

Notice of Decision

Registrant	Joe Brennan
Registration number	7000717
Part of Register	Part 2, Adult Residential Care Worker
Sanction	Consensual Warning – 4 years
Date of Effect	30 th July 2021

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 a conviction for a criminal offence, as defined in Part 1, Rule 4 of the NISCC Fitness to Practise (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 4 years.

Conviction

On 18th February 2020 whilst a registered Social Care Worker and subject to the Standards of Conduct and Practice you received a criminal conviction for the offence of Assault for which you received a 4 month prison sentence, suspended for one year.

Reasons

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

- Convictions for assault are very serious and show a disregard for the law and a disregard for the health, safety and wellbeing of others.
- Your behaviour has fallen below the standard expected of a person registered with the Northern Ireland Social Care Council and therefore has the potential to undermine public confidence in social care services.

NISCC Standards of Conduct and Practice for Social Care Workers

The Standards of Conduct and Practice 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:

- 5.7 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.

Sanction

Having regard to the document '*Consensual Disposal Indicative Sanctions*' the Council has decided that the appropriate sanction was the imposition of a warning on your registration for a period of **4 years**.

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- You were involved when a violent act was committed against a member of the public.
- You showed a disregard for the law.
- You were involved in a situation that the public would find unbecoming of a member of the caring profession.

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

- You have no previous record of misconduct with the Council.
- You have no previous disciplinary record and a positive endorsement from your previous employer who was your employer at the material time.
- You responded to the Council in writing on 9th February 2021 providing an account in which you expressed sincere regret about the incident, insight in respect of your actions and assurances to the Council in relation to your future standard of conduct.

Date of Effect

This warning comes into effect on 30th July 2021. 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.



30th July 2021

Head of Fitness to Practise

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.