

Notice of Decision

Registrant	BRENDAN DUFFIN
Registration number	6015486
Part of Register	Part 2
Sanction	Consensual Warning – 2 years
Date of Effect	15.06.18

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 upon your registration for a period of two years.

Misconduct

On the 4th September 2017 and 8th September 2017 whilst employed as a Support Worker by Autism Initiatives, Belfast:

- You used a restrictive practice method upon service user A which was contrary to training you received from your employer and contrary to Service User A's personal care plan.

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 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 that service user 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:

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:

- 1.1 Treating each person as an individual.
- 1.2 Treating people with consideration, respect and compassion.

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.

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.

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 two years.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- You actions were in contravention of a service user's care plan and the training that you had received.
- Your misconduct was evident on two separate occasions
- Your actions contravened a service user's liberty

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

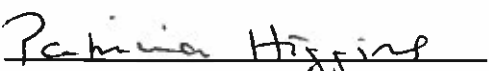
- There is no evidence of physical harm to Service User A
- You have no previous record of misconduct with the Council or your previous employer
- You have engaged with NISCC, made admissions to your employer and indicated that your actions were not in keeping with Service User A's care plan.
- The Council acknowledges that you were reacting to a challenging and difficult situation.

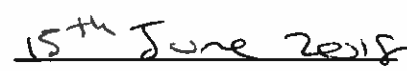
Consent

Having been advised of the consequences, and having been recommended to take independent advice, you consented to the imposition of a warning on 8th June 2018. A record of the warning has been placed on your entry in the Register for a period of two years and does not affect your ability to practise.

Date of Effect

This warning comes into effect on 15th June 2018.


Director of Regulation and Standards


Date