

### Notice of Decision

<b>Registrant</b>	<b>Gerard Thomas Quinn</b>
<b>Registration number</b>	<b>6036174</b>
<b>Part of Register</b>	<b>Part 2 – Adult Social Care Worker</b>
<b>Sanction</b>	<b>Warning to remain on your registration for a period of five years</b>
<b>Date of Effect</b>	<b>6 December 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 and lack of competence, 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 five years.

#### Misconduct and Lack of Competence

That whilst being registered as a social care worker, and whilst employed as a Team Leader at Praxis Care Group you:

- a. Administered medication to a service user on 3.8.22 prior to being assessed as competent to do so.
- b. Failed to report that on 14.11.22, you incorrectly administered medication to a service user on the wrong date.
- c. By your own admission, administered medication to service users without referring to the Medication Administration Record and Kardex.
- d. Failed to report unsafe staffing levels on 6.1.23, placing service users at risk of harm.
- e. On 19.10.22, replaced service user's money from your own pocket, failing to report that £7 was missing.
- f. By your own admission, entered a service user's apartment alone, when the service user was not present.

#### Reasons

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

- Social care workers are expected to establish and maintain the trust and confidence of service users and carers. Your deliberate failure as a Team Leader, to adhere to your employer's policies and procedures undermines this confidence.
- Service users have the right to expect that the care and support they receive from social care workers, in whom they place their trust, will protect them from harm. Your actions as per a), b), c) & d) undermined this trust and placed service users at risk of 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:

## **NISCC Standards of Conduct**

### **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:

2.2 Communicating in an appropriate, open, accurate and straightforward way;

### **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:

3.4 Bringing to the attention of your employer or the appropriate authority, without delay, resource or operational difficulties that might get in the way of the delivery of safe care:

3.5 Informing your employer or an appropriate authority, without delay, where the practice of colleagues or others may be unsafe or adversely affecting standards of care;

### **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;

### **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:

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

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 where appropriate.

## **NISCC Standards of Practice**

### **Standard 1**

As a social care worker, you must understand the main duties and responsibilities of your own role within the context of the organisation.

This includes:

1.2 Accessing full and up to date details of policies, procedures and agreed ways of working from your employer and adhering to them;

1.7 Keeping records that are up to date, complete, accurate and legible;

1.8 Reporting any adverse events, incidents, errors and near misses that are likely to affect the quality of care and wellbeing of service users or carers;

## **Standard 5**

As a social care worker, you must maintain health and safety at work.

This includes:

5.2 Applying your organisation's policies and procedures in relation to medication and healthcare tasks.

## **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 five years.

## **Reasons for the Sanction**

When reaching its decision the Council considered the following factors:

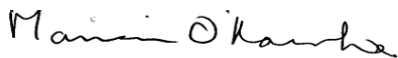
- You were in a position of responsibility in a senior role as Team Leader.
- The misconduct took place at work.
- You have failed to engage with your employer's disciplinary proceedings and have failed to submit any mitigation for your actions.
- You have failed to engage with the fitness to practise 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 are no longer employed in a social care role

## **Date of Effect**

This warning comes into effect on 6 December 2023.



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Director of Regulation and Standards

6 December 2023

Date