



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

Name: Cathy McCann

SCR No: 7026958

NOTICE IS HEREBY GIVEN THAT the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **09 June and 17 June 2026**, 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;

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 Down Community Care Ltd as a domiciliary care worker:

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| 1. | Between August 2023 and February 2024, you accepted cash to the sum of £6,000 from Service User A. |
| 2. | You only reported your actions at 1 above to Service User A's family in February 2024, following a colleague making a report of a similar nature. |
| 3. | You failed to report to your employer that Service User A had given you money. |

And your actions, as set out at 1 to 3 above, 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 Issues

The fitness to practise hearing was held at the Northern Ireland Social Care Council ('the Council') offices at James House, Belfast. The Registrant was not in attendance, nor was she represented. The Council was represented by Ms Anna Price, Solicitor, Directorate of Legal Services.

Declarations of Conflict of Interest

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

Service

Ms Price informed the Committee that the Notice of Hearing and hearing bundle were sent to the Registrant's registered email address on 30 April 2026, and that an electronic proof of delivery receipt was received on the same date. The Committee Clerk attempted to call the Registrant on 28 May 2026 to confirm if she would be in attendance at the fitness to practise hearing. The telephone call did not connect and a voicemail could not be left. On the same date, the Committee Clerk sent an email to the Registrant, requesting her to confirm if she would be in attendance at the fitness to practise hearing. An electronic proof of delivery was received. The Registrant did not respond to any of the aforementioned communication.

The Committee received legal advice from the Legal Adviser. He referred the Committee to the requirements as set out in the Northern Ireland Social Care Council 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 was reminded by the Legal Adviser of the provisions of Rule 3 and Paragraph 5 of Schedule 2 of the Rules.

The Committee reviewed all of the available documentation relating to service, and it determined that the Notice of Hearing had been served in accordance with 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 the Registrant's absence. Ms Price invited the Committee to conclude that the Registrant's absence was deliberate, and that she had voluntarily waived her right to attend. Ms Price again referred the Committee to the attempts made by the Committee Clerk to contact the Registrant, and noted that there had been no request for an adjournment or for representation to be arranged. She submitted that, in all of the circumstances, it was fair to proceed with the hearing in the Registrant's absence. Ms Price submitted that the Registrant received the Notice of Hearing, which outlined the date, time and location of the proceedings. Ms Price told the Committee that the Council accepted that the Registrant may be disadvantaged by not attending and giving evidence to the Committee. However, any disadvantage to the Registrant was outweighed by the public interest in the case proceeding. Ms Price submitted that the matter should proceed in the Registrant's absence and, in all of the circumstances, that this was a fair manner in which to deal with the case.

The Committee received and accepted advice from the Legal Adviser on the question of whether to proceed in the absence of the Registrant. He referred the Committee to the case of Adeogba v GMC and the principles derived from criminal cases such as R v Jones. He reminded the Committee that in exercising its discretion to proceed in the absence of the Registrant, 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 that its discretion on proceeding in the absence of a registrant must be exercised with the utmost care and caution. He reminded the Committee to avoid reaching any improper conclusion about the Registrant's absence.

In considering the application to proceed in the absence of the Registrant, the Committee reminded itself that fairness to the Registrant should be of prime consideration. The Committee bore in mind the public interest in the expeditious disposal of the hearing. Taking account of all of the circumstances, the Committee decided to exercise its discretion to proceed in the absence of the Registrant, considering the serious nature of the Allegation and the careful balance between fairness to the Registrant and the wider public interest. The Committee noted that the Registrant was given a number of opportunities to engage with the Council, or indeed request an adjournment to enable her to arrange representation. The events relating to the Particulars of the Allegation took place between 2023 and 2024, and the Committee noted that there was one witness available and ready to give evidence to the Committee on day one of the hearing. 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.

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

Ms Price told the Committee that the hearing bundle has been served on the Registrant, and that there has been no objection raised. The Committee accepted the hearing bundle into evidence, and marked it as Exhibit 1.

Background

The Registrant is registered on Part 2 of the Register. At the time of the allegations, the Registrant was employed as a domiciliary care assistant with Down Community Care Limited ('DCC'), a role which she commenced on 18 August 2022.

This matter was first brought to the Council's attention when an Employer Referral Form ('ERF') was received from Ms Sammie-Jo Ward, Manager, DCC, dated 14 March 2024. The ERF stated as follows:

'Family of the SU reported concerns to myself on 10.03.24 at 3.40pm regards monies been giving to staff of DCC by their father. [REDACTED]. The family reported that DCC CW Cathy contacted [REDACTED] son to inform him that his father has been giving her money over a period of time. An amount of six thousand pounds had been

given to the CW from August 2023. The money was handed back by the CW Cathy to the son [REDACTED] on 27.02.24. The CW Cathy reported this to the son [REDACTED] after another DCC CW ANGELA reported to Cathy that the SU gave her money. The CW Angela reported the SU offered her £500 on 15.2.2024 and insisted she took the envelope. CW Angela reported this to the son [REDACTED] on the 16.2.2024 and had left envelope in drawer. This was also reported to DCC office regards Angela. DCC office reported same to the Care Manager. Family have stated that they know the money has not been stolen and said that they don't want anyone losing their Job. It was explained that the Trust will need to investigate. CW Cathy was contacted on 10.03.24 by myself to inform her that there has been a concern reported to me and that we needed to remove her from all working duties UFN. The CW Cathy proceeded to inform me of the above. CW Cathy was informed i will speak with her tomorrow Monday 11.03.24. 11.03.24 Statement received of events from the CW. [REDACTED]. Care Manager of the SU was contacted by myself 11.03.24 and all of the information was relayed. DCC awaiting feedback from the Care Manager. Care Manager rang 12.03.24 3.29pm to report she had spoken with the family who are annoyed though aware their father has capacity and that he has given this money to the CWS. CM relayed that she spoken with her manager and feel that the SU has capacity also and it's his money and that staff need to be firm and have no dealings with any money. DCC explained that this will be investigated following instructions from the CM if this is not a SG issue. 13.3.24 Care manager rang 4.19pm to inform me that she made a visit with the SU today. SU confirmed he pressured the staff member in taking the money and it was his fault. I have requested this information from the Care Manager. Awaiting this information. Meeting with both CWS arranged for 14.03.24. CWS removed from the home with immediate effect. RQIA Notified 13.03.24.' [sic].

An investigation meeting was held in DCC, Belfast, on 26 March 2024, at which the Registrant was in attendance. Further, a disciplinary hearing meeting was held on 08 April 2024, and the Registrant was in attendance.

Evidence and Submission on the Facts

Ms Price referred the Committee to the information as set out in Exhibit 1.

Ms Price told the Committee that, as part of its investigation, the Council has consulted and obtained statements from the following:

- (i) Witness 1, Care Worker, Down Community Care; and
- (ii) Witness 2, Manager, Down Community Care

On Day One of the hearing, the Committee heard oral sworn evidence from Witness 1, who was a member of DCC staff at the material time.

Witness 1 said that she has worked in social care for 20 years. She said that her role involved washing, dressing and supervising the administration of medication, and generally ensuring that service users are in safe surroundings in their home. With regard to Service User A, Witness 1 told the Committee that Service User A had been difficult from the start and she understood that this related to his favourite carer no longer attending to

him. Witness 1 also told the Committee that Service User A offered her £50 when she was going on her holiday. She refused to accept the money and noted that Service User A had got aggressive. Witness 1 described another occasion when Service User A had been particularly unwell. Witness 1 washed him and put him to bed, at which point Service User A said that he wanted to give Witness 1 money. Witness 1 declined this offer. When she returned later in the day, an envelope was on the chest of drawers. Service User A was crying and insisting that Witness 1 was to take the money. Witness 1 said that she took the money and put it in a drawer in the house to pacify Service User A. She also phoned Service User A's son and told him that his father was not well. She arranged to see Service User A's son the following morning. Witness 1 used this as an opportunity to tell Service User A's son about the money. Witness 1 told the Committee that she later found out that the relevant envelope contained £1,000.

Witness 1 was asked by Ms Price if she ever talked to the Registrant about Service User A and his offers of money. Witness 1 said that she spoke to the Registrant *'that day'*. In response to a subsequent question, she clarified that the conversation occurred on 16 February 2024, the same day that she spoke with Service User A's son. Witness 1 told the Committee that she asked the Registrant if she had been offered money by Service User A, and the Registrant confirmed that she had. Witness 1 said that the Registrant commented, *'it's just an old man trying to show his gratitude'*. Witness 1 further said that she told the Registrant that they could not take money, *'you need to give it back'*, and the Registrant said *'Ok ok'*.

Witness 1 explained to the Committee that she had had to tell her employer as Service User A continued to make life difficult for her. Witness 1 had initially taken the view that the matter did not need to be reported on the basis that she did not remove any money from Service User A's home and had discussed the issues with his son. Witness 1 also told the Committee that the issues continued for some weeks as Service User A was aggressive and accused her of causing trouble with his family. Witness 1 further told the Committee that Service User A kept saying to her, *'Why did you tell my family?'*. Witness 1's employer subsequently removed her from providing care to Service User A.

Witness 1 confirmed that she did not know the Registrant prior to the incident(s) in question. However, clients said that she was 'lovely' and Witness 1 had never heard any complaints.

Witness 1 was asked by the Committee about her understanding of her employer's expectations regarding service users offering money to carers. Witness 1 said that she was very clear that the employer had told staff that you cannot take money, and that you must report any incidents to the office. Witness 1 confirmed *'that everyone was told this'*.

On Day Two of the hearing, the Committee heard sworn evidence from Witness 2, who was a manager of Down Community Care ('DCC') staff at the material time.

Witness 2 said that she was the registered manager at DCC at the relevant time. She said that her role involved overseeing the business, including staffing. She further said that she became aware of the concerns relating to the Registrant and Service User A pursuant to a phone call from Service User A's son on 10 March 2024.

Witness 2 immediately spoke with the relevant coordinator, and the Registrant was taken off the rota and suspended. An investigation commenced immediately, and Witness 2 chaired a meeting on 26 March 2024.

Witness 2 was asked about the Registrant's insight into the seriousness of the concerns. Witness 2 answered that the Registrant understood the seriousness but was afraid of offending Service User A. Witness 2 also gave evidence about the company policies and training with regard to gifts. She said the mandatory training and staff handbook clearly detail the policy in respect of gifts and the requirement to report any gifts. Witness 2 also said that in a meeting with the Registrant, the Registrant confirmed that she knew the relevant policies. Witness 2 confirmed that the investigation concluded with a finding that the Registrant breached the company's policies.

Witness 2 was asked about the impact of the Registrant's actions on others. She answered stating that the incident was difficult for other staff, including Witness 1. She also stated that the family had concerns that there may have been '*more to it*'.

Witness 2 told the Committee that the Registrant had previously been a fantastic worker, with no issues or concerns.

Witness 2 was asked by the Committee whether there were opportunities for the Registrant to have disclosed the issues relating to Service User A and his money. Witness 2 said that there were multiple opportunities; the Registrant was regularly in the office, she had a good relationship with the managers and she would have been regularly in contact by telephone. Witness 2 also confirmed that the Registrant could have disclosed the issues during her one-to-one meetings. Witness 2 told the Committee that the issue of gifts and reporting gifts was regularly discussed at staff meetings, in direct supervision and during appraisals. She also said that it was part of the organisational culture within the company.

Ms Price submitted that the Council sought to rely on the documentary evidence in the bundle, including admissions from the Registrant in respect of the allegations as confirmed within her signed handwritten statement of 11 March 2024, the Registrant's reflective account to Council and admissions during the employer investigation meeting and disciplinary hearing. Ms Price submitted that the evidence provided was substantial and reliable, and that the facts were proved on the balance of probabilities.

Ms Price submitted that the Council had obtained a copy of the Statement of Terms and Conditions of Employment, dated 16 August 2022, which highlight that the Registrant was aware of the company policy regarding not accepting gifts from service users. The allegations are further supported by both the written witness statements and sworn oral evidence of Witness 1 and Witness 2.

In respect of allegations 1 to 3, Ms Price submitted that the facts underpinning the allegations are proven on the balance of probabilities. Ms Price submitted that the evidence is substantial and reliable, having regard to its nature and source. Ms Price further submitted that the Council has, therefore, discharged its burden of proof in relation to the allegations as required by Schedule 2 (13) of the Rules.

Findings of Fact

In reaching its decision on the facts, the Committee considered all of the evidence adduced in this case, together with the submissions made by Ms Price on behalf of the Council.

The Committee heard and accepted the advice of the Legal Adviser. The Committee was aware that the burden of proof rests on the Council, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that the facts will be proved if the Committee is satisfied that it was more likely than not that the conduct occurred as alleged.

The Committee then turned to consider the Particulars of the Allegation.

Particular 1: Between August 2023 and February 2024, you accepted cash to the sum of £6,000 from Service User A.

When considering this Particular, the Committee paid careful attention to all of the documentary evidence contained within the hearing bundle.

The Committee noted the minutes of the disciplinary meeting, dated 08 April 2024. It specifically noted that the Registrant did not deny the concerns being investigated but, *'expressed how sorry she [was] for not following procedures though her interest of the [Service User A] was in her heart, and she stated she was never going to keep the money'*. The Committee further noted that the Registrant accepted that she should have reported the money and that she apologised for her actions. Similarly, in her reflective statement, the Registrant referred to feeling under pressure to accept money from Service User A, and referenced this happening on multiple occasions.

The ERF detailed that the amount of £6,000 had been given to the Registrant by Service User A from August 2023. The ERF further detailed that £6,000 was handed back to Service User A's son by the Registrant on 27 February 2024.

The Committee had regard to the evidence of Witness 1. She was a straightforward and a reliable witness. The Committee specifically noted that Witness 1 asked the Registrant directly if she had received money from Service User A, and she confirmed that she had. The Committee noted the date that the relevant conversation occurred on - 16 February 2024.

Taking into account all of the documentary evidence placed before it, the Committee found this Particular proved on the balance of probabilities.

Particular 2: You only reported your actions at 1 above to Service User A's family in February 2024, following a colleague making a report of a similar nature.

The Committee again had regard to the documentary evidence and, in particular, the ERF and the minutes of the investigatory and disciplinary meetings. It was clear from the documentary evidence that the Registrant only reported her actions to Service User A's family in February 2024. As detailed above, the Committee had the

benefit of oral evidence from Witness 1. She described reporting her own actions / concerns to Service User A's family on 16 February 2024. She further described a conversation with the Registrant on the same date, at which point, despite having received £6,000 from Service User A, the Registrant had not reported this to anyone. The ERF specifically stated that the Registrant reported her actions after another care worker (Witness 1) had reported receiving money. At no point has the Registrant disputed this sequence of events.

Taking all of the available evidence into account, the Committee was satisfied that there was sufficient evidence to find Particular 2 of the Allegation proved.

Particular 3: You failed to report to your employer that Service User A had given you money.

The Committee had regard to Particulars 1 and 2 above. It also had regard to the oral evidence of Witness 2. The Committee considered Witness 2 to be a straightforward and reliable witness. It accepted her evidence that she (on behalf of the employer) only became aware of the Registrant being given money by Service User A when a telephone call occurred on 10 March 2024. There was no evidence that the Registrant had reported any such issues to her employer prior to this date. The Committee carefully considered whether the absence of any prior reporting amounted to a 'failing' on the part of the Registrant. The Committee found Witness 2's oral evidence to be highly persuasive. She unequivocally stated that the Registrant, and all staff, were well aware of the company's policies in respect of gifts and the reporting of gifts. The Committee noted Witness 2's specific evidence that the Registrant confirmed knowing these policies. The Committee further noted the absence of any contention by the Registrant in any of her written evidence with regard to her knowledge or understanding of the policies. The Committee also noted the content of a staff questionnaire completed by the Registrant and dated 16 August 2022, which included the following:

'15. Q. Explain what your procedure would be if a Service User offered gifts or a bequest?

A. Do not accept gifts. If a small tokens is made infor manager to enter gift register.' [sic]

The Committee had regard to the relevant company's Statement of Terms and Conditions of Employment. It specifically states, '*staff are prohibited from soliciting or receiving gifts or considerations of any kind from Service users or any other bodies. Your office must be notified ASAP*'.

The Committee, therefore, found this Particular proved on the balance of probabilities.

Accordingly, the facts were found proved in respect of Paragraphs 1,2 and 3 of the Allegation.

Fitness to Practise

The Committee proceeded to consider if the Registrant's fitness to practise is impaired. The Committee heard submissions from Ms Price. She referred the Committee to Paragraph 24 (3) of Schedule 2 of the Rules. Ms Price submitted that the Registrant's fitness to practise is impaired by reason of her misconduct. Ms Price confirmed to the Committee that the Registrant has made no admissions of impaired fitness to practise.

Ms Price said that the Registrant's actions are so serious as to clearly fall far short of the expected standards of a social care worker. She further said that the Registrant's actions related to the discharge of her professional duty. Whilst Service User A's behaviours may have been challenging, the Registrant only handed the money back on 27 February 2024 when Witness 1 raised the issues. Ms Price contended that the Registrant's actions amounted to financial abuse of a vulnerable person, and that the Registrant breached her duty of trust and confidence.

Ms Price submitted that the Registrant had breached the following Standards of Conduct and Practice for Social Care Workers ('the Standards') as follows: 2, 2.1, 2.9, 2.10, 5, 5.1, and 5.3.

With regard to insight, Ms Price referred to the Registrant's reflective account. She highlighted the absence of any further evidence relating to insight since the reflective account was submitted on 15 May 2024. Ms Price said that the Council considers the content to fall short insofar as it fails to recognise the impact of the Registrant's actions on Service User A, his family or the profession. Ms Price stated that there is very limited evidence in respect of remediation.

Ms Price further submitted that there is a risk of repetition, and said that the Registrant's actions were an abuse of her position as a social care worker, and that there was nothing to suggest that she would not repeat her behaviour in the future.

Ms Price submitted that the public interest in this matter was engaged, and that the public should have confidence in the Council as a regulator of social care workers. Ms Price further submitted that the Registrant was entrusted to carry out care for Service User A, and that her misconduct was a serious breach of the Standards. Ms Price suggested that the Registrant's actions were at the high end of seriousness and required a finding of impaired fitness to practise.

In all of the circumstances, Ms Price submitted that the Registrant's fitness to practise is impaired by reason of her misconduct.

The Committee accepted the advice of the Legal Adviser. He referred to the Standards, and to Paragraph 24 of Schedule 2 to the Rules. The Legal Adviser advised that there is no burden of proof or required standard of evidence when it comes to determining current impairment, and that the assessment is instead one of professional judgement. He reminded the Committee of the need to protect service users, members of the public, uphold proper standards of behaviour and to maintain public confidence in the social care profession. He further referred the Committee to the findings of Dame Janet Smith in the fifth Shipman Report, and the case of CHRE v NMC & Grant, with regard to relevant considerations.

The Committee took into account 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 first considered whether the Registrant's actions, based on the facts found proved, amounted to serious misconduct. As they involved accepting a significant sum of money over a protracted period of time, and failing to report this to her employer, the Committee was in no doubt that this amounted to serious misconduct. The Registrant's conduct was not trivial or inconsequential and, in the Committee's view, fellow professionals would consider her actions deplorable.

The Committee had regard to the Standards and the Council guidance entitled 'Making a Determination of Impaired Fitness to Practise: Guidance for Committees on Remediation' ('the Guidance').

Having considered the full circumstances of this case, the Committee determined that the Registrant's actions giving rise to the Particulars of the Allegation were in breach of the following Standards:

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;
- 2.9 Adhering to policies and procedures about accepting gifts and money, hospitality or services from service users and carers; and
- 2.10 Refusing any loans of money or property from anyone in your care or anyone close to them.

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; or
- 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.

The Committee determined that the facts found proved involved a significant departure from the standards expected of a registered social care worker. The Registrant's actions in accepting money from a vulnerable service user breached fundamental tenets of social care, and brought the social care workforce into disrepute. The public and service users must be able to place complete reliance on the integrity and trustworthiness of social care workers, and the Committee regarded the Registrant's actions as undermining that confidence.

The Committee next considered whether, as a result of the misconduct found proved, the Registrant's fitness to practise is impaired. The Committee kept at the forefront of its mind when reaching this decision the duty to

protect the public, uphold proper standards of conduct and behaviour and maintain public confidence in the social care workforce.

The Committee carefully considered whether the Registrant's actions could be remediated. The Committee concluded that, whilst difficult, remediation is possible with appropriate training, reflection and engagement. The Registrant has provided some evidence in respect of insight. Her reflective account and written statement, dated 11 March 2024, provide context and explanation as to the challenges faced when providing care to Service User A. The Committee accepted that challenges existed, and this was consistent with the evidence of Witness 1. However, the focus on context and circumstances was at odds with what ought to have been a very clear understanding of the Registrant's role and her responsibilities. Her reflections were inadequate insofar as they did not demonstrate how straightforward a decision this ought to have been to report to her employer without delay. Furthermore, there was a concerning absence of evidence indicating insight into the damage to public confidence and, in particular, the family of Service User A. The Committee was also mindful that the Registrant's actions occurred over a period of time and involved multiple decisions / actions. The Committee found little evidence to suggest that the Registrant would act differently in the future. Accordingly, the Committee found there to be a risk of repetition.

In all of the circumstances, the Committee concluded that a finding of impaired fitness to practise is 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.

Sanction

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

Ms Price referred the Committee to those matters which, in the Council's view, amount to mitigating and aggravating factors in this case. With regard to mitigating factors, Ms Price said that the Council has received no previous referrals in relation to the Registrant. Ms Price said that the Registrant is entitled to the benefit of a good work history and good prior character.

With regard to aggravating factors, Ms Price told the Committee that there has been an abuse of trust; lack of insight; Service User A and their family were exposed to risk; limited co-operation by the Registrant with the Council's investigation; a serious disregard for the Council's Standards; and the conduct was committed in the workplace.

Ms Price submitted that imposing no sanction would not satisfy the public interest. A finding of impairment of fitness to practise has been decided by the Committee. Ms Price submitted that public protection and public confidence in the social care profession would be undermined if no sanction was imposed. Similarly, Ms Price

submitted that the Registrant's conduct was neither at the lower end of the spectrum, nor could the Committee be confident that there is no risk to the public. Therefore, a Warning would not address the seriousness of the Registrant's misconduct.

Ms Price said that this is a case where there has been a fundamental breach in the Standards, and submitted that the Registrant's misconduct required the imposition of a sanction at the higher end of the scale. Ms Price said that in the absence of the Registrant's attendance, conditions would be very difficult to formulate. Further, it is difficult to formulate conditions in respect of the Registrant due to her very limited engagement with the Council to date.

Ms Price submitted that a Suspension Order may be appropriate where there has been an acknowledgement of failings and there is no risk of repetition. However, in this case, the Registrant has not provided an acknowledgement of her failings to the Committee, and she has not given any assurances that her actions would not be repeated in the future. Ms Price said that there are no indications of meaningful insight, nor any evidence that the Registrant wishes to remediate herself.

Ms Price said that consideration should be given to a Removal Order in order to protect the public and maintain public confidence. She said that the public have the right to rely on the professional integrity of social care workers. Ms Price said that confidence in the social care profession would be undermined by allowing the Registrant to remain on the Register. On behalf of the Council, Ms Price submitted that the sanction of a Removal Order is appropriate in all of the circumstances.

The Committee heard and accepted the Legal Adviser's advice. He set out the range of available sanctions under 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 referred the Committee to the Guidance, and he reminded the Committee to consider the question of sanction in ascending order of severity, paying particular attention to the issue of proportionality. He further reminded the Committee 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 evidence, together with Ms Price's submissions. It also had careful regard to the Guidance, and to its own findings at the facts and impairment stages of the hearing.

The Committee considered whether there were any mitigating or aggravating factors in this case.

The Committee considered the mitigating factors to be:

- The Registrant has no history or previous referrals to the Council.

The Committee considered the aggravating factors to be:

- The Registrant's misconduct involved accepting a significant amount of money from Service User A;
- The Registrant's actions were an abuse of trust;
- There is limited evidence of insight;
- Service User A and his family were exposed to risk;
- There is no evidence of remediation;
- There has been limited engagement by the Registrant with the Council;
- The misconduct occurred over a protracted period of time and it was multifaceted, involving both accepting money and failing to report the matter; and
- The misconduct occurred in the workplace.

Having considered the overall circumstances of this case, the Committee balanced the mitigating and aggravating factors, and took into account public protection and the public interest. It concluded that some form of sanction is necessary, and proceeded to consider which sanction to impose.

No sanction – the Committee concluded that it would neither be appropriate nor proportionate if no sanction was imposed in this case. In the view of the Committee, if no sanction was imposed, this would not mark the seriousness of the misconduct, meet the public interest in this matter or address the concerns identified.

Warning – the Committee considered the issue of a Warning. The Committee considered that the Registrant's serious misconduct demonstrated a disregard for the standards expected of a registered social care worker. The Registrant's impairment of fitness to practise was not at the lower end of the spectrum, nor were the circumstances such that the Committee would be confident that this sanction would provide adequate public protection. The Committee had no evidence of any corrective steps taken by the Registrant, nor did it have any references or testimonials as to her character and current circumstances. In addition, there was limited evidence of insight. Therefore, a Warning would not be appropriate or proportionate to the serious nature of this case.

Conditions of Practice Order – the Committee next considered a Conditions of Practice Order. The Committee noted Paragraph 4.13 of the Guidance, which states that conditions may be appropriate in cases involving particular areas of a registrant's performance at work, for instance, following a single incident or where there is evidence of shortcomings in a specific area or areas of the Registrant's work. The Registrant has demonstrated limited insight into the consequences of her misconduct. The Committee has no confirmed evidence as to the Registrant's current employment. The Registrant was not present at the hearing, and has not meaningfully engaged with the Council. In these circumstances, the Committee was unable to formulate workable conditions which would address the Registrant's misconduct and adequately protect the public or meet the public interests in this matter.

Suspension Order – the Committee next considered a Suspension Order. The Committee carefully considered whether a Suspension Order is appropriate and proportionate. The Committee noted that the Registrant's misconduct was of a serious nature and involved breaches of the Standards.

The Committee took into account the Guidance at Paragraph 4.19 which states: 'Suspension from the Register may be an appropriate sanction for impairment which while very serious, is not so serious as to justify removal from the Register; for example, where there has been an acknowledgement of failings and where a Committee is satisfied that the behaviour is unlikely to be repeated, and the Registrant has no psychological or other difficulties preventing them from understanding and seeking to remedy the failings and the failings are realistically capable of being remedied, then suspension may be appropriate.'

The Committee considered that the Registrant's misconduct evidences behaviour that is fundamentally incompatible with registration as a social care worker. The Committee determined that a Suspension Order would not address the risk of repetition. The Committee had limited evidence of insight, and no evidence of remediation. The Committee considered that the public would view the Registrant's behaviour as falling well below what would be expected of a registered social care worker. The Registrant's abuse of her position and the trust placed in her would cause significant damage to public confidence in the profession. In all of the circumstances, the Committee concluded that a Suspension Order would not be sufficient to mark the seriousness and unacceptable nature of the Registrant's misconduct.

Removal Order – as a result, the Committee decided that the only appropriate and proportionate sanction to impose, with immediate effect, is a Removal Order. In reaching this conclusion, the Committee took into account the Guidance at Paragraphs 4.26 – 4.28. The Registrant has failed to demonstrate sufficient insight into the seriousness of her misconduct and there is, in the Committee's view, a risk of repetition. The Registrant failed to attend the hearing and assure the Committee that there would be no repetition of her misconduct. The Committee found the Registrant's misconduct, involving accepting money from a vulnerable service user and failing to report the relevant matters, to be very serious and at the higher end of the spectrum.

In all of the circumstances, the Committee concluded that a Removal Order was the only sanction available to it to protect the public, uphold the public interest, and to mark the seriousness and unacceptability of the Registrant's misconduct. The Committee considered the potential impact of a Removal Order on the Registrant, but concluded that the protection of service users and wider public interest in the social care profession, outweighed the impact on the Registrant.

The Committee concluded that a Removal Order was a suitable, appropriate, and proportionate sanction to apply to this case, which 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.



23 June 2026

Hearings Officer
(Clerk to the Fitness to Practise Committee)

Date