

Notice of Decision

Registrant	Richard Henry Barber
Registration number	6032582
Part of Register	Part 2 – Supported Living Worker
Sanction	Removal by Agreement
Date of Effect	22nd September 2020

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 your criminal convictions, as defined in Part 1, Rule 4 of the NISCC Fitness to Practise (Amendment) Rules 2019 ('the Rules').
2. to remove you from the Register, following your application to be Removed by Agreement, as defined in Rule 14 of the Rules.

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

1. The Registrant was convicted of the following criminal offences at Downpatrick Crown Court:
 - Defendant between the 1st day of August 2017 and the 13th day of December 2018, being a person aged 18 or over, for the purpose of obtaining sexual gratification intentionally communicated with [redacted] a person under 16, the communication being sexual or intended to encourage the said [redacted] to make a communication that was sexual, and you did not reasonably believe that she was 16 or over, contrary to Article 22A of the Sexual Offences (Northern Ireland) Order 2008.
 - Defendant between the 1st day of August 2017 and the 13th day of December 2018, being over 18 years of age, for the purpose of obtaining sexual gratification intentionally caused [redacted] a child under 16 years to look at an image of a person engaging in sexual activity and you did not reasonably believe her to be aged 16 or over, contrary to Article 19 of the Sexual Offences (Northern Ireland) Order 2008.
 - Defendant between the 1st day of August 2017 and the 13th day of December 2018, being over 18 years of age, intentionally caused [redacted] a child under 16 years, to engage in a

sexual activity and you did not reasonably believe that she was 16 years or over, contrary to Article 17(1) of the Sexual Offences (Northern Ireland) Order 2008.

- Defendant between the 1st day of August 2017 and the 13th day of December 2018, had in your possession an indecent photograph or pseudo-photograph of a child, contrary to Article 15(1) of the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988.

2. By reason of the convictions set out above, the Registrant's fitness to practise is deemed to be impaired.
3. The public has the right to have confidence in social care services, and the most vulnerable people in society need to be protected from those who commit sexual offences. The Registrant has been convicted of sexual offences towards a minor and is no longer deemed suitable to remain on the Northern Ireland Social Care Register. Confidence in the social care profession would be undermined by allowing the Registrant to remain on the Register.
4. The Registrant has breached the following provisions of the NI Social Care Council's Standards of Conduct and Practice for Social Care Workers:

Standard of Conduct 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.

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 9th September 2020. 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:

1. A member of care staff at a:
 - a) Children's home
 - b) Residential care home
 - c) Nursing home

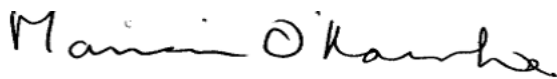
- d) Day care setting
 - e) Residential family centre.
2. A person who is supplied by a domiciliary care agency to provide personal care to individuals in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.
3. A manager of a:
- a) Residential care home
 - b) Day care setting
 - c) Residential family care centre
 - d) 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 Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013 and the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017.

In accordance with Schedule 3, Paragraph 9 of the NISCC Fitness to Practise (Amendment) Rules 2019, 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 22nd September 2020.



Interim Director of Regulation and Standards

22nd September 2020

Date