

Notice of Decision

Registrant	Marlene King
Registration number	2095913
Part of Register	Part 2 – Care Worker
Sanction	Warning to remain on your registration for a period of 4 years
Date of Effect	11th January 2017

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 on the Register for a period of 4 years.

Misconduct

The Misconduct is:-

1. On Saturday 27th August 2016 you attended work while under the influence of alcohol.
2. On Saturday 27th August 2016 you used foul and abusive language in the workplace.

Reasons for concern

The reasons your behaviour is considered to be concerning to the Council 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 protect them from harm. By attending work with alcohol in your system and providing care to service users, you potentially placed said service users at risk of harm.
- The use of foul and abusive language during the course of your shift had the potential to cause distress to your work colleague(s).
- 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:

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:

- 3.6 Complying with employers' health and safety policies, including those relating to substance misuse;

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

- 5.7 Put yourself or other people at unnecessary risk;
- 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 4 years.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- There was a potential risk of harm to service users.
- The misconduct took place at work.
- You were previously disciplined by your employer for using foul language in the workplace.
- Your actions could affect public confidence in the social care profession.

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

- No apparent harm or distress was caused to any service user.
- Your previous employer has indicated that they found you to be a very capable care worker.
- There have never been any previous concerns about you attending work in an unfit state.

Date of Effect

This notice comes into effect on 11th January 2017.



Head of Fitness to Practise

11-1-17

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.