

Notice of Decision

Registrant	Steven Joseph O'Neill
Registration number	6019619
Part of Register	Part 2, Domiciliary Care Worker
Sanction	Undertakings
Date of Effect	20th September 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 misconduct, as defined in Part 1, Rule 4 of the NISCC Fitness to Practise (Amendment) Rules 2019.
2. to issue undertakings and direct that a record of those undertakings should be placed on your entry in the register until such time that you are formally discharged from same.

Misconduct

- 1) That on at least one occasion, but in particular on 15th August 2020, you made comments to a female work colleague, in the presence of service users and a co-worker, that were deemed to have been:
 - Offensive
 - Crude
 - Disrespectful
 - Inappropriate

And that those comments caused considerable personal and professional embarrassment to your colleague at that time.

- 2) That on at least one occasion previous to this, you showed material on your mobile telephone, to the same female colleague, in the presence of service users, that is deemed to have been:
 - Inappropriate
 - Crude
 - Of a sexual nature

And that in so doing, you caused considerable personal and professional embarrassment to your colleague at that time.

Reason:

This behaviour is considered to constitute impaired fitness to practise as your comments and behaviour, regardless of your intentions, caused significant offence and embarrassment to a colleague in her place of work and in front of service users and other care workers.

NISCC Standards of Conduct and Practice for Social Care Workers

The Standards of Conduct for Social Care Workers that your behaviour has breached are:

Standard 1: As a social care worker you must protect the rights and promote the interests and wellbeing of service users and carers. This includes:

1.2 Treating people with consideration, respect and compassion.

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:

2.2. Communicating in an appropriate, open, accurate and straightforward way.

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

5.9 Use social media or social networking sites or other forms of electronic communication in a way that contravenes professional boundaries, organisational guidelines or the Social Care Council standards.

Sanction

Having regard to the document '*Consensual Disposal Indicative Sanctions*' the Council decided that the appropriate sanction was the imposition of undertakings. It is considered that the following undertakings will facilitate work based remediation for the specific misconduct referred and will stimulate personal reflection and development as a means of reinforcing positive attitudinal and behavioural change.

1. You will provide NISCC with the name and contact details of any new social care employer within 14 days of accepting new employment which requires NISCC registration.
2. You will attend all training requested by any new employer.
3. You will undertake personal research and learning on the importance of *respect in the workplace* and then submit a written reflection, within six weeks of the date of this correspondence, outlining the research undertaken together with a summary of your learnings and reflections in that regard.
4. You will submit a written report from your new/current employer on or around 6 months from the date of the Agreed Undertakings which addresses the standard of your performance in that role to date, and in particular details any notable concerns raised by staff or Service Users with regard to the manner and content of your

communication with them. (Or confirms that no such issues have been raised in that regard).

5. You will inform the following parties that you are subject to an undertaking under the NISCC's fitness to practise procedures:
 - i. Any organisation or person employing, contracting with, or using you to undertake social care work
 - ii. Any agency you are registered with or apply to be registered with (at the time of application)
 - iii. Any prospective employer (at the time of application)
 - iv. Any educational establishment at which you are undertaking a course of study connected with social care work, or any such establishment to which you apply to take such a course (at the time of application).

Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- There is evidence of shortcomings in a specific area of your practice, namely your approach to other care staff in the presence of service users.
- There is evidence that your conduct caused personal and professional embarrassment to a colleague.
- Your inappropriate conduct took place in front of service users in their place of living.

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

- There is no evidence of actual harm caused to Service Users.
- There is no previous record of misconduct with the Council.
- You have engaged positively and constructively with the Council.
- You have demonstrated remorse and insight in relation to your conduct.

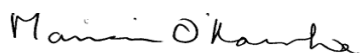
Consent

Having been advised of the consequences, and having been recommended to take independent advice, you consented to the imposition of undertakings on 18th September 2021.

A record of these undertakings has been placed on your entry in the register and will remain there until such time as you apply to the Council to be released from same when you are able to demonstrate that you have sufficiently discharged the undertakings to address the Council's underlying concerns with regard to your conduct. In the meantime these undertakings do not affect your ability to practise.

Date of Effect

These undertakings come into effect on 21st September 2021



Director of Regulations and Standards

20th September 2021

Date