

Notice of Decision

Registrant	Jivin George
Registration number	2039320
Part of Register	Part 2
Sanction	2 Year Warning
Date of Effect	20th November 2019

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 Practice is impaired by reason of a Caution received from the Police Service of Northern Ireland, as defined in Part 1, Rule 4 of the NISCC Fitness to Practice (Amendment) Rules 2019.
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 two years.

Caution received in the United Kingdom

- That whilst being registered as a social care worker, you on or around 16th September 2018 physically assaulted a female. Further to this physical assault, an Adult Caution for Common Assault was administered to you by the Police Service of Northern Ireland on the 22nd January 2019.

Reasons

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

- Your actions were violent in nature.
- The public has the right to expect that social care workers, in whom it places its trust and confidence, will uphold the law and not 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 your behaviour has breached, are as follows:

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 of work, which would call into question your suitability to work in social care services;

Standard 6: As a social care worker, you must be accountable for the quality of your work and take responsibility for maintaining and improving your knowledge and skills. This includes:

- 6.6 Informing NISCC and any employers your work for at the first reasonable opportunity if your fitness to practice has been called into question. This includes ill-health that affects your ability to practice, criminal convictions, disciplinary proceedings and findings of other regulatory bodies or organisations.

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:

- Your actions were violent in nature.
- Your behaviour constitutes a serious disregard for the Standards of Conduct and Practice for Social Care Workers.
- You have not shown full co-operation with the Council investigation, in that you have not offered sufficient written replies when invited to respond.
- You have failed to show insight into your actions.
- There is no evidence of remorse or regret for your actions.

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

- You have no previous record of misconduct with the Council, nor has your fitness to practice been called into question in the past.
- You accepted your wrongdoing by virtue of accepting the Caution from the Police Service of Northern Ireland on 22nd January 2019.
- The offence occurred outside of a social care environment.
- There is no evidence of direct harm to any service users.
- There has been no repetition or any incidents of misconduct, since this matter came to the Council's attention.

Date of Effect

This warning comes into effect on 20th November 2019. 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 practice.

Helena Mariche

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Director of Regulation and Standards

20/11/19.

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.

