

RSW13/SWDT/2020 – Ms Kathleen Noble

Charge

On 25 and 26 March 2021 the Social Workers Complaints and Disciplinary Tribunal heard a charge laid by a Professional Conduct Committee, against Ms Kathleen Noble, registered social worker of Palmerston North (the social worker).

The charge alleged that the social worker:

- a. On or about 27 September 2018, accepted an offer of a loan of \$1,000 from her client which was made after the Social Worker disclosed to her client that she needed money to visit her sick child in Auckland.
- b. On or about 27 September 2018 the Social Worker drove her client to the bank so her client could withdraw the \$1,000 to give to her.
- c. The Social Worker did not make any arrangements to repay the \$1,000.
- d. The Social Worker did not repay the \$1,000 until it was deducted by her employer from her pay.

A further particular alleged that the Social Worker's conduct breached Principles 1, 4, 5, 6 and 9 of the Code of Conduct applying to social workers.

Background

The Social Worker did not engage in the Tribunal's process or attend the hearing. The hearing proceeded on a formal proof basis.

The client was a vulnerable person who was looking after her four grandchildren on her own. At a professional visit with the client, the Social Worker told the client that her son was unwell and suicidal; she could not go to see him as she could not afford to and she could not take leave. She said her employer told her she would have to resign if she wanted to take leave as she had none.

The Client offered to give the Social Worker \$1,000 to help her. The Social Worker picked the Client up in her work car the following morning and drove her to the client's bank where the client withdrew the money and gave it to her. The Social Worker then returned the client to her home and the client believed the Social Worker was then going to drive to Auckland. The Client has not heard from or seen the Social Worker since.

When the Social Worker's employer found out about what had occurred, the employer repaid the client the \$1,000.

Finding

The Tribunal was satisfied on the balance of probabilities that the particulars of the charge were established on the evidence before it and that the Social Worker did engage in the conduct as

charged. The Tribunal was also satisfied that the conduct considered cumulatively was a breach of Principles 1, 4, 5, 6 and 9 of the Code of Conduct.

The conduct was a serious departure from what is expected of a Social Worker and was professional misconduct because it involved multiple breaches of the Code of Conduct and brought or would likely bring discredit to the social work profession and was sufficiently serious to warrant discipline.

Social workers are in a position of trust and work closely with vulnerable members of the community. Social workers cannot put themselves in a position where they may act to the detriment of and exploit their clients.

Penalty

The Tribunal ordered:

- Censure;
- Registration be suspended for six months;
- Undergo a professional development programme on the Code of Conduct and ethical practice with an emphasis on professional boundaries;
- Pay costs of \$22,781 to the costs and expenses of the investigation, prosecution, and the hearing; and
- Publication of the decision.

The full and reasoned decision of the Tribunal can be found at <https://swrb.govt.nz/tribunal-decisions/>