

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

Name: Margaret Teresa Mulholland

SCR No: 6020480

NOTICE IS HEREBY GIVEN THAT the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **Tuesday 05 and Thursday 07 February 2019**, made the following decision about your registration with the Northern Ireland Social Care Council:

The Committee found the facts proved in relation to Particulars 1 and 3;

The Committee found that your fitness to practise is impaired by reason of a determination by the Nursing and Midwifery Council that your fitness to practise is impaired.

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

Particulars of the Allegation:

That, being registered under the Health and Personal Social Services Act (Northern Ireland) 2001 (as amended), and whilst working as a care assistant at Parkside Private Nursing Home:

1. On or about the night shift of 22 / 23 March 2017, you were sleeping whilst on duty.
2. On or about the night shift of 22 / 23 March 2017, you failed to carry out your duties as a care assistant in that you failed to respond to the nurse call system.

And that by reason of the matters set out at 1 and 2 above, your fitness to practise is impaired by reason of your misconduct.

3. Your fitness to practise as a registered nurse has been found to be impaired on the grounds of public protection and in the wider public interest, resulting in your removal from the Nursing and Midwifery Council Register with effect from 28 November 2017.

And that by reason of the matters set out at 3 above, your fitness to practise is impaired by reason of a determination by the Nursing and Midwifery Council that your fitness to practise is impaired.

Procedure:

The hearing was held under the fitness to practise procedure.

Preliminary Matters

Service

In a Notice of Hearing dated 13 December 2018, sent by Special Delivery post and addressed to the Registrant at her address as it appears on the Register, the Council notified her of the date, time and venue for this hearing. The Notice was signed for by the Registrant on 17 December 2018.

The Committee, in all of the circumstances of the case, is satisfied that the Notice of Hearing has been served in accordance with Rule 3 of the NISCC Fitness to Practise Rules ('the Rules'), and the requirements of Paragraph 5 of Schedule 2 of the Rules.

Proceeding in the Absence of the Registrant

Mr Gilmore made an application to proceed in the absence of the Registrant under Paragraph 15 of Schedule 2 of the Rules, and submitted that the Committee should hear and determine the case in her absence. He advised that there was no evidence to suggest that the Registrant was seeking a postponement of this matter, nor did she supply any excuse for her non-attendance at today's hearing. Mr Gilmore further referred the Committee to the proforma signed by the Registrant, which indicated that she would not be attending the hearing. He advised the Committee that the Registrant had not attended the Preliminary Proceedings Committee on 11 May 2018 or the Pre Hearing Review on 07 June 2018. He told the Committee that the Registrant had advised the Council in correspondence that she was ill and would not be attending any hearing. He said that the Council corresponded with the Registrant asking her to submit medical evidence as regards to her health conditions but none was forthcoming. He submitted that the information from the Registrant was clear in that she has no intention of attending the hearing and has therefore waived her right to do so.

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. The Committee reminded itself that fairness to the Registrant should be a prime consideration.

The Committee bore in mind the public interest in the expeditious disposal of the hearing and that there was no evidence to indicate that the Registrant would be more likely to attend a future hearing if the matter was adjourned. The Committee took into account the correspondence received from the Registrant and the signed proforma, that it would not be her intention to attend a hearing. After careful consideration of all of the issues, the Committee decided to exercise its discretion to proceed in the absence of the Registrant, taking into account the nature of the allegations and striking a careful balance between fairness to the Registrant and the wider public interest. The Committee, in all of the circumstances, considers that the Registrant has voluntarily absented herself from today's 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 of guilt.

Application to Admit Hearing Bundle

The Committee heard an application from Mr Gilmore under Paragraph 12 of Schedule 2 of the Rules to admit a bundle of papers into evidence. He advised the Committee that the Registrant had raised no objection to the contents of the bundle of documents. He provided the Committee with a brief outline of the documents within the bundle, which includes employer referral forms from Parkside Private Nursing Home (the Home), disciplinary investigation documentation, three witness statements and an NMC determination dated 04 October 2017.

He advised the Committee that he would be applying for two of the witness statements - from Witness 1, care assistant at the Home and Witness 2, agency nurse at the Home - to be admitted as hearsay evidence without formal proof. A third witness statement within the bundle of papers from Witness 3, senior care assistant at the Home, would be the subject of oral evidence at today's hearing. He referred the Committee to Exhibit 3 and the letter dated 25 January 2019 sent by the Council to the Registrant. This correspondence advises the Registrant that in the event of the non-attendance of a witness, the Council would seek to rely on that witness's written statement. He told the Committee that Witness 1 had been notified of today's hearing but had indicated that she did not wish to attend as she was no longer employed as a social care worker. As regards the statement from Witness 2, the Council had made a series of attempts to arrange her attendance without success. He said that this witness had care responsibilities for her parents in Poland and, in particular, that her mother was unwell and therefore she was unable to attend. He referred the Committee to the legal principles set out in the case of Thornycroft v NMC. He accepted that the admission of these two witness statements should not be a matter of routine and that the Committee should first direct itself to the issue of fairness. He suggested that there were good cogent reasons for the non-attendance of these witnesses, and that there was no clear evidence of any misrepresentation in any of these statements. He suggested that the Committee should consider whether the statements comprise the sole or decisive evidence in relation to the first two allegations. It should also take into account the submissions from the Registrant, and whether the witnesses' evidence is untrue and based on discrimination and harassment.

The Committee heard and accepted the Legal Adviser's advice. She referred them to the cases of Thornycroft v NMC, NMC v Ogbonna and Ebrima Jjie v NMC, along with Paragraph 12 of Schedule 2 of the Rules. She reminded the Committee that it is entitled to admit evidence, either oral or documentary or other, whether or not it would be admissible in a court of law, subject only to the requirements of relevance and fairness. She reminded the Committee to consider carefully the reasons for the non-attendance of the witnesses, and whether their evidence is the sole or decisive evidence in support of Particulars 1 and 2 or whether there is any other supporting material. She reminded the Committee that the overall fairness of the proceedings is an essential consideration.

The Committee gave careful consideration to the submissions, the legal advice and the bundle of documents. The Committee notes that the witness statements from Witness 1 and Witness 2 comprise the sole direct evidence as regards Particulars 1 and 2. The Committee was satisfied that the Council had taken reasonable

steps to secure the attendance of these witnesses and that copies of these witness statements had been served on the Registrant, with notification to her that the statements could be submitted without the witnesses attending the hearing. The Committee notes that the Registrant has responded to Particulars 1 and 2 in various submissions and does not accept the contents of the statements as they relate to the allegation. In considering the documentation, the Committee could find no clear evidence that the witness statements in question contained false evidence. However, the Committee notes the Registrant's challenge to the contents of the statements. The Committee further notes that the Home investigation documentation provides information in relation to Particulars 1 and 2, and details the responses from the Parties consistent with both the NISCC witness statements and the Registrant's written submissions.

The Committee therefore concluded that the admission of the NISCC statements from Witness 1 and Witness 2 without formal proof would not cause injustice to the Registrant, and that their absence at today's hearing can be reflected in the degree of weight which could be applied to these statements. Therefore, the Committee accepts into evidence the entirety of the bundle of documents as Exhibits 1 – 4.

Background

The Registrant was registered at Part 2 of the Register on 21 July 2016. She was employed as a social care worker at the Home from 12 January 2016. The Home caters for around 30 residents and has 25 bedrooms, 2 lounges and various bathrooms, spread over 3 floors. Particulars 1 and 2 refer to incidents which are alleged to have occurred on the nightshift of 22 / 23 March 2017. During the nightshift, 3 staff are normally on duty, comprising of 2 social care workers and a nurse. The allegation relates to the Registrant allegedly sleeping on duty on this occasion, and failing to respond to the nurse call system. Particular 3 relates to a finding against the Registrant by the Nursing and Midwifery Council (NMC), with effect from 28 November 2017, that her fitness to practise as a registered nurse was impaired on grounds of public protection and in the wider public interest, resulting in her removal from the NMC Register.

Evidence

Mr Gilmore told the Committee that the Registrant made no admissions to the allegations. The Committee heard sworn oral evidence from Witness 3, a senior social care worker at the Home. She adopted her statement as her evidence. She said that, on occasions, she had worked with the Registrant on nightshift and that there had been no difficulty. She confirmed that Witness 2, on 01 April 2017, reported concerns with the Registrant, which she subsequently reported to her HR Manager. She confirmed to the Committee that the Registrant is known by the first name of 'Peggy'. She gave evidence that concerns were raised as regards the Registrant sleeping on duty and failing to answer call buzzers. She described the other social care worker on duty with the Registrant during this nightshift as junior to the Registrant in experience. She said that it was the duty of all staff to respond to buzzers and that sleeping on duty is not allowed. She confirmed that she had no concerns in relation to the Registrant's knowledge of her duties, nor in her attitude towards the care of residents. She gave evidence to the Committee that if a care worker was providing care to an ill resident, the nurse in charge should be informed as

the staff on duty worked as a team. She could think of no reason for Witness 1 or Witness 2 to fabricate their evidence against the Registrant. She was unable to recall any complaints made by the Registrant of discrimination or harassment.

As regards Particular 3, Mr Gilmore referred the Committee to Rule 4 (1) (e) of the Rules, which indicates that a registrant's fitness to practise may be impaired by a determination by a relevant regulatory body that the Registrant's fitness to practise is impaired. He submitted that the determination of the NMC Fitness to Practise Committee on 04 October 2017 is evidence in this regard. He noted that this determination resulted in the Registrant being subject to a striking-off order, with her removal from the NMC Register. The determination notes that the Registrant failed to engage with the proceedings, nor did she provide evidence of remediation of deficiencies in her practice or development of her insight.

Finding of Facts

The Committee heard and accepted the advice of the Legal Adviser. The Committee reminded itself that the burden is on the Council to prove the facts as set out in the Particulars of the Allegation, and that to find the facts proved the Committee must be satisfied on 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 Committee took into account the submissions from Mr Gilmore on behalf of the Council and the oral evidence from Witness 3, along with all of the documentary evidence submitted.

As regards Particular 1, the Committee gave consideration to the Home's disciplinary investigation documentation, the NISCC statements from Witness 1 and Witness 2 and the written submissions from the Registrant. Both Witness 1 and Witness 2 indicated that at approximately 3:00 am during the nightshift of the 22 / 23 March 2017, they observed the Registrant asleep in a chair in the lounge. Witness 2 indicated that she had to wake the Registrant to ask her to carry out breathing checks on the residents. The Registrant, in her written submissions and also during the Home investigation, denied that she ever slept on duty. She suggested that these allegations arose as a result of discrimination against her due to her age and religion, bullying by 'numbers' and her disagreement with Home care practices.

The Committee paid careful attention to the reports made by Witness 1 and Witness 2 during the Home investigation, and accepts that these are consistent with their NISCC statements. In particular, the Committee notes the description given by Witness 2 of her waking the Registrant when she found her sleeping in the Home lounge. Taking all of the evidence into account, the Committee preferred the evidence of Witness 1 and Witness 2, and considers their accounts to be credible and consistent.

The Committee determined therefore that this Particular is proved on the balance of probabilities.

As regards to Particular 2, the Committee notes that the Home caters for approximately 30 residents, with 25 rooms spread over 3 floors. Witness 1 and Witness 2 said that the Registrant failed to respond to residents' buzzers, and that they were unable to find the Registrant at various times after midnight. However, the

Committee was not provided with any documentary evidence indicating what checks had been made during this nightshift, nor whether any particular resident required additional care. Witness 1 indicated that she was left unassisted by the Registrant in answering buzzers. The Committee notes that the residents' bedrooms are spread over 3 floors and is therefore unable to confirm, from the evidence, whether the Registrant was providing care to other residents without other staff being aware of this. Witness 2 refers to the Registrant as being missing at various stages during the shift. However, the Committee notes the Registrant's submission that she was attending to an ill resident, responded to a number of buzzers and carried out cleaning duties.

In considering this Particular, the Committee was not satisfied that there was sufficient evidence to support this allegation. In particular, the Committee notes the Registrant's submissions that she had attended to call buzzers during her shift and that she had given additional care to an ill resident. Taking all of the evidence into account, the Committee does not find this Particular proved on the balance of probabilities.

As regards to Particular 3, the Committee notes the determination from the NMC, dated 04 October 2017. The Committee, in accordance with Rule 4 (1) (e) of the Rules, accepts that this is a determination by a regulatory body that the Registrant's fitness to practise is impaired. The Committee notes that no issue has been taken with the identity of the Registrant within this determination, nor has this been appealed. Therefore, the Committee confirms Particular 3 as proved.

Fitness to Practise

The Committee heard a submission from Mr Gilmore on the question of impairment. Mr Gilmore submitted that the Registrant's fitness to practise is impaired because of her misconduct, and as a result of the determination by the NMC that her fitness to practise is impaired. He referred the Committee to the evidence that it had heard and the facts found proved, and suggested that the allegation shows the Registrant as falling short of the standard of practice expected of a social care worker. He submitted that the Registrant had been found sleeping on duty and denied this, both during the Home investigation and in her submissions to NISCC. He submitted that the Registrant's actions, as found in Particular 1, was clear evidence of misconduct and calls into question her fitness to remain on the Register without restriction or to remain at all.

In terms of impairment, Mr Gilmore directed the Committee to Paragraph 24 of Schedule 2 of the Rules. He submitted that the reason for the impairment was that the Registrant's actions had fallen far below the expected standard. He directed the Committee to the Codes of Practice for Social Care Workers which were in force in 2015, and submitted that the Registrant was in breach of Code 2, 2.6, Code 5, 5.1, 5.2, 5.7, 5.8, and Code 6, 6.1. He submitted that the Registrant's actions in sleeping during the nightshift put residents at risk, placing extra pressure on colleagues and, in particular, a more junior social care worker. In addressing the issue of remediation, he reminded the Committee that the Registrant has shown no insight nor acceptance of her failings, nor of the consequences of these failings on residents and colleagues. He said that she has not apologised for her actions and has blamed others for making false accusations against her.

As regards Particular 3, he referred to the contents of the determination made by the NMC and noted that the NMC panel was particularly concerned that the Registrant had sought to blame others for her mistakes.

He noted that the Registrant also failed to engage with the NMC proceedings, and provided no evidence of remediation throughout the process. The NMC findings make specific reference to the Registrant not providing any development of insight, particularly in light of the serious findings against her involving medication errors and a failure to complete mandatory training. Mr Gilmore suggested that the public interest would require NISCC to take action where a Registrant was found failing in these particular circumstances.

The Committee considered the submissions of Mr Gilmore and accepted the advice of the Legal Adviser. She referred the Committee to the cases of Roylance v GMC, Mallon v GMC, Remedy UK v GMC, Cohen v GMC, Bolton v GMC, GMC v Meadows, and to the findings of Dame Janet Smith in the 5th Shipman report. She further referred the Committee to Rule 4 (1) (a) and (e) along with Paragraph 24 (3) of Schedule 2 of the Rules. She reminded the Committee that it is exercising its professional judgement and that it should take into account the documentary evidence, the oral evidence, the written submissions from the Registrant, and the NISCC guidance on 'Making a Determination of Impaired Fitness to Practise Guidance for Committees on Remediation 2016'.

The Committee first considered its findings at Particular 1, and whether this amounted to the Registrant's fitness to practise being impaired by reason of misconduct. The Registrant has not engaged in these proceedings, nor has she instructed anyone to represent her. The Committee directed itself to the statements of Witness 1 and Witness 2 and, in particular, their account of observing the Registrant whilst she was sleeping during the nightshift of 22 / 23 March 2017. Both witnesses indicated that they observed the Registrant on one occasion around 3:00 am asleep in the lounge. Witness 1 did not approach the Registrant or speak to her in anyway at this time. Witness 2 indicates that she saw the Registrant sleeping and then awakened her and asked her to carry out breathing checks on residents, which she proceeded to do. The Committee, in considering whether the Registrant's actions amounted to misconduct and presented a risk to residents, took into account that there were 2 other members of staff on duty at this time providing care to residents, and that the Registrant immediately returned to her duties when directed by the nurse in charge. Witness 1 and Witness 2 make no reference to observing the Registrant sleeping on duty at any later stage during the shift, and therefore this appears to be a one off incident with no repetition. In all of these circumstances the Committee therefore considers the Registrant's actions to be of a less serious nature.

Accordingly, taking all of this evidence into account, the Committee does not find that the Registrant's actions as found in Particular 1 amount to misconduct.

The Committee then went on to consider its findings at Particular 3, and whether the Registrant's fitness to practise may be impaired as a result of the determination by the NMC on 04 October 2017 that her fitness to practise is impaired on grounds of public protection and in the wider public interest, resulting in her removal from the NMC Register from 28 November 2017. The Committee took into account the contents of this determination, and noted that the Registrant had failed to engage with the proceedings. In addition, she did not provide any

evidence of remediation of the deficiencies in her practice which had led to the findings of misconduct, nor had she demonstrated any development of her insight. The NMC panel further noted with concern that she sought to blame others for her mistakes. These findings against the Registrant were of a serious nature arising out of substantial medication and recording errors and a failure to undertake up to date mandatory training. The determination indicates that the Registrant retired from nursing in August 2014. However, the NMC panel found there remained a risk of harm to the public if the Registrant was permitted to return to unrestricted practice. The NMC panel concluded that a striking-off order was the only appropriate and proportionate order in the particular circumstances.

This Committee notes that the Registrant, in her written submissions, makes no reference to the finding by the NMC as set out in Particular 3. The Committee finds there to be no evidence that the Registrant has remediated any of the failings found by the NMC and therefore the risk identified remains. The Committee considers that the Registrant's impaired fitness to practise as found by the NMC relates to serious misconduct which brings into question her suitability to remain on the NISCC Register unrestricted. Accordingly, the Committee finds that public confidence in the profession would be undermined if a finding of impaired fitness to practise was not made.

Sanction

The Committee heard a submission from Mr Gilmore on the question of sanction. He advised that the Registrant had no previous disciplinary record with the Council. As regard to mitigation, he directed the Committee to the two references received on behalf of the Registrant, dated 23 January 2019 and 31 January 2019. He noted that both references came from nurses, but that neither reference appears to deal with the NMC findings in October 2017, when the Registrant was removed from the NMC Register. As regards to aggravating factors, Mr Gilmore submitted that the public interest would be high in circumstances such as this where a Registrant is removed from practice by another care regulator and remains registered with the Council, permitting her to provide care for vulnerable service users. He submitted that the public would expect the Council to scrutinise carefully findings against a Registrant by another caring profession that their fitness to practise is impaired. He referred the Committee to the determination of the NMC, which details the Registrant's lack of insight and remorse and the blaming of others for her mistakes. He suggested that these NMC findings cross over into the social care profession and relate to very basic aspects as regarding to the provision of care. He referred the Committee to the NISCC Indicative Sanctions and Interim Order Guidance (the Guidance) and submitted that as there were no exceptional circumstances, imposing no sanction would not be appropriate. In considering the further sanctions available to the Committee, he drew attention to the need to mark the Registrant's impaired fitness to practise as serious, as well as guarding against any repetition in the future.

The Committee received and accepted the advice from the Legal Adviser. She referred the Committee to Paragraph 26 of Schedule 2 of the Rules. In addition, she referred the Committee to the Guidance, and reminded it that the primary purpose of sanctions is the protection of the public and the maintaining of the reputation of the profession. She further advised the Committee to consider the question of sanction in ascending

order of severity, beginning its deliberations by firstly considering imposing no sanction. She further reminded the Committee to take into account the two references submitted to the Council by the Registrant.

The Committee has applied the principles of fairness, reasonableness and proportionality, weighing the public interest with the Registrant's interests, and taking into account any aggravating and mitigating factors in the case.

The Committee considers the aggravating factors to be:

1. The NMC determination arising out of proven allegations in relation to medication administration and recording errors, along with a failure to update mandatory training. The findings against the Registrant by the NMC concern several service users and took place over a period time during the execution of her professional duties.
2. The Registrant's impaired fitness to practise constitutes an abuse of trust and carried with it a risk of harm to service users.
3. The Registrant failed to show any insight into her failings, or remorse. The Registrant has also failed to remediate any of these failings.

The Committee considered the mitigating factors to be:

1. The Registrant has no prior disciplinary matters with NISCC.
2. The Registrant submitted two positive references. The Committee notes these references do not specifically mention the NMC findings against the Registrant, nor the allegations against her by the Council.

Having balanced the aggravating and mitigating factors, the Committee proceeded to consider which sanction to apply in this case.

No Sanction

In light of its findings as detailed above, the Committee does not consider there to be any exceptional circumstances which would make it appropriate not to impose a sanction.

Warning

The Committee considered the issue of a Warning in this case. It bore in mind that the imposition of a Warning for a period of time would not protect the public from the risk of repetition and consequent risk of serious harm to service users or colleagues. The Committee considered that the Registrant's impaired fitness to practise is not at the lower end of the spectrum, nor are the circumstances such that the Committee would be confident that this sanction would provide adequate public protection. The Committee has no evidence of any insight by the Registrant into her failings as found by the NMC, or the effect of these failings and the NMC findings into her work as a social care worker. The Committee has no evidence of any remorse by the Registrant or of any corrective steps taken by her. Therefore, a Warning would not be appropriate or proportionate in the circumstances, nor would the public be adequately protected.

Conditions of Practice Order

The Committee carefully considered a Conditions of Practice Order, and concluded that Conditions of Practice could not be formulated which would adequately protect the public and assist the Registrant in achieving full insight and remediation. The Registrant had advised the Committee that she has now left and retired from the 'caring profession', and the Committee concluded that it would not be possible to formulate conditions of practice which would be workable and would allow the Registrant to remedy her deficiencies. The Registrant would not be able to comply with any relevant conditions, and a Conditions of Practice Order would not therefore be enforceable, nor would the public be adequately protected.

Suspension

The Committee next considered a Suspension Order. 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 acknowledgment 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 considers that the circumstances of the Registrant's finding of impaired fitness to practise by the NMC evidenced behaviour that is fundamentally incompatible with unrestricted registration as a social care worker. The Committee determined that a Suspension Order would not address the risk of repetition as identified above. The Committee has no evidence of insight or remediation from the Registrant, and further notes that the NMC allowed the Registrant considerable time in which to provide evidence of insight and remediation and she continually failed to do so. In all of the circumstances, the Committee concludes that a Suspension Order would not be sufficient to mark the seriousness of the Registrant's impaired fitness to practise.

Removal

The Committee next considered a Removal Order. In considering this, the Committee took into account the Guidance at Paragraph 4.26 – 4.28. The Committee concluded that given the seriousness of the Registrant's failings as found by the NMC and her lack of insight into and remediation of these failings, a Removal Order is the only sanction sufficient to protect the public and maintain public confidence in the social care profession and the Council as its regulator. The Committee is particularly concerned by the Registrant's continued lack of insight into the effect of the NMC findings on her providing care to vulnerable members of the public as a registered social care worker. In all of the circumstances, the Committee concluded that a Removal Order is the only sanction available to it to protect the public and to meet the public interest, and to mark the seriousness and unacceptability of the Registrant's behaviour. The Committee considered the potential devastating impact of a Removal Order on the Registrant, but concluded that the safety and interest of service users was more important than the impact on the Registrant.

The Committee concluded that a Removal Order was a suitable, appropriate and proportionate sanction 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.

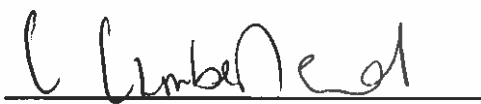
The effect of this decision is that your entry in the Register has been removed.

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

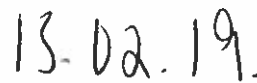
1. A member of care staff at a:
 - a.) Children's home;
 - b.) Residential care home;
 - c.) Nursing home;
 - d.) Day care setting;
 - e.) Residential family centre.
2. A person who is supplied by a domiciliary care agency to provide personal care in their own homes for persons who by reason of illness, 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.



Committee Manager



Date