

## Notice of Decision

<b>Registrant</b>	<b>Stephen Paul Kearney</b>
<b>Registration number</b>	<b>2096111</b>
<b>Part of Register</b>	<b>Part 2 – Domiciliary Care Worker</b>
<b>Sanction</b>	<b>Warning to remain on your registration for a period of two years</b>
<b>Date of Effect</b>	<b>4<sup>th</sup> September 2025</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 sufficient evidence to conclude that there is a realistic prospect that your Fitness to Practise is impaired by reason of your convictions, 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 two years.

### A conviction or caution in the United Kingdom for a criminal offence

That whilst registered as a social care worker and whilst employed at the Southern Health and Social Care Trust as a Day Care Support Worker, you were convicted of the following offences at the Magistrates' Court on 30<sup>th</sup> April 2024:

- a) [You] on the 29/11/2023 while disqualified for holding or obtaining a driving license, drove a motor vehicle on a road contrary to Article 168A(1)(c) of the Road Traffic (Northern Ireland) Order 1981.
- b) [You] on the 29/11/2023 used a motor vehicle, namely, REDACTED, on a road or other public place, namely, Creenagh Road, Armagh, without there being in force in relation to the user of the said motor vehicle by you such a policy of Insurance or such a security in respect of third-party risks as complied with the requirements of Part VIII of the Road Traffic (Northern Ireland) Order 1981 contrary to Article 90(4) of the Road Traffic (Northern Ireland) Order 1981.
- c) [You] on the 29/11/2023 without having consent of the owner or other lawful authority took a motor vehicle, namely, REDACTED, for your own or another's use contrary to Article 172 of the Road Traffic (Northern Ireland) Order 1981.
- d) [You] on the 29/11/2023 in contravention of Regulation 115 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 used on a road a motor vehicle registration number REDACTED whereby the condition of the said vehicle was such that the use of the motor vehicle was likely to involve a danger of injury to any person, contrary to Article 58 of the Road Traffic (Northern Ireland) Order 1995.
- e) [You] on the 29/11/2023 drove a motor vehicle on a road, namely, Creenagh Road, Armagh, after consuming so much alcohol that the proportion of it in your breath exceeded the prescribed limit contrary to Article 16(1)(a) of the Road Traffic (Northern Ireland) Order 1995.

## Reasons

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

- Service users have the right to expect that social care workers, in whom they place their trust, will uphold the law.
- Your behaviour has fallen below the standard expected of a person registered with the Northern Ireland Social Care Council.
- Your behaviour placed members of the public and yourself at risk of harm.

## 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:

- 5.7 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:

- 6.6 Informing NISCC and any employers you work for at the first reasonable opportunity if your fitness to practise has been called into question. This includes ill-health that affects your ability to practise, criminal convictions, disciplinary proceedings and findings of other regulatory bodies or organisations;

## 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 two years.

## Reasons for the Sanction

When reaching its decision the Council considered the following factors:

- You failed to fully inform your employer of your convictions at the first reasonable opportunity and your employer only became aware of your convictions by way of a local newspaper article.
- You failed to inform the Council of your convictions at the first reasonable opportunity.
- Your behaviour was not an isolated incident as demonstrated by a pattern of driving related offences.
- Your behaviour put both members of the public and yourself at risk of harm.
- You have provided limited engagement with the Council's investigation and have failed to reflect or account for your actions.
- You have demonstrated a serious disregard for the NISCC Standards of Conduct and Practice.
- Your actions have the potential to bring the profession into disrepute.

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

- Your actions took place outside of your working hours.

- You have expressed remorse for your actions and cited a number personal circumstances at the time of the event by way of mitigation.
- You have no previous record of misconduct with the Council.

### **Date of Effect**

This warning comes into effect on 4<sup>th</sup> September 2025. A record of the warning has been placed on your entry in the Register for a period of two years and does not affect your ability to practise.



4th September 2025

---

Interim Co-Director of Regulation and Standards

---

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.**