

Notice of Decision

Registrant	Poulose Cherattumoolayil Mathai
Registration number	2033472
Part of Register	Part 2 – Adult Residential Care Worker
Sanction	Removal by Agreement
Date of Effect	9th August 2016

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 for criminal offences, as defined in Part 1, Rule 4 of the NISCC Fitness to Practise Rules 2016.
2. to remove you from the Register, following your application to be Removed by Agreement, as defined in Rule 18 of the NISCC Fitness to Practise Rules 2016.

You (the Registrant) have agreed to the following Statement of Facts:

1. The Registrant was convicted of the following criminal offences at Newtownards Magistrates Court on 29th April 2016:
 - (i) Defendant on 16th day of October 2015 in the County Court Division of Ards, caused grievous bodily injury to [an adult female] by driving a mechanically propelled vehicle on a road, namely High Bangor Road, Donaghadee, without due care and attention, contrary to Article 11A of the Road Traffic (Northern Ireland) Order 1995.
 - (ii) Defendant on 16th day of October 2015 in the County Court Division of Ards, being the driver of a mechanically propelled vehicle and knowing that an accident occurred owing to the presence of that vehicle on a road or other public place whereby injury was caused to a person other than yourself, failed to stop, contrary to Article 175 of the Road Traffic (Northern Ireland) Order 1981.
 - (iii) Defendant on 16th day of October 2015 in the County Court Division of Ards, being the driver of a mechanically propelled vehicle and knowing that an accident occurred owing to the presence of that vehicle on a road or other public place whereby injury was caused directly or indirectly to a person other than yourself, failed forthwith to report the accident and give your name and address/ the name and address of the owner of the vehicle and the identification mark or number of the vehicle at a Police Station or to a member of the Police Service of Northern Ireland, contrary to Article 175 of the Road Traffic (Northern Ireland) Order 1981.

2. By reason of the above-stated criminal convictions, the Registrant's fitness to practise is deemed to be impaired.
3. The public has a right to have confidence in social care services. By striking a pedestrian with their vehicle, causing them grievous bodily injury and failing to stop to offer assistance, or report the incident in a timely manner, the Registrant displayed no regard for the wellbeing of the injured party. The Registrant's lack of care and compassion is deemed to be so serious that they are no longer considered to be a suitable person to work with the most vulnerable people in society. Indeed, the Courts deemed that only a custodial sentence could address the Registrant's serious offending behaviour.
4. The Registrant has breached the following provisions of the NISCC Standards of Conduct and Practice for Social Care Workers:
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.

Application for Removal by Agreement

Having regard to the document '*Consensual Disposal Indicative Sanctions*', the Council was minded to grant you Removal by Agreement. The Council served papers on you, inviting you to apply for Removal by Agreement. Having been advised of the consequences, and having been recommended to take independent advice, you made a written application to be removed from the Register on 4th August 2016. In making the application, you admitted the allegations, signed the agreed statement of facts (as set out above), and admitted the facts amounted to your fitness to practise being impaired.

The effect of this decision is that your entry in the Register has been removed.

You are prohibited by law from working as a social care worker in any of the following regulated positions*:


- Care staff in a children's home, residential care home or nursing home.
- Manager of a residential care home, day care setting or domiciliary care agency.

It is **compulsory** for the above social care workers to be registered with the Northern Ireland Social Care Council in order to work. This is pursuant to the Northern Ireland Social Care Register (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013.

In accordance with Schedule 3, Paragraph 9 of the NISCC Fitness to Practise Rules, you may not apply to be restored to the Register within five years from the date of removal.

Date of Effect

This notice comes into effect on 9th August 2016.



Head of Fitness to Practise



Date

* Please note that further social care positions are due to be added to the regulated list in the near future, and you will therefore be prohibited from working in these positions when this occurs. You must ensure that you are not working or attempting to work in a regulated position if you are not registered. Further information regarding the extension of the regulated list, and intended timescales is available at www.niscc.info.