

### Notice of Decision

<b>Registrant</b>	<b>Zoltan Gabor Dianovszky</b>
<b>Registration number</b>	<b>6025027</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 2 years</b>
<b>Date of Effect</b>	<b>23<sup>rd</sup> June 2023</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 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 2 years.

#### Misconduct

That whilst registered as a social care worker, and whilst employed by Staff Nursing Ltd:

1. On 22 July 2022, you failed to follow trained techniques to de-escalate the behaviour of Service User A in line with his Risk Assessment for Children and Young People Action Plan.

#### Reasons

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

- Your actions were inappropriate and physical in nature, and were directed towards a vulnerable Service User in your care.
- Service Users have the right to expect that the care and support they received from social care workers, in whom they place their trust, will protect them from 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 and Practice 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 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:**

3.3 Following practice and procedures designed to keep you and other people safe from violent and abusive behaviour at work;

**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;

5.7 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.

**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.

6.4 Maintaining clear and accurate records as required by procedures established for your work.

6.11 Being open and honest with people if things go wrong, including providing a full and prompt explanation to your employer of what happened.

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

## **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 2 years.

## **Reasons for the Sanction**

When reaching its decision, the Council considered the following factors:

- Your actions were of an inappropriate, physical nature and placed the SU at real risk of injury.
- Your actions were committed against a vulnerable service user, entrusted to your care within a Care setting.
- Your behaviour constitutes a serious disregard for the Standards of Conduct and Practice for Social Care Workers.
- Your actions are capable of undermining public confidence in the social care profession.

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

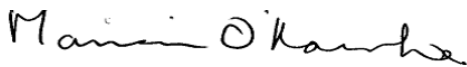
- You have no previous record of misconduct with the Council, nor has your fitness to practise been called into question in the past.
- There was no evidence of physical injury to the service user.
- You cooperated with the NISCC investigation.
- You have shown remorse and apologised for your actions.
- The behavior was an isolated incident.

## Consent

Having been advised of the consequences, and having been recommended to take independent advice, you consented to the imposition of a warning on 19<sup>th</sup> June 2023. A record of the warning has been placed on your entry in the Register for a period of 2 years and does not affect your ability to practise.

## Date of Effect

This warning comes into effect on 23<sup>rd</sup> June 2023.



23<sup>rd</sup> June 20233

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Director of Regulation and Standards

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Date