

## Notice of Decision

Registrant	Caleb Lee Ewart
Registration number	6024127
Part of Register	Part 2 – Social Care Worker
Sanction	Warning to remain on your registration for a period of 4 years
Date of Effect	31 <sup>st</sup> October 2018

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 your criminal convictions, 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 4 years.

### Convictions

- On 31st August 2018 at Coleraine Magistrates Court, you were convicted of Assault Occasioning Actual Bodily Harm, Possession of an Offensive Weapon and Criminal Damage. The offences occurred during a single incident in November 2017. You received a Community Service Order for 200 hours and were ordered to pay £1000 compensation.

### Reasons

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

- The public has the right to expect that social care workers, in whom they place their trust and confidence, uphold the law and do not engage in offending behaviour or 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 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:

- 5.8 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 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 have been convicted of serious offences;
- Your actions showed a disregard for the Standards of Conduct and Practice for Social Care Workers.

The following mitigating factors were taken into account:

- Your behaviour occurred outside of work and therefore did not cause direct or indirect harm to service users;
- You have a previous good history and good character. The offending behaviour is therefore deemed to be an isolated incident;
- There has been no repetition of the offending behaviour since the incident occurred;
- You have co-operated with the Council's investigation;
- The Council has received satisfactory feedback from your employer as to your conduct and practice at work.

## Date of Effect

This warning comes into effect on 31<sup>st</sup> October 2018. A record of the warning has been placed on your entry in the Register for a period of 4 years and does not affect your ability to practise.

Helen Mander

Head of Fitness to Practise

31<sup>st</sup> October 2018

Date

**You have the right to appeal this decision to the Care Tribunal. Any appeal must be lodged in writing to the Care Tribunal within 28 days from the date of this Notice of Decision.**