

**Notice of Decision**

<b>Registrant</b>	<b>Kirsty McManus</b>
<b>Registration number</b>	<b>6030508</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 1 year</b>
<b>Date of Effect</b>	<b>11<sup>th</sup> October 2022</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 1 year.

**Misconduct**

Your actions, as outlined below, amount to impaired fitness to practise by reason of misconduct:

- Whilst working as a social care worker and employed by Medcom Personnel you did not attend work to complete your shift on 13<sup>th</sup> June 2021 and as a result, you failed to attend to ten service users during tea/bed calls.

**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 undermines that trust and confidence and puts service users at risk of harm.
- 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 for Social Care Workers that your behaviour has breached, are as follows:

**Standard 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 2:** As a social care worker, you must strive to establish and maintain the trust and confidence of service users and carers. This includes:

2.6 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.

**Standard 3:** As a social care worker, you must promote the autonomy of service users while safeguarding them as far as possible from danger or harm. This includes:

3.4 Bringing to the attention of your employer or the appropriate authority, without delay, resource or operational difficulties that might get in the way of the delivery of safe care.

**Standard 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 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:

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

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

6.5 Informing your employer or the appropriate authority in a timely manner about any personal difficulties that might affect your ability to do your job competently and safely;

6.7 Seeking assistance from your employer or the appropriate authority if you do not feel able or adequately prepared to carry out any aspect of your work, or you are not sure about how to proceed in a work matter;

6.12 Co-operating with any investigation or formal inquiry into your conduct, the conduct of others, or the care of others, or the care or services provided to a service user where appropriate;

6.14 Taking responsibility for work delegated to you, recognising and working within the limits of your knowledge, skills and experience.

The Standards of Practice for Social Care Workers that your behaviour has breached, are as follows:

**Standard 1:** As a social care worker, you must understand the main duties and responsibilities of your own role within the context of the organisation in which you work. This includes:

1.1 Knowing the aims, objectives and values of the service in which you work;

1.2 Accessing full and up-to-date details of policies, procedures and agreed ways of working from your employer and adhering to them;

1.3 Knowing your main responsibilities to those service users and carers you support including duty of care;

1.4 Prioritising and managing your work effectively;

1.8 Reporting any adverse events, incidents, errors and near misses that are likely to affect the quality of care and wellbeing of service users or carers.

**Standard 4:** As a social care worker, you must support the safeguarding of individuals. This includes:

4.3 Knowing your own role and responsibilities in relation to safeguarding.

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

6.3 Reflecting on your practice to continuously improve the quality of service provided.

### 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 1 year.

### Reasons for the Sanction

When reaching its decision the Council considered the following factors:

Aggravating factors:

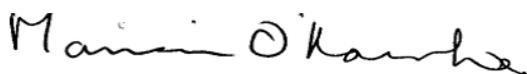
- Your actions had the potential to put service users at risk.
- You have not co-operated with the investigations regarding your conduct.
- Your behaviour has demonstrated a serious disregard for the NISCC Standards of Conduct and Practice.

Mitigating factors:

- There is no evidence of direct or indirect harm to service users.
- There is no previous record of misconduct with the Council.
- You reported personal difficulties at the time.

### Date of Effect

This warning comes into effect on 11<sup>th</sup> October 2022. A record of the warning has been placed on your entry in the Register for a period of 1 year and does not affect your ability to practise.



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Marian O'Rourke  
Director of Regulation and Standards

11<sup>th</sup> October 2022

Date

**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.**