

Notice of Decision

Registrant	Anna Muriel Maguire
Registration number	6027532
Part of Register	Part 2 – Day care worker
Sanction	Warning to remain on your registration for a period of 2 years
Date of Effect	01 August 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 conviction, 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 2 years.

Convictions

That on 25 July 2017 at Coleraine Magistrates Court you were convicted of the following charges:

Charge 1: Defendant on 28th day of May 2016 without lawful excuse damaged a Peugeot 307 a door lock and plants belonging to [A] intending to damage such property or being reckless as to whether such property would be damaged contrary to Article 3(1) of the Criminal Damage (Northern Ireland) Order 1977.

Charge 2: Defendant on dates between 22nd May 2016 and 29th day of May 2016 in contravention of Article 3 of the Protection from Harassment (Northern Ireland) Order 1997 pursued a course of conduct which amounted to harassment of [A] and which you knew or ought to have known amounted to harassment, contrary to Article 4(1) of the Protection from Harassment (Northern Ireland) Order 1997.

Charge 3: Defendant on 23rd day of May 2016 without lawful excuse damaged a letterbox belonging to [A] intending to damage such property or being reckless as to whether such property would be damaged contrary to Article 3(1) of the Criminal Damage (Northern Ireland) Order 1977.

Charge 4: Defendant on 28th day of May 2016 without lawful excuse damaged a Peugeot 107 belonging to [B] intending to damage such property or being reckless as to whether such property would be damaged contrary to Article 3(1) of the Criminal Damage (Northern Ireland) Order 1977.

You were sentenced to 120 hours community service.

Reasons

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

- The public has the right to expect that social care workers, in whom it places its trust and confidence, to uphold the law and not to engage in offending behaviour nor otherwise behave in a way in work or outside work which would call into question their suitability to work in social services.
- 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 for Social Care Workers that this behaviour breaches are as follows:

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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;

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 have failed to engage with the Council's investigation;
- You have not demonstrated any insight or remorse for your actions to the Council;
- Your actions are a direct breach of Standard 5.8 – Behave in a way, in work or outside work, which would call into question your suitability to work in social care services;
- There has been a serious disregard for the NISCC Standards of Conduct and Practice;
- Your actions had the potential to bring the profession into disrepute.

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

- Your convictions do not relate to your work as a care worker;
- You have demonstrated remorse to your employer;
- You have admitted your wrong doing to your employer;
- You have engaged in the employer disciplinary process;
- You have an unblemished 26 years career in the health service;
- There is no previous record of misconduct with the Council.

Date of Effect

This warning comes into effect on 01 August 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.

Helen Mearns

1/8/18

PP

Director of Regulation 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.