

Notice of Decision

Registrant	Josephine Miriam Lowry
Registration number	6003009
Part of Register	Part 2 – Adult Residential Care Worker
Sanction	Warning to remain on your registration for a period of 4 years
Date of Effect	8 th September 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 misconduct, 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 4 years.

Misconduct

The Misconduct is:

Whilst working as a care assistant at Bethany Care Home, Belfast:

- a. On or about 9th November 2015 you hoisted Service User A alone, contrary to their care plan.
- b. On or about 9th November 2015 you falsified a care record in an attempt to conceal that you had hoisted Service User A alone.

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. Moving and handling by hoisting alone, contrary to the care plan, puts service users at risk of harm.
- Service users have the right to have trust and confidence in the practice of social care workers and this includes an expectation that social care workers are honest and trustworthy. You dishonestly and deliberately amended a care record in an attempt to conceal that you had

hoisted a service user alone contrary to the care plan. This is an abuse of the trust placed in you as a social care worker.

- 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 your behaviour has breached, are as follows:

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.

Standard 5: As a social care worker, you must uphold public trust and confidence in social care services. In particular you must not:

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.

6.4 Maintaining clear and accurate records as required by procedures established for your work.

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 4 years.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- Your actions placed the service user at risk of harm.
- You acted dishonestly in falsifying the care record.
- You attempted to conceal that you hoisted Service User A alone contrary to Service User A's care plan.
- The Misconduct occurred at your place of work.
- There was a lack of insight and regret shown by you.

Mitigating circumstances taken into account:

- There was no actual harm to service users, colleagues or members of the public.
- You have no previous record of Misconduct with the Council.

Consent

Having been advised of the consequences, and having been recommended to take independent advice, you consented to the imposition of a warning. A record of the warning has been placed on your entry in the Register for a period of 4 years and does not affect your ability to practise.

Date of Effect

This warning comes into effect on 8th September 2016.

Patricia Higgins

Director of Regulations and Standards

8th September 2016

Date