



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

Name: Georgina Martin

SCR No: 7000530

NOTICE IS HEREBY GIVEN THAT the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **31 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 misconduct and your inclusion on a list maintained by the Disclosure and Barring Service;

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), and whilst employed by Spa Nursing Home Ltd as an Adult Residential Care Worker:

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| 1. | You, on 03 May 2022, accepted a monetary bank transfer in the sum of £200 from a vulnerable service user. In doing so, you caused harm to the vulnerable service user, in the form of financial abuse and abused your position of trust. |
| 2. | You, on 05 May 2022, accepted a monetary bank transfer in the sum of £300 from a vulnerable service user. In doing so, you caused harm to the vulnerable service user, in the form of financial abuse and abused your position of trust. |
| 3. | On 27 July 2023, the Disclosure and Barring Service included your name on the Adults' Barred List using barring powers as defined in Schedule 1 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (SVGO). |

And your actions as set out at 1 and 2 above show that your fitness to practise is impaired by reason of your misconduct.

And on the basis of the decision of the Disclosure and Barring Service, as set out at 3 above, your fitness to practise is impaired by reason of your inclusion on a list maintained by the Disclosure and Barring Service as per Rule 4 (1) (f) of the Fitness to Practise (Amendment) Rules 2019.

Preliminary Issues

Procedure

The hearing was held under the fitness to practise procedure.

The fitness to practise hearing was held remotely via video conference. The Registrant was not in attendance and was not represented. The Northern Ireland Social Care Council ('the Council') was represented by Ms Sinead Owens, Solicitor, Directorate of Legal Services.

Service

Ms Owens told the Committee that the Notice of Hearing and hearing bundle were emailed to the Registrant's registered email address on 20 June 2025, and that an electronic delivery receipt was received on the same date.

The Committee received legal advice from the Legal Adviser, and he 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 and Paragraph 5 of Schedule 2.

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 Owens made an application to proceed in the absence of the Registrant. She said that in a phone call with the Fitness to Practise Officer on 30 June 2025, the Registrant confirmed that she would be attending the hearing and that she would not be represented. However, Ms Owens said that the Committee Clerk called the Registrant on 30 July 2025 to confirm if she was still attending the hearing, and the Registrant confirmed that she would no longer be attending as her partner was working, and that she was content for the hearing to proceed in her absence. Ms Owens said that the Registrant provided three additional documents on 30 July 2025 to be considered by the Committee at the fitness to practise hearing.

Ms Owens invited the Committee to conclude that the Registrant's absence was a voluntary waiver of her right to attend. She noted that the Registrant had not made a request for an adjournment to attend on a later date or to be represented. Ms Owens submitted that any disadvantage to the Registrant would be outweighed by the need for a fair and expedient hearing.

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. He referred the Committee to the cases of R v Jones and Adeogba v GMC. He 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. He 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 concluded that the Registrant had voluntarily absented herself from the hearing. There was no reason to suppose that an adjournment of the hearing would secure the Registrant's attendance at a later stage. In addition, the Committee noted the serious nature of the Allegation faced by the Registrant, and considered the public interest in the expeditious disposal of the case.

For these reasons, the Committee considered that it was fair and appropriate to proceed in the absence of the Registrant.

Application to Admit Hearing Bundle

The Committee accepted the hearing bundle into evidence, and marked it as Exhibit 1. The Committee further accepted the email and enclosures submitted by the Registrant on 30 July 2025 into evidence, and marked these as Exhibit 2.

Declarations of Conflict of Interest

The Chair of the Committee confirmed that none of the Committee Members had a conflict of interest with this case.

Background

Ms Owens told the Committee that there were three Particulars of the Allegation. In respect of Particulars 1 and 2, Ms Owens said the Registrant's fitness to practise is impaired by reason of her misconduct. In respect of Particular 3, Ms Owens said that the Registrant's fitness to practise is impaired by reason of her inclusion on a list maintained by the Disclosure and Barring Service as per Rule 4 (1) (f) of the Fitness to Practise (Amendment) Rules 2019.

Ms Owens told the Committee that the Registrant is registered on Part 2 of the Register. She said that the matter first came to the Council's attention by way of an Employer Referral Form ('ERF') from Janine Mark, HR Manager at Spa Nursing Home Group, dated 15 July 2022. Ms Owens said that the Registrant commenced work as an adult residential care worker, with a focus on frail, elderly and interim care, for Spa Nursing Home Ltd. on 26 February 2020, and that she was based at Cregagh Nursing Home, Belfast at the time the allegations arose.

Ms Owens said that supporting documents were provided with the ERF, including a resignation email from the Registrant and a response letter from her employer, requesting the Registrant to return the relevant money. However, in a telephone call on 06 September 2022, the employer advised the Council that the money had not been repaid.

Ms Owens said that on 02 September 2022, the Council received notification from the PSNI that there would be no disclosure as the matter was being dealt with as a single agency investigation by Social Services. On 06 September 2022, the Adult Protection Gateway Team for the Belfast Health and Social Care Trust confirmed that the matter had been screened out to community colleagues. On 12 September 2022, it was confirmed that the relevant money had been paid back to the service user by Spa Nursing Group, that the service user did not wish to report the incident to the police, and that the safeguarding investigation was now closed.

Ms Owens said that the Council emailed the Registrant on 19 July 2022 to give formal notice of the referral received, and invited her to make any initial comments.

Ms Owens informed the Committee that the Council received a copy of the service user's bank statement, dated 31 May 2022, which showed that £200 had been transferred to the Registrant's bank account on 03 May 2022, and that a sum of £300 had been transferred to the Registrant's bank account on 05 May 2022.

Ms Owens said that on 12 October 2022, a written submission was received from the Registrant, in which she made admissions to accepting money from a service user and accepted responsibility for her wrongdoing. Ms Owens highlighted that the Registrant had provided three submissions, with the most recent one being enclosed with her email of 30 July 2025.

On 16 January 2023, the Council sought a further update from the Registrant's former employer and, on 17 January 2023, the employer emailed the Council confirming that there had been no further contact from the Registrant or the service user's next of kin, and that no money had been repaid by the Registrant.

Evidence and Submission on Facts

Ms Owens said that in relation to Particulars 1 and 2, the evidence contained in the ERF, the service user's bank statements, emails from the employer, and emails from the Registrant herself, prove the facts underpinning the Particulars of the Allegation. She said that the evidence provided is substantial and reliable, having regard to its nature and source. She further submitted that the Council has discharged its burden of proof in relation to Particulars 1 and 2 of the Allegation, as required by Schedule 2, Paragraph 13 of the Rules.

Ms Owens directed the Committee to the letter received from the Disclosure and Barring Service ('DBS') informing the Council that the Registrant has been barred from working with vulnerable adults as of 27 July 2023. Ms Owens referred the Committee to Paragraph 12 of Schedule 2 of the Rules, and submitted that the Registrant has not provided any evidence, as set out at Paragraph 12 (7), to prove that she is not the person named in the correspondence from the DBS, nor has she provided any evidence to show that she has successfully appealed her current DBS status.

Mr Owens submitted that the correspondence from the DBS was conclusive proof of the facts in relation to the Registrant's barring status.

Finding of Facts

The Committee heard and accepted the advice of the Legal Adviser. The burden is on the Council to prove the facts as set out in the Particulars of the Allegation. The Committee must apply the standard of proof as applicable in civil proceedings, which is the balance of probabilities. This means that for any fact to be found proved, the Committee must be satisfied that it is more likely than not to have occurred. Advice was given in respect of Paragraph 12 (6) and (7) of Schedule 2 of the Rules. The Committee also received advice on drawing inferences and the handling of hearsay evidence.

The Committee had regard to all of the evidence in Exhibit 1 and Exhibit 2, as well as the submission made by the Council.

In respect of Particular 1 and Particular 2, the Committee noted the copies of the service user's bank statements that were contained within the bundle, which showed money transfers of £200 to the Registrant on 03 May 2022 and £300 on 05 May 2022. The Committee further noted the email from the Registrant to the Council, dated 22 October 2022, in which the Registrant stated that she took full responsibility for her actions and was aware that it was wrong to accept a large amount of money from a resident. The Committee was satisfied that the documentary evidence was from reliable sources, and that the facts had been found proved.

In respect of Particular 3, the Committee noted the written notification from the DBS of the Registrant's current barring status, and considered the evidence to be cogent and reliable. The Committee had no evidence that the Registrant is not the individual referred to by the DBS, nor was there evidence of a successful appeal against her inclusion on the DBS list. Taking into account Paragraph 12 (6) of Schedule 2 of the Rules, the Committee was satisfied that the final decision from the DBS proved the facts therein. The Committee therefore found that, on the balance of probabilities, Particular 3 was proven.

Fitness to Practise

Ms Owens told the Committee that the Registrant's actions which led to her misconduct and inclusion of DBS barred list 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.

Ms Owens said that the Particulars of the Allegation are related directly to the discharge of the Registrant's professional duty towards a vulnerable service user in her care. She said that the nature of the Registrant's work had brought her into close contact with vulnerable service users and their families. As a social care worker, she would be entrusted to work autonomously with those in her care.

Ms Owens submitted to the Committee that the Registrant's inclusion on the DBS list was evidence of impaired fitness to practise. She submitted that being banned from working with adults falls far below the standards to be

expected of a social care worker. As a consequence, Ms Owens submitted that it would be appropriate to make a finding of current impairment to protect the public and to uphold the public interest.

When considering the issue of remediation, Ms Owens submitted that the starting point is the level of insight shown by the Registrant. She said that the Registrant has made a number of submissions and has acknowledged her wrongdoing, and has therefore shown some insight into her actions. However, it is the view of the Council that the Registrant's insight is somewhat superficial, and she has not provided any substantive evidence of remediation at this stage. Ms Owens said that the Registrant has yet to pay the money back to her employer, despite having agreed to do so. She said that the Registrant has not appeared today to provide any further evidence in respect of insight or remediation.

Ms Owens said that without remediation, there is an ongoing risk of repetition. Ms Owens submitted that, in light of the facts found proved, public confidence in the Council to maintain proper standards as a regulatory body would be undermined if a finding of impaired fitness to practice was not made. She said that the Registrant's actions bring the social care workforce into disrepute.

Ms Owens submitted that the Registrant has breached the following provisions of the Standards of Conduct and Practice for Social Care Workers ('the Standards'): 2 - 2.1, 5 - 5.1, 5.2, 5.3 and 5.8.

The Committee accepted the advice of the Legal Adviser. He referred the Committee to the Standards of Conduct and Practice for Social Care Workers and to the provisions of Paragraph 24 (3) of Schedule 2 of the Rules.

The Committee, in considering the issue of impairment of fitness to practise, 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.

When considering the Registrant's actions, the Committee had regard to the Standards of Conduct and Practice for Social Care Workers and the Council guidance entitled 'Making a Determination of Impaired Fitness to Practise: Guidance for Committees on Remediation' ('the Guidance'). The Committee was satisfied that the Registrant's actions were in breach of the following 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:

- 2.1 Being honest and trustworthy.

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;
- 5.2 Exploit service users, carers or colleagues in any way;
- 5.3 Abuse the trust of service users and carers or the access you have to personal information about them or to their property, home or workplace; or
- 5.8 Behave in a way, in work or outside work, which would call into question your suitability to work in social care services.

The Committee had no information or evidence from the Registrant as regards any action which she has taken to remediate her behaviour. The Committee specifically noted that the Registrant has not repaid the monies which she inappropriately took from the service user. The Committee further noted the personal difficulties at the material time as outlined by the Registrant and preceding the receipt of the relevant money. However, in the Committee's view, the said difficulties do not provide any justification for her actions, nor do they explain her failure to return the relevant monies. The Committee was concerned that the Registrant's most recent submission appeared to attribute some blame to the relevant service user. The Committee was also concerned that the Registrant has not demonstrated an appreciation of the impact of her actions on the service user, their family or the wider public. The Committee was also mindful that the Registrant was aware at the time that her actions were wrong, yet this did not stop her.

In light of the limited insight and the absence of remediation, the Committee was satisfied that there is a risk of repetition. The Committee considered that the Registrant's conduct is not easily remediable, but the starting point would have been the return of the relevant monies.

In the Committee's view, the misconduct was serious and had the potential to damage public confidence in social care services. The Committee noted that the Registrant would be committing a criminal offence if she worked with vulnerable adults whilst her name is on the relevant DBS barred list.

The Committee concluded that a finding of impaired fitness to practise was necessary for the maintenance of public confidence in the social care profession and the Council as its regulator, and that public confidence in the social care profession would be undermined if a finding of impaired fitness to practise was not made.

Therefore, the Committee concluded that the Registrant's fitness to practise is currently impaired by reason of her misconduct and inclusion on the DBS barred list for vulnerable adults.

Council Submission on Sanction

The Committee heard a submission from Ms Owens on the question of what, if any, sanction to impose.

In the absence of the Registrant, Ms Owens set out the mitigating factors in this case. She said that the Registrant has no previous regulatory findings against her. She said that the Registrant made early admissions

to taking the money from the service user. Ms Owens referred the Committee to the Registrant's latest submission, received by the Council on 30 July 2025, in which the Registrant describes health and personal issues during the time of the misconduct. Ms Owens also set out the aggravating factors in the case. She said that the incident occurred at the Registrant's place of work, involved a vulnerable service user, and was an abuse of her position of trust. She said that the Registrant showed a serious disregard to the Standards and Practice for Social Care Workers. She said that there is a lack of substantive evidence of insight, remorse and remediation. Ms Owens noted that, as a result of the Registrant's barred status, it would be a criminal offence to employ her in regulated activity working with vulnerable adults. Ms Owens submitted that, in all of the circumstances, the only appropriate sanction to impose was a Removal Order. She said that a lesser option such as a Warning, Conditions of Practice Order or a Suspension Order would not provide the adequate public protection.

The Committee heard and accepted the Legal Adviser's advice. He set out the range of available sanctions which are provided for by Paragraph 26 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 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 was necessary in the public interest.

The Committee carefully considered all of the available documentary material, together with Ms Owens' submissions. It also had careful regard to the Northern Ireland Social Care Council Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees.

The Committee considered the aggravating and mitigating factors in this case.

The Committee considered the mitigating factors to be:

- The Registrant has no previous regulatory findings against her; and
- The Registrant made early admissions to receiving the relevant money.

The Committee considered the aggravating factors to be as follows:

- The incidents occurred in the workplace, and on two separate dates;
- The incidents involved the Registrant abusing her position of trust and taking money from a vulnerable service user;
- The Registrant's actions amount to a serious disregard to the Standards;
- The Registrant has limited insight and has not remediated.

Having balanced the aggravating and mitigating factors, and taken into account the interests of public protection and the public interest, the Committee was satisfied that some form of sanction is necessary, and proceeded to consider which sanction to apply in this case.

No Sanction - the Committee had no hesitation in concluding that it would be neither appropriate nor proportionate if no sanction were imposed in this case. In the view of the Committee, if no sanction were imposed, this would not mark the seriousness of the issues or meet the public interest in this case.

Warning – the Committee considered whether to impose a Warning in this case. Having regard to its findings, the Committee considered that such a step would be inadequate to protect the public and would fail to uphold the public interest.

Conditions of Practice Order – the Committee next considered a Conditions of Practice Order. The Registrant has been included on the DBS Adults' Barred List, which makes it a criminal offence for her to work with vulnerable adults. Therefore, the Committee could not formulate any workable, enforceable or verifiable conditions in light of the Registrant's barred status.

Suspension Order – the Committee next considered a Suspension Order. The Committee noted that it had made findings at the fact and the impairment stage of the proceedings which are of a serious nature. The Registrant has not provided any evidence of remediation or provided sufficient assurances to the Committee that she would not repeat her behaviour in the future.

The Committee considered that, in all of the circumstances, a Suspension Order would be inappropriate and disproportionate to the risk from which the Committee is seeking to protect the public. In addition, the Committee considered that a period of suspension would not meet the high public interest, nor take account of the Registrant being included on the DBS Adults' Barred list.

Removal Order – the Committee, therefore, decided to impose a Removal Order. In so doing, the Committee took into account the Guidance at Paragraphs 4.26 – 4.28.

The Committee considered that public confidence in the social care profession, and the Council as its regulator, would be undermined if a social care worker such as the Registrant, who was barred from working with vulnerable adults, was allowed to remain on the Register. The Committee considered that the Registrant's misconduct and inclusion on DBS lists is evidence of a serious departure from the professional standards expected of a social care worker. Whilst the Committee took account of the impact of a Removal Order on the Registrant, this was outweighed by the serious nature of the concerns raised against her regarding financial abuse of a vulnerable service user. The Committee considered that any sanction short of a Removal Order would fail to declare and uphold proper standards of conduct and behaviour and would, further, fail to maintain the reputation of the social care workforce.

The Committee decided, in order to protect the public and to uphold the public interest, that it was necessary to make a Removal Order with immediate effect in respect of the Registrant's registration.

The Committee also directed that the Interim Suspension Order currently in place should be revoked 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.

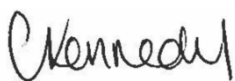
The effect of this decision is that your entry in the Register has been removed.

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.



Hearings Officer
(Clerk to the Fitness to Practise Committee)

06 August 2025

Date