

Notice of Decision

Registrant	Mary Catherine Mc Kay
Registration number	6022046
Part of Register	Part 2, Domiciliary Care Worker
Sanction	Warning (3-Years)
Date of Effect	14.03.2022

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 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

- On the 17th November 2020, at the home of a vulnerable service user you provided a level of care and support that was so substandard that it amounted to abuse by neglect.
- The relevant service user had a detailed care plan of which you were aware, or ought to have been aware, that stipulated “close supervision as high risk of falls”. You failed to provide a satisfactory level of care and supervision during the attendance which led or contributed to the service user suffering a fall.
- Additionally, after the service had fallen you used an inappropriate and unauthorised manual handling manoeuvre in an attempt to lift the service user off the floor, a manoeuvre that exposed the service user to further risk of harm and injury.

Reasons

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

- Your conduct exposed a vulnerable, elderly, service user in your care to undue and unnecessary risk of injury and harm.
- Your conduct in that regard has fallen below the standard expected of a person registered with the Northern Ireland Social Care Council and therefore has the potential to undermine public confidence in social care services.

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. The includes;

Standard 2.6- Being reliable and dependable;

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

Standard 5.7- Put yourself or other people at unnecessary risk;

Standard 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 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;

Standard 6.1- Meeting relevant standards of practice and working in a lawful, safe and effective way;

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

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:

- You showed disregard to the health, safety and wellbeing of a vulnerable service user in your care in the first instance by a lack of support and supervision and then furthermore by the use of an inappropriate manual handling manoeuvre both of which exposed the service user to serious risk of harm and injury.

The following mitigating circumstances were taken into account in reaching this decision:

- You have no previous record of misconduct with the Council.
- You have no previous disciplinary record.
- Your conduct appears to have been an isolated incident.

Consent

Having been advised of the consequences, and having been recommended to take independent advice, you consented to the imposition of a warning on 11th March 2022. 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 14th March 2022.

Mansi Okamba

14th March 2022

Director of Regulations and Standards

Date