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

REDACTED

Name: **Samantha Roberts**

SCR No: **7033097**

NOTICE IS HEREBY GIVEN THAT the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **18 November 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 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):	
1.	On or about 01 December 2025, the Disclosure and Barring Service included your name in the Adult's Barred List using barring powers as defined in Schedule 1 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (SVGO);
And on the basis of the decision of the Disclosure and Barring Service, as set out at 1 above, your fitness to practise is impaired by reason of your inclusion on the barred list maintained by the Disclosure and Barring Service as per Rule 4(1)(f) of the Fitness to Practise (Amendment) Rules 2019.	

Procedure

The hearing was held under the Fitness to Practise procedure.

Preliminary Issues

The fitness to practise hearing was held remotely by way of video-link. The Registrant was not in attendance and was not 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 told the Committee that the Notice of Hearing and the hearing bundle were sent by way of special delivery post to the Registrant's registered address on 12 October 2026. A proof of delivery receipt confirms that the documents were delivered to the Registrant on 13 October 2026. On 11 November 2026, the Committee Clerk called the Registrant's registered mobile telephone number and left a voicemail message, asking the Registrant to confirm if she would be in attendance at the hearing. The voicemail message also reminded the Registrant that, if she chose not to attend, she may provide written submissions for the Committee to consider in her absence. On 12 November 2026, a letter was sent to the Registrant's registered address to confirm that the hearing would be conducted by way of video link, and asked the Registrant to confirm if she would be in attendance. A proof of delivery receipt confirmed that the letter was delivered to the Registrant on 13 November 2026. There was no response received from the Registrant in relation to any of the attempted communications.

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 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 the Rules.

Proceeding in the Absence of the Registrant

Ms Price made an application for the hearing to proceed in the absence of the Registrant. She told the Committee that there was no response from the Registrant to any of the communications to her by special delivery post or the attempted telephone call and voicemail message.

Ms Price invited the Committee to conclude that the Registrant's absence was a voluntary waiver of her right to attend. She further submitted that it was in the public interest for there to be an expeditious disposal of the hearing. She noted that the Registrant had not made a request for an adjournment, nor had she indicated that she had asked for representation. She submitted that any disadvantage to the Registrant would be outweighed by 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, with knowledge of the proceedings, 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. The Committee also noted the serious nature of the allegations faced by the Registrant. It was also of the view that the public interest was strongly engaged, and this also included consideration of the expeditious disposal of the hearing. Accordingly, the Committee decided that it was fair and appropriate to proceed with the hearing in the Registrant's absence.

Application to Admit Hearing Bundle

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

Background

The Registrant is registered on Part 2 of the Register as an adult residential care worker.

This matter first came to the Council's attention following receipt of an employer referral form ('ERF') from [REDACTED], Home Manager at [REDACTED], on 07 May 2025. The concerns raised in the ERF included the following allegations:

- That the Registrant was sleeping while on duty when caring for a service user who required one-to-one care due to a high risk of self-harm and suicide;
- That the Registrant had a mobile phone and charger in a room with a service user identified as a ligature risk;
- That the Registrant refused to provide fluids to a service user; and
- That the Registrant left a service user's bed at its highest setting while the service user was in the bed.

A referral was subsequently made to the Disclosure and Barring Service ('DBS') by the Registrant's employer.

Evidence

Ms Price advised that the Council received a copy of an End of Case outcome letter from the DBS, dated 19 December 2025, in which it was confirmed that the Registrant had been included on the Adults' Barred List as of 01 December 2025. Further, on 27 March 2026, the DBS provided the Council with the Final Decision letter. The DBS confirmed that it had not been able to issue the correspondence to the Registrant due to not having an address for her.

Ms Price submitted that the correspondence from the DBS should be regarded as *prima facie* evidence with regard to the Registrant's current DBS status, under Paragraph 12 (6) of Schedule 2 of the Rules. She submitted that the onus of proof was on the Registrant, by virtue of Paragraph 12 (7), to prove that she is not the person named in the correspondence from the DBS or that she has successfully appealed her current DBS status. She submitted that no evidence has been provided at all from the Registrant in this respect.

Ms Price invited the Committee, therefore, to find that the facts had been proved on the balance of probabilities.

Findings of Fact

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. The Legal Adviser further referred the Committee to Schedule 2, Paragraph 12 (6) and (7) of the Rules.

The Committee took into account the submissions from Ms Price and had careful regard to all of the documentary evidence submitted.

The Committee accepted the written notification from the DBS, which noted the Registrant's name and date of birth and confirmed her current barred status. The Committee was satisfied that the DBS is a reliable source of evidence and, in particular, that it is the statutory authority responsible for maintaining the relevant barred list(s). The Committee further noted that the DBS correspondence included the Registrant's name, the date of 01 December 2025, referred to the Registrant's name being on the Adults' Barred List, and that it also referred to the powers as defined in Schedule 1 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007. 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) and (7) of Schedule 2 of the Rules, the Committee was satisfied that the Final Decision letter from the DBS, dated 01 December 2025, proved the facts as set out in the Particulars of the Allegation.

Fitness to Practise

Ms Price told the Committee that the Registrant had not admitted that her fitness to practise was impaired. She submitted to the Committee that the Registrant's inclusion on the DBS Adults' Barred List is evidence of impaired fitness to practise. She submitted that the circumstances underpinning the Registrant being barred from working with vulnerable adults is evidence that she fell far below the standards to be expected of a social care worker. As a consequence, Ms Price submitted that it was appropriate to make a finding of current impairment to protect the public and to uphold the public interest. She submitted that the Registrant had breached the following provisions of the Standards of Conduct and Practice for Social Care Workers ('the Standards'):

Standards of Conduct: 1 – 1.2, 1.4, 1.5; 2 – 2.6; 3 – 3.7; 4 – 4.2, 4.3; 5 – 5.1, 5.7, 5.8; and 6 – 6.1, 6.2, 6.3, 6.12.

Standards of Practice: 1 – 1.1, 1.2, 1.3; and 3 – 3.1, 3.2.

Ms Price also referred the Committee to the factors which it should take into account when reaching its decision as per Paragraph 24 (3) of Schedule 2 to the Rules.

The Committee accepted the advice of the Legal Adviser. He referred the Committee to the relevant impairment gateway, namely, inclusion on a list maintained by the DBS, as set out in Paragraph 4 (1) (f) of Part 1 to the Rules. If the Committee was satisfied that the gateway was engaged, it should then consider whether the Registrant's fitness to practise is currently impaired by virtue of being included on a list maintained by the DBS. He advised the Committee that not all findings of fact amount to current impairment, and that the Committee should examine the surrounding circumstances and events that led to the Registrant's inclusion on a barred list. He advised the Committee to consider insight, remorse, risk of repetition and remediation. He also advised the Committee that it should consider the need to protect service users, declare and uphold standards of the profession, and maintain public confidence. The Committee was referred to Paragraph 24 (3) of Schedule 2 to the Rules in relation to relevant factors to consider in reaching its decision.

The Committee, in considering the issue of impairment of fitness to practise, took account of Paragraph 24 (3) of Schedule 2 to 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 and the Council guidance entitled 'Making a Determination of Impaired Fitness to Practise: Guidance for Committees on Remediation' ('the Remediation Guidance'). The Committee was satisfied that the Registrant's actions were in breach of the following Standards of Conduct and Practice:

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:

1.2 Treating people with consideration, respect and compassion;

1. 4 Respecting and, where appropriate, representing the individual views and wishes of both service users and carers; and

1. 5 Supporting service users' right to control their lives and make informed choices about the services they receive.

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:**

2.6 Being reliable and dependable.

Standard 3: **As a social care worker, you must promote the autonomy of service users while safeguarding them as far as possible from danger or harm. This includes:**

3.7 Recognising and using responsibly with service users and carers, the power that comes from your work role.

Standard 4: **As a social care worker, you must respect the rights of service users while seeking to ensure that their behaviour does not harm themselves or other people. This includes:**

4.2 Following risk assessment policies and procedures to assess whether the behaviour of service users or others presents a risk of harm to themselves or other people; and

4.3 Taking necessary steps to minimise the risks of service users' behaviour causing actual or potential harm to themselves or other people.

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; 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.

Standard 6: **As a social care worker, you must be accountable for the quality of your work and take responsibility for maintaining and improving your knowledge and skills. This includes:**

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

6.2 Taking personal and, where appropriate, collective responsibility for quality improvement and safety in line with your job role;

6.3 Being personally accountable for your actions and able to explain and account for your actions and decisions; and

6.12 Co-operating with any investigation or formal inquiry into your conduct, the conduct of others, or the care or services provided to a service user where appropriate.

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:**

1.1 Knowing the aims, objectives and values of the service in which you work;

1.2 Accessing full and up-to-date details of policies, procedures and agreed ways of working from your employer and adhering to them; and

1.3 Knowing your main responsibilities to those service users and carers you support including duty of care.

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

3.1 Promoting and applying person-centred values in your day to day work with service users and carers; and

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

The Committee carefully considered all of the evidence provided by the Council and the decision made by the DBS on 01 December 2025. The Committee considered the Registrant's actions which led to her inclusion on the Adults' Barred List to be very serious, and that they fell short of the Standards expected of a registrant. The Committee considered that the Registrant's actions were in breach of fundamental tenets of the profession. Her actions exposed vulnerable patients to risk of serious harm and they also brought the profession into disrepute. The Committee was particularly mindful that the relevant incidents involved vulnerable service users. The incident involving Service User [REDACTED] could have resulted in serious injury or a fatality, given that the Registrant brought a charger into the room and had her eyes closed for a period of time. This happened when Service User [REDACTED] was known to self-harm and there was a strangulation risk, resulting in a non-ligature room. Further, the incident involving Service User [REDACTED] was a fundamental breach of their care plan, by refusing to provide them with a drink of water on two occasions and shouting at Service User [REDACTED] when they requested a drink.

There was no evidence before the Committee to say that the Registrant had appealed her inclusion on the Adults' Barred List. The Committee noted that her inclusion on the Barred List is indefinite.

The Committee considered that the Registrant's actions are capable of remediation. However, the Committee noted that she has not provided any evidence or submissions to it in respect of remediation, nor has she meaningfully engaged in these proceedings. The Committee was mindful that there was a six / seven - month period prior to the DBS decision when the Registrant could have commenced remediation. The Committee noted the contents of the DBS Final Decision Letter and, in particular, the DBS's finding that the Registrant's actions demonstrated a pattern of unsafe and irresponsible behaviour. The Committee also noted the DBS's assessment that, when confronted with the harm or potential harm caused to service users in her care, the Registrant had demonstrated a lack of insight, remorse and remediation. Whilst the DBS correspondence refers to some limited admissions on the part of the Registrant, it also referenced the Registrant showing no remorse or concern for service users, nor any insight. The Committee was of the view that the concerns raised were attitudinal in nature. Given that it has no evidence of remediation from the Registrant, the Committee is of the view that there is a real risk of repetition. The Committee was mindful that the risk to adults is currently mitigated

to an extent by the Registrant's inclusion on the DBS Barred List for adults. However, the Committee was satisfied that a risk still remains, given that the DBS decision does not bar the Registrant from working with children and the Registrant has the ability to ask the DBS to review its decision.

In addition, the Committee considered that a finding of current impairment was needed to protect the public on the basis that public protection, and upholding the public interest, requires such a finding. To conclude that the Registrant's fitness to practise is not currently impaired would damage public confidence in the profession and fail to uphold professional standards.

For these reasons, the Committee concluded that the Registrant's fitness to practise is currently impaired by reason of her inclusion on the Adults' Barred List maintained by the DBS.

Sanction

The Committee heard a submission from Ms Price on the question of what, if any, sanction to impose. She informed the Committee that the Registrant has no previous regulatory findings against her and, therefore, that she has the benefit of a good working history. Ms Price also highlighted the Registrant's relative youth at the time of the incident. In considering aggravating factors, Ms Price noted the lack of meaningful engagement by the Registrant and, as such, no evidence of insight, remorse and remediation has been provided to the Committee. Ms Price said that the Registrant's actions caused a serious risk of harm to service users. Ms Price also noted the Registrant's serious disregard for the Standards. She also said that as a result of the Registrant's barred status, it would be a criminal offence to employ her in a regulated activity. Ms Price submitted that the underlying factors in this case, which led to the Registrant's inclusion on the Adults' Barred List, directly relate to her role in social care and the care of vulnerable adults.

Ms Price submitted that, in all of the circumstances, the only appropriate sanction to impose was a Removal Order.

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 to 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 is necessary in the public interest. The Committee should, therefore, start with the least restrictive sanction and work through the sanctions until it reached the appropriate sanction which it determined was necessary for protection of the public and in the wider public interest.

The Committee carefully considered all of the available documentary material, together with Ms Price's submissions. It also had careful regard to the guidance entitled 'Northern Ireland Social Care Council Indicative Sanctions, Interim Order and Consensual Disposal Guidance: Guidance for Fitness to Practise Committees, Fitness to Practise Officers and Preliminary Proceedings Committees', July 2026 ('the Indicative Sanctions Guidance').

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

The Committee considered the mitigating factors to be:

- No prior fitness to practise concerns; and
- The Registrant was 20 years old at the date of the relevant incidents.

The Committee considered the aggravating factors to be as follows:

- No insight, regret, remorse or remediation;
- No engagement with the DBS or with the Council;
- Multiple vulnerable service users were put at risk of serious harm on multiple dates;
- The relevant incidents occurred in the workplace;
- The Registrant abused her position of trust when service users were subject to 1:1 care; and
- To employ the Registrant to work with adults in a regulated activity would now be a criminal offence.

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

No Sanction - the Committee concluded that as a result of the Registrant's inclusion on the DBS Adults' Barred List, 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, and the Registrant's inclusion on the DBS Adults' Barred List, the Committee considered that such a step would be inadequate to protect the public, would fail to uphold the public interest, and would permit the Registrant to work unrestricted in a social care setting.

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 adults in a regulated activity. The Committee noted Ms Price's submissions that the Register does not distinguish between working with children or adults. It also took account of her submissions that the DBS reasons for including her on the Adults' Barred List are transferrable to working with children. In the circumstances of this

case, the Committee could not formulate any workable, enforceable or verifiable conditions that would be commensurate with protecting the public in general and that would also be in the wider public interest.

Suspension Order – the Committee next considered a Suspension Order. The Committee noted that it had made findings at the fact and impairment stage of the proceedings which were of a very serious nature. The Registrant has provided no evidence of insight, remorse or remediation to this Fitness to Practise Committee. The Committee noted the findings of the DBS in relation to the impact of the Registrant being included on the Adults' Barred List. The Committee noted that the Registrant is prohibited from working in any regulated activity with adults, and that her inclusion on the DBS Adults' Barred List will last indefinitely.

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 indefinitely.

Removal Order – the Committee, therefore, decided to impose a Removal Order. In so doing, the Committee took into account the Guidance at Paragraph 7.24.

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 adults in a regulated activity, was allowed to remain on the Register. The Committee considered that the reasons underpinning the Registrant's inclusion on the DBS Adults' Barred List were evidence of a serious departure from the professional standards expected of someone working in the social care workforce. Whilst the Committee took account of the impact of a Removal Order on the Registrant, this is outweighed by the very serious nature of the concerns raised against her regarding her failure to provide appropriate care to vulnerable service users for whom she had a responsibility, together with the Registrant's lack of insight, remorse and remediation. 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 in the public interest, to make a Removal Order, with immediate effect, in respect of the Registrant's registration.

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.

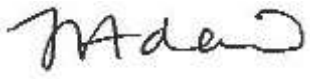
2. A person who is supplied by a domiciliary care agency to provide personal care in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.

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.



19 November 2026

Hearings Officer
(Clerk to the Fitness to Practise Committee)

Date