

Notice of Decision

Registrant	Kurtis Lynn
Registration number	6012767
Part of Register	Part 2 – Adult Residential Care Worker
Sanction	Warning to remain on your registration for a period of 3 years
Date of Effect	23rd 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 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 3 years.

Misconduct

The Misconduct is:

- On 16th March 2015, whilst working as a support worker at Blair Lodge Residential Home, Bangor, you:
 - i) Used obscene/verbally abusive language towards Service User A.
 - ii) Used obscene/verbally abusive language when speaking to a colleague about Service User A, and whilst in the presence of Service User A.

Reasons

The reasons the behaviour is considered to be Misconduct 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 be carried out in a dignified, respectful and compassionate manner. By failing to treat Service User A with dignity, consideration, respect and compassion, you have undermined this trust and therefore placed Service User A at risk of harm and distress.
- 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 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;
- 1.8 Respecting and maintaining the dignity and privacy of service users.

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:

- 2.2 Communicating in an appropriate, open, accurate and straightforward way.

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.

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.

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 3 years.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

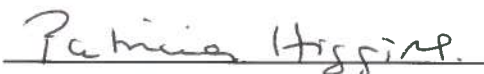
- Your actions were deliberate.
- Your actions could have caused direct harm to a service user.
- You failed to fulfil the responsibilities placed on you as a NISCC-registered member of staff.

The following mitigating circumstances were taken into account in reaching this decision:

- No repetition of behaviour since the incident.
- Early admission of wrongdoing and regret expressed to the employer at initial investigation.
- You demonstrated insight regarding your actions.
- No previous record of misconduct with the Council.

Date of Effect

This notice comes into effect on 23rd August 2016.



Director of Regulations and Standards



Date

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.