



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

**Name:** Sharon Leanne Jackson

**SCR No:** 6000343

**NOTICE IS HEREBY GIVEN THAT** the Fitness to Practise Committee of the Northern Ireland Social Care Council ('the Council'), at its meeting on **05 April 2023**, 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 convictions;**

**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 of the following offences:**

**1.** At the Magistrates' Court, on 13 March 2020:

[You], on 20 January 2020, drove a motor vehicle on a road, namely within the vicinity of Hilltown Road, Carneyhough, Newry, Down, Northern Ireland BT34 2JU, after consuming so much alcohol that the proportion of it in your breath exceeded the prescribed limit, contrary to Article 16 (1) (a) of the Road Traffic (Northern Ireland) Order 1995.

**2.** At the Magistrates' Court, on 26 November 2021:

[You], On 21 June 2021, drove a motor vehicle on a road, namely within the vicinity of, Glenview Drive, Lurgan, Armagh, Northern Ireland BT66 7ET, after consuming so much alcohol that the proportion of it in your breath exceeded the prescribed limit, contrary to Article 16 (1) (a) of the Road Traffic (Northern Ireland) Order 1995.

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

convictions.

## **Procedure**

The hearing was held under the fitness to practise procedure.

## **Preliminary Matters**

The Registrant was not in attendance, nor was she represented. The Council was represented by Mr Anthony Gilmore, Solicitor, Directorate of Legal Services.

## **Service**

Mr Gilmore told the Committee that the Notice of Hearing and hearing bundle were emailed to the Registrant's registered email address on 27 February 2023 and an electronic delivery receipt was received on the same date. The Committee Clerk called the Registrant on 24 March 2023 and left a voicemail asking the Registrant to return her call and confirm if she would be attending the Fitness to Practise Hearing on 05 April 2023. The Registrant did not respond to either the email or the telephone call from the Council.

The Committee received legal advice from the Legal Adviser, she referred the Committee to the requirements as set out in the Northern Ireland Social Care Council's Fitness to Practise (Amendment) Rules 2019 ('the Rules') and, in particular, Rule 3 which states that service shall be treated as being effected on the day after the Notice was sent. The Committee took into account that the Notice of Hearing provided details of the date and time of the hearing and that it was to be held virtually. In addition, it contained information about the Registrant's right to attend, be represented and call evidence, as well as the power to proceed in her absence.

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 Gilmore made an application to proceed in the absence of the Registrant under Paragraph 15 of Schedule 2 of the Rules. He submitted that the Committee should hear and determine the case in her absence. He invited the Committee to conclude that the Registrant's non-attendance was a voluntary waiver of her right to attend. He further suggested that it was in the public interest for the case to proceed, as this would ensure a fair and expedient 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 should also be taken into account. She reminded the Committee to avoid reaching any improper conclusion about the Registrant's absence.

In reaching its decision, the Committee had particular regard to the factors as set out in the case of R v Jones 2003 1 AC and noted that:

- The Registrant had not made an application for an adjournment;
- There was no reason to suppose that adjourning the case would secure her attendance at a future date;
- The Registrant had not sought to be legally represented at the hearing;
- The Notice of Hearing provided details of the allegation, the time, date and method of the hearing and, amongst other things, information about the Registrant's right to attend, be represented and call evidence, as well as the Committee's power to proceed in her absence. Therefore, the Committee concluded that the Registrant's absence was deliberate and a waiver of her right to appear; and
- There was some disadvantage to the Registrant in not attending and giving evidence to the Committee, but this was outweighed by the public interest in the expeditious disposal of this case.

Therefore, after careful consideration of all of the issues, the Committee decided to exercise its discretion to proceed in the absence of the Registrant, striking a careful balance between fairness to the Registrant and the wider public interest. However, the Committee reminded itself that it must avoid reaching any improper conclusion about the Registrant's absence.

### **Declaration of Conflicts of Interest**

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

### **Application to Admit Hearing Bundle**

The Committee accepted the bundle into evidence, and marked it as Exhibit 1. The Committee admitted the document detailing service as Exhibit 2.

Mr Gilmore submitted to the Committee that the Conviction Case Summary provided by the police in the hearing bundle referred to a conviction on 13 March 2022. Mr Gilmore stated that there was a mistake with the last digit and that this was a typographical error as the conviction was on 13 March 2020. The Committee heard that the Council sought clarification from the police. The police confirmed that it was a typographical error and provided an amended version of the Conviction Case Summary showing the correct date. Mr Gilmore made an application to admit the email from the police confirming that there was a typographical error in the first document and the amended version of the Conviction Case Summary. Mr Gilmore submitted that admitting this further document would not be unfair to the Registrant as she would be entirely aware of the date that she was convicted. Mr Gilmore told the Committee that upon receipt of the amended document today, a copy was emailed to the

Registrant. In the view of the Council, there was no prejudice to the Registrant, it was a matter of clarifying a document.

The Committee heard and accepted the advice of the Legal Adviser. The Committee were content to admit the amended document as Exhibit 3.

### **Submission on Background and Facts**

Mr Gilmore told the Committee that the Registrant had not admitted the facts. He stated that the Council did not intend to call any witnesses but would rely on the documents before the Committee to prove the case.

By way of background, Mr Gilmore submitted that the Registrant was registered on Part 2 of the Register in 2012.

Mr Gilmore told the Committee that there were two separate offences on two separate dates. Given the nature of the offences there were no police interviews with the Registrant.

Mr Gilmore submitted that the Council had received an Employer Referral Form ('ERF'), dated 02 March 2020, from the Nurse Manger of Rosemount Care Home on 04 March 2020. The ERF reported that:

*"I received a call from adult safeguarding informing me that Sharon had been involved in an incident the previous evening 28<sup>th</sup> January 2020 And they required Confirmation of employment.*

*I spoke with Sharon on the 30<sup>th</sup> January 2020 and she confirmed she Was arrested for drink [REDACTED] related issues, but denied doing so. Myself and the regional manager spoke with Sharon again on 10<sup>th</sup> February and she denied having taken any drink [REDACTED] I spoke with Sharon on the 14<sup>th</sup> February when she said she was in court on the 12<sup>th</sup> February [REDACTED] but her plea was not guilty. Sharon was due to appear again on the 26<sup>th</sup> February however the case Was adjourned until 13<sup>th</sup> March".*

Mr Gilmore submitted that in the ERF, the Registrant's surname was given as Jackson.

Mr Gilmore referred the Committee to the Case Summary of Conviction provided by the police in respect of the conviction dated, 13 March 2020 which provides some context to the alleged offence. He said that on Monday 20 January 2020 at approximately 0200 hours, the police observed a Vauxhall Astra, veering several times on to the wrong side of Hilltown Road, Newry. The police stopped the vehicle and spoke with the Defendant who was driving, her speech was slurred and there was a strong smell of alcohol from within the vehicle. A Preliminary Breath Test was carried out. The Defendant was arrested for driving with excess alcohol in breath, she made no reply after caution. At Banbridge custody an evidential breath sample was obtained with a lower reading of 63. Mr Gilmore submitted that the document refers to Sharon Jackson and the details and dates match with the incident referred to in the ERF dated 02 March 2020.

Mr Gilmore directed the Committee to the Certificate of Conviction, which is in the name of Sharon Johnston. He submitted that there is evidence before the Committee that this is the Registrant and invited the Committee to refer to the information contained in the ERF dated 02 March 2020, the police Case Summary of Conviction

dated 13 March 2020 and the application for registration with the Council contained in the hearing bundle. He told the Committee that the Registrant pleaded not guilty at court on 12 February 2020. The Registrant was convicted on 13 March 2020 and received a monetary penalty and was disqualified for driving for one year and two months. The Registrant launched an appeal of the conviction on 20 March 2020 and the Order for disqualification for driving was suspended until the outcome of the appeal. She was therefore allowed to drive pending the appeal. On 18 November 2021, the appeal was dismissed and the conviction and disqualification from driving were affirmed.

Mr Gilmore directed the Committee to the second conviction. He invited the Committee to consider the Case Summary of Conviction relating to the conviction on 26 November 2021. The Case Summary of Conviction referred to Sharon Jackson. He said that on 21 June 2021 at approximately 2030 hours, police attended a two-car collision. On arrival, police spoke to the driver of one of the cars, and it has been confirmed to be Registrant, she appeared to be slurring her words and under the influence of alcohol. The Registrant was arrested on suspicion of driving with excess alcohol. The Registrant's breath test gave a reading of 45 micrograms/ 100ml of breath.

Mr Gilmore referred the Committee to the Certificate of Conviction, which is in the name of Sharon Johnston. Mr Gilmore told the Committee that the Registrant pleaded not guilty at Court on 30 July 2021. The Registrant was convicted on 26 November 2021 and received a monetary fine and disqualified from driving for three years and four months.

Mr Gilmore submitted that whilst both Certificates of Conviction are in the name Sharon Johnston, it is the Council's case that these certificates relate to the Registrant. Mr Gilmore submitted that the date of birth is the same and the dates and convictions correlate with information provided by the police about the Registrant. Mr Gilmore invited the Committee to note the position with the addresses which provide further evidence that the certificates relate to the Registrant. He also directed the Committee to the application for registration with the Council completed by the Registrant in 2012, which records that her maiden name as Johnston and exhibits her short form birth certificate in the name of Johnston.

## **Evidence**

Mr Gilmore invited the Committee to pay careful attention to the Certificates of Conviction which were contained in the hearing bundle. He submitted that the other documents were to provide context and also to explain why the certificates were in the name of Johnston. Mr Gilmore submitted that on the balance of probabilities the Council had proved that the Registrant was the person named on the Certificates of Conviction.

He advised that the convictions against the Registrant related to driving after consuming so much alcohol that the proportion of it in her breath exceeded the prescribed limit on two separate occasions.

Mr Gilmore referred the Committee to Paragraph 12 (5) of Schedule 2 of the Rules, which states that a Certificate of Conviction issued in any UK Criminal Court '*shall be conclusive proof of the facts or conviction so found*'. He

submitted that the Committee should find the Particulars of the Allegation proved, in accordance with the Rules, on the basis of the Certificates of Conviction placed before the Committee.

### **Findings of Fact**

The Committee heard and accepted the Legal Adviser's advice. In the course of that advice, she 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 only where there was evidence that it did not refer to the registrant, or where the conviction had been successfully challenged on appeal. She said the Committee will be aware that the Registrant in this case did appeal against the conviction that was made on 13 March 2020 and that this appeal was dismissed. She informed the Committee that it must be satisfied that the Certificates of Conviction in this case were issued by a competent Court of jurisdiction and, in the absence of any other evidence, that the Committee was entitled to rely on the Certificates of Conviction to establish conclusively that the Registrant had been convicted of the offences as set out in the Particulars of the Allegation.

The Committee took into account the submissions from Mr Gilmore on behalf of the Council, and had careful regard to all of the documentary evidence submitted. The Committee determined that the Registrant was the person referred to in the Certificates of Conviction. In reaching this decision the Committee took into account the information in the ERF from the Registrant's employer dated 02 March 2020, the Conviction Case Summaries provided by the police which referred to the Registrant and referred to the offences documented in the Certificates of Conviction and the application for Registration with the Council completed by the Registrant in 2012, which referred to her maiden name of Johnston and provided her short form birth certificate (with the same date of birth) in the name of Johnston.

The Committee considered the facts contained in the Certificates of Conviction. The Committee noted that the conviction made on 13 March 2020 had been appealed and that the appeal was dismissed and the conviction and sentence were affirmed. The Committee noted that the Registrant had not submitted that she was not the person named on the Certificates of Conviction. The Committee concluded that the Certificates of Conviction were conclusive proof of the convictions and the facts underlying them.

The Committee, therefore, 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 a submission from Mr Gilmore. 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.

Mr Gilmore referred the Committee to the Standards of Conduct and Practice for Social Care Workers ('the Standards'), which he submitted that the Registrant had breached by reason of her convictions, namely, Standards of Conduct 5.7 and 5.8. Mr Gilmore submitted that the Registrant's actions fell below the standards to be expected of a registered social care worker. He submitted that the Registrant's convictions related to two separate incidents involving driving under the influence of alcohol within a relatively short period of time and therefore the risk of repetition was high.

Mr Gilmore submitted that the public interest was strongly engaged in this matter, although the circumstances of the conviction arose outside of the Registrant's workplace. 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 Gilmore invited the Committee to make a finding of current impairment by reason of the Registrant's convictions.

The Committee considered the submissions from Mr Gilmore on behalf of the Council and had regard to all of the evidence in the case. The Committee heard and accepted the advice of the Legal Adviser. In the course of that advice 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 social care services. She further referred the Committee to the findings of Dame Janet Smith in the 5th Shipman Report, cited with approval in CHRE v NMC & Grant.

The Committee next considered whether, by reason of her convictions, the Registrant's fitness to practise was currently impaired. When addressing that issue, the Committee 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 concluded that two convictions for two separate incidents involving driving under the influence of alcohol called into question the Registrant's fitness to practise.

The Committee was satisfied that the Registrant, by her actions which had resulted in her convictions, had breached the following standards:

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

- 5.7 Put yourself or other people at unnecessary risk;
- 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 noted that the Registrant had been convicted of two offences relating to driving whilst under the influence of alcohol. In principle, with appropriate evidence of insight and remediation, the Committee was prepared to accept that this conduct was capable of remedy. The Committee next considered whether, in fact, the Registrant in this case had remedied her criminal behaviour which had resulted in her convictions. In so doing, the Committee noted that the Registrant had pleaded not guilty to the offences before the Magistrates' Court. The Committee further noted that during these proceedings, there was no evidence of regret or remorse on the Registrant's part. The Committee had no evidence that the Registrant had insight into her convictions or accepted her wrongdoing. As a result, the Committee considered that there was a high risk of the Registrant's behaviour being repeated in the future. The Committee noted that both offences had created a risk of harm to others by driving whilst unfit to do so. In those circumstances, the Committee concluded that a finding of current impairment was required to protect the public.

The Committee noted that there was no evidence that the Registrant's offending had taken place whilst she was providing care to service users. However, the public needed to have utmost confidence in social care workers who were entrusted with providing personal care to vulnerable service users. The Committee was of the view that the public would be particularly concerned that the Registrant pleaded not guilty to these offences and that the second offence occurred while the Registrant was waiting for an appeal in relation to her first conviction. For these reasons, given the not guilty pleas and offences which had resulted in the Registrant's convictions, the Committee also concluded that a finding of current impairment was also warranted in the public interest. In the Committee's view, a failure to make a finding of current impairment in the public interest would fail to declare proper standards and undermine the public's confidence in the social care workforce.

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

### **Sanction**

In reaching its decision on sanction, the Committee considered the submission from Mr Gilmore on behalf of the Council and had regard to all of the evidence in the case. Mr Gilmore referred the Committee to various mitigating and aggravating factors, and the NISCC Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees ('the Guidance'). He submitted that, in the view of the Council, the Registrant's actions were fundamentally incompatible with registration as a social care worker. In light of this and given the Registrant's lack of engagement in the proceedings, Mr Gilmore invited the Committee to make a Removal Order.

The Committee heard and accepted the advice of the Legal Adviser. She set out the range of available sanctions which were provided for by Paragraph 26 of Schedule 2 of the Rules. In summary, the Committee



could impose no sanction, warn the Registrant for a period of up to five years, make a Conditions of Practice Order not to exceed three years, make a Suspension Order not to exceed two years, or make a Removal Order.

The Committee was reminded that the purpose of a sanction was not to be punitive, although a sanction may have a punitive effect. Instead, in its consideration of a sanction, the Committee should have at the forefront of its mind the need to protect the public and the public interest. The Legal Adviser also reminded the Committee that it should act proportionately, and that any measure taken to limit the fundamental right of the Registrant to practise in the social care setting should be no more than what was necessary to protect the public and in the public interest.

The Committee carefully considered all of the available documentary material, together with Mr Gilmore's submissions. It also had careful regard to the Guidance.

The Committee considered the aggravating and mitigating factors in this case.

The Committee considered the mitigating factors to be as follows:

- The Registrant has the benefit of a previous good work history, and in particular, the Committee noted that no previous issues had been raised with the Council about her work as a social care worker; and
- The Registrant's offences occurred outside of work.

The Committee considered the aggravating factors to be:

- The Registrant placed other road users at serious risk of harm by driving after consuming alcohol;
- The Registrant has not engaged with the Council in relation to these proceedings;
- The Registrant did not notify the Council of her second conviction;
- The Registrant pleaded not guilty to both offences and unsuccessfully appealed her conviction for the first offence;
- The Registrant has not expressed any regret or remorse for her actions or demonstrated that she has reflected on her actions. There is a lack of insight;
- The Registrant's actions which lead to her convictions demonstrate a serious disregard for the Social Care Council's Standards of Conduct and Practice;
- This was not a single incident. The Registrant was convicted of driving after consuming alcohol on two separate occasions, within a relatively short time period; and
- The second offence occurred while the Registrant was waiting for an appeal date for her conviction for the first offence.

The Committee previously found that the Registrant's convictions meant 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 having taken into account the interests of public protection and the public interest, the Committee proceeded to consider which sanction to apply in this case.

**No Sanction** – having regard to its findings, the Committee considered that to conclude this matter and to take no further action would be a wholly inadequate response and would fail to protect the public and uphold the public interest.

**Warning** – the Committee considered whether to impose a Warning. 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 convictions are not at the lower end of the spectrum and that a warning would not address the risk of repetition.

**Conditions of Practice Order** – the Committee took into consideration the fact that the Registrant's convictions were for offences which had occurred outside of work. There were no concerns about the Registrant's practice which would require the imposition of conditions. Further, even if conditions were appropriate, the Registrant did not attend the hearing and the Committee had no evidence as to whether or not she would agree to any conditions, if imposed. The Committee had no evidence about the Registrant's current employment and was not aware as to whether an employer would co-operate with the imposition of conditions. The uppermost consideration, however, was the serious nature of the findings made by the Committee against the Registrant in these proceedings, the lack of insight and risk of repetition. The Committee concluded that a Conditions of Practice Order would, as a result, be insufficient to protect the public and uphold the public interest.

**Suspension Order** – the Committee next considered a Suspension Order. The Committee determined that the Registrant's actions had fallen 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 Guidance, which states:

*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 determined that, as a result of the Registrant's decision not to participate in these proceedings, there was no evidence before the Committee to satisfy it that there would be no repetition of the behaviour which led to the serious convictions for driving whilst under the influence of alcohol. The Registrant had chosen not to place before the Committee evidence of insight and reflection which demonstrated her appreciation of the seriousness of her actions which had resulted in her convictions. These factors had combined in a manner which had resulted in the Committee's earlier conclusion that there was a risk of repetition and a risk of harm to others if her actions were repeated. Given this conclusion, in the Committee's view, it decided that a period of suspension - during which the Registrant could reflect on the seriousness of her wrongdoing and provide evidence that there would be no repetition - would serve no useful purpose.

The Committee considered the public interest and concluded that a Suspension Order would be insufficient to protect the public interest. This was because of the seriousness of the findings made against the Registrant and an absence of evidence of regret and remorse on her part for her wrongdoing.

**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.*

The Committee concluded that, given the seriousness of the Registrant's convictions, taken together with an absence of evidence of insight and remediation, a Removal Order was the only appropriate and proportionate sanction to impose in order to protect the public and to maintain public confidence in the social care profession and the Council as its regulator. Such a sanction, in the Committee's view, was also necessary to declare and uphold proper standards and behaviour.

The Registrant's actions constituted a serious departure from the professional standards as set out in the Standards of Conduct and Practice for Social Care Workers. The public was entitled to expect that social care workers would be trusted to provide care to the most vulnerable in society. The Committee determined that the Registrant's behaviour which resulted in her convictions was fundamentally incompatible with continued registration on the Social Care Register.

The Committee did take into account the Registrant's previous good work history. However, balancing all of the factors in this case and after taking into account all of the evidence, the Committee determined that the appropriate and proportionate sanction was that of a Removal Order. Having regard to the effect of the Registrant's actions in bringing the profession into disrepute by adversely affecting the public's view of how a registered social care worker should conduct herself, the Committee concluded that nothing short of this would be sufficient.

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**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.**

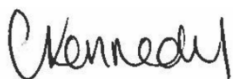
The effect of this decision is that your entry in the Register has been removed.

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.



11 April 2023

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Hearings Officer

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Date