

## Notice of Decision

<b>Registrant</b>	<b>Charlene O'Hara</b>
<b>Registration number</b>	<b>2081351</b>
<b>Part of Register</b>	<b>Part 2 – Adult Residential Care Worker</b>
<b>Sanction</b>	<b>Warning to remain on your registration for a period of 1 year</b>
<b>Date of Effect</b>	<b>03<sup>rd</sup> December 2021</b>

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 the Adult Caution you have received from the Police Service of Northern Ireland, as defined in Part 1, Rule 4(1)(d) 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 one year.

### Caution

- That whilst being registered as a social care worker, you on the 29<sup>th</sup> August 2020, in an out of work incident, physically assaulted [REDACTED] and [REDACTED], whom are known to you in a social context;
- Further to these physical assaults, you accepted an Adult Caution from the PSNI on 11<sup>th</sup> March 2021.

### Reasons

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

- Your actions were inappropriate, aggressive and physical in nature.
- The public has the right to expect that social care workers, in whom it places its trust and confidence, to uphold the law and not to 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 care 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:

- 5.7 Put yourself or other people at unnecessary risk.
- 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.

### **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 one year.

### **Reasons for the Sanction**

When reaching its decision the Council considered the following factors:

- The Council has considered CCTV footage of your actions, and we are of the view that your actions were aggressive, inappropriate, and physical in nature.
- Your actions were committed against two individuals.
- Your behaviour constitutes a disregard for the Standards of Conduct and Practice for Social Care Workers.
- Your actions are capable of undermining public confidence in the social care profession.
- You admitted physically assaulting these individuals, and you accepted an Adult Caution on 11<sup>th</sup> March 2021.

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 Practise been called into question in the past.
- You cooperated fully with the Council's investigation.
- The incident that led to the Adult Caution does not involve service users; and there are no concerns about your social care work.
- You have shown insight and remorse in respect of your actions.
- You have provided substantial mitigation on your behalf.
- There has been no repetition of any incidents of misconduct, since this matter came to the Council's attention.

**Date of Effect**

This warning comes into effect on 03<sup>rd</sup> December 2021. A record of the warning has been placed on your entry in the Register for a period of one year and does not affect your ability to practice.

*Oliver Maicher*

Head of Fitness to Practise

Date 03/12/21