

Notice of Decision

Registrant	Lindsay Adams
Registration number	6029570
Part of Register	Part 2 – Domiciliary Care Worker
Sanction	Warning to remain on your registration for a period of 5 years
Date of Effect	24 October 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 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 5 years.

Misconduct

The Misconduct is that:

- a. On 24 January 2018 whilst registered as a social care worker, you accepted the sum of £2,500 from Service User A.
- b. You engaged in conversations with Service User A regarding your personal financial difficulties.
- c. Service User A was unable to contact you to arrange repayment and contacted your previous employer M Care Ltd on 8 February 2018.
- d. Repayment of the full £2,500 remains outstanding.

Reasons

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

- Your actions breached professional boundaries and you took advantage of the position of trust which you held with the service user.
- Your actions caused concern to the service user due to your failure to repay the money provided.
- 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.
- 2.6 Being reliable and dependable.
- 2.9 Adhering to policies and procedures about accepting gifts and money, hospitality or services from service users and carers.
- 2.10 Refusing any loans of money or property from anyone in your care or anyone close to them.

Standard 3: As a social care worker, you must promote the autonomy of service users while safeguarding them as far as possible from danger or harm. This includes:

- 3.7 Recognising and using responsibly with service users and carers, the power that comes from your work role.

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

- 5.2 Exploit service users, carers or colleagues in any way.
- 5.3 Abuse the trust of service users and carers or the access you have to personal information about them or to their property, home or workplace.

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:

- Your actions directly involved a vulnerable service user whom you were employed to care for prior to your resignation from M Care Ltd on 19 January 2018.
- The amount of money provided to you was significant.
- Your actions were a direct breach of Standard 2.10 – Refusing any loans of money or property from anyone in your care or anyone close to them.
- Your non-repayment of the loan has caused significant distress and concern to the elderly service user.

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

- You have no previous record of misconduct with the Council.
- You have a previous good work history.
- You initially responded to the Council in writing on 20 February 2018 providing your account.

Date of Effect

This warning comes into effect on 24 October 2018. 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.

Othello Manchester

Head of Fitness to Practise

24.10.18

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.