

Notice of Decision

Registrant	Mr Ryan Leslie O’Prey
Registration number	7026156
Part of Register	Part 2 – Adult Residential Care Worker
Sanction	Warning to remain on your registration for a period of 3 years
Date of Effect	21st June 2023

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 a warning and direct that a record of the warning should be placed on your entry in the Register for a period of 3 years.

MISCONDUCT

That whilst registered as a social care worker and whilst employed as a Care Assistant working in Rose Court Nursing Home on 11 February 2023 you:

- a. Fell asleep when you were required to remain awake during those shifts;
- b. Due to your actions at (a) above, you failed to meet the necessary requirements of your role and placed service users at risk.

Reasons

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

- Your actions were inappropriate, given that you were required by your employer to remain awake during these nightshifts;
- 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 prevent them from any potential risk of harm.
- 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 and Practice for Social Care Workers that your behaviour has breached, are as follows:

The Standards of Conduct:

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:

2.6 Being reliable and dependable;

2.7 Honouring work commitments, agreements and arrangements and, when it is not possible to do so, explaining why to 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:

5.7 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.

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;

The Standards of Practice:

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:

1.1 Knowing the aims, objectives and values of the service in which you work;

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;

1.7 Keeping records that are up to date, complete, accurate and legible;

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

This includes:

4.2 Knowing the regional policies and procedures relating to safeguarding;

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

Standard 5: As a social care worker, you must maintain health and safety at work.

This includes:

- 5.1 Applying your organisation's policy and procedures in relation to health and safety in your work setting and with regard to the service users and carers you support;
- 5.4 Knowing what you can and cannot do relating to general health and safety commensurate with your role and training.

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 three years.

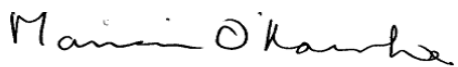
Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- You deny allegations of sleeping despite two eye witness accounts to the contrary.
- You have made admissions that you moved a chair over the door, you were sitting with your feet up on 2 chairs that were pushed together, you had switched lights out and you did not complete some records as you were feeling unwell.
- Your actions occurred within your first year of becoming registered as a social care worker.
- Your actions placed vulnerable service users at risk.
- 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.
- No direct or indirect harm was caused to any service user.
- You have engaged with the Council at an early stage and provided limited insight.
- You have no previous record of misconduct with the Council.

Date of Effect

This warning comes into effect on 21st June 2023. A record of the warning has been placed on your entry in the Register for a period of 3 years and does not affect your ability to practise.



Director of Regulation and Standards

21st June 2023

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.