

Notice of Decision

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| Registrant | Robert Thomas Reynolds |
| Registration number | 6017739 |
| Part of Register | Part 2 – Social Care Worker |
| Sanction | Warning to remain on your registration for a period of four years |
| Date of Effect | 9 th August 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 in the Register for a period of four years.

Misconduct

Whilst employed as a Home Care Worker by the Belfast Health and Social Care Trust:

1. At the request of Service User A, you lodged £5000 of their (Service User A's) money into your own personal bank account sometime in and around 2011.
2. At the request of Service User A, you stored £5000 of their (Service User A's) money in your own home between February 2012 and April 2016.

Reasons

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

1. 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 entering into a financial arrangement with a service user, you exposed them to a risk of financial loss.
2. You exposed yourself to suspicion of theft from a vulnerable person in your care, and your actions had the potential to cause damage to the reputation of your employer and the social care profession.
3. 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 that your behaviour has breached are as follows:

Standard 2: As a social care worker, you must strive to establish and maintain the trust and confidence of service users and carers. This includes:

- 2.9 Adhering to policies and procedures about accepting gifts and money, hospitality or services from service users and carers.

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

- 5.3 Abuse the trust of service users and carers or the access you have to personal information about them or to their property, home or workplace;
- 5.7 Put yourself or other people at unnecessary risk.

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:

- 6.1 Meeting relevant standards of practice and working in a lawful, safe and effective way;
- 6.3 Being personally accountable for your actions and able to explain and account for your actions and decisions.

The Standards of Practice that your behaviour has breached are as follows:

Standard 1: As a social care worker, you must understand the main duties and responsibilities of your own role within the context of the organisation in which you work. This includes:

- 1.2 Accessing full and up-to-date details of policies, procedures and agreed ways of working from your employer and adhering to them;
- 1.3 Knowing your main responsibilities to those service users and carers you support including duty of care;

Standard 4: As a social care worker, you must support the safeguarding of individuals. This includes:

- 4.3 Knowing your own role and responsibilities in relation to safeguarding;

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 four years.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- There were two separate occasions where you entered into a financial arrangement with Service User A, in contravention of your employer's financial procedures.
- The sum of money involved was substantial.
- Your behaviour had the potential to cause financial loss to Service User A.
- You displayed a serious disregard for the Standards of Conduct and Practice for Social Care Workers.

- Your work role placed you in a position of trust with Service User A, and you abused this when you agreed to take their money for safe keeping.
- Your employer states that you displayed a lack of insight as to why your actions were inappropriate.
- Your actions had the potential to bring your employer and the social care profession into disrepute.

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

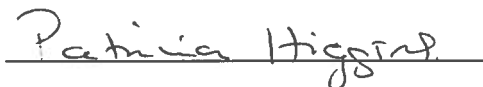
- You have no previous record of misconduct with the Council.
- You have repaid all monies to Service User A. You repaid the first £5000 to Service User A upon their request approximately 7 months after agreeing to keep it for them. At the time the concerns were raised in 2016, you still had the second £5000, but openly admitted to this and repaid the money.
- There is no evidence that you intended to permanently deprive Service User A of their money. Following police enquiries, there was no prosecution. There is also no evidence that this was a loan. You state that you agreed, at Service User A's request, to keep their money safe for them.
- There is no evidence of harm having occurred to Service User A.
- In correspondence to the Council, you state that you have learnt from your mistake, and admitted that it was an error of judgment.
- The length of time since the allegations occurred.
- Your co-operation with your employer's and the Council's investigations.
- Your early admission to the allegations.

Consent

Having been advised of the consequences, and having been recommended to take independent advice, you consented to the imposition of a warning on 4th August 2017. A record of the warning has been placed on your entry in the Register for a period of four years and does not affect your ability to practise.

Date of Effect

This warning comes into effect on 9th August 2017.



Patricia Higgins
Director of Regulations and Standards



Date