

Notice of Decision

Registrant	Joanne Elizabeth Denvir
Registration number	6021062
Part of Register	Part 2 – Domiciliary Care Worker
Sanction	Warning to remain on your registration for a period of one year
Date of Effect	07 May 2019

This is a notice of decision of the Northern Ireland Social Care Council (the Social Care Council).

Decision

The Social Care 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 2019.
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 one year.

Misconduct

Whilst being registered as a social care worker, and whilst employed as a Domiciliary Care worker by the South Eastern Health and Social Care Trust:

- a. On 18 January 2018 you were verbally abusive towards service user A and their next of kin;
- b. You failed to recognise the responsibilities of your role and overstepped the boundaries of same in respect to service user B; and
- c. You failed to respect individual wishes of service user B and service user C and treat them with consideration and compassion.

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 be carried out in a respectful and compassionate manner. By failing to treat service users with respect and compassion you have undermined this trust and therefore placed service users at risk of 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 your behaviour has breached, are as follows:

- 1 As a social care worker, you must protect the rights and promote the interests and wellbeing of service users and carers. This includes:-**
 - 1.1 Treating each person as an individual;
 - 1.2 Treating people with consideration, respect and compassion;
 - 1.4 Respecting and, where appropriate, representing the individuals views and wishes of both service users and carers; and
 - 1.5 Supporting service users' right to control their lives and make informed choices about the services they receive.
- 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; and
- 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:-**
 - 3.1 Promoting service users' independence and empowering them to understand and exercise their rights.
- 5 As 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.

Sanction

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

Reasons for the Sanction

When reaching its decision the Social Care Council considered the following factors:

- Your actions caused upset and distress to service users and their next of kin.
- Your actions took place whilst at work in service user's homes.
- Previous concerns regarding your practise were identified and addressed by your employer.
- Despite this, further concerns were identified following a return to working as a Domiciliary Care Worker in the community.
- Your behaviour has demonstrated a disregard for the NISCC Standards of Conduct and Practice.

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

- You have co-operated with the employer investigation.
- You accepted the findings of the employer investigation.
- You have engaged in the Social Care Council's investigation.
- There is no previous record of misconduct with the Social Care Council.

- You have 22 years work history in the social care sector.

Date of Effect

This warning comes into effect on 07 May 2019. A record of the warning has been placed on your entry in the Register for a period of one year and does not affect your ability to practise.

Marion O'Rourke

Director of Regulation and Standards

7th May 2019

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.