



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

Name: Anne Edith Allen

SCR No: 6003450

NOTICE IS HEREBY GIVEN THAT the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **12 June 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 a conviction in the United Kingdom for a criminal offence;

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

Particulars of the Allegation:

That, being registered under the Health and Personal Social Services Act (Northern Ireland) 2001 (as amended):

1. You were convicted on 10 October 2022 of the following offence at the Crown Court:

(i) [You] between the 1st day of May 2010 and the 23rd day of May 2012 stole £30,000 belonging to [REDACTED] contrary to Section 1 of the Theft Act (Northern Ireland) 1969.

And your actions as set out above show that your fitness to practise is impaired by reason of a conviction in the United Kingdom for a criminal offence.

Procedure

The hearing was held under the fitness to practise procedure.

Preliminary Matters

Representation

The Registrant was in attendance at the hearing and was represented by Emma McIlveen, Counsel, instructed by GRB Solicitors. The Council was represented by Peter Carson, Solicitor, Directorate of Legal Services.

Application to Admit Hearing Bundle

The Committee accepted the hearing bundle into evidence, and marked it as 'Exhibit 1'. The Registrant submitted further documentation, namely a reflective statement dated 08 June 2023, marked as Exhibit 2, an updated reference dated 08 June 2023, marked as Exhibit 3, and a Probation Board Pre-Sentence Report, marked as Exhibit 4.

Background

Mr Carson, on behalf of the Council, provided the Committee with a background to the allegations. He advised that the Particulars of the Allegation arise out of a criminal conviction against the Registrant on 10 October 2022. He told the Committee that the Registrant was a domiciliary care worker employed by Lakeland Community Care. He advised that the matter first came to the attention of the Council by way of a PSNI disclosure on 08 May 2019. At this stage, the Council was advised that the Registrant was being investigated in respect of an allegation of theft from a service user in and around 2012. He told the Committee that subsequent to this, the Registrant was convicted of theft in the amount of £30,000 from a service user, which took place between 01 May 2010 and 23 May 2012. He said that the Registrant had pleaded guilty to the offence and received a sentence of one year's imprisonment, suspended for three years. He said that the suspended prison sentence is due to finish in November 2025. Mr Carson drew the Committee's attention to the PSNI Case Summary in relation to the circumstances of the allegation, and noted that the matter was first reported to the police by the Registrant's husband. He said that the service user's family had alleged that an amount of £30,000 was stolen by the Registrant, and that they had provided the PSNI with CCTV and voice recording evidence. He noted that the Registrant was interviewed by the police on three occasions on 24 September 2018 and 12 April 2019, and that she had responded 'no comment' during these interviews.

Evidence and Submission on the Facts

Mr Carson submitted that the Certificate of Conviction provided proof in relation to the Particulars of the Allegation in accordance with Schedule 2, Paragraph 12 (5) of the NISCC Fitness to Practise (Amendment) Rules 2019.

Ms McIlveen, on behalf of the Registrant, advised the Committee that her client admitted the facts in the Particulars of the Allegation.

Findings of Fact

The Committee took into account the submissions made by Mr Carson on behalf of the Council, and by Ms McIlveen on behalf of the Registrant.

Applying the provisions of Paragraph 23 of Schedule 2 of the Rules, the Committee found proved the facts on the basis of the Registrant's admission to same.

Fitness to Practise

Mr Carson made a submission to the Committee on the question of whether the Registrant's current fitness to practise is impaired. He referred the Committee to Schedule 2, Paragraph 24 (3) of the 2019 Rules, and submitted that the Registrant's criminal conviction calls into question her suitability to work in social care services.

Mr Carson noted that the Registrant had pleaded guilty to theft, and submitted that her behaviour constituted breaches of the Standards of Conduct and Practice for Social Care Workers ('the Standards') at 2: 2.1, 5: 5.1, 5.2 and 5.8.

Mr Carson addressed the Committee on whether the Registrant's conviction and behaviour arising from that conviction was capable of remediation, and whether it had been remediated. He submitted that the Registrant's level of insight was central to consideration of this, and noted that the theft took place over a prolonged period and was reported to the police by the Registrant's husband, and not by the Registrant. He noted that the Registrant had made no admissions when interviewed by the police, and referred the Committee to the reflective statement at Exhibit 2 as regards consideration of insight. When considering the risk of repetition, he submitted that the Committee should take into account that there were numerous incidents of theft over a number of years, and that no explanation for this has been given. He submitted, therefore, that the risk of repetition remains.

As regards the public interest, Mr Carson submitted that the public should have confidence in the Council as a regulator of social care workers, and that the Registrant's actions were an abuse of her position as a social care worker. He submitted that the Registrant was still subject to a suspended prison sentence, and that her actions constituted a serious breach of the Standards.

The Committee heard sworn evidence from the Registrant. She referred the Committee to her reflective statement, dated 08 June 2023. She told the Committee that she is currently working at Gortacharn Private Nursing / Residential Home as a care assistant, and she has been working there since September 2018. She gave evidence that there were no issues with her employment, and that she has been up front with the owner and has told her everything about her conviction. She told the Committee that she regretted everything that had happened, that she did not know why she did what she did, and that this had been a 'total nightmare'. She described to the Committee how the family of the service user from whom she had stolen money had blackmailed her into paying £30,000. She said that she had not stolen as much as £30,000 but that she did not remember how much she had stolen. She said that she had sold things to pay the money, and that she and her

family were threatened over a period of time as regards payment of further sums. She gave evidence that after her brother-in-law was contacted by a member of the service user's family, she and her husband decided to go to the police. She said that she had pleaded guilty at Court as she could not face a jury. She told the Committee that these events were still in her mind and that working in a care home means that there is never money around, and that she would never again work in the community. She gave evidence that she had no explanation as to why she stole the money, and that she would never do anything like this again. She gave evidence that although her husband had reported the matter to the police, this had been a joint decision, and that she had made no comment during the police investigation on receipt of legal advice. She confirmed that she had not reported this matter personally to the Council. She said that she did not know what came over her when she stole the money, and that she had been working with this service user for one and a half to two years. She said that the service user did not appear to notice when the monies went missing, and that the service user did not talk a lot. She accepted that the public would be disgusted on hearing what had happened. She told the Committee that she had learnt her lesson and would never do something like this again, or work in the community again.

The Committee received a submission on behalf of the Registrant from Ms McIlveen. She submitted that the Registrant's behaviour has been remediated, and noted the money re-paid to the service user's family. She submitted that the Registrant's suspended sentence goes to the issue of remediation, and that the Registrant continues to successfully work as a care assistant. She said that a period of time has elapsed since the offences in 2010 – 2012, and noted that the Registrant no longer wishes to return to work as a home help and, therefore, would not be in a position to have access to money.

She referred the Committee to the updated reference from the Registrant's employer, dated 08 June 2023, which describes her as 'reliable' and a 'good member of our staff'. She submitted that the Registrant has been transparent with her employer, and has expressed remorse and demonstrated insight. She referred the Committee to the Probation Board Pre-Sentence Report, which described the risk of repetition of being low. She submitted that the Registrant's fitness to practise is not currently impaired.

The Committee carefully considered all of the available evidence, and heard and accepted the Legal Adviser's advice. The Committee was reminded that the question of whether the Registrant's fitness to practise was currently impaired was a matter for its independent judgement. She referred the Committee to Paragraph 24 of Schedule 2 of the Rules and the requirements as set out in the case of GMC v Cohen. She directed the Committee to the findings of Dame Janet Smith in her 5th report to the Shipman Inquiry and her guidance on the causes of impairment.

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 the Committee shall 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 Particulars of the Allegation against the Registrant relate to her conviction for theft of cash in the amount of £30,000 from a vulnerable service user for whom she was providing personal care in the service user's home, and constituted a serious breach of trust.

The Committee was satisfied that the general public would consider the Registrant's actions, as found proved in the Particulars of the Allegation, to be deplorable and falling short of what is expected of a registered social care worker.

The Committee had regard to the Standards and found, by her actions which led to her conviction for the theft of £30,000 from a vulnerable service user, that the Registrant had breached the following Standards:

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:

- 2.1 Being honest and trustworthy.

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;
- 5.2 Exploit service users, carers or colleagues in any way; or
- 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 determined that the facts found proved involved a serious departure from the Standards expected of a registered social care worker.

The Committee next considered whether, as a result of the conviction, the Registrant's fitness to practise is impaired. The Committee kept at the forefront of its mind, when reaching this decision, the duty to protect the public, uphold proper standards of conduct and behaviour and maintain public confidence in the social care workforce. The Registrant's actions in stealing a significant amount of money from a vulnerable service user breached fundamental tenets of social care, and brought the social care workforce into disrepute. The Committee noted that the Registrant's thefts of monies took place over a period of two years, on a number of occasions, and that the Registrant was unable to recall how many times this took place. The Committee considered that the Registrant's actions constituted an abuse of trust, and directed itself to whether she had remedied her actions. The Committee considered that the Registrant's actions were capable of remediation. However, the Committee had no evidence as regards the Registrant's motivation in carrying out repeated theft over a long period of time. The Committee noted the Registrant's reflective statement, and considered that her

remorse was pre-dominantly focused on how the events impacted on her own family rather than the service user and their family. The Committee noted that the Registrant appeared to suggest that working in a care home indicated that she would not repeat her theft, and that she would not work within the community because of her conviction. The Committee considered that the Registrant's insight into the impact of her theft was far from complete, taking into account her repeated theft of a large amount of money over a prolonged period of time. The Registrant was unable to provide any justification for her theft, or indeed recall on how many occasions she had stolen the service user's money. Although the theft took place between 2010 to 2012, the Registrant's criminal conviction was recent and she is currently subject to a suspended prison sentence, namely one year's imprisonment suspended for three years.

Whilst the Committee took into account the Probation Board Pre-Sentence Report, it noted that professional regulation was not referred to, and although it was found that the risk of repetition was low, the Committee was not satisfied that this was relevant to its considerations today. The Committee kept at the forefront of its mind when reaching this decision the duty to protect the public, uphold proper standards of conduct and behaviour and maintain public confidence in the social care workforce. Taking into account the Registrant's inability to explain why she committed the theft on numerous occasions over a period of two years, along with her limited insight into the impact of her theft on the service user, the Committee considered that there was a risk of repetition.

The Committee considered the public interest, and concluded that the public interest was engaged in this matter. In all of the circumstances, the Committee determined that public confidence in the profession and the Council as a regulator would be undermined if a finding of impairment was not made. The Committee was concerned that if a finding of impairment was not made, the public, including other social care workers, may consider the Registrant's actions as deemed acceptable. The Registrant's repeated theft of a considerable amount of money over a prolonged period of time from a vulnerable service user, whilst providing care in their home, resulting in a criminal conviction, was a serious breach of the Standards and, in particular, was a breach of the trust placed in her. Therefore, the Committee determined that a finding of impairment on public interest grounds was also required.

Accordingly, the Committee determined that the Registrant's fitness to practice is currently impaired by reason of her conviction.

Sanction

In reaching its decision on sanction, the Committee considered the submission from Mr Carson, the sworn evidence from the Registrant, the submission from Ms McIlveen and had regard to all of the evidence in this case.

Mr Carson referred the Committee to various aggravating factors, and to the NISCC Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees ('the Guidance'). He submitted that the Registrant's impaired fitness to practise, as evidenced by her criminal conviction, involved numerous repeated and calculated events as regards theft of monies of a high value. He submitted that the Registrant used her

access to the service user's home to carry out theft, and that this only stopped when she was confronted. He submitted that the Registrant did not evidence insight into the impact of her actions on the vulnerable service user, and that her attempts to repay the stolen monies were an attempt to conceal the theft. He submitted that the public would expect that a registrant who was subject to a suspended jail sentence would not be placed in a position of providing care to vulnerable service users. He submitted that the Registrant's criminal behaviour was fundamentally incompatible with her continuing registration as a social care worker. He submitted that in the circumstances, the only proportionate sanction was for a Removal Order.

The Registrant gave sworn evidence to the Committee at this stage of the proceedings. She told the Committee that she hoped to work for another five to six years, depending on her health. She said that she had no intention to look for work outside the care profession, and that her work as a care assistant gave her something to do on a daily basis, involving looking after the elderly. She said that she contributed towards household bills and had two sons still living at home. She gave evidence that she was willing to comply with any conditions of practice imposed by the Committee, and that supervision provided by her manager would help. She gave evidence that she would continue to work in a care home setting as there were always people present. She told the Committee that she apologised very sincerely, and that what had happened would not happen again in the future. She said that she was trying to get on with her life, and get back to the world.

In response to clarification questions from the Committee, the Registrant accepted that she may have worked in the community from 01 December 2017 to 27 August 2018.

The Committee received a submission from Ms McIlveen as regards sanction. In relation to mitigation, she referred the Committee to the length of time that had elapsed since the incidents in May 2010 – 2012. She referred the Committee to the positive references from the Registrant's employer, and noted that she had been working with her employer without issue. She said that her client had co-operated with the Council investigation, and had taken a pragmatic stance at the hearing today when she admitted the allegations. Ms McIlveen submitted that the criminal process was different in terms of admissions. Ms McIlveen submitted that the Registrant had demonstrated insight, and referred the Committee to the Registrant's reflection of 08 June 2023, along with the Probation Board Pre-Sentence Report. Ms McIlveen submitted that it was unclear as to the number of times that the Registrant had committed theft, and that there was no reference to any deliberate or premeditated actions by the Registrant. She submitted that the service user's family was unable to provide a definitive value as regards the cash stolen.

Ms McIlveen submitted that the Registrant had expressed genuine regret, and noted that she had decided to go to the PSNI to report what had happened. She further submitted that the Registrant had recognised the consequences of her actions and had attempted to repay the money and rectify her behaviour. She submitted that the Registrant appreciated the impact of her behaviour on the service user, but was unable to provide an explanation as to what had happened.

Ms McIlveen acknowledged that her client was aware that removal from the Register was a possibility. As regards the sanction of a Warning, she noted that this was an historic offence, with a recent conviction, and that the Registrant had been working successfully since 2018 in a care home. She noted the Registrant's supportive employer and suggested that consideration should be given to the imposition of conditions of practice. She submitted that conditions could address further reflection, along with supervision by her manager.

The Committee accepted the advice of the Legal Adviser. She referred the Committee to the Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees, 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 recognised that the purpose of sanction is 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's good work history and practice since 10 September 2018;
- the Registrant's co-operation with the Council investigation;
- the Registrant's attendance at the hearing, with admission of facts;
- the Registrant's expressions of remorse during sworn evidence at the hearing;

- No previous disciplinary issues; and
- Positive up to date references from the Registrant's employer.

The Committee considered the aggravating factors to be:

- The repeated theft of monies from a vulnerable service user whilst providing care in the service user's home;
- Breach of her position of trust as a carer over a prolonged period;
- Theft of a large sum of monies, namely £30,000;
- Theft of monies only ceased when confronted by the service user's family;
- Repayment of monies stolen, prior to the PSNI reporting, in an attempt to conceal episodes of theft; and
- Failure to report the criminal investigation to the Council.

The Committee applied the principles of fairness, reasonableness and proportionality, weighing the public interest with the Registrant's interests, and took into account the aggravating and mitigating factors in the case. 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 workforce. 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 Guidance, bearing in mind that the decision on sanction was one for its own independent judgement.

Having balanced the aggravating and mitigating factors, the Committee considered that the aggravating factors far outweighed the mitigating factors, and proceeded to consider the appropriate sanction to apply in this case.

No Sanction - the Committee had no hesitation in concluding that it would neither be appropriate nor proportionate if no sanction was imposed in this case. In the view of the Committee, if no sanction was imposed this would not mark the seriousness of the impaired fitness to practise, meet the public interest in this matter or address the concerns identified.

Warning - the Committee considered the issue of a Warning in this case. The Committee considered that the Registrant's serious criminal conviction for theft demonstrated a disregard for the Standards expected of a registered social care worker. The Registrant's impairment of fitness to practise was not at the lower end of the spectrum, particularly in relation to her theft of money, amounting to £30,000, from a vulnerable service user, which took place in the service user's home, whilst the Registrant was providing care. In addition, the circumstances were not such that the Committee would be confident that this sanction would provide adequate public protection as far as the Registrant's suitability was concerned, bearing in mind that a Warning would entitle the Registrant to work unrestricted as a social care worker. The Committee noted its findings that the Registrant expressed limited insight into the impact of her repeated theft of a large sum of money. The Committee took into account the sentence imposed by the Crown Court, and that the Registrant is still subject to a suspended prison sentence until November 2025. Although the Registrant expressed remorse for her actions, the Committee

considered that a Warning would not be appropriate or proportionate to the serious impairment of fitness to practise identified in this case.

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 Committee considered that the Registrant has not demonstrated sufficient insight into her serious impaired fitness to practise. The Committee considered that it was difficult to formulate conditions that would appropriately and adequately address concerns arising from dishonesty, particularly where the dishonesty involved theft of a substantial amount of money, and took place over a prolonged period of time. The Committee considers that a social care worker providing care in a service user’s home occupies a position of trust, and that the Registrant’s actions constituted a serious breach of this trust. The Committee concluded that a Conditions of Practice Order was not sufficient to meet the public interest in this matter, given the seriousness of the Registrant’s departure from the standards expected of a registered social care worker. In these circumstances, the Committee could not formulate workable, enforceable, or verifiable conditions which would address the Registrant’s serious impaired fitness to practise as evidenced by her criminal conviction for theft, and adequately protect the public.

Suspension Order – the Committee next considered a Suspension Order. In considering this, the Committee took into account the Guidance at Paragraph 4.19 and 4.20 as follows:

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.

4.20 Suspension may be appropriate when some or all of the following factors are apparent (this list is not exhaustive):

- serious incident of misconduct where suitability to be registered is impaired and where a lesser sanction is not sufficient, but removal is not warranted;
- behaviour is not fundamentally incompatible with continuing to be a registered social care worker in the long term;
- interests of service users and the public are sufficiently protected by suspension;
- no real risk of repeating the behaviour;
- no evidence of harmful deep-seated personality or attitudinal problems;
- no evidence of a repetition of the behaviour since the incident/s;

- insight;
- where the evidence demonstrates that the Registrant will be able to resolve or remedy the cause of the misconduct during the period of suspension.

The Committee considered that the Registrant's serious criminal behaviour was fundamentally incompatible with registration as a social care worker. The Committee, in the particular circumstances of this matter, had no evidence to demonstrate that the Registrant understood why she had stolen money from the service user. Although the Registrant gave evidence that she would not repeat her behaviour in the future, the Committee was not satisfied as to this due to the Registrant's lack of explanation for her behaviour in the first place. It therefore determined that a Suspension Order would not address the risk of repetition as identified above, or the public interest. The Committee had limited evidence of insight from the Registrant. The Registrant gave evidence that she wished to continue working in a care home, and not within a community setting which would give her access to service users' money. The Committee considered that a social care worker should be honest and trustworthy, particularly where a service user is dependent on a social care worker to provide protection and support. The Committee, therefore, was not confident that the Registrant would be unlikely to repeat her behaviour in the future, particularly as the Registrant was unable to give an explanation as to why she stole the money from a vulnerable service user. The Committee considered that the public would view the Registrant's behaviour as falling far below what would be expected of a registered social care worker. In all of the circumstances, the Committee concluded that a Suspension Order would not be sufficient to mark the serious and unacceptable nature of the Registrant's misconduct.

Removal Order – the Committee next considered a Removal Order. In considering this, the Committee took into account the Guidance as follows:

4.26 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.

4.27 Removal may be appropriate where some or all of the following factors are apparent (this list is not exhaustive):

- doing serious harm to service users either deliberately or through gross neglect and particularly where there is a continuing risk to service users;
- abuse of position/trust (particularly involving vulnerable people who use services) or the violation of the rights of people who use services, eg sexual abuse;
- dishonesty (especially where persistent or covered up);

- persistent lack of insight into seriousness of actions or consequences;
- blatant disregard for the system of registration which is designed to safeguard the interests of service users, the public and the reputation and standards of the social care profession;
- a serious departure from the relevant professional standards set out in the Standards of Conduct and Practice for Social Care Workers.

5.10 The Standards state that social care workers must be honest and trustworthy (Standard of Conduct 2.1) and must recognise and use responsibly the power that comes from their work with people who use services and their carers (Standard of Conduct 3.7).

5.11 Dishonesty is particularly serious because it may undermine trust in social services. Examples could include cases of theft, fraud or embezzlement, lying to a manager about whether a work task has been undertaken, improperly amending records relating to people who use services, falsifying evidence or submitting or providing false references and information on a job application. The public must be able to place complete reliance on the integrity of Registrants.

5.13 Those who use services, employers, colleagues and others have a right to rely on the professional integrity of social care workers. Sometimes, life-changing choices about the options available to someone who uses services and significant financial decisions are made on the basis not only of the skill of Registrants but also of their honesty. Dishonesty, particularly when associated with professional practice, is so damaging to a Registrant's suitability and to public confidence in social care services that removal may be considered to be the appropriate outcome.

The Committee concluded that given the very serious nature of the Registrant's criminal behaviour and her limited insight with an identified risk of repetition, a Removal Order was the only sufficient and proportionate sanction. The Committee determined that the Registrant's behaviour was fundamentally incompatible with being a registered social care worker. The Registrant's theft of £30,000 took place in her role as a social care worker and impacted on a vulnerable service user. The Committee found the Registrant's behaviour, involving theft from a vulnerable service user, to be serious and at the higher end of the spectrum and considered that the Registrant, as a social care worker, abused her position of trust on repeated occasions over a prolonged period of time.

The Committee took into account the evidence from the Registrant as regards the financial impact of a Removal Order, and also her work history of working solely within the caring profession. The Committee considered the potential impact of a Removal Order on the Registrant, but concluded that the protection of service users and the wider public interest in the system of regulation outweighed the interests of the Registrant.

In all of the circumstances, the Committee concluded that a Removal Order was the only sanction available to it to protect the public and to meet the public interest, and to mark the seriousness and unacceptability of the Registrant's criminal behaviour.

The Committee concluded that a Removal Order was a suitable, appropriate, and proportionate sanction, which was imposed on the Registrant's registration with immediate effect.

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.

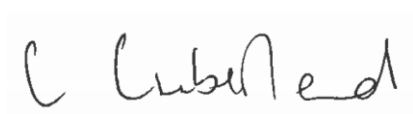
The effect of this decision is that your entry in the Register has been removed.

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.



14 June 2023

Head of Hearings Services

Date