



## Notice of Decision of the Northern Ireland Social Care Council's Fitness to Practise Committee

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**Name:** Ankit Bharatkumar Shah

**SCR No:** 7024454

**NOTICE IS HEREBY GIVEN THAT** the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **22 April 2026**, made the following decision about your registration with the Northern Ireland Social Care Council:

**The Committee found the facts proved;**

**The Committee found that your fitness to practise is impaired by reason of misconduct;**

**The Committee decided to make an Order for removal of your registration from the Register ('a Removal Order').**

### **Particulars of the Allegation:**

That whilst being registered as a social care worker under the Health and Personal Social Services Act (Northern Ireland) 2001 (as amended), and whilst employed by Healthcare Ireland Group as a care assistant, you, on or around 03 June 2024:

1. Took a photograph of a service user with dementia without their knowledge or consent;
2. Added an offensive caption about that service user; and
3. Subsequently shared the photograph via electronic communications with a third party.

And your actions as set out at 1 to 3 above show that your fitness to practise is impaired by reason of your misconduct.

### **Procedure**

The hearing was held under the fitness to practise procedure.

## **Preliminary Issues**

The fitness to practise hearing was held remotely by way of video-link. The Registrant was not in attendance and was not represented. The Northern Ireland Social Care Council ('the Council') was represented by Ms Anna Price, Solicitor, Directorate of Legal Services.

## **Declarations of Conflict of Interest**

The Chair confirmed with the Committee that none of the Members had any conflict of interest with this case.

## **Service**

Ms Price told the Committee that the Notice of Hearing and hearing bundle were sent to the Registrant's registered email address on 13 March 2026. An electronic proof of delivery receipt was received on the same date. Ms Price said that a further email was sent to the Registrant's registered email address, on 21 April 2026, to confirm that the hearing would now be heard remotely by way of video-link. An electronic proof of delivery receipt was received on the same date.

The Committee received legal advice from the Legal Adviser. He referred the Committee to the requirements as set out in the Northern Ireland Social Care Council's Fitness to Practise (Amendment) Rules 2019 ('the Rules') and, in particular, Rule 3.

The Committee, in all of the circumstances of the case, was satisfied that the Notice of Hearing had been served in accordance with Rule 3 and Paragraph 5 of Schedule 2 of the Rules.

## **Proceeding in the Absence of the Registrant**

Ms Price made an application to proceed in the absence of the Registrant, under Paragraph 15 of Schedule 2 of the Rules, and submitted that the Committee should hear and determine the case in the Registrant's absence. Ms Price invited the Committee to conclude that the Registrant's absence was a voluntary waiver of his right to attend.

Ms Price told the Committee that on 16 April 2026, the Committee Clerk attempted to call the Registrant to confirm if he would be in attendance at the fitness to practise hearing, but received an automated message that stated that the number dialled was not recognised. Ms Price noted that there had been no request for an adjournment or for representation to be arranged. She submitted that, in all of the circumstances, it was fair to proceed with the hearing in the Registrant's absence. She further submitted that proceeding in absence was in the public interest, and also was justified to ensure the expeditious disposal of the hearing.

The Committee was mindful that the discretion to proceed in the absence of the Registrant should only be exercised with the utmost care and caution. In considering the application, the Committee sought to satisfy itself that all reasonable efforts had been made to notify the Registrant of the hearing, and accepted the advice of the Legal Adviser. He referred the Committee to the cases of R v Jones and GMC v Adeogba. He reminded the Committee that in exercising its discretion to proceed in the Registrant's absence, it must have regard to all of the

circumstances, with fairness to the Registrant being of prime consideration, although fairness to the Council and the public interest must also be taken into account.

In considering the application to proceed in the absence of the Registrant, the Committee noted the multiple attempts by the Council to contact the Registrant by way of email and telephone call. Taking account of all of the circumstances, the Committee concluded that the Registrant had voluntarily absented himself from attending the hearing. There was no reason to suppose that an adjournment of the hearing would secure the Registrant's attendance at a later date, nor was there any request for such an adjournment or indication that the Registrant was seeking legal representation. In addition, the Committee noted the serious nature of the Particulars of the Allegation faced by the Registrant, and concluded that the public interest was strongly engaged in this case.

For these reasons, the Committee considered that it was fair and appropriate to proceed in the absence of the Registrant.

### **Application to Admit Hearing Bundle**

The Committee accepted the bundle of documents into evidence, and marked it as Exhibit 1.

### **Background**

The Registrant is registered on Part 2 of the Register. He commenced employment as a care assistant at Rosevale Lodge Care Home on 04 June 2024.

This matter first came to the Council's attention when an Employer Referral Form ('ERF') was received from Mrs Cheryl Palmer, Rosevale Lodge Care Home Manager, dated 07 June 2024. The ERF stated as follows:

*'On 3-6-24 at 20:56 an email was sent to Rosevale by a [REDACTED], unknown to the home. This was viewed on the morning of the 4-6-24. [REDACTED] claimed that one of our employees, Ankit Shah had sent her a screen shot of one of our residents via snap chat. She had attached evidence. The resident was pictured fully clothed sitting in a chair but the name 'bitch' had been added to the photo. There was also a copy of a snippet of a conversation attached which read 'what has she done' with response 'all day shes bla bla bla bla', response, 'does she have dementia'. This resident has a diagnosis of dementia. A safeguarding referral was made and screened in as adult in need of protection. Following a conversation with the residents Next of kin a referral to the PSNI was also made . Awaiting outcome of same. Ankit Shah has been moved to an alternate unit where staff have to work in pairs and he is under supervision. No staff are to have mobile phones on their person.'* [sic]

It was later confirmed by the Common Law Police Disclosure ('CLPD') Unit that, on 09 September 2026, the PSNI had determined that no further action would be taken with this case.

### **Evidence**

Ms Price referred the Committee to the information as set out in Exhibit 1.

She said that, as part of its investigation, the Council obtained a witness statement from Witness 1, the manager of Rosevale Lodge Care Home ('the Home') at the material time, which provides a detailed outline of events and

the subsequent action taken by Healthcare Ireland. She said that additional documents provided include the Snapchat communications, as well as the photograph taken and shared by the Registrant, showing an identifiable service user with an offensive caption included. The documents also include the care home's attempts to organise an employer investigation meeting with the Registrant, and the relevant company policies that are said to have been breached by the Registrant.

The Committee heard oral evidence from Witness 1, who adopted her witness statement as part of her evidence. She told the Committee that she became the registered Home manager on 10 January 2023.

Witness 1 said that she first became aware of the incident following her return to work after being on annual leave on 06 or 07 June 2024. She said that an email had been received by the Home from an acquaintance of the Registrant, providing details of the concern. Witness 1 said that by the time she had returned to work, the deputy manager of Rosevale Lodge had already submitted an APP1 form to the South Eastern Health and Social Care Trust's ('the Trust') Safeguarding Team. She further said that the Trust Safeguarding Team confirmed that the matter had been referred to the PSNI, who would be pursuing it as a single agency investigation. Witness 1 said that the Registrant was initially moved to a different unit within the Home to ensure a higher level of supervision, but that on Witness 1's return to work and following discussion with Human Resources, it was decided that the Registrant should instead be subject to suspension from work with full pay.

Witness 1 confirmed that the service user had a diagnosis of dementia and had no capacity to engage with any investigation.

Witness 1 told the Committee that on 12 June 2024, a suspension meeting was held with the Registrant, explaining the Home's reasons for his suspension. She said that she was not permitted to ask the Registrant any questions regarding the allegations at that stage due to the ongoing PSNI investigation. She said that when the allegations were put to the Registrant, he shrugged his shoulders, did not offer an apology, and was 'not overly concerned'.

When asked about the Registrant's work performance prior to these events, Witness 1 said that there were no previous concerns. She said that she had only known him for five or six months since she took over her managerial role but that, in that short time, she found him to be arrogant. She said that no concerns about the Registrant's direct care of service users had previously been identified.

Witness 1 said that on 21 August 2024, the Trust's Safeguarding Team confirmed that the PSNI were taking no further action but that the matter had been referred back to the Trust for investigation. She said that, on 17 October 2024, she invited the Registrant to an initial Right to Reply meeting scheduled to occur on 24 October 2024. She said that the Registrant responded on the same day, confirming that he had returned to India due to significant emotional distress, and that he was unable to attend the meeting on that date. She said that the Registrant requested that the meeting be postponed until November when he had returned to Northern Ireland. Witness 1 told the Committee that due to the certificate of sponsorship that the Registrant had received from Healthcare Ireland, he should not have left the country without first informing the company. She said that the

Registrant was contacted by way of email to enquire as to what date he had returned to India. The Registrant confirmed his return date as 24 August 2024. Witness 1 said that the Registrant then handed in his notice, with immediate effect, by way of email on 25 October 2024.

Witness 1 listed Mobile Telephone Use, Confidentiality, and GDPR as the policies which, in her view, the Registrant had breached. She told the Committee that the Registrant's GDPR and Safeguarding training were up to date at the time of the referral, and that mobile phone use was regularly discussed at team meetings. She confirmed that she has had no further contact with the Registrant.

Following a question from the Committee regarding the potential impact on the service user, Witness 1 confirmed that due to the service user's dementia diagnosis, she is not aware of the incident and does not have the ability to understand or retain the information. Witness 1 said that the service user's next of kin was contacted at the time of the incident, and was kept updated throughout the investigation process. She said that the next of kin has not raised any concerns with regards to the service user's care, and she felt that he would have been reassured when the Registrant was suspended from his role at the Home.

The Committee asked Witness 1 about whether the communication was just between the Registrant and one acquaintance, or if it had been shared with other contacts on Snapchat. Witness 1 confirmed that she does not use the application and does not know if it was shared with more than one person.

Ms Price told the Committee that the Council sent the Registrant an Information Received letter on 20 June 2024, advising the Registrant of the referral made about him. She also told the Committee that two further letters had been sent to the Registrant, inviting him to respond to the allegations and to complete a reflective account form, initially on 19 November 2024 and then again on 12 June 2025. The letter advised the Registrant of the Council's concerns surrounding the allegations, as well as the Registrant's indifference towards the allegations. The communication also asked the Registrant regarding his return to Northern Ireland and if he intended to return to working in social care. She said that there has been no response.

Ms Price said that the Registrant has had ample opportunities to engage with the Council but has failed to do so at every stage of its investigation. She said that he has deliberately chosen not to undertake the opportunity to complete the reflective account form. Ms Price submitted that this ambivalence reflects the Registrant's attitude towards his employer and their investigations into the allegations.

Ms Price said that there is both real and circumstantial evidence in this case, including; the photograph and the offensive caption; the ERF; the witness statement and exhibits; Witness 1's oral evidence; and the Council's correspondence with the Registrant. She said that the Council seeks to rely on the documentary and oral evidence, having regard to the nature and the source of the information. She submitted that the Council had discharged its burden of proof, and that the Particulars of the Allegation have been proven on the balance of probabilities.

## **Findings of Fact**

In reaching its decision on the facts, the Committee considered all of the evidence adduced in this case, together with the submissions made by Ms Price, on behalf of the Council. Ms Price submitted that the evidence provided was substantial and reliable, and that the facts were proved on the balance of probabilities. Ms Price referred the Committee to the ERF, the relevant photograph together with related text conversations, the statement and oral evidence of Witness 1, and the Council's correspondence with the Registrant. She contended that the said documentation and evidence underpinned the factual matters in this case. She further contended that the evidence was substantial and reliable. Ms Price specifically stated that the oral evidence of Witness 1 added weight to the documentary evidence.

The Committee heard and accepted the advice of the Legal Adviser. The Committee was aware that the burden of proof rests on the Council, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that the facts will be proved if the Committee is satisfied that it was more likely than not that the incident occurred as alleged. The Legal Adviser also reminded the Committee to treat hearsay evidence with appropriate caution, and not to accept any lack of engagement by the Registrant as an admission to the facts.

The Committee then turned to consider the Particulars of the Allegation.

### **Particular 1: Took a photograph of a service user with dementia without their knowledge or consent.**

The Committee had regard to the relevant photograph. It further noted from the ERF, and the statement and oral evidence of Witness 1, that the said photograph had been brought to the attention of Rosevale Lodge Care Home by a member of the public. The Committee accepted the evidence of Witness 1 with regard to the relevant service user having dementia, and was satisfied that the photograph was taken without the service user's knowledge or consent. The Committee considered the evidence in respect of this Particular to be sufficient and reliable, and the Particular was found proved.

### **Particular 2: Added an offensive caption about that service user.**

The Committee had regard to the relevant caption, the content of which was clearly offensive. It also related to the relevant service user. Again, the Committee accepted the evidence of Witness 1. The Committee found Witness 1 to be a reliable witness, who provided a credible account of the various investigations and steps taken relating to the Registrant. The Committee noted that Witness 1 met with the Registrant on 12 June 2024 and the relevant concerns relating to the photograph and the caption were put to him. The Committee specifically noted that Witness 1's evidence made no reference to any denial by the Registrant. Having regard to all of the relevant evidence, the Committee determined that the Particular was found proved.

### **Particular 3: Subsequently shared the photograph via electronic communications with a third party.**

As detailed above, the Committee noted the content of the ERF and Witness 1's evidence regarding a member of the public contacting Rosevale Lodge Care Home to draw the matter to their attention. This evidence, together

with the photograph and the electronic communications, was sufficient to prove that the relevant photograph had been shared with a third party. Accordingly, the Committee determined that the Particular was found proved.

For the reasons outlined above, the Committee found all the Particulars proven on the balance of probabilities.

### **Fitness to Practise**

The Committee proceeded to consider if the Registrant's fitness to practise is impaired. The Committee heard submissions from Ms Price.

Ms Price told the Committee that the Registrant had not made any admission that his fitness to practise is currently impaired. She submitted that the Registrant's misconduct calls into question his ability to work in social care services, and to remain on the Register without restriction, or to be registered at all. She said that the Registrant's actions directly relate to his role as a social care worker, and were an abuse of the trust and confidence placed in him. Arising from the Registrant's actions as set out in the Particulars of the Allegation, Ms Price referred the Committee to potential breaches of the Standards of Conduct and Practice for Social Care Workers ('the Standards'). Ms Price said that the relevant Standards of Conduct are as follows: 2 – 2.4, 5 – 5.8, 5.9, and 6 – 6.1, 6.3, 6.12. She said that the relevant Standards of Practice are as follows: 1 – 1.1, 1.2, 1.3, and 6 – 6.1, 6.2.

Ms Price submitted that there is a basic need for social care workers to act responsibly and that the Registrant's actions, as listed in the Particulars of the Allegation, were behaviour that falls far below the minimum standards expected of a registered social care worker. She submitted that the Registrant has not shown any insight into his actions. Ms Price said that the Registrant did not appear to accept responsibility for his actions. She said that the Registrant's actions brought the social care sector into disrepute.

Ms Price further submitted that the Registrant has not provided any evidence of remediation. She said that, as the Registrant failed to appear before this Committee to reassure it that his behaviour would not be repeated and was remediated, the risk of repetition remains. She submitted that there is a fundamental public interest in there being trust in those caring for vulnerable service users, and that the Registrant's actions exposed vulnerable service users to a risk of harm.

The Committee accepted the advice of the Legal Adviser. He referred the Committee to the Standards. He advised the Committee to have regard to all of the evidence when determining whether the Registrant's fitness to practise is impaired on grounds of misconduct. He referred the Committee to Paragraph 24 (3) of Schedule 2 of the Rules. He reminded the Committee of the requirement for misconduct to be serious misconduct. He referred the Committee to the findings of Dame Janet Smith in the fifth Shipman Report as regards the potential causes of impairment. He also referred the Committee to the cases of GMC v Meadow and CHRE v NMC & Grant.

The Committee considered whether the Registrant's fitness to practise is impaired by reason of his misconduct, as set out in the Particulars of the Allegation.

The Committee, in considering the issue of impairment of fitness to practise, took account of Paragraph 24 (3) of Schedule 2 of the Rules which states that it should have regard to:

- (a) whether it is satisfied as to the reason for the alleged impairment of fitness to practise;
- (b) the Standards of Conduct and Practice issued by the Council under Section 9 of the Act;
- (c) whether the impairment is capable of remediation;
- (d) whether the impairment has been remediated;
- (e) the risk of repetition; and
- (f) the public interest.

The Committee had regard to the Standards of Conduct and Practice for Social Care Workers and the Council guidance titled 'Making a Determination of Impaired Fitness to Practise: Guidance for Committees on Remediation'. The Committee was satisfied that the Registrant's actions were in breach of the following Standards of Conduct:

**Standard 1: As a social care worker, you must protect the rights and promote the interests and wellbeing of service users and carers. This includes:**

- 1.2 Treating people with consideration, respect and compassion; and
- 1.8 Respecting and maintaining the dignity and privacy of service users.

**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:**

- 2.4 Respecting confidential information and clearly explaining agency policies about confidentiality 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:**

- 5.1 Abuse, neglect or harm service users, carers or colleagues;
- 5.8 Behave in a way, in work or outside work, which would call into question your suitability to work in social care services; or
- 5.9 Use social media or social networking sites or other forms of electronic communication in a way that contravenes professional boundaries, organisational guidelines or NISCC standards.

**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; and
- 6.2 Taking personal and, where appropriate, collective responsibility for quality improvement and safety in line with your job role.

The Committee was satisfied that the Registrant's actions were in breach of the following 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; and
- 1.3 Knowing your main responsibilities to those service users and carers you support including duty of care.

**Standard 3: As a social care worker, you must deliver person-centred care and support which is safe and effective. This includes:**

- 3.1 Promoting and applying person-centred values in your day to day work with service users and carers; and
- 3.2 Delivering care in line with assessed needs and service user and carer preferences.

**Standard 6: As a social care worker, you must develop yourself as a social care worker. This includes:**

- 6.1 Being aware of relevant standards that relate to your work role.

Having regard to the above breaches, the Committee was of the view that the Registrant's conduct fell far short of the standards to be expected of a registered social care worker and amounted to misconduct. Furthermore, the Committee was satisfied that the misconduct was serious.

The Committee considered whether the Registrant's actions were capable of remediation and if they had been remedied. The Committee was of the view that the misconduct was capable of remediation. However, strong evidence of insight, remorse, and remediation would be required. The Committee noted the complete absence of any such evidence. The Registrant has not engaged with the Council, nor has he attended the hearing. The Committee accepted the evidence of Witness 1, when she described how the Registrant shrugged his shoulders and *'didn't seem that bothered'* at the suspension meeting on 12 June 2024. The Committee also accepted the evidence of Witness 1 when she stated that the Registrant made no apology and *'didn't seem concerned'*. The Committee also noted that the Registrant did not respond to correspondence sent to him by the Council on 19 November 2024 and 12 June 2025, inviting him to complete a reflective account. In these circumstances, the Committee considered that there is a risk of the Registrant repeating his behaviour in the future. The Committee was satisfied the Registrant's fitness to practise is impaired on personal grounds.

The Committee also considered the public interest, which includes the need to declare and uphold the proper standards of conduct and behaviour, and the reputation of the social care workforce and the Council in its regulatory function. The Registrant's misconduct took place in an environment where he was working with vulnerable service users. His misconduct involved the abuse of a vulnerable adult. The Committee again noted

that a member of the public had seen the relevant photograph and caption, and was sufficiently concerned so as to contact Rosevale Lodge Care Home. The Committee was satisfied, in all of these circumstances, that a failure to make a finding of current impairment of fitness to practise on public interest grounds would undermine the public's trust and confidence in the social care workforce, and would fail to declare and uphold proper standards of conduct and behaviour and maintain confidence in the Council as a regulator. For these reasons, the Committee was satisfied that a finding of current impairment of the Registrant's fitness to practise was required on public interest grounds.

The Committee determined that the Registrant's fitness to practise is currently impaired by reason of his misconduct.

### **Sanction**

In reaching its decision on sanction, the Committee considered the submission from Ms Price on behalf of the Council and all of the evidence. Ms Price referred the Committee to various mitigating and aggravating factors, as well as the Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees ('the Guidance'). She said that there have been no previous referrals concerning the Registrant to the Council and, as such, that he has the benefit of good prior character and work history.

Ms Price submitted that the Registrant's misconduct has demonstrated an abuse of trust placed in him as a registered social care worker. She said that he has not shown any insight, remorse or remediation as regards his misconduct. She further submitted that the Registrant failed to meaningfully engage with the Council. She submitted that the Registrant's misconduct took place within his work and that the misconduct showed a serious disregard for the Standards. Ms Price said that the Registrant showed serious contempt for the rights and dignity of a service user.

As regards sanction, Ms Price submitted that taking no action or imposing a Warning would be totally inappropriate and inadequate in all of the circumstances, and would not provide protection for the public. She submitted that a Conditions of Practice Order was also not relevant, proportionate or workable, taking into account the serious nature of the Registrant's misconduct, and also his lack of engagement. She submitted that in relation to the sanction of suspension, there has been no acknowledgement by the Registrant of his failings and, therefore, that the risk of repetition is high. She noted that the sanction of removal is appropriate where the misconduct is fundamentally incompatible with the role of a social care worker, and where a registrant's actions were serious.

The Committee accepted the advice of the Legal Adviser. He referred the Committee to the Guidance, and reminded the Committee to consider the question of sanction in ascending order of severity, paying particular attention to the issue of proportionality.

He referred the Committee to Paragraph 26 of Schedule 2 of the Rules, which provides that, upon a finding of impairment of fitness to practise, the Committee may:

- (a) impose no sanction; or
- (b) warn the Registrant and direct that a record of the warning should be placed on the Registrant's entry in the Register for a specified period of up to 5 years; or
- (c) make a Conditions of Practice Order for a specified period not exceeding 3 years; or
- (d) make an Order suspending the Registrant's registration for a specified period not exceeding 2 years (a 'Suspension Order'); or
- (e) make an Order for removal of the Registrant's registration from the Register ('a Removal Order').

He further reminded the Committee that in deciding which sanction to impose, the Committee should take into account:

- (a) the seriousness of the Particulars of the Allegation;
- (b) the degree to which the Registrant has fallen short of any expected standards;
- (c) the protection of the public;
- (d) the public interest in maintaining confidence in social care services; and
- (e) the issue of proportionality.

The Committee applied the principles of fairness, reasonableness and proportionality, weighing the public interest with the Registrant's interests, and taking into account any mitigating and aggravating factors in the case. The public interest includes the protection of members of the public, including service users, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct and behaviour within the workforce. The Committee took into account its powers under Paragraph 26 of Schedule 2 of the Rules in relation to the sanctions available to it, and also had regard to the Guidance, bearing in mind that the decision on sanction was one for its own independent judgement.

The Committee recognised that the purpose of sanction is not to be punitive, although a sanction may have a punitive effect. The Committee considered the mitigating and aggravating factors in this case.

The Committee considered the mitigating factors to be:

- The Registrant's previous good work history and previous good character.

The Committee considered the aggravating factors to be:

- The misconduct was an abuse of the Registrant's position of trust;
- The misconduct involved the abuse of a vulnerable service user;
- The Registrant has not apologised or provided any evidence of remorse or regret;
- The Registrant has not provided any evidence of insight and remediation;
- The Registrant has not engaged with the Council or attended the hearing;
- The Registrant's misconduct amounted to a serious breach of the Standards;

- The Registrant's misconduct occurred, at least in part, in the workplace; and
- The risk of repetition remains high.

Having balanced the aggravating and mitigating factors, and having taken into account the interests of public protection and the public interest, the Committee noted that the aggravating factors far outweigh the mitigating factors, and proceeded to consider which sanction to apply in this case.

**No sanction** - the Committee was in no doubt that it would be entirely inappropriate to impose no sanction in view of the seriousness of the misconduct.

**Warning** – the Committee considered the issue of a Warning. The Committee did not consider a Warning to be appropriate or proportionate as it would allow the Registrant to work unrestricted as a social care worker. A Warning would not provide adequate public protection. The Committee considered that the Registrant's misconduct demonstrated a serious disregard for the Standards. The Registrant's impairment of fitness to practise is not at the lower end of the spectrum.

**Conditions of Practice Order** – the Committee next considered a Conditions of Practice Order. The Committee noted Paragraph 4.13 of the Guidance, which states that conditions may be appropriate in cases involving particular areas of a registrant's performance at work, for instance, following a single incident or where there is evidence of shortcomings in a specific area or areas of the Registrant's work. The Registrant has demonstrated no insight into the consequences of his misconduct, nor does the Committee have any information as regards his current employment. The Registrant was not present at the hearing. The Registrant's misconduct took place, at least in part, whilst he was providing care to a vulnerable service user and, therefore, conditions of practice would not address the risk of harm arising from his misconduct. In these circumstances, the Committee was unable to formulate workable conditions which would protect service users and the public from risk of harm, or would be sufficient to meet the public interest in this matter given the seriousness of the Registrant's misconduct.

**Suspension Order** – the Committee next considered a Suspension Order. The Committee carefully considered whether a Suspension Order is appropriate and proportionate. The Committee noted that the Registrant's misconduct was of a serious nature, and involved multiple breaches of the Standards.

The Committee took into account the Guidance at Paragraph 4.19, which states: 'Suspension from the Register may be an appropriate sanction for impairment which while very serious, is not so serious as to justify removal from the Register; for example, where there has been an acknowledgment of failings and where a Committee is satisfied that the behaviour is unlikely to be repeated, and the Registrant has no psychological or other difficulties preventing them from understanding and seeking to remedy the failings and the failings are realistically capable of being remedied, then suspension may be appropriate.'

The Committee considered that the Registrant's misconduct evidenced behaviour that is fundamentally incompatible with registration as a social care worker. The Committee determined that a Suspension Order

would not address the risk of repetition as identified above. The Committee has no evidence of insight, remorse or remediation by the Registrant, nor has it any information to indicate that the Registrant is unlikely to repeat his misconduct in the future. The Registrant failed to meaningfully engage with the Council investigation and the fitness to practise hearing. The Committee considered that the public would view the Registrant's misconduct as falling far short of what would be expected of a registered social care worker.

In all of the circumstances, the Committee concluded that a Suspension Order would not be sufficient to mark the serious and unacceptable nature of the Registrant's misconduct, nor would it be adequate to protect the public and uphold the public interest.

**Removal Order** – the Committee next considered a Removal Order. In considering this, the Committee took into account the Guidance at Paragraphs 4.26 – 4.28. The Registrant has not provided any evidence of any insight into the seriousness of his misconduct and there is, in the Committee's view, a high risk of repetition. The Registrant has failed to meaningfully engage with his regulator and the regulatory process. In the Committee's judgement, the Registrant's actions are fundamentally incompatible with remaining on the Register. In all of the circumstances, the Committee concluded that a Removal Order is the only sanction available to protect the public and to meet the public interest.

The Committee took into account the impact of a Removal Order on the Registrant, but concluded that the interest of service users far outweighs the impact on the Registrant.

The Committee concluded that a Removal Order is the most suitable, appropriate and proportionate sanction to apply in this case, which will be imposed on the Registrant's registration with immediate effect.

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**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.**

**You should note that the Fitness to Practise Committee's decision takes effect from the date upon which it was made.**

The effect of this decision is that your entry in the Register has been removed.

You are prohibited from working as a social care worker in any of the following positions:

1. A member of care staff at a:
  - a.) Children's home;
  - b.) Residential care home;
  - c.) Nursing home;
  - d.) Day care setting;
  - e.) Residential family centre.
2. A person who is supplied by a domiciliary care agency to provide personal care in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.
3. A manager of a:

- a.) Residential care home;
- b.) Day care setting;
- c.) Residential family care centre; or
- d.) Domiciliary care agency.

It is **compulsory** for the above social care workers to be registered with the Northern Ireland Social Care Council in order to work. This is pursuant to the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013 and the Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017.

In accordance with Schedule 3, Paragraph 9 of the NISCC Fitness to Practise Rules, you may not apply to be restored to the Register within five years from the date of removal. This does not affect your right to appeal the Committee's decision to the Care Tribunal. You are prohibited from working in a social care role until a successful application for restoration onto the Register has been made to the Council.



28 April 2026

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Hearings Officer  
(Clerk to the Fitness to Practise Committee)

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Date