

Notice of Decision

Registrant	Brooke Spence
Registration number	7010889
Part of Register	Part 2 – Domiciliary Care Worker
Sanction	Warning to remain on your registration for a period of three years
Date of Effect	17 October 2023

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 three years.

Misconduct

That whilst being registered as a social care worker, and whilst employed as a Health Care Assistant at Lydian Care Agency:

- a. You submitted fraudulent timesheets for payment for shifts not worked on 21.3.22; 23.3.22; 24.3.22; 28.3.22; and 29.3.22 for your own financial gain to the sum of £336.06.
- b. Your actions as set out at 'a' were dishonest.

Reasons

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

- Your actions were dishonest;
- Your actions were fraudulent in respect of claiming monies for shifts not worked;
- 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 2:

As a social care worker, you must strive to establish and maintain the trust and confidence of service users and carers.

This includes:

Standard 2.1 Being honest and trustworthy;

Standard 2.11 Not engaging in practices which are fraudulent in respect of use of public or private monies.

Standard 5:

As a social care worker, you must uphold public trust and confidence in social care services.

In particular you must not:

Standard 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:

Standard 6.12 Cooperating with any investigation or formal inquiry into your conduct, the conduct of others, or the care or services provided to a service user when 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 three years.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- You claimed for and accepted payment for work you knowingly did not complete.
- Your actions were dishonest.
- Your behaviour was not an isolated incident but occurred on at least 5 occasions;
- You have failed to engage with Lydian Care's investigation and have failed to submit any mitigation for your actions.
- You have failed to engage with the fitness to practise investigation.
- Your behaviour has demonstrated a serious disregard for the NISCC Standards of Conduct and Practice.
- You have provided no evidence of reflection, remorse or remediation to date.

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

- There is no evidence of direct or indirect harm to service users.
- You have no previous record of misconduct with the Council.

Date of Effect

This warning comes into effect on 17 October 2023.

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Director of Regulation and Standards

17 October 2023

Date