

Notice of Decision of the Northern Ireland Social Care Council's Fitness to Practise Committee

Name: Melanie Jayne Vint

SCR No: 6006965

NOTICE IS HEREBY GIVEN THAT the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **02 July 2025**, made the following decision about your registration with the Northern Ireland Social Care Council:

The Committee found the facts proved;

The Committee found that your fitness to practise is impaired by reason of your Caution and misconduct;

The Committee decided to make an Order for removal of your registration from the Register ('a Removal Order').

Particulars of the Allegation:

That, whilst being registered as a social care worker under the Health and Personal Social Services Act (Northern Ireland) 2001(as amended):	
1.	On 09 February 2022, you assaulted a vulnerable service user by pushing them through a doorway and on 18 October 2023, you received a Caution at the Magistrates' Court for the offence of Common Assault on a service user.
2.	On 9 February 2022, you used abusive language about, and within the vicinity of, a vulnerable service user with dementia who had stated she had not been woken and had missed breakfast.
3.	On 9 February 2022, you neglected to seek medical advice regarding concerns raised by a vulnerable service user's son over the medications his Mother had been prescribed, and proceeded to administer the medication regardless.
4.	On 09 February 2022, you instructed a co-worker not to help feed a vulnerable service user with dementia, and used abusive language about the service user whilst in their presence.
Your actions as set out above at 1, show that your fitness to practise is impaired by reason of your Caution in the United Kingdom for a criminal offence.	

And your actions as set out above at 2-4, show that your fitness to practise is impaired by reason of your misconduct.

Procedure

The hearing was held under the fitness to practise procedure.

Preliminary Matters

The Registrant was not in attendance, nor was she represented. The Northern Ireland Social Care Council ('the Council') was represented by Ms Anna Price, Solicitor, Directorate of Legal Services.

Service

Ms Price told the Committee that the Notice of Hearing and hearing bundle were served on the Registrant's registered postal address, by special delivery post, on 27 May 2025. She said that the package was delivered on 29 May 2025 and proof of delivery was available.

The Committee received legal advice from the Legal Adviser, and she referred the Committee to the requirements as set out in the Northern Ireland Social Care Council's Fitness to Practise (Amendment) Rules 2019 ('the Rules') and, in particular, Rule 3 which states that proof of service shall be treated as being effected on the day after it was properly sent.

The Committee, in all of the circumstances of the case, was satisfied that the Notice of Hearing had been served in accordance with Rule 3 of the Rules, and the requirements of Paragraph 5 of Schedule 2 of the Rules.

Proceeding in the Absence of the Registrant

Ms Price made an application to proceed in the absence of the Registrant under Paragraph 15 of Schedule 2 of the Rules, and submitted that the Committee should hear and determine the case in her absence.

Ms Price said that the Committee Clerk called the Registrant on 24 June 2025. However, the registered telephone number was no longer valid. She said that the Council sent a letter to the Registrant, on 24 June 2025, asking her to confirm her attendance at the Fitness to Practise hearing. The Registrant was also informed in this letter that the hearing would now be held remotely and asked her if she had objections to a remote hearing.

Ms Price said that the Registrant has not responded to any of the communication and invited the Committee to conclude that the Registrant's absence was a voluntary waiver of her right to attend. She said that the Registrant had not requested an adjournment to attend on a later date or to be represented. She said that there was nothing to suggest that the Registrant would be likely to attend on another date if the hearing was adjourned. She said that the Council had one witness in attendance today and suggested that it was in the public interest for there to be an expeditious disposal of the hearing and any disadvantage to the Registrant was outweighed in all of the circumstances.

The Committee was mindful that the discretion to proceed in the absence of the Registrant should only be exercised with the utmost care and caution. In considering the application, the Committee sought to satisfy itself that all reasonable efforts had been made to notify the Registrant of the hearing, and accepted the advice of the Legal Adviser. She referred the Committee to the cases of R v Jones 2003 1 AC, Adeogba and Visvardis v GMC 2016. She reminded the Committee that in exercising its discretion to proceed in the Registrant's absence, it must have regard to all of the circumstances with fairness to the Registrant being of prime consideration, although fairness to the Council and the public interest must also be taken into account. She reminded the Committee to avoid reaching any improper conclusion about the Registrant's absence and not to accept it as an admission in any way.

The Committee reminded itself that fairness to the Registrant should be a prime consideration. The Committee bore in mind the public interest in the expeditious disposal of the hearing. The Committee took into account the various communications between the Council and the Registrant and was satisfied that the Registrant was aware of the of hearing today and there was proof of delivery that the Notice of Hearing was delivered to her registered address. The Committee had not received an application to adjourn the hearing and had no information that adjournment would secure her attendance at a later date. The Committee further noted that a witness was in attendance and considered the impact any further delay may have on a witness's recollection if the case were adjourned to a later date.

After careful consideration of all of the information and the issues, the Committee decided to exercise its discretion to proceed in the absence of the Registrant, taking into account the serious nature of the allegation and striking a careful balance between fairness to the Registrant and the wider public interest. The Committee, in all of the circumstances, considered that the Registrant had voluntarily absented herself from the hearing. However, the Committee reminded itself that it must avoid reaching any improper conclusion about the Registrant's absence, nor treat the absence as an admission.

Application to Admit Hearing Bundle

The Committee accepted the hearing bundle into evidence and marked it as Exhibit 1.

Declaration of Conflict of Interest

The Chair of the Committee confirmed that all Committee Members had no conflicts of interest with this case.

Background and Facts of the Case

Ms Price told the Committee that there were four Particulars of the Allegation. In respect of Particular 1, Ms Price said the Registrant's Fitness to Practise is impaired by reason of her Caution in the United Kingdom for a criminal offence as per Rule 4 (1) (d) of the Rules. In respect of Particulars 2 to 4, Ms Price said that the Registrant's fitness to practise is impaired by reason of her misconduct as per Rule 4 (1) (a) of the Rules.

Ms Price told the Committee that the Registrant was registered on Part 2 of the Register. She said the Registrant was employed as a social care supervisor at Wood Green Residential Home ('the Home'), where she commenced work on 01 February 2021, and was suspended on 10 February 2022. She said that this matter was first brought to the Council's attention by way of Employer Referral Form ('ERF') received by the Council on 11 February 2022, from Tara Watters, Home Manager, Wood Green Residential Home. She said that the ERF disclosed that allegations had been made by a student paramedic who was on placement at the Home in which the Registrant worked. The student paramedic made a number of allegations, including that the Registrant had assaulted a service user.

Ms Price referred the Committee to the statement of the Student Paramedic which was included with the ERF:

"At around 8.30 am, [REDACTED] son [REDACTED] phoned sounding distressed. This call was on speaker phone so I heard the full conversation. [REDACTED] told Melanie that he had found out his mum was on Lorazepam and that she had a similar reaction to this drug two years ago. He said he wanted the drug stopped and told Melanie not to give her it. Melanie told him she would contact the GP. I asked Melanie several times that morning if she had contacted the GP about the medication and she didn't confirm to me that she did. I am not sure the GP was contacted to review this medication as requested by her son, although Melanie did tell him she would contact the GP. I got the impression from her that she was going to go ahead and administer the medication, but I am uncertain whether that happened or not.

Around 9 am care assistant Claire asked me to assist a resident called in the lounge with his breakfast. After I had given [REDACTED] a few spoonfuls of his breakfast, Melanie walked in and said in front of [REDACTED], "Don't you be feeding him, he can fuckin feed himself". I said, "Oh sorry, I didn't realise. I was told to help him". Melanie said that they don't feed him, so they can see if his dementia has progressed. I was told to leave his bowl of cornflakes in front of him and walk away. Ten minutes later the bowl was still sitting untouched. I said to the care assistant, and she said although they are told not to feed him, she fed him anyway as he wasn't making any effort to lift the spoon or feed himself. At lunchtime, I assisted [REDACTED] with his meal and offered him his cup and he took a drink himself. At teatime, I noticed his plate was left in front of him and he hadn't eaten any of his food. I gave him the first forkful then put the fork in his hand. He finished the rest of the plate himself and the dessert. Melanie and another member of staff came in and said, "You see? He can feed himself!". I mentioned to the care assistant that I was concerned about him being a choking hazard as he was constantly filling his mouth up with food when it was already full.

At approximately 10 am, a resident called [REDACTED] came into the lounge and said "Nobody woke me up and now I've missed breakfast". I apologised to [REDACTED] that she hadn't been woken and I offered to get her breakfast. She was content with my apology. Melanie said, "She's a fuckin liar, we knocked her door 3 times, the fat lazy bitch". This was said to me in the lounge where other residents were sitting and within earshot of [REDACTED], who was walking to the dining room.

Around 9 am, a resident called [REDACTED] was noticed to have injured her wrist and Melanie contacted her GP and daughter. Her daughter arrived at lunchtime to take her mum to the Royal Victoria Hospital for an x-ray. 's daughter asked me to say to Melanie to phone ahead to the Emergency Department to let them know that they were on their way to the department and that [REDACTED] was a resident of Woodgreen Care Home. I told Melanie and she laughed and said something to the effect of "aye, as if that's going to make any difference". I am unaware if she did ring ahead as requested.

Between 12.30-1pm, I was in [REDACTED] room with her to get her bible, and [REDACTED] and [REDACTED] had followed me in. I heard Melanie come into the room and as I turned around, I saw [REDACTED] stumble towards the door. Melanie's hands were up towards his back and it appeared to me that he was being pushed back out the door.

At many points during the shift, Melanie used foul language such as 'fuck' when speaking to me in front of residents".

Ms Price said that, on 23 February 2022, the Designated Adult Protection Officer ('DAPO'), at the Northern Health and Social Care Trust ('the Trust') advised the Council that she had submitted a referral to the PSNI and a joint investigation began regarding the alleged physical assault. The DAPO subsequently closed the case to Adult Safeguarding for the police to continue their investigation.

Ms Price told the Committee that the Council emailed the Registrant on 28 February 2022, to inform her of the receipt of the ERF and invited her to make any comments. However, the email delivery failed and therefore the Council sent the same letter by post. Ms Price said that the Registrant has not replied to any correspondence from the Council.

Ms Price referred the Committee to the notes of the Disciplinary Report, dated 07 March 2022. Ms Price submitted that the Registrant denied all allegations aside from conceding that, if she had made a medication error, she would take responsibility for it.

The Council called Witness 1 to give evidence via video link. Witness 1 gave her evidence under affirmation and adopted her statement as evidence.

Witness 1 told the Committee that she was the Head of Quality and Care for Woodgreen Care Home and that she was also the Responsible Person for the Home. She said that she had worked in the Home for approximately eight years. She described the Home as a residential home for 78 residents who suffer from dementia and may require assistance with aspects of daily living. She said that her role involved monthly audits to check care plans, medical records, carryout observations and check that the environment was suitable for residents. She said her role was also to review policies, accidents / incidents and to handle any complaints.

Witness 1 told the Committee that she first became aware of the incident when a student paramedic had reported to her tutor what she had observed. The tutor then contacted Witness 1 by telephone on 10 Feb 2022 and reported the incident to her.

Witness 1 told the Committee that Ms Tara Watters had carried out an investigation into the incident. Witness 1 received the Investigation Report and other relevant documents from the investigation. Witness 1 informed the Committee that the Registrant denied all of the allegations and, in reference to the medication allegation, she said that if she had made a mistake that she would hold her hands up to that allegation. Witness 1 confirmed she checked the daily records and medical administration records and there was no mention of Lorazepam being discussed with the service user's doctor and it was not recorded in the service user's daily notes. Witness 1 told the Committee that the medical administration chart recorded that Lorazepam was given to the service user on the day in question.

Witness 1 confirmed that the allegations were upheld at the Disciplinary hearing. In response to a question from the Committee, Witness 1 confirmed that the Registrant had the opportunity to appeal the decision but no such appeal was made.

Witness 1's evidence was completed and she was released from her affirmation.

Ms Price told the Committee that, on 22 August 2023, it was confirmed by the Common Law Police Disclosure ('CLPD') Unit that the Public Prosecution Service ('PPS') decided, on 09 August 2023, to prosecute the Registrant for common assault. She said that the CLPD further advised that the charge was heard at Laganside Magistrates' Court on 18 October 2023 and the Court ordered that a Caution be administered at Court on the same date.

Ms Price referred the Committee to the Certificate of Order from the Court, dated 24 October 2023, in which it was confirmed that the Registrant pleaded not guilty to unlawful assault. It was noted that the Court ordered the charge to be withdrawn and a Caution to be administered, which was accepted by the Registrant, and in doing so, she admitted the allegation.

Ms Price further referred the Committee to the Police Case Summary which stated:

"Social Services referred to Police an incident which took place at Woodgreen Care Home on 9th February 2022. The defendant Melanie Vint is employed at Woodgreen Care Home as a Carer and it is alleged that on 9th February 2022 she pushed the victim [REDACTED] force through a door way on two separate occasions.

One witness states that it was just after lunchtime when she witnessed the defendant push the I/P into his room and slammed the door in his face.

Another witness believes she witnessed an assault when the defendant pushed the I/P out of another residents room later in the day.

Both witnesses have provided statements and the defendant to be invited for a PACE 10 interview". [sic]

Ms Price told the Committee that two witness statements were provided to the police and included with the police summary.

In relation to Particular 1, Ms Price submitted that the Certificate of Order is conclusive proof that the facts are proven, in accordance with Schedule 2, Paragraph 12 (5) of the Rules. She said that Council seeks to rely on the Certificate of Order as conclusive proof of the facts underlying the Registrants Caution for the offence that is set out in the Particular 1 of the Allegation.

In relation to Particulars 2, 3 and 4, Ms Price submitted that through the evidence in the bundle and sworn evidence of Witness 1, that the facts underpinning these Particulars are proven on balance of probabilities.

Ms Price submitted that the evidence provided is substantial and reliable having regard to its nature and source. She further submitted that the Council has therefore discharged its burden of proof, in relation to the Particulars 2,3 and 4 of the Allegation, as required by Schedule 2, Paragraph 13 of the Rules.

Finding of Facts

The Committee heard and accepted the advice of the Legal Adviser. She reminded the Committee that it must apply the standard of proof as applicable in civil proceedings, which is the balance of probabilities. She also reminded the Committee that the burden of proof rested with the Council. She also advised the Committee that a Certificate of Caution was not a conviction for the purposes of Rule 12 (5) and (7). However, in accepting a Caution, the Registrant had admitted the charge brought against her in relation to common assault. The Committee was advised that it could take all relevant information into account when reaching its decision in relation to the Certificate of Caution.

Advice was provided to the Committee in relation to the admissibility, weight to be attached to and reliability of hearsay evidence.

The Committee took into account the submissions from Ms Price on behalf of the Council, all of the documentary evidence and the oral evidence from Witness 1.

The Committee considered the evidence that it had received in relation to Particulars of the Allegation.

Particular 1 - On 09 February 2022, you assaulted a vulnerable service user by pushing them through a doorway and on 18 October 2023, you received a Caution at the Magistrates' Court for the offence of Common Assault on a service user.

The Committee noted that the evidence it had been provided with included a Certificate of Order and it had correspondence from the CLPD indicating that the Registrant was subject to a Caution at the Magistrates' Court on 18 October 2023. The Committee noted that the Court ordered a Caution to be administered, which was accepted by the Registrant, and in doing so, she admitted the allegation. The Committee noted that there was no evidence before the Committee to suggest that the Registrant was not the individual against whom the Caution was made. The Committee further noted that the Registrant had been provided with a copy of the Caution which was included in the hearing bundle and no challenge had been received to the accuracy of the Caution. The Committee also took into account the Police Case Summary and noted the contents of the witness statements as well in reaching its decision on facts in relation to the Caution.

The Committee found the facts proven in relation to Particular 1 on the balance of probabilities.

Particular 2 - On 9 February 2022, you used abusive language about, and within the vicinity of, a vulnerable service user with dementia who had stated she had not been woken and had missed breakfast.

The Committee noted the contents of the witness statements in the Police Case Summary. It also took into account the Disciplinary Minutes and the contents of the Disciplinary Report. It noted that the Registrant had been interviewed in the course of the investigation and had been provided with a copy of the outcome. It accepted the evidence of Witness 1 as credible and reliable. Her oral evidence was supported by the contents of the statements contained within the hearing bundle. It also noted that the Registrant had the opportunity to appeal the disciplinary decision and had not done so. The Committee further noted that the Registrant had been provided with a copy of all the evidence included in the hearing bundle and no challenge had been received to the accuracy of any of the contents.

The Committee found the facts proven in relation to Particular 2 on the balance of probabilities.

Particular 3 - On 9 February 2022, you neglected to seek medical advice regarding concerns raised by a vulnerable service user's son over the medications his mother had been prescribed, and proceeded to administer the medication regardless.

In reaching its decision, the Committee took into account the oral evidence of Witness 1, as well as the contents of her written statement. It took into account the Disciplinary Minutes and the contents of the Disciplinary Report. It noted the contents of the MAR Chart and the statement made by the student paramedic to the police and the disciplinary process. The Committee was aware that evidence contained within the statements made by other staff was hearsay and had not been subject to cross examination. The Committee further noted that the Registrant had been provided with a copy of all the evidence included in the hearing bundle and no challenge had been received to the accuracy of any of the contents. The Committee was satisfied on the balance of probabilities that the evidence was reliable and consistent.

The Committee found the facts proven in relation to Particular 3 on the balance of probabilities.

Particular 4 - On 09 February 2022, you instructed a co-worker not to help feed a vulnerable service user with dementia, and used abusive language about the service user whilst in their presence.

The Committee noted that the evidence in relation to this Particular was contained within statements made by a student paramedic who had been interviewed as part of the disciplinary process and by the police. The Committee noted that it did not have an opportunity to test this evidence by way of questioning. However, the Committee noted that this evidence was supported by another staff member who also provided statements to the police and the disciplinary process. The Committee further noted that the Registrant had been provided with a copy of all the evidence included in the hearing bundle and no challenge had been received to the accuracy of any of the contents. It was however satisfied, on the balance of probabilities that it was credible and reliable evidence.

The Committee found the facts proven in relation to Particular 4 on the balance of probabilities.

Fitness to Practise

Ms Price said that following a finding of fact in relation to the Particulars of the Allegation, the Registrant's fitness to practise is impaired by reason of her Caution in respect of Particular 1 and by reason of her misconduct as outlined in respect of Particulars 2, 3 and 4.

Ms Price submitted that the Registrant's Caution and misconduct call into question her suitability to work in social care services, and to remain on the Register without restriction, or to be registered at all. She said that the Registrant's actions related directly to the discharge of the Registrant's professional duty towards vulnerable service users in her care. She said that the Registrant is alleged to have abused the trust and confidence placed in her by the very nature of her Caution for common assault against a vulnerable service user, along with the use of abusive language, neglecting to seek medical advice regarding a vulnerable service user and also by instructing a co-worker not to feed a vulnerable service user with dementia.

In accepting the Caution, Ms Price submitted that the Registrant has admitted to the criminal offence of common assault against a vulnerable service user.

Ms Price said that the Registrant's actions fell well below the standards expected of a registered social care worker. She referred the Committee to the Standards of Conduct and Practice for Social Care Workers, which she submitted the Registrant's conduct breached as follows: Standards of Conduct 1.1, 1.2, 1.4, 1.8, 5.1, 5.7, 5.8, 6.1, 6.3, 6.4 and Standards of Practice 1.3, 1.5, 2.5, 2.6, 3.2, 3.12, 5.2 and 6.1.

Ms Price said that the Committee will have to decide whether the Registrant's actions are capable of remediation. She said that the starting point for remediation is the Registrant's insight into and acceptance of her actions. However, the Registrant has not engaged with the Council or this Committee and has not provided any evidence of any insight or remorse into her actions or the impact on the service users involved. She said that the Registrant did not appear before the Committee to give her account and persuade the Committee that there is no risk of repetition.

Ms Price said that the public should have confidence in the Council as a regulator for social care workers and, therefore, is entitled to be assured that this behaviour is dealt with by the regulator. She said that a failure to make a finding of current impairment of fitness to practise would undermine the public's trust and confidence in the social care workforce, and would fail to declare and uphold proper standards of conduct and behaviour.

Ms Price submitted that the Registrant's fitness to practise is impaired by reasons of her Caution and misconduct as set out in the Particulars of the Allegation.

The Committee accepted the advice of the Legal Adviser. She referred the Committee to the Standards of Conduct and Practice for Social Care Workers. She advised the Committee that it was now engaged in a two-step process. Firstly, the Committee had to be satisfied that one or both of the statutory grounds of Caution and misconduct were made out. She provided advice as to the legal principles the Committee should consider in

assessing whether the facts found proved amounted to misconduct and / or Caution. In relation to impairment, the Legal Adviser referred the Committee to Paragraph 24 of Schedule 2 of the Rules, and the requirements as set out in the case law. In particular, the Legal Adviser referred the Committee to GMC v Cohen and to the formulation provided by Dame Janet Smith in her 5th Report to the Shipman Inquiry (cited with approval by Cox J in CHRE v NMC & Grant).

The Committee firstly considered whether the Caution, which the Registrant accepted on 18 October 2023, amounted to the statutory ground in Rule 4 (1) (d). The Committee was satisfied that the statutory ground was made out.

The Committee then considered whether the facts found proved in relation to Particulars 2 – 4 amounted to misconduct under Rule 4 (1) (a). The Committee considered that the Registrant's behaviour has breached the following standards:

Standards of Conduct

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:

- 1.1 Treating each person as an individual;
- 1.2 Treating people with consideration, respect and compassion;
- 1.3 Empowering service users and carers to communicate their views, needs and preferences, taking account of their preferred language and form of communication;
- 1.4 Respecting and, where appropriate, representing the individual views and wishes of both service users and carers;
- 1.8 Respecting and maintaining the dignity and privacy of service users;

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 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:

- 6.3 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;

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 in which you work. This includes:

- 1.3 Knowing your main responsibilities to those service users and carers you support including duty of care;
- 1.5 Working in partnership with key people, advocates and others who are significant to individual service users and carers;

Standard 2: As a social care worker, you must be able to communicate effectively. This includes:

- 2.5 Working effectively as part of a team, sharing relevant information to ensure the service user receives the best support and care possible;
- 2.6 Sharing information with other health and social care staff and agencies in a timely manner in line with organisational procedures and principles and practices relating to confidentiality.

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;
- 3.12 Contributing to the physical and emotional well-being of service users and carers;

Standard 6: As a social care worker, you must develop yourself as a social care worker. This includes:

- 6.1 Being aware of relevant standards that relate to your work role;

The Committee considered that the Registrant's behaviour in breaching these Standards, in using abusive language to a vulnerable service user, in failing to follow up a medication query and instructing a member of staff not to feed a vulnerable service user is a serious falling short of professional standards and would be considered as deplorable conduct by professional colleagues.

The Committee, then considered the issue of impairment of fitness to practise in light of its findings that the statutory grounds of misconduct and Caution have been made out. It took account of Paragraph 24 (3) of Schedule 2 of the Rules, which states that it should have regard to:

- (a) whether it is satisfied as to the reason for the alleged impairment of fitness to practise;
- (b) the Standards of Conduct and Practice issued by the Council under Section 9 of the Act;
- (c) whether the impairment is capable of remediation;

- (d) whether the impairment has been remediated;
- (e) the risk of repetition; and
- (f) the public interest.

The Committee noted that the Registrant had not engaged with the Council or the Fitness to Practise process. The Registrant had not provided any submissions or reflective piece to assist the Committee. The Committee noted that the facts found proved in Particular 3 were capable of remediation as it related to medication. In relation to the facts found proved, in respect of Particulars 1, 2 and 4, the Committee considered that the Registrant's behaviour evidenced serious attitudinal concerns and these would be very difficult to remediate.

The Registrant had not engaged with these proceedings and there was no evidence of any insight, remorse of regret. The Committee concluded that the risk of repetition was very high. In the absence of any evidence with regard to insight and remediation, the Committee could have no confidence that similar conduct would not occur again.

The Committee considered that, in the circumstances of this case, the Registrant's fitness to practise is currently impaired on the personal component.

The Committee also considered the public interest to be engaged. The Committee was mindful that the public interest includes protection of the public, the declaring and upholding of proper standards of conduct and behaviour and the maintenance of public confidence in the profession. The Committee was satisfied that, in light of the serious nature of the Registrant's behaviour, an informed member of the public would be concerned if the Registrant's fitness to practise were not found to be impaired and public confidence in the profession would be undermined.

For the reasons detailed above, the Committee concluded that the Registrant's fitness to practice is currently impaired by reason of her Caution and misconduct.

Sanction

Ms Price confirmed that the Registrant had no previous disciplinary record with the Council.

The Committee heard a submission from Ms Price on the question of what, if any, sanction to impose. She set out the mitigating and aggravating factors which she said applied to this case.

In relation to the mitigating factors, Ms Price said that the Council had received no previous referrals in relation to this Registrant. Therefore, the Registrant is entitled to the benefit of a good work history and good prior character. In relation to the aggravating factors in this case, Ms Price said that the Registrant abused her position of trust, she had not shown any evidence of insight or regret. She said the Registrant had failed to co-operate with the Council's investigation and had not engaged with these proceedings. She said that the Registrant's actions demonstrated a serious disregard for the Standards of Conduct and Practice and the events occurred at her workplace.

Ms Price submitted that to impose no sanction, a Warning, or a Conditions of Practice Order would not provide public protection or satisfy the public concerns. She said that Conditions of Practice Order would be difficult to formulate as these are usually directed to an area of particular performance at work. She said that the Registrant had not attended today and had not engaged, therefore making the terms of any conditions problematic.

Ms Price said that a Suspension Order may be appropriate in cases where there had been an acknowledgment of failings and there was no risk of repetition. However, in this case the Registrant had not provided an acknowledgment of her failings to the Committee and she had not given any assurances that her actions would not be repeated in the future.

Ms Price submitted that the Registrant's behaviour and misconduct were of a serious nature and noted that the sanction of Removal was appropriate where the Registrant's actions were fundamentally incompatible with the role of a social care worker. Ms Price further submitted that it is Council's view that confidence in the social care profession would be undermined by allowing the Registrant to remain on the Register.

Ms Price submitted that the most appropriate sanction in this case was a Removal Order.

The Committee heard and accepted the Legal Adviser's advice. She referred to the range of available sanctions which are provided for by Paragraph 26 (1) of Schedule 2 of the Rules. In summary, the Committee could impose no sanction, warn the Registrant for a period of up to five years, make a Conditions of Practice Order not to exceed three years, make a Suspension Order not to exceed two years, or make a Removal Order. The Committee was referred to Rule 26 (2) of Schedule 2 of the Rules in relation to the factors it should take into account in reaching its decision on sanction and to the Northern Ireland Social Care Council Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees ('the Guidance').

The Committee was reminded that the purpose of a sanction is not to be punitive, although a sanction may have a punitive effect. Instead, in its consideration of a sanction, the Committee should have at the forefront of its mind the need to protect the public and the public interest. The Legal Adviser also reminded the Committee that it should act proportionately, and that any measure taken to limit the fundamental right of the Registrant to practise in the social care setting should be no more than what is necessary in the public interest.

The Committee carefully considered all of the available evidence, both oral and documentary, together with the submissions of Ms Price. It also had careful regard to the Guidance.

The Committee considered the mitigating factors to be as follows:

- The Registrant had no previous referrals to the Council.

The Committee considered the aggravating factors to be as follows:

- The Registrant had evidenced a serious disregard for the Standards of Conduct and Practice for Social Care Workers;
- The Registrant had not provided any evidence of regret or insight;

- There was a risk of repetition;
- The Registrant had failed to engage with the Regulator and the Fitness to Practise process;
- The Registrant's actions constituted an abuse of trust; and
- The events giving rise to these proceedings took place in the course of her work and involved vulnerable service users.

The Committee went on to consider the appropriate sanction. In the view of the Committee, the Registrant's actions fell well below the standard of a registered social care worker. Accordingly, the Committee determined that a sanction was required, and that to impose no sanction would fail to mark the seriousness of the Caution and misconduct and would not protect the public.

Warning - the Committee considered the issue of a Warning in the case. The Committee determined that a Warning was not appropriate. The findings of fact in this case include a serious falling short of professional standards. In addition, the Registrant has failed to engage or provide any reflection. The Committee considered that this sanction would not provide adequate public protection or uphold public confidence in the regulatory process.

Conditions of Practice Order - the Committee next considered a Conditions of Practice Order. The Registrant had not engaged with the hearing, expressed regret or remorse, or provided insight into her behaviour. The Committee could not formulate workable, enforceable, or verifiable conditions which would adequately protect the public and address the wider public interest concerns. In any event, the Committee determined that a Conditions of Practice Order would not be appropriate given the seriousness of the findings in this case.

Suspension Order – the Committee next considered a Suspension Order. The Committee noted the serious breaches of the Standards of Conduct and Practice for Social Care Workers. The Standards require a social care worker to treat each person as an individual with consideration, respect and compassion, along with respecting and maintaining their dignity.

The Committee had no evidence before it of remediation by the Registrant and considered there was a risk of repetition. The Committee further considered that the Registrant's Caution and misconduct evidenced behaviour that was fundamentally incompatible with continued registration as a social care worker. In all of the circumstances, the Committee concluded that a Suspension Order would be insufficient to mark the seriousness of the Registrant's actions, and would fail to uphold the public interest.

Removal Order – the Committee then considered a Removal Order. In considering this sanction, the Committee took into account the Guidance at Paragraphs 4.26 – 4.28. The Committee considered that the Registrant's actions constitute a serious departure from the professional standards as set out in the Standards of Conduct and Practice for Social Care Workers and bring the social care workforce into disrepute. In the absence of insight and remediation, and in light of the findings of fact and impairment by the Committee, it considered that the Registrant's actions were fundamentally incompatible with continued registration. It was the view of the

Committee that her behaviour constituted an abuse of her position of trust as a social care worker. In all of the circumstances, the Committee concluded that a Removal Order was the appropriate sanction.

In considering proportionality, the Committee took into account the impact of a Removal Order on the Registrant, and considered that this was outweighed by the serious nature of the concerns raised against her, regarding her failure to provide appropriate care to service users for whom she had a responsibility, together with the Registrant's lack of insight and remorse.

The Committee concluded that a Removal Order was the only appropriate and proportionate sanction, which would provide public protection and uphold the public interest. The Removal Order will be imposed on the Registrant's registration with immediate effect.

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.

You should note that the Fitness to Practise Committee's decision takes effect from the date upon which it was made.

The effect of this decision is that your entry in the Register has been removed.

You are prohibited from working as a social care worker in any of the following positions:

1. A member of care staff at a:
 - a.) Children's home;
 - b.) Residential care home;
 - c.) Nursing home;
 - d.) Day care setting;
 - e.) Residential family centre.
2. A person who is supplied by a domiciliary care agency to provide personal care in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.
3. A manager of a:
 - a.) Residential care home;
 - b.) Day care setting;
 - c.) Residential family care centre; or
 - d.) Domiciliary care agency.

It is **compulsory** for the above social care workers to be registered with the Northern Ireland Social Care Council in order to work. This is pursuant to the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013 and the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017.

In accordance with Schedule 3, Paragraph 9 of the NISCC Fitness to Practise Rules, you may not apply to be restored to the Register within five years from the date of removal. This does not affect your right to appeal the Committee's decision to the Care Tribunal. You are prohibited from working in a social care role until a successful application for restoration onto the Register has been made to the Council.

C Kennedy

Hearings Officer
(Clerk to the Fitness to Practise Committee)

08 July 2025

Date