



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

Name: Aaron Matthew Faloon

SCR No: 7037444

NOTICE IS HEREBY GIVEN THAT the Fitness to Practise Committee of the Northern Ireland Social Care Council, at its meeting on **01 July 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 your conviction;

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 as a support worker by Advanced Care, you were convicted at the Magistrates' Court on 25 November 2025 of the following offence:

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| 1. | Defendant [You] on 03/04/2025, intentionally touched [REDACTED], the circumstances being that the touching was sexual, that she did not consent to the touching and you did not reasonably believe that [REDACTED] so consented contrary to Article 7(1) of the Sexual Offences (Northern Ireland) Order 2008. |
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And your actions as set out above show that your fitness to practise is impaired by reason of your conviction in the United Kingdom for criminal offences.

Procedure:

The hearing was held under the fitness to practise procedure.

Preliminary Matters

The 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 Sinead Owens, 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 Owens told the Committee that the Notice of Hearing and hearing bundle were sent to the Registrant's registered email address 14 May 2026, and that a proof of delivery receipt was received on the same date. She said that the Notice of Hearing had been served in accordance with Rule 3 of Schedule 1 of the Northern Ireland Social Care Council's Fitness to Practise (Amendment) Rules 2019 ('the Rules').

The Committee received legal advice from the Legal Adviser, and he referred the Committee to the requirements as set out in the Rules 2019 and, in particular, Rule 3, which states that proof of service shall be treated as having been effected on the day after it was electronically mailed.

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 Owens 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. She told the Committee that the Registrant responded to the Notice of Hearing on 14 May 2026, and stated that '*I will not be attending this or any future hearings many thanks*'. Ms Owens said that the Council emailed the Registrant on 24 June 2026 to inform him that his fitness to practise hearing would now be held remotely. The Registrant responded on the same date, and again said that he would not be attending the hearing today or any future date. Ms Owens invited the Committee to conclude that the Registrant's absence was a voluntary waiver of his right to attend.

In light of this information, Ms Owens submitted that, in all of the circumstances, it was fair to proceed with the hearing in the Registrant's absence. She said that the Council had made all reasonable efforts to make the Registrant aware of the hearing today. She said that he has not requested an adjournment date and has not requested to be represented. She said that given the content of two emails from the Registrant, there is no reason to believe that an adjournment would secure his attendance at a later date.

Ms Owens submitted that proceeding in the Registrant's absence was in the public interest, and also was justified to ensure the timely 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 weighed in the balance.

The Committee noted the emails from the Registrant, dated 14 May 2026 and 24 June 2026, in which he stated that he would not be attending this or any future hearings. Accordingly, the Committee was satisfied that the Registrant, with notice of the hearing, had voluntarily waived his right to attend. There was no reason to suppose that an adjournment of the hearing would secure the Registrant's attendance at a later date. In addition, the Committee noted the serious nature 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 hearing bundle of documents into evidence, and marked it as Exhibit 1.

Background

Ms Owens provided the Committee with the background to the case. She said that the Registrant is registered on Part 2 of the Register.

Ms Owens said that the matter first came to the Council's attention following an Employer Referral Form ('ERF') from Mr Jonathan Harris, Registered Manager of Advanced Care, received on 31 July 2025. The ERF stated the following:

'I was made aware by another member of staff, that there were posts circulating on social media that were accusing Aaron of trespassing and sexual abuse. These posts were made by a female who appears to have used Aaron for a dump run, which is a business he runs on the side. There is a photo that appears to show evidence of prosecution.' [sic]

Ms Owens told the Committee that the Registrant pleaded guilty on 13 October 2025, and was convicted at Newtownards Magistrates' Court on 25 November 2025 of the following offence:

Charge 1: Defendant on 03/04/2025, intentionally touched [redacted], the circumstances being that the touching was sexual, that she did not consent to the touching and you did not reasonably believe that [redacted] so consented contrary to Article 7(1) of the Sexual Offences (Northern Ireland) Order 2008.

Ms Owens said that the Court imposed a Probation Order for a period of 10 months, which included that the Registrant must reside in an approved address, that he must not contact the victim or form any personal relationships with any female without notifying the Probation Officer, and to participate in the work set by the Probation Board.

Finding Facts

Ms Owens referred the Committee to the documents contained within Exhibit 1, which contained the ERF, the documentation from the PSNI and the Certificate of Conviction.

Ms Owens submitted that the Certificate of Conviction is conclusive proof that the facts are proven, in accordance with Schedule 2, Paragraph 12 (5) of the Rules.

Ms Owens referred the Committee to Schedule 2, Paragraph 12 (7), and submitted that there is no evidence that the Registrant has successfully appealed his conviction or that the conviction does not relate to this Registrant. Accordingly, she invited the Committee to find the facts proved on the balance of probabilities.

The Legal Adviser reminded the Committee that the burden of proof of any fact rests with the Council, and that the standard of proof is the balance of probabilities. He advised the Committee that it was entitled to rely on the Certificate of Conviction to establish conclusively that the Registrant had been convicted of the offences as set out in the Particulars of the Allegation. The Legal Adviser indicated that the limited exceptions to this rule do not appear to apply in this case.

The Committee reminded itself that the burden was on the Council to prove the facts as set out in the Particulars of the Allegation, and that to find the facts proved the Committee must be satisfied on the balance of probabilities. This means that for any fact to be found proved, the Committee must be satisfied that it is more likely than not to have occurred.

The Committee took into account the submissions from Ms Owens on behalf of the Council, and had careful regard to all of the documentary evidence submitted. The Committee noted the facts contained in the Certificate of Conviction in consideration of the Particulars of the Allegation. The Committee concluded that the Certificate of Conviction was conclusive proof of the conviction and the facts underlying it. The Committee, therefore, found the facts proved.

Fitness to Practise

The Committee proceeded to consider whether the Registrant's fitness to practise is currently impaired by reason of his conviction.

Ms Owens told the Committee that there have been no previous referrals to the Council in relation to the Registrant.

The Committee heard submissions from Ms Owens, who submitted that the Registrant's conviction calls into question his suitability to work within social care services and his ability to remain on the Register, either without

restriction or at all. Ms Owens directed the Committee to the Standards of Conduct and Practice (“the Standards”), and invited it to find that the Registrant’s conviction constituted a breach of Standards 5 and 5.8.

Ms Owens submitted that the Registrant’s fitness to practise is impaired by reason of his conviction, and noted that he remains subject to a Probation Order. She argued that the Registrant’s conviction, and underlying conduct, falls significantly below the standard expected of a registered social care worker, and raises serious concerns regarding his fitness to practise.

Ms Owens acknowledged that the Registrant entered a guilty plea to the offence. However, she submitted that he has provided no further evidence demonstrating insight into his behaviour, remorse for his actions, or remediation. In those circumstances, she said that there remains an ongoing risk of repetition.

Ms Owens further submitted that the public interest would be undermined if a finding of current impairment were not made. She argued that the conviction has brought the profession into disrepute, and that public confidence in both the profession and the regulatory process would be damaged if the Committee did not find the Registrant’s fitness to practise to be currently impaired.

The Committee considered the submission from Ms Owens on behalf of the Council. The Committee had regard to all of the evidence in the case. The Committee accepted the advice of the Legal Adviser. He referred the Committee to the Standards. He reminded the Committee that it was being asked to determine whether the Registrant’s fitness to practise is currently impaired because of this conviction. He referred the Committee to Paragraph 24 of Schedule 2 of the Rules, and the requirements as set out in the case of the GMC v Cohen. He further referred the Committee to the questions posed by Dame Janet Smith in the fifth Shipman Report when considering 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 conviction, 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 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 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.

The Committee was satisfied that the Registrant's actions, whereby he has been convicted of a serious sexual offence, were a serious departure from the standards of behaviour and conduct expected of a registered social care worker.

The Committee determined that the Registrant's conduct is capable of remediation. However, the Committee noted the Registrant's lack of engagement with this hearing, and further noted that he has not provided any evidence of remediation. The Committee had regard to the police interview record and noted that the Registrant fully denied all allegations against him. The Committee acknowledges that the Registrant demonstrated limited insight into his wrongdoing by eventually pleading guilty at court. Taking into account the Registrant's lack of remorse, remediation and insight, the Committee considered the risk of repetition of the offending behaviour to be high. The Committee was not provided with any information about the Registrant's engagement with probation, and any work undertaken by him. The Committee considered that there were attitudinal issues which do not appear to have been addressed.

The Committee was satisfied that the public interest was engaged. and that a registrant being convicted of a sexual offence is a serious matter. In the Committee's view, given the relatively recent offending, the fact that the Registrant is subject to a Probation Order and the inherent seriousness of the offence, the public would expect a finding of impairment and that this is necessary to uphold proper professional standards and public confidence in the profession.

Therefore, the Committee concluded that the Registrant's fitness to practise is currently impaired by reason of his criminal conviction.

Sanction

In reaching its decision on sanction, the Committee considered the submissions of Ms Owens. The Committee also had regard to all of the evidence in this case.

Ms Owens referred the Committee to mitigating factors, and advised that the Registrant had no previous referrals to the Council, and that he had pleaded guilty. Ms Owens also referred the Committee to the reference provided by the Registrant's employer, Jonathan Harris, Advance Care Services. She said that the offence was committed outside the workplace.

As regards aggravating factors, Ms Owens submitted that the Registrant had been convicted of a serious sexual offence and referred the Committee to the impact on the victim, which is included in the bundle. She said that the Registrant has not provided any evidence of remorse or remediation. She submitted that the behaviour which led to his conviction showed a serious disregard for the Standards.

Ms Owens referred to Paragraphs 2.4 and 4.7 of the Northern Ireland Social Care Council Indicative Sanctions and Use of Interim Orders: Guidance for Fitness to Practise Committees ('the Guidance'). Ms Owens indicated that the Council's position is that no sanction, a Warning nor a Conditions of Practice Order are appropriate given the nature of the offence. She further indicated in her submission that no workable conditions could be drafted in any event. In relation to a Suspension Order, Ms Owens highlighted that the Guidance indicates that this might be appropriate where there is an acknowledgement of failings and no risk of repetition, neither of which were present in this case. Ms Owens drew attention to Paragraph 4.26 and the appropriateness of a Removal Order where there is no other way to protect the public or where confidence in the social care profession would be undermined by allowing the Registrant to remain on the Register.

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 and proportionality, weighing the public interest with the Registrant's interests, and taking into account any aggravating and mitigating factors in the case. The public

interest included 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 profession. 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 is one for its own independent judgement.

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

The Committee considered the mitigating factors to be:

- The Registrant's previous good regulatory history;
- The Registrant's guilty plea; and
- The positive work reference.

The Committee considered the aggravating factors to be:

- This was a serious sexual offence;
- The offence was a serious departure from the Standards of Conduct and Practice;
- The Registrant failed to inform his employer that he was subject to criminal proceedings;
- The Registrant has not provided any evidence of remediation; and
- The Registrant has not provided any evidence of insight or remorse.

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

No sanction - the Committee had no doubt that it would be entirely inappropriate to impose no sanction in this case. To impose no sanction would be inappropriate in view of the seriousness of the case and would not protect the public or address the public interest.

Warning – the Committee considered whether to impose a Warning. Having regard to its previous findings, the Committee considered that such a step would be inadequate to protect the public and would fail to uphold the public interest. The Committee considered that the Registrant's conviction is not at the lower end of the spectrum.

Conditions of Practice Order – the Committee next considered a Conditions of Practice Order. The Registrant's conviction for a sexual offence is not something that could be addressed through re-training or conditions. The Committee concluded that a Conditions of Practice Order would be insufficient to protect the public and uphold the public interest, given the seriousness of the Registrant's departure from the standards expected of a registered social care worker. As a result, the Committee could not formulate workable, enforceable or verifiable conditions which would address the Registrant's behaviour, adequately protect the public and address the wider public interest.

Suspension Order – the Committee next considered a Suspension Order. The Committee noted that it had made findings that the Registrant's conduct was a serious departure from the standards expected of a registered social care worker.

The Committee carefully considered the issue of proportionality and whether suspension would address the concerns which it had identified. The Committee noted Paragraph 4.19 of the Guidance, which states:

4.19 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 nature of the Registrant's offending giving rise to his criminal convictions was such that it 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, or the public interest. The Committee received no evidence of insight, remorse or remediation from the Registrant, nor any information to indicate that the Registrant is unlikely to repeat his criminal behaviour in the future. The Committee considered that the public would view the Registrant's criminal behaviour as falling so far below what would be expected of a registered social care worker that it is fundamentally incompatible with continued registration. The Committee, therefore, concluded that a Suspension Order would not be a proportionate or appropriate sanction in this case.

Removal Order – as a result, the Committee decided that the only appropriate and proportionate sanction to impose, with immediate effect, was a Removal Order in respect of the Registrant's registration. In so doing, the Committee had regard to all matters as previously outlined, which included the very serious nature of the Registrant's conduct giving rise to his conviction. The Registrant has demonstrated very limited evidence of insight into the seriousness of his actions and the likely impact on the victim. The Committee had previously found that there is a risk of repetition. In reaching this decision, the Committee had in mind Paragraphs 5.4, 5.5 and 5.6 of the Guidance. The Committee was reminded that these paragraphs outline the particularly serious nature of sexual misconduct by the Registrant. The Committee considered that public confidence in the social care workforce, and the Council as its regulator, would be significantly undermined if a social care worker who had been convicted of offences of the nature under consideration were permitted to remain on the Register. This is particularly so in circumstances where the Registrant has not provided any evidence of remorse or regret, has not shown any insight or steps to remediate and, in respect of whom, there remains a significant risk of repetition. For these reasons, the Committee imposed a Removal Order and, with immediate effect, revoked the Interim Suspension Order to which the Registrant has been subject until this hearing.

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.

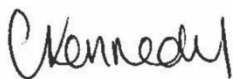
The effect of this decision is that your entry in the Register has been removed.

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.



07 July 2026

Committee Clerk to the Fitness to Practise Committee

Date