

Notice of Decision

Registrant	Mr John Noel McAdam
Registration number	7017164
Part of Register	Part 2 – Domiciliary Care Worker
Sanction	Warning to remain on your registration for a period of 2 years
Date of Effect	16th November 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 a conviction, 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 two years.

A conviction or caution in the United Kingdom for a criminal offence.

That whilst being registered as a social care worker, on 23 March 2022 at Newtownards Magistrates' Court you were convicted of the following offence:

- Charge 1: On 12 December 2021 you, without lawful excuse, made to Constable B a threat to kill Constable B intending the said Constable B would fear it would be carried out contrary to Section 16 of the Offences Against the Person Act 1861.

Reasons

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

- The public has the right to expect that social care workers, in whom it places its trust and confidence, to uphold the law and not to engage in offending behaviour or 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:

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.

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 two years.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- You have not demonstrated any reflection, insight or remorse for your actions to the Council.
- Your actions are a direct breach of Standard 5.8 – Behave in away, in work or outside work, which would call into question your suitability to work in social care services.
- There has been a serious disregard for the NISCC Standards of Conduct and Practice.
- Your actions had the potential to bring the profession into disrepute.

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

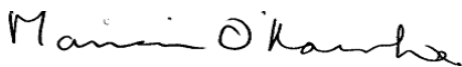
- Your conviction does not relate to your work as a care worker.
- You have no previous record of misconduct with the Council.
- You have provided some limited engagement with the Council's investigation.

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 November 2022. 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 16th November 2022.



Director of Regulation and Standards

16th November 2022

Date