



Notice of Decision of the Northern Ireland Social Care Council's Fitness to Practise Committee

Name: Megan Cooke

SCR No: 7004559

NOTICE IS HEREBY GIVEN THAT the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **21 September 2022**, made the following decision about your registration with the Northern Ireland Social Care Council:

The Committee found the facts proved;

The Committee found that your fitness to practise is impaired by reason of your conviction;

The Committee decided to make an Order for removal of your registration from the Register ('a Removal Order').

Particulars of the Allegation:

That, whilst being registered as a social care worker under the Health and Personal Social Services Act (Northern Ireland) 2001 (as amended), you were convicted at the Crown Court at Londonderry on 19 November 2021, of the following offences:

1. [You] on dates between the 14 December 2019 and 19 November 2020 were concerned in the supply of a controlled drug of Class B namely, Cannabis, to another in contravention of section 4(1) of the Misuse of Drugs Act 1971 contrary to Section 4(3)(b) of the Misuse of Drugs Act 1971. [Count 1]
2. [You] on 19th December 2020, had in your possession a controlled drug of Class B of Schedule 2 to the Misuse of Drugs Act 1971 namely, Cannabis, with intent to unlawfully supply it to another in contravention of section 4(1) of the Misuse of Drugs Act 1971, contrary to section 5(3) of the Misuse of Drugs Act 1971. [Count 2]

And your actions as set out above show that your fitness to practise is impaired by reason of your convictions.

Preliminary Matters

Procedure

The hearing was held under the fitness to practise procedure.

Service

Mr Carson told the Committee that the Notice of Hearing and hearing bundle were emailed to the Registrant's registered email address on 08 August 2022, and that a delivery receipt was received on the same date. The Committee Clerk called the Registrant on 16 September 2022 and left a message asking the Registrant to return her call. The Registrant returned the call on the same date and confirmed that she would not be attending the fitness to practise hearing on 21 September 2022, and that she was content for the Committee to proceed in her absence.

The Committee received legal advice from the Legal Adviser, and she referred the Committee to the requirements as set out in the Northern Ireland Social Care Council's ('the Council') Fitness to Practise (Amendment) Rules 2019 ('the Rules') and, in particular, Rule 3 which states that proof of service shall be treated as being effected on the day after it was properly sent.

The Committee, in all of the circumstances of the case, was satisfied that the Notice of Hearing had been served in accordance with Rule 3 of the Rules, and the requirements of Paragraph 5 of Schedule 2 of the Rules.

Proceeding in the Absence of the Registrant

Mr Carson made an application to proceed in the absence of the Registrant under Paragraph 15 of Schedule 2 of the Rules, and submitted that the Committee should hear and determine the case in her absence. He invited the Committee to conclude that the Registrant's absence was a voluntary waiver of her right to attend. Mr Carson told the Committee that the Registrant had confirmed in a telephone call with the Council, on 16 September 2022, that she would not be in attendance at the hearing, and understood that the hearing could proceed in her absence. Mr Carson further suggested that it was in the public interest for there to be an expeditious disposal of the hearing.

The Committee was mindful that the discretion to proceed in the absence of the Registrant should only be exercised with the utmost care and caution. In considering the application, the Committee sought to satisfy itself that all reasonable efforts had been made to notify the Registrant of the hearing, and accepted the advice of the Legal Adviser. She referred the Committee to the cases of R v Jones 2003 1 AC, Adeogba and Visvardis v GMC 2016. She reminded the Committee that in exercising its discretion to proceed in the Registrant's absence, it must have regard to all of the circumstances with fairness to the Registrant being of prime consideration, although fairness to the Council and the public interest must also be taken into account. She reminded the Committee to avoid reaching any improper conclusion about the Registrant's absence, and not to accept it as an admission in any way.

The Committee reminded itself that fairness to the Registrant should be a prime consideration. The Committee bore in mind the public interest in the expeditious disposal of the hearing. The Committee noted the telephone call between the Registrant and the Council on 16 September 2022, in which the Registrant confirmed that she would not be in attendance and understood that the hearing could proceed in her absence. The Committee noted that the Registrant had not asked for an adjournment in any communication with the Council, nor did she indicate that she was seeking representation. The Committee noted that the Particulars of the Allegation relate to a period in 2019 – 2020 and considered that in view of the length of time since then, the expeditious disposal of this matter was important. Therefore, after careful consideration of all of the issues, the Committee decided to exercise its discretion to proceed in the absence of the Registrant, taking into account the serious nature of the Particulars of the Allegation, and striking a careful balance between fairness to the Registrant and the wider public interest. The Committee, in all of the circumstances, considered that the Registrant had voluntarily absented herself from today's hearing. However, the Committee reminded itself that it must avoid reaching any improper conclusion about the Registrant's absence, nor treat the absence as an admission.

Application to Admit Hearing Bundle

Mr Carson requested that the hearing bundle be admitted into evidence. The Committee accepted the bundle into evidence and marked it as Exhibit 1. Mr Carson said that the Registrant was aware of the content of the bundle, and had made no objection to the documentation or to the Council's intention to present it to the Committee.

Declarations of Conflicts of Interest

The Chair of the Committee advised that none of the Committee Members had any conflict of interest with the case.

Background

This matter was first brought to the Council's attention by way of a Common Law Police Disclosure (CLPD) letter from the PSNI, dated 18 January 2020 [sic 2021]. The CLPD advised that the Registrant had been arrested on 19 December 2020. The CLPD further disclosed that on 19 December 2020, *'Police had occasion to stop a car being driven by the subject. The subject and the vehicle were searched, during which, controlled drugs were recovered. A set of scales and bags believed to be used for dealing drugs were also recovered. The subject was interviewed and admitted that the drugs were hers but denied intent to supply. At the time of the search, investigating police noted that the subject was wearing her work uniform clothing and she indicated that she was travelling home from her work.'*

Mr Carson stated that the Council received an Employer Referral Form (ERF) from a registered manager from Bryson Care, dated 29 January 2021. Mr Carson told the Committee that the Registrant commenced work with Bryson Care on 22 April 2020. She was employed as a domiciliary care worker, looking after older people. Bryson Care had no previous concerns.

Following receipt of the CLPD and ERF, the Council notified the Registrant of its interest in the matter by way of email dated, 29 January 2021. The Council sought any comments from the Registrant that she wished to make in respect of same. To date, no response or acknowledgement has been received from the Registrant.

On 19 November 2021, at Londonderry Crown Court, the Registrant pleaded guilty and was convicted of the following charges:

Count 1

Defendant on dates between the 14 December 2019 and 19 November 2020 were concerned in the supply of a controlled drug of Class B namely, Cannabis, to another in contravention of section 4(1) of the Misuse of drugs Act 1971 contrary to Section 4(3)(b) of the Misuse of Drugs Act 1971. *[sic]*

Count 2

Defendant On 19th day of December 2020 you had in your possession a controlled drug of Class B of Schedule 2 to the Misuse of Drugs Act 1971 namely, Cannabis, with intent unlawfully to supply it to another in contravention of section 4(1) of the Misuse of Drugs Act 1971. contrary to section 5(3) of the Misuse of Drugs Act 1971. *[sic]*

On 07 April 2022, the Registrant received a Combination Order (Enhanced). The Court, having considered a pre-sentence report ordered that a Combination Order should be made in the interests of securing rehabilitation of the Registrant. The Court imposed a Community Service Order for 40 hours and also imposed a Probation Order for one year.

Evidence

Mr Carson referred the Committee to the Certificate of Conviction in Exhibit 1. He advised that the conviction against the Registrant related to possession and supplying of Class B drugs, namely cannabis. He told the Committee that the Registrant pleaded guilty to the charges on 19 November 2021. Mr Carson directed the Committee to the Certificate of Conviction within the bundle, which showed that the Registrant was convicted of both offences and received a Combination Order of a Community Service Order for 40 hours and a Probation Order imposed for one year.

Mr Carson submitted that the Certificate of Conviction, when taken alongside the background information obtained from the PSNI, allowed the Council to prove the facts on the balance of probabilities. He confirmed that to the best of the Council's knowledge, the Registrant had not appealed her conviction. Mr Carson submitted that in accordance with Paragraph 12 (5) of Schedule 2 of the Rules, the Certificate of Conviction was conclusive proof of the facts.

Findings of Fact

The Committee took into account the submission made on behalf of the Council, the Certificate of Conviction and the legal advice from the Legal Adviser. The Legal Adviser reminded the Committee that under Paragraph 12 (5) of Schedule 2 of the Rules, a certificate of conviction issued in any UK Criminal Court '*shall be conclusive proof*

of the facts or conviction so found'. She advised the Committee that a registrant could challenge a certificate of conviction if it did not refer to the Registrant, or where the conviction had been challenged successfully on appeal. She informed the Committee that the Certificate of Conviction in this case was issued before a competent Court of jurisdiction and, in the absence of any other evidence, the Committee was entitled to rely on the Certificate of Conviction to establish conclusively that the Registrant was convicted of the offences as set out. She also advised the Committee that the certificate could be relied upon to establish the facts underlying the convictions.

The Committee reminded itself that the burden is on the Council to prove the facts as set out in the Particulars of the Allegation, and that to find the facts proved the Committee must be satisfied on the balance of probabilities. This means that for any fact to be found proved, the Committee must be satisfied that it is more likely than not to have occurred.

The Committee had careful regard to all of the documentary evidence. The Committee noted the facts contained in the Certificate of Conviction. The Committee accepted that the Certificate of Conviction referred to this Registrant and was not subject to an appeal. The Committee, therefore, concluded that the Certificate of Conviction was conclusive proof of the convictions and the underlying facts. The Committee found the facts proved.

Fitness to Practise

The Committee proceeded to consider whether the Registrant's fitness to practise was currently impaired by reason of her convictions.

The Committee heard submissions from Mr Carson. He said that there was no admission from the Registrant as regards impairment of her fitness to practise. He said that the Registrant's convictions called into question her ability to work in social care services and to remain on the Register without restriction, or to be registered at all.

He referred the Committee to the Standards of Conduct and Practice for Social Care Workers which, in his submission, the Registrant had breached by reason of her convictions: namely, Standards of Conduct 2.1 and 5.8. Mr Carson submitted that the Registrant's actions fell far below the standards to be expected of a registered social care worker. Mr Carson submitted that the Registrant has not produced evidence of remediation to date, and that there has been no meaningful engagement with the Council. He said that in these circumstances, there remains a risk of repetition. He submitted that there was some evidence of developing insight on the part of the Registrant when she pleaded guilty to the criminal charges. However, he said that there was no information before the Committee to suggest that the Registrant understood the impact of her behaviour.

He said that the Registrant's behaviour was unacceptable. He submitted that a failure to make a finding of current impairment of the Registrant's fitness to practise would undermine public trust and confidence, and would fail to uphold proper standards of conduct and behaviour. Mr Carson invited the Committee to make a finding of current impairment by reason of the Registrant's convictions.

The Committee considered the submission from Mr Carson, and had regard to all of the evidence in the case. The Committee heard and accepted the advice of the Legal Adviser. She referred the Committee to Paragraph 24 (3) of Schedule 2 of the Rules, and the requirements as set out in the case of the GMC v Cohen, looking at the current competence and behaviour of the Registrant, along with the need to protect service users, members of the public, the upholding of proper standards of behaviour and maintaining of public confidence in the social care profession. She further referred the Committee to the findings of Dame Janet Smith in the 5th Shipman Report as regards the potential causes of impairment. She also referred the Committee to the cases of GMC v Meadows 2006 and CHRE v NMC & Grant 2011.

The Committee considered whether the Registrant's fitness to practise was impaired by reason of her convictions as set out in the Particulars of the Allegation.

The Committee, in considering the issue of impairment of fitness to practise, took account of Paragraph 24 (3) of Schedule 2 of the Rules, which states that it should have regard to:

- (a) whether it is satisfied as to the reason for the alleged impairment of fitness to practise;
- (b) the Standards of Conduct and Practice issued by the Council under Section 9 of the Act;
- (c) whether the impairment is capable of remediation;
- (d) whether the impairment has been remediated;
- (e) the risk of repetition; and
- (f) the public interest.

The Committee had regard to Rule 4 (d) of the Rules, which states that fitness to practise may be impaired by a conviction for a criminal offence. The Committee was satisfied that the Registrant's convictions for possession and supply of drugs were reasons for the alleged impairment of fitness to practise.

The Committee had regard to the Standards of Conduct and Practice for Social Care Workers. The Committee considered the submission from the Council as regards the application of Standard 2.1. The Committee considered that in light of the circumstances of the Registrant's criminal convictions, this Standard was not engaged. The Committee was satisfied that the Registrant's actions were in breach of the following Standards of Conduct:

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.

The Committee was of the view that the Registrant's criminal behaviour fell significantly below the standards of conduct expected of a registered social care worker. The Committee noted that the Registrant's convictions for possession and supply of Class B drugs were serious.

The Committee addressed itself to the Registrant's insight and remediation. The Committee concluded that the events which led to the convictions were capable of remediation. However, there was no information or evidence from the Registrant to demonstrate that she had developed appropriate insight or had attempted to remediate her behaviour. The Committee took into account that the Registrant had pleaded guilty to the offences of possession and the supply of drugs, and considered this to show very limited insight. Accordingly, the Committee has no evidence to show that the Registrant has demonstrated sufficient insight. The Committee considered, in light of the absence of insight and remediation by the Registrant, that there was a likelihood of repetition.

Although these events occurred outside of the workplace, the Committee noted that the Registrant was wearing her work uniform when she was stopped by the police. The Committee concluded that a finding of current impairment was necessary to protect the public.

The Committee also concluded that a finding of current impairment of fitness to practise was necessary in the public interest. It was considered by the Committee that public confidence in the social care profession, and the Council as its regulator, would be undermined if a finding of impaired fitness to practise in these circumstances was not made.

Therefore, the Committee concluded that the Registrant's fitness to practise is currently impaired by reason of her criminal convictions.

Sanction

In reaching its decision on sanction, the Committee considered the submission of Mr Carson on behalf of the Council, and had regard to all of the evidence in this case. Mr Carson referred the Committee to mitigating factors, and advised that the Registrant had no previous referrals to the Council. He also noted that the Registrant had pleaded guilty to the charges of possession and the supply of drugs, and that no service users were harmed. In considering aggravating factors, Mr Carson submitted that the convictions were extremely serious. He said that the Registrant had failed to engage in a meaningful way with the Council. He noted that when the police apprehended the Registrant, she had been wearing her work uniform. He further noted that the Registrant admitted to smoking cannabis every day, and suggested that there was a risk that she was under the influence of drugs when caring for service users.

Mr Carson submitted that whilst sanction was entirely a matter for the Committee, it was the view of the Council that it would not be appropriate to take no action or to impose a Warning in this case, due to the serious nature of the criminal offences. He submitted that a Warning would not provide adequate protection for service users, nor address the risk of repetition. He submitted that the Registrant's criminal convictions were at the more serious end of the spectrum.

Mr Carson referred the Committee to the NISCC Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees ('the Guidance'), and submitted that conditions of practice would be difficult to formulate as the Registrant was not in attendance and there was no information to her current employment. In

considering the sanction of a Suspension Order, he noted that the Registrant, in failing to engage with proceedings, had not acknowledged her failings or addressed the likelihood of repetition. As regards the sanction of a Removal Order, he reminded the Committee that this should be a proportionate response and would be appropriate where the Registrant's actions were fundamentally incompatible with remaining on the Register.

The Committee accepted advice from the Legal Adviser. She referred the Committee to the Guidance, and reminded the Committee to consider the question of sanction in ascending order of severity, paying particular attention to the issue of proportionality.

She referred the Committee to Paragraph 26 of Schedule 2 of the Rules which provides that, upon a finding of impairment of fitness to practise, the Committee may:

- (a) impose no sanction; or
- (b) warn the Registrant and direct that a record of the warning should be placed on the Registrant's entry in the Register for a specified period of up to 5 years; or
- (c) make a Conditions of Practice Order for a specified period not exceeding 3 years; or
- (d) make an Order suspending the Registrant's registration for a specified period not exceeding 2 years (a 'Suspension Order'); or
- (e) make an Order for removal of the Registrant's registration from the Register ('a Removal Order').

She further reminded the Committee that in deciding which sanction to impose, the Committee should take into account:

- (a) the seriousness of the Particulars of the Allegation;
- (b) the degree to which the Registrant has fallen short of any expected standards;
- (c) the protection of the public;
- (d) the public interest in maintaining confidence in social care services; and
- (e) the issue of proportionality.

The Committee applied the principles of fairness, reasonableness and proportionality, weighing the public interest with the Registrant's interests. The public interest included the protection of members of the public, including service users, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct and behaviour within the profession. The Committee took into account its powers under Paragraph 26 of Schedule 2 of the Rules in relation to the sanctions available to it, and also had regard to the Council's Guidance, bearing in mind that the decision on sanction was one for its own independent judgement.

The Committee recognised that the purpose of sanction was not to be punitive, although a sanction may have a punitive effect. The Committee considered the aggravating and mitigating factors in this case.

The Committee considered the mitigating factors to be:

- The Registrant had no previous referrals to the Council, and therefore had the benefit of a good work history;
- The Registrant pleaded guilty to both the supply and possession of cannabis;
- The criminal behaviour occurred outside of the workplace and service users were not harmed; and
- The Registrant engaged with the Committee in a very limited way when she indicated that she would not be in attendance at the hearing.

The Committee considered the aggravating factors to be:

- The Registrant had very limited engagement with the Council;
- The Registrant was convicted of two serious criminal offences, for which she received a Probation Order for one year and a Community Service Order of 40 hours;
- The Registrant's actions were premeditated;
- The Registrant has demonstrated very limited insight, with no evidence of regret or remorse;
- The Committee has not been provided with any evidence of rehabilitative steps;
- The Registrant did not provide any references or testimonials;
- The Registrant's criminal actions carried with them the potential risk of harm, both to the public and when she was caring for service users;
- The Registrant was apprehended by the police when she was wearing her work uniform; and
- The Registrant has shown a serious disregard for the Council's Standards of Conduct and Practice for Social Care Workers. The Committee had previously found that her convictions meant that her actions fell far below the standards which could be expected of a registered social care worker.

Having balanced the aggravating and mitigating factors, and taking into account the interests of public protection and the public interest, the Committee was satisfied that a sanction was necessary, and proceeded to consider which sanction to apply in this case. The Committee considered that the Registrant's criminal behaviour was at the lower end of the spectrum and this was reflected in the sentence imposed. However, the Committee considered that the Registrant's criminal convictions had a serious impact on the reputation of the profession and the confidence of the public in the social care workforce. The Committee reminded itself that it must be proportionate when considering sanction, and noted that as the Registrant had not engaged with the Committee it was unable to weigh her interests against the interests of the public.

No sanction - the Committee was in no doubt that it would be entirely inappropriate to impose no sanction in view of the seriousness of the case and the nature of the criminal convictions. To impose no sanction would be inappropriate in view of the seriousness of the findings, and would not address the concerns identified.

Warning – the Committee considered whether to impose a Warning in this case. Having regard to its previous findings, the Committee considered that such a step would be inadequate to protect the public and would fail to uphold the public interest. The Committee considered that the Registrant’s criminal convictions demonstrated a serious disregard for the Standards of Conduct and Practice for Social Care Workers. The Committee noted that the Registrant is still under the period of the Probation Order imposed by the criminal Court. The Committee had no evidence before it of the Registrant’s regret for her actions or rehabilitative steps which she has undertaken. The Committee found the Registrant to have demonstrated very limited insight. The Committee found that in light of this, there was a risk of repetition. Therefore, a Warning would not be appropriate or proportionate in all of the circumstances.

Conditions of Practice Order – the Committee next considered a Conditions of Practice Order. The Committee noted the Guidance at Paragraph 4.13, which states that conditions may be appropriate in cases involving particular areas of a registrant’s performance, and where a Committee is satisfied that it is appropriate for an individual to remain on the Register. The Registrant’s convictions were serious. As the Registrant did not attend the hearing, the Committee had no evidence as to her current employment circumstances, or whether she would agree to any conditions, if imposed. In addition, the Committee noted that the Registrant’s criminal behaviour took place outside of the workplace. However, notwithstanding a lack of knowledge concerning the Registrant’s employment status, the Committee concluded that a Conditions of Practice Order would be insufficient to protect the public and uphold the public interest, given the seriousness of the Registrant’s departure from the standards expected of a registered social care worker. The Committee could not formulate workable, enforceable or verifiable conditions which would address the Registrant’s criminal behaviour, adequately protect the public and address the wider public interest.

Suspension Order – the Committee next considered a Suspension Order. The Committee noted that it had made findings at the facts and impairment stages of the proceedings which were of a serious nature, and that the Registrant’s actions fell far below the standards to be expected of a registered social care worker.

The Committee carefully considered the issue of proportionality, and whether suspension would address the concerns which it had identified. The Committee noted Paragraph 4.19 of the Indicative Sanctions Guidance, which states:

‘4.19 Suspension from the Register may be an appropriate sanction for impairment which while very serious, is not so serious as to justify removal from the Register; for example, where there has been an acknowledgment of failings and where a Committee is satisfied that the behaviour is unlikely to be repeated, and the Registrant has no psychological or other difficulties preventing them from understanding and seeking to remedy the failings and the failings are realistically capable of being remedied, then suspension may be appropriate.’

The Committee had no evidence before it that the Registrant acknowledged her failings in so far as they impacted on her registration as a social care worker. The Committee accepted that the Registrant had pleaded guilty to the criminal offences but she had made no admissions to the Committee. The Registrant had

demonstrated very limited insight and had provided no evidence of remorse or remediation. The Committee had earlier determined that there was a risk that she could repeat her criminal behaviour in the future, with the potential risk of harm to the public and service users. As referred to above, the Committee noted that the Registrant is still subject to a period of probation and there is no evidence of her employment status. The Committee was left with no alternative but to conclude that the Registrant had failed to satisfy the Committee that she would realistically remedy her behaviour during a period of suspension.

The Committee considered the public interest. The Committee considered that the public would perceive the Registrant's criminal behaviour as falling far short of what would be expected of a registered social care worker.

The Committee concluded that a Suspension Order would be insufficient to protect the public, and to address the seriousness and unacceptability of the Registrant's criminal convictions.

Removal Order – the Committee, therefore, decided to impose a Removal Order. The Committee took into account the Guidance at Paragraphs 4.26 – 4.28. In particular, the Committee paid careful regard to Paragraph 4.26, which states:

'This is the most serious sanction which a Committee can impose. A Removal Order is likely to be appropriate when the Registrant's behaviour is fundamentally incompatible with being a social care worker. Removal should be used where there is no other way to protect the public, for example, where there is a lack of insight, continuing problems and a pattern of unacceptable behaviour or denial, where there is no evidence that there is likely to be satisfactory remediation and where confidence in the social care profession would be undermined by allowing the Registrant to remain on the Register.'

It concluded that, given the seriousness of the Registrant's criminal convictions and her lack of insight and remediation of her failings, a Removal Order was the only appropriate sanction to protect the public and to maintain public confidence in the social care profession and the Council as its regulator. The Registrant's actions constituted a very serious departure from the professional standards as set out in the Standards of Conduct and Practice for Social Care Workers. The public is entitled to expect that social care workers will provide safe and effective care to the most vulnerable in society. The Registrant's actions, which resulted in her receiving two criminal convictions, brought the social care profession into disrepute. The Committee determined that the Registrant's behaviour identified her as being unfit to be a member of a caring and responsible profession.

The Committee was satisfied that the Registrant's convictions for the supply and possession with the intent to supply of Class B drugs, namely, cannabis, were so serious that they are fundamentally incompatible with continued registration. Public confidence in the Council, and in social care services, would be seriously undermined if a social care worker who was convicted of possession and supply of illegal drugs, and who failed to show appropriate insight or any remediation, was allowed to remain on the Register. The Committee considered that a sanction short of a Removal Order would fail to declare and uphold proper standards of conduct and behaviour.

The Committee decided, in order to protect the public and in the public interest, to make a Removal Order with immediate effect, in respect of the Registrant's registration.

You have the right to appeal this decision to the Care Tribunal. Any appeal must be lodged in writing within 28 days from the date of this Notice of Decision.

You should note that the Fitness to Practise Committee's decision takes effect from the date upon which it was made.

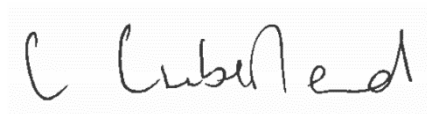
The effect of this decision is that your entry in the Register has been removed.

You are prohibited from working as a social care worker in any of the following 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 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; or
 - 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 Rules, you may not apply to be restored to the Register within five years from the date of removal. This does not affect your right to appeal the Committee's decision to the Care Tribunal. You are prohibited from working in a social care role until a successful application for restoration onto the Register has been made to the Council.



27 September 2022

Committee Manager

Date