

Notice of Decision

Registrant	Mary Bernadette Vronica Gaile
Registration number	6000939
Part of Register	Part 2 – Adult Residential Care Worker
Sanction	Warning to remain on your registration for a period of 5 years
Date of Effect	3 August 2016

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 a conviction in the United Kingdom for a criminal offence, as defined in Part 1, Rule 4 of the NISCC Fitness to Practise Rules 2016.
2. to issue a warning and direct that a record of the warning should be placed on your entry in the Register for a period of 5 years.

Misconduct

The Misconduct is:

- On 25 May 2016 you were convicted at Limavady Magistrates Court of Supplying a Class B Controlled drug on 15 October 2015. You were sentenced to 4 months imprisonment suspended for 2 years.

Reasons

The reasons the behaviour is considered to be Misconduct are:

- The public has the right to expect that social care workers, in whom it places its trust and confidence, to uphold the law and not to engage in offending behaviour nor otherwise behave in a way in work or outside work which would call into question their suitability to work in social services.
- Your behaviour has fallen below the standard expected of a person registered with the Northern Ireland Social Care Council.

NISCC Standards of Conduct and Practice for Social Care Workers

The Standards of Conduct and Practice for Social Care Workers that this behaviour breaches are:

Standard 5: As a social care worker, you must uphold public trust and confidence in social care services. In particular 5.8 outlines that you must not behave in a way, in work or outside work, which would call into question your ability to work in social care services.

Sanction

Having regard to the document '*Consensual Disposal Indicative Sanctions*' the Council decided that the appropriate sanction was the imposition of a warning on your registration for a period of 5 years.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- You have been convicted of a serious offence.
- Premeditation was apparent with regards to the supply of a Class B Controlled drug.
- At the time of the offence you were in a position of responsibility as a Senior Care Assistant.
- There has been a serious disregard for the Standards of Conduct and Practice for Social Care Workers.
- You have demonstrated insight regarding your actions.
- You have expressed genuine regret and apology for your actions.
- You have co-operated fully with the Council's investigation.
- You have provided positive references in relation to your good practice at work.
- You have no previous record of Misconduct with the Council.
- Your behaviour took place outside of work and there was no risk of harm to service users.
- You made an early admission to the PSNI. You answered questions put to you by the PSNI at an early stage.
- You have a previous good work history.
- You have offered mitigation in respect of the offence.
- The Council is satisfied that the likelihood of you repeating the behaviour is low.

Consent

Having been advised of the consequences, and having been recommended to take legal advice, you consented to the imposition of a warning on 22 July 2016. A record of the warning has been placed on your entry in the Register for a period of 5 years and does not affect your ability to practise.

Date of Effect

This notice comes into effect on 3 August 2016.


Head of Fitness to Practise


Date