

## Notice of Decision

<b>Registrant</b>	Samantha Jane Hanna
<b>Registration number</b>	7013843
<b>Part of Register</b>	Part 2 – Domiciliary Care Worker
<b>Sanction</b>	Undertakings
<b>Date of Effect</b>	27 <sup>th</sup> May 2025

This is a notice of decision of the Northern Ireland Social Care Council (the Council).

### Decision

The Council has decided:

1. that there is sufficient evidence to conclude that there is a realistic prospect 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 agree undertakings with you.

### Impairment

Your actions, as outlined below, amount to impaired fitness to practise by reason of misconduct:

Whilst registered as a Domiciliary Care Worker, and whilst employed as a Community Care Worker for Optimum Care:

- a. On 23 January 2024, you roughly handled a Service User causing their clothing to become torn.

### Reasons

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

- 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. Failure to follow your employer's training, policies and procedures for moving and handling service users, places both yourself and service users at risk of harm. You therefore failed in your duty of care and placed the service user 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 that your actions have 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 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:

6.1 Meeting relevant standards of practice and working in a lawful, safe and effective way;

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

The Standards of Practice that your actions have breached are as follows:

Standard 3: As a social care worker, you must deliver person-centred care and support which is safe and effective. This includes:

3.2 Delivering care in line with assessed needs and service user and carer preferences;

3.8 Contributing to the implementation of care or support plans and risk management plans;

Standard 5: As a social care worker, you must maintain health and safety at work. This includes:

5.3 Applying your organisation's policies and procedures in relation to moving and handling service users;

## **Sanction**

Having regard to the document '*Indicative Sanctions for Consensual Disposal*' the Council decided that the appropriate course of action was to agree undertakings with you. An undertaking is an agreement between you and the Council, setting out limits within which you must practise.

### Agreed Undertakings:

1. That you notify the Council within 7 days of accepting any post or employment requiring registration with the Social Care Council and provide the name and contact details of the organisation offering you the post.
2. That you successfully complete all relevant training including moving and handling training within 3 months of commencing employment as above and provide written evidence of this to NISCC.
3. That you will access the Social Care Council's Learning Zone and undertake the following modules:
  - i. Values, behaviours and person-centered practice
  - ii. Towards safe, effective and compassionate care.

And that upon completion of the learning activities above, you will submit a reflective account to the Social Care Council within 6 months of the undertakings coming into effect, setting out clearly what you have learned from the allegation raised against you and how your future practice will differ.

4. That you provide a report from your employer six months after the undertakings come into effect:
  - i. Addressing the standard of your performance
  - ii. Confirming that you have attended regular formal and informal supervision and that no concerns have been identified regarding your practice.
5. That you provide a report from your employer 12 months after the undertakings come into effect:
  - i. Addressing the standard of your performance
  - ii. Confirming that you have attended regular formal and informal supervision and that no concerns have been identified regarding your practice.
6. That you will inform the Social Care Council of any professional investigation started against you, and/or any professional disciplinary proceedings taken against you within 7 days of you receiving notice of them.
7. That you will inform the following parties that you are subject to undertakings under the NISCC's fitness to practise procedures, and disclose the undertakings listed above, to them.
  - i. Any organisation or person employing, contracting with, or using you to undertake social work or social care work;
  - ii. Any agency you are registered with or apply to be registered with (at the time of application);
  - iii. Any prospective employer (at the time of application);
  - iv. Any educational establishment at which you are undertaking a course of study connected with social work or social care work, or any such establishment to which you apply to take such a course (at the time of application).

## **Reasons for the Sanction**

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

- Your actions had the potential to place both yourself and the service user at risk of harm.
- Your actions took place while you were at work and in a position of responsibility as a Domiciliary Care Worker.
- You have provided contradictory accounts regarding your moving and handling of the service user.
- You admitted to your employer that you failed to follow your employer's training in relation to moving and handling a service user.
- Whilst no physical harm came to the service user, you failed to deliver care in line with the service user's assessed needs.
- Your behaviour was an isolated incident and was not intentional.
- You have co-operated and engaged with both your employer's and the Social Care Council's investigation in a timely manner.
- You have a previous good work history and character.
- You have demonstrated some insight and apologised for your actions.
- You have no previous record of misconduct with the Council.

## **Agreement**

Having been advised of the consequences, and having been recommended to take independent advice, you agreed to the Undertakings detailed above. A record of the undertakings has been placed on your entry in the Register. Other than the restrictions detailed in the undertakings, your ability to practise is not affected.

## **Duration of undertakings**

The undertakings will continue indefinitely. However, under Rule 13 (12) you can apply to be released from an Undertaking, and the Council will consider your request at that time.

## **Consequences of non-compliance with an undertaking**

Under Rule 13 (13), if the Council receives information that you have not complied with an undertaking, or you fail to provide information to confirm compliance when requested, the Council may:

- (a) Refer the original allegations to the Preliminary Proceedings Committee; and
- (b) Treat the failure to comply with an undertaking as a separate allegation of impaired fitness to practise and refer this allegation to the Preliminary Proceedings Committee.

**The onus is on you to provide any information or documentation to the Council outlined in the Undertaking. You must ensure that this is provided within the stipulated timeframe. Failure to provide agreed documentation on time will be treated as a failure to comply with the Undertaking, and may result in you being referred to the Preliminary Proceedings Committee.**

## **Date of Effect**

The undertakings come into effect on 27<sup>th</sup> May 2025.

*Robert Marder*

27<sup>th</sup> May 2025

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Interim Co-Director of Regulation and Standards

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Date