

RSW15/SWDT/2020 – Ms Fiona Pearce

Charge

On 6 May 2021 the Social Workers Complaints and Disciplinary Tribunal (the Tribunal) heard a charge laid by a Professional Conduct Committee, against Ms Fiona Pearce, provisionally registered social worker of Christchurch (the social worker).

The charge alleged:

- 1) In March 2018, the social worker failed to follow proper processes with respect to a client's medication (Client A), in that she;
 - a) Purchased melatonin supplements, providing these to Client A without prior medical advice;
 - b) Initially failed to store the supplements at work, bringing them from home, supplying them to Client A;
 - c) Failed to properly document or record the provision of melatonin, and the decision-making process around this;
- 2) In December 2018, the social worker failed to follow proper processes with respect to a client's medication (Client B), in that she;
 - a) Failed to check Client B's medication chart to determine the correct dose of Sevredol to be provided, and provided excess medication to Client B;
 - b) Agreed with another staff member's decision to alter Client B's medication charts to falsely record that the drug had been provided at an earlier time and date;
 - c) Failed to take proper follow-up action after recognising that excess medication had been administered to Client B, in particular by not notifying the on-call staff member of the incident;
 - d) Failed to properly document or record the incident;
 - e) Improperly pressured Client B not to disclose the error

This conduct was alleged to amount to professional misconduct under the Social Workers Registration Act 2003 in that the social worker breached any or all of Principles 1, 4, 5, 6, 9 of the Code of Conduct. It is alleged that she engaged in conduct that brought or would likely bring discredit to the social work profession.

Background

At the relevant times, the social worker was employed at a Salvation Army Supportive Accommodation (the Centre). As part of her role, the social worker was responsible for providing medication to clients residing at the Centre.

Client A

Client A had trouble sleeping due to his ADHD. The social worker asked whether the Centre could purchase melatonin for him. The social worker was told that approval was needed from Centre nurses and the client's doctor first.

The social worker personally purchased a melatonin supplement. She gave Client A melatonin daily for approximately two weeks. The social worker did not document or record that she was providing Client A with melatonin, as per the Centre's process. The social worker was given a final warning for serious misconduct.

Client B

Client B had returned from hospital to the Centre in December 2018. Client B was prescribed Sevredol, of which he was permitted a prescribed number of doses over a 24-hour period.

On the night in question, the social worker provided a dose of Sevredol to Client B without checking the dosage. The social worker realised that Client B had already received his maximum dose in that 24-hour period, and that she had provided excess medication to Client B.

The social worker and worker E amended the time and date on the chart. Both the social worker and E signed off the new date and time. The social worker did not make any proper record of the incident.

The social worker later reiterated to Client B that she could lose her job because of the incident. Client B subsequently disclosed the incident to other staff members.

On 24 December 2018, the social worker was suspended for two weeks while the Centre carried out an investigation. In March 2019, her employment with the Salvation Army was terminated.

Finding

The hearing proceeded via audio-visual link on an agreed summary of facts. In relation to Client A, the social worker accepted that her conduct was unprofessional and a breach of the Code of Conduct. In respect of Client B, the social worker acknowledged that she did not follow the correct procedure.

The Tribunal was satisfied on the balance of probabilities that the particulars of the charge were established. The Tribunal was satisfied that the social worker's conduct in relation to each client was a breach of multiple principles of the Code of Conduct.

In the opinion of the Tribunal, those breaches were a significant departure from the conduct that the public and the social work profession would expect of a reasonable social worker. The Tribunal held that the social worker's conduct brought or would likely bring the profession into disrepute. The Tribunal was satisfied that the conduct on both occasions was sufficiently serious to warrant discipline.

Penalty

The Tribunal ordered that the social worker:

- is censured;
- practise under the condition that she provide a copy of the Tribunal's decision to any prospective or future employers for a period of not more than two years from the date of her resumption of practice;
- undergo a professional development programme in personal and professional ethics; and
- pay total costs totalling \$2,000.00 in contribution to the prosecution and hearing.

The Tribunal also ordered permanent non-publication of the names and any confidential medical information of Client A and Client B. That Client A had ADHD could be published.

The Tribunal directed publication of this decision on the Social Workers Registration Board's website and for the publication of a summary in the Board's professional publication to members of the social work profession.

The full and reasoned decision of the Tribunal can be found at: [insert link].