

Notice of Decision

Registrant	Jolita Didbarzdiene
Registration number	6004999
Part of Register	Part 2 – Adult Residential Care Worker
Sanction	Removal by Agreement
Date of Effect	23rd November 2021

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 your criminal conviction, as defined in Part 1, Rule 4 of the NISCC Fitness to Practise (Amendment) Rules 2019 ('the Rules').
2. to remove you from the Register, following your application to be Removed by Agreement, as defined in Rule 14 of the Rules.

You (the Registrant) have agreed to the following Statement of Facts:

1. On 30 April 2021, the Registrant pleaded guilty, and was convicted at the Magistrates Court of the criminal offence set out below. She was sentenced on 2 July 2021 to 4 months imprisonment, suspended for 18 months:
 - Charge 1: 'Defendant on 28/10/20 unlawfully assaulted [Service User A], contrary to section 42 of the Offences Against the Person Act 1861.
2. By reason of the conviction set out above, the Registrant's fitness to practise is deemed to be impaired.
3. The public has the right to have confidence in social care services. The most vulnerable people in society need to be protected from those who will harm them. The Registrant has been convicted of assaulting a vulnerable service user in her care. Given the nature of her actions, she is no longer deemed suitable to remain on the Northern Ireland Social Care Register. Confidence in the social care profession would be undermined by allowing the Registrant to remain on the Register.

4. The Registrant has breached the following provisions of the NI Social Care Council's Standards of Conduct and Practice for Social Care Workers:

Standard of Conduct 1: As a social care worker, you must protect the rights and promote the interests and wellbeing of service users and carers. This includes:

1.2 Treating people with consideration, respect and compassion.

Standard of Conduct 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;

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

Standard of Practice 3: As a social care worker, you must deliver person-centred care and support which is safe and effective. This includes:

3.1 Promoting and applying person-centred values in your day to day work with service users and carers;

3.12 Contributing to the physical and emotional well-being of service users and carers.

Standard of Practice 6: As a social care worker, must develop yourself as a social care worker. This includes:

6.1 Being aware of relevant standards that relate to your work role.

Application for Removal by Agreement

Having regard to the document '*Consensual Disposal Indicative Sanctions*', the Council was minded to grant you Removal by Agreement. The Council served papers on you, inviting you to apply for Removal by Agreement. Having been advised of the consequences, and having been recommended to take independent advice, you made an application to be removed from the Register on 17th November 2021. In making the application, you admitted the allegations, agreed the statement of facts (as set out above), and admitted that the facts amounted to your fitness to practise being impaired.

The effect of this decision is that your entry in the Register has been removed.

You are prohibited by law from working as a social care worker in any of the following regulated positions:

1. A member of care staff at a:
 - a) Children's home
 - b) Residential care home
 - c) Nursing home
 - d) Day care setting
 - e) Residential family centre.

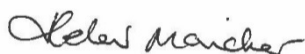
2. A person who is supplied by a domiciliary care agency to provide personal care to individuals in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.
3. A manager of a:
 - a) Residential care home
 - b) Day care setting
 - c) Residential family care centre
 - d) Domiciliary care agency.

It is **compulsory** for the above social care workers to be registered with the Northern Ireland Social Care Council in order to work. This is pursuant to the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013 and the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017.

In accordance with Schedule 3, Paragraph 9 of the NISCC Fitness to Practise (Amendment) Rules 2019, you may not apply to be restored to the Register within five years from the date of removal.

Date of Effect

This notice comes into effect on 23rd November 2021.



Head of Fitness to Practise

23rd November 2021
Date