

### Notice of Decision

<b>Registrant</b>	Bernadette Hamill
<b>2087764</b>	2087764
<b>Part of Register</b>	Part 2 – Adult Residential Care Worker
<b>Sanction</b>	Undertakings
<b>Date of Effect</b>	05 March 2018

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

#### Decision

The Council has decided:

1. that there is evidence that your Fitness to Practise is impaired by reason of lack of competence, as defined in Part 1, Rule 4 of the NISCC Fitness to Practise Rules 2016.
2. to agree undertakings with you.

#### Impairment

Your actions, as outlined below, amount to impaired fitness to practise by reason of lack of competence, specifically in relation to the administration of medication.

Whilst employed as a Carer by the Sisters of the Cross and Passion in that:

- a. On 11 September 2017 you issued medication in error to a service user.
- b. On 06 November 2017 you issued night medication instead of day medication to two service users.
- c. On 17 January 2018 you admitted the errors to the Council, stating you did not wish to deal with medication in the future.

#### Reasons

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

- Service users have the right to expect that the care and support they receive from social care workers, in whom they place their trust, will protect them from harm. Any errors in administering medication, failing to report errors, and failing to seek medical advice following an overdose, puts service users at risk of harm. You therefore failed in your duty of care and placed service users at risk of harm on several occasions.
- You have repeatedly displayed a lack of competence when administering medication and arranging medication for issue (blister packs).
- Despite your employer (Sisters of the Cross and Passion) issuing you with a final warning for the first incident you made further error as outlined above on 6 November 2017, which led to you resigning from your employment.

## **NISCC Standards of Conduct and Practice for Social Care Workers**

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

Standard of Conduct 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;
- 6.7 Seeking assistance from your employer or the appropriate authority if you do not feel able or adequately prepared to carry out any aspect of your work, or you are not sure about how to proceed in a work matter.

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

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

- 3.2 Delivering care in line with assessed needs and service user and carer preferences;
- 3.10 Supporting service users in their daily living.

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

- 5.2 Applying your organisation's policies and procedures in relation to medication and health care tasks.

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

- 6.3 Reflecting on your practise to continuously improve the quality of service provided;
- 6.4 Using sources of support for your personal development, including supervision, appraisal and training.

## **Sanction**

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

### Agreed Undertakings:

1. That you will not administer medication to service users, or involve yourself in the recording, reporting or auditing of matters relating to medication.
2. That you will inform the following parties that you are subject to an undertaking under the Council's fitness to practise procedures, and disclose the undertaking listed at (1) above, to them:
  - i. Any organisation or person employing, contracting with, or using you to undertake social care work
  - ii. Any agency you are registered with or apply to be registered with (at the time of application)
  - iii. Any prospective employer (at the time of application)
  - iv. Any educational establishment at which you are undertaking a course of study connected with social care work, or any such establishment to which you apply to take such a course (at the time of application).

## **Reasons for the Sanction**

When reaching its decision the Council considered the following factors:

- Your actions had the potential to place service users at risk of harm.
- Your actions took place while you were at work, and in a position of responsibility as a Carer.
- There were no other issues of concern raised and therefore, only the matter of medication has needed to be dealt with.

Mitigating circumstances taken into account:

- You have co-operated with the Council's investigation
- You have admitted to the allegations
- You informed others immediately of your errors
- You have demonstrated insight regarding your actions
- There are no other reported concerns in relation to your general standard of care. The only concern is regarding your competence when administering medication, and associated recording and reporting duties

### Agreement

Having been advised of the consequences, and having been recommended to take independent advice, you agreed to the two undertakings detailed above. A record of the undertakings has been placed on your entry in the Register. Other than the restrictions detailed in the undertakings, your ability to practise is not affected and you are otherwise able to work within social care employment.

### Duration of undertakings

The undertakings will continue indefinitely. However, under Rule 17(12) you can apply to be released from an undertaking, and the Council will consider your request at that time.

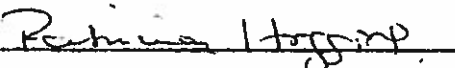
### Consequences of non-compliance with an undertaking

Under Rule 17(13), if the Council receives information that you have not complied with an undertaking, or you fail to provide information to confirm compliance when requested, the Council may:

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

### Date of Effect

The undertakings come into effect on 05 March 2018.



Patricia Higgins  
Director of Regulations and Standards



Date

