

**Notice of Decision**

<b>Registrant</b>	<b>Margaret Elizabeth Stewart</b>
<b>Registration number</b>	<b>6004169</b>
<b>Part of Register</b>	<b>Part 2 – Day Care Worker</b>
<b>Sanction</b>	<b>Warning to remain on your registration for a period of 3 years</b>
<b>Date of Effect</b>	<b>15 April 2024</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 the Caution you have received from the Police Service of Northern Ireland, as defined in Part 1, Rule 4 (1)(d) 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 3 years.

**Caution**

That whilst being registered as a social care worker and employed as a care assistant at Queenscourt Nursing Home, Manor Healthcare:

- a. On 18 July 2022, whilst employed as a carer poured water over service user A without their consent causing them to become upset and very agitated.
- b. Due to (a) above, a Caution for Common Assault was administered to you by the Police Service of Northern Ireland, on 06 October 2023.

**Reasons**

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

- Your actions were inappropriate towards a vulnerable Service User under your care and caused them to become upset and very agitated.
- The public has the right to expect that social care workers, in whom it places its trust and confidence, to uphold the law and not to engage in offending behaviour nor otherwise behave in a way in work or outside work which would call into question their suitability to work in social care services.
- 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:

**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.

**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.

**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.

## **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 3 years.

## **Reasons for the Sanction**

When reaching its decision the Council considered the following factors:

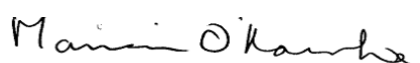
- You have admitted to the offence of common assault and accepted a Police Caution on 06 October 2023.
- Your actions occurred whilst on duty and caused the service user to become upset and very agitated.
- You have not demonstrated any remorse or regret for your actions.
- Your actions were capable of undermining public confidence in the social care profession
- Your behaviour has demonstrated a serious disregard for the NISCC Standards of Conduct and Practice.

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

- You have no previous record of misconduct with the Council.
- There is no evidence of physical injury to the service user.
- You have the benefit of a previous good work history.
- There has been no repetition of this behaviour since the matter was brought to the Council's attention.

## **Date of Effect**

This warning comes into effect on 15 April 2024. A record of the warning has been placed on your entry in the Register for a period of 3 years and does not affect your ability to practise.



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Director of Regulation and Standards

15<sup>th</sup> April 2024

Date

**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.**