.

### **Consent**

Having been advised of the consequences, and having been recommended to take independent advice, you consented to the imposition of a warning on 16<sup>th</sup> November 2021. 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.

### **Date of Effect**

This warning comes into effect on 17<sup>th</sup> November 2021.



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Director of Regulation and Standards

Date

17<sup>th</sup> November 2021