

**Nursing and Midwifery Council
Fitness to Practise Committee**

**Substantive Meeting
Wednesday 29 June 2022**

Virtual Meeting

Name of registrant:	Mrs Amanda Louise Taylor-Bradley
NMC PIN:	00I6333E
Part(s) of the register:	Registered Nurse – Mental Health Nursing (September 2003)
Relevant Location:	Lincolnshire
Type of case:	Misconduct
Panel members:	Dale Simon (Chair, Lay member) Claire Rashid (Registrant member) Colin Sturgeon (Lay member)
Legal Assessor:	Tim Bradbury
Hearings Coordinator:	Jasmin Sandhu
Facts proved:	Charges 1a, 1b, 2, 3a, 3b, 3c, 4, 5, 6a, 6b, 7a, 7b, 7c, 7d, 7e, and 7f
Facts not proved:	Charge 6c
Fitness to practise:	Impaired
Sanction:	Striking-off order
Interim order:	Interim suspension order (18 months)

Decision and reasons on service of Notice of Meeting

The panel was aware that as this is a substantive meeting, Mrs Taylor-Bradley is not able to attend. It noted that the Notice of Meeting was sent to Mrs Taylor-Bradley by secure encrypted email on 12 May 2022.

The panel accepted the advice of the legal assessor who reminded it that the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules) do not require acknowledged receipt and that it is the responsibility of any registrant to maintain an effective and up-to-date registered address. The panel was referred to Rule 34(3)(b) which states:

'34.(1) Any notice of hearing required to be served upon the registrant shall be delivered by sending it by—

(3) Any other notice or document to be served on a person under these Rules may be sent by—

(a) ...

(b) electronic mail to an electronic mail address that the person has notified to the Council as an address for communications.'

The panel took into account that the Notice of Meeting provided the Notice of Referral (NOR) Meeting decision, details of the allegations, and an 'on or after' date of 20 June 2022. The Notice also informed Mrs Taylor-Bradley that if she would like to make any additional comments, that she should do so by 10 June 2022.

The panel was aware that the email address the Notice was sent to a different one to Mrs Taylor-Bradley's registered email address. The panel had regard to two emails sent from Mrs Taylor-Bradley to the Nursing and Midwifery Council (NMC) using this alternative email address. Given that she had been in communication with the NMC using this alternative email address, the panel was satisfied that Mrs Taylor-Bradley has been served with reasonable notice of this meeting in accordance with the requirements of Rules 11A and 34.

Details of charge

That you a registered nurse;

1. Between September 2018 and November 2019 breached professional boundaries with Service User A by sending multiple messages using your work mobile telephone and/or your personal mobile telephone that;
 - (a) Did not relate to the clinical care of Service User A and/or **[FOUND PROVED]**
 - (b) Related to personal information about you and/or Service User A. **[FOUND PROVED]**
2. On one or more occasions between September 2018 and November 2019 breached professional boundaries by meeting with Service User A outside of a professional setting. **[FOUND PROVED]**
3. On one or more occasions between September 2018 and November 2019 encouraged Service User A not to disclose the extent of your relationship to Gainsborough Community Mental Health Team:
 - (a) In a text message dated 27 August 2019, "Can't let them no I told you as they don't know we are friend's xx". **[FOUND PROVED]**
 - (b) In a text message dated 13 September 2019, "She my friend x didn't you tho xx, or I would be in trouble ... shes lovely xx". **[FOUND PROVED]**
 - (c) On a date unknown said to Service User A words to the effect of, "if anyone found out we were friends I would be in trouble". **[FOUND PROVED]**
4. On a date unknown intimidated and/or coerced Service User A not to disclose the extent of the personal relationship by saying words to the effect of, "that if anyone did find out I will use your mental health against you". **[FOUND PROVED]**
5. Your actions in charges 3 and/or 4 above lacked integrity in that you put your own interests above those of Service User A by trying to prevent disclosure of your personal relationship. **[FOUND PROVED]**

6. After being instructed on 18 November 2019 to cease contact with Service User A, you disregarded this by attempting to contact them;
 - (a) On Facebook Messenger. **[FOUND PROVED]**
 - (b) By telephone. **[FOUND PROVED]**
 - (c) By text message. **[FOUND NOT PROVED]**

7. On one or more occasions between September 2018 and November 2019 breached professional boundaries by disclosing personal and/or confidential information to Service User A that related to:
 - (a) Colleague A **[FOUND PROVED]**
 - (b) Colleague B **[FOUND PROVED]**
 - (c) Colleague C **[FOUND PROVED]**
 - (d) Colleague D **[FOUND PROVED]**
 - (e) Colleague E **[FOUND PROVED]**
 - (f) Patient A **[FOUND PROVED]**

In light of the above your fitness to practise is impaired by reason of your misconduct.

Background

On 15 September 2020, the NMC received a referral about Mrs Taylor-Bradley's fitness to practise. At the time of the concerns raised in the referral, Mrs Taylor-Bradley was employed by the Lincolnshire Partnership NHS Foundation Trust (the Trust) as a community psychiatric nurse (CPN) based in the Gainsborough Mental Health Team.

Mrs Taylor-Bradley became Service User A's CPN in August 2018. It is said that Service User A had '*a long history of mental health problems*', including a diagnosis of borderline personality disorder and an eating disorder.

It is alleged that Mrs Taylor-Bradley breached professional boundaries with Service User A, in that she:

- Sent messages of a personal nature to Service User A
- Met with Service User A outside of a professional setting
- Disclosed personal and confidential information to Service User A relating to colleagues and a patient

It is further alleged that between September 2018 and November 2019, Mrs Taylor-Bradley encouraged Service User A not to disclose the extent of their relationship to the Gainsborough Community Mental Health Team. Mrs Taylor-Bradley allegedly sent text messages to Service User A such as '*Can't let them no I told you as they don't know we are friend's xx*' and '*She my friend x didn't mention you tho xx, or I would be in trouble ... shes lovely xx*'. Furthermore, Mrs Taylor-Bradley allegedly told Service User A '*if anyone found out we were friends I would be in trouble*'.

It is also alleged that Mrs Taylor-Bradley intimidated and/or coerced Service User A not to disclose the extent of the personal relationship by saying words to the effect of, '*if anyone did find out I will use your mental health against you*'.

In October 2019, Service User A had an in-patient stay at White Gables Crisis House (White Gables). Whilst there, she made disclosures to the staff which called into question Mrs Taylor-Bradley's professional relationship with her. On 18 November 2019, Mrs Taylor-Bradley was told to cease contact with Service User A. She allegedly disregarded this and attempted to contact Service User A on Facebook, telephone, and text message.

Following Service User A's disclosure to White Gables, the Trust undertook an investigation, resulting in a decision to take disciplinary action against Mrs Taylor-Bradley. Mrs Taylor-Bradley resigned from the Trust, effective on 27 December 2019, before any disciplinary proceedings were put in place.

Decision and reasons on facts

The panel had regard to the Case Management Form dated 23 March 2022 in which Mrs Taylor-Bradley accepts the charges. The panel noted that it is not clear whether Mrs Taylor-Bradley admits charge 6c and therefore will make its own finding on that sub-charge based on all the documentary evidence before it.

The panel had regard to the NMC's written submissions as well as the evidence from the following witnesses:

- Service User A: Service User at the Trust
- Colleague A: Team Co-ordinator for Lincoln Crisis Team
- Colleague B: HR investigator at the Trust
- Colleague C: Service Manager at the Trust
- Colleague D: Community Psychiatric Nurse at the Trust

The panel was aware that the burden of proof rests on the NMC, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that a fact will be proved if a panel is satisfied that it is more likely than not that the incident occurred as alleged.

The panel heard and accepted the advice of the legal assessor.

The panel made the following findings:

Charge 1

1. Between September 2018 and November 2019 breached professional boundaries with Service User A by sending multiple messages using your work mobile telephone and/or your personal mobile telephone that;
 - (a) Did not relate to the clinical care of Service User A and/or
 - (b) Related to personal information about you and/or Service User A.

This charge is found proved.

The panel concluded that this charge is found proved on the basis of Mrs Taylor-Bradley's admissions to the charges, as well as Service User A's witness statement and exhibited evidence.

In her witness statement, Service User A states:

' [PRIVATE]. The Nurse gradually disclosed more and more and we started to speak outside of our professional relationship using the Nurses work phone.'

'I cannot remember when, but she then told me to message on her personal number because she said that the Trust could trace calls and messages on her work phone for up to three months, and she gave me her personal mobile number...'

'From there, everything became more and more about the Nurse, and she would share [PRIVATE] and her problems with other staff members at work.'

The panel also had sight of the messages exchanged between Service User A and Mrs Taylor-Bradley which it considered demonstrated a breach of professional boundaries.

The panel determined the above evidence was sufficient to find this charge proved on the balance of probabilities.

Charge 2

2. On one or more occasions between September 2018 and November 2019 breached professional boundaries by meeting with Service User A outside of a professional setting.

This charge is found proved.

The panel concluded that this charge is found proved on the basis of Mrs Taylor-Bradley's admission to the charge and Service User A's witness statement.

In her witness statement, Service User A sets out:

'I think we became friends in around September or October 2018 and we would either meet up at my house or the Nurse's house or speak on the phone most days. We would also go shopping and for coffee together.'

'We also went to a netball group on one occasion and kickboxing classes together two times a week. On Tuesdays the class was at 800pm until 9.00 pm and on Thursdays it was at 700pm until 800pm. I cannot remember exactly, but I think we did kickboxing together for a few months...'

The panel determined the above evidence was sufficient to find this charge proved on the balance of probabilities.

Charge 3

3. On one or more occasions between September 2018 and November 2019 encouraged Service User A not to disclose the extent of your relationship to Gainsborough Community Mental Health Team:

(a) In a text message dated 27 August 2019, "Can't let them no I told you as they don't know we are friend's xx".

(b) In a text message dated 13 September 2019, "She my friend x didn't you tho xx, or I would be in trouble ... shes lovely xx".

(c) On a date unknown said to Service User A words to the effect of, "if anyone found out we were friends I would be in trouble".

This charge is found proved.

The panel concluded that this charge is also proved on the basis of Mrs Taylor-Bradley's admissions, as well as Service User A's witness statement and exhibited evidence.

In her witness statement, Service User A states:

'The Nurse did say that if anyone found out we were friends that she would be in trouble... I started to question why the Nurse would get into trouble if what she was doing was part of her job, and I felt confused.'

The panel also had regard to the copies of text messages provided by Service User A which corroborated her statement.

The panel determined this was sufficient to find this charge proved on the balance of probabilities.

Charge 4

4. On a date unknown intimidated and/or coerced Service User A not to disclose the extent of the personal relationship by saying words to the effect of, "that if anyone did find out I will use your mental health against you".

This charge is found proved.

Taking into account Mrs Taylor-Bradley's acceptance of this charge, together with Service User A's witness statement, the panel concluded that this charge is proved.

In Service User A's witness statement, it is stated that:

'The Nurse did say that if anyone found out we were friends that she would be in trouble, but she also said that if anyone did find out she would use my mental health against me. I did not know exactly what she meant by this but she said she would blame it on me if she got caught.'

The panel determined this evidence was sufficient to find this charge proved on the balance of probabilities.

Charge 5

5. Your actions in charges 3 and/or 4 above lacked integrity in that you put your own interests above those of Service User A by trying to prevent disclosure of your personal relationship.

This charge is found proved.

Given its findings in respect of charges 3 and 4, the panel determined that Mrs Taylor-Bradley did lack integrity in that she put her own interests above those of Service User A. The panel also took into account that Mrs Taylor-Bradley accepts this charge. As such, it concluded that there was sufficient evidence to find this charge proved.

Charge 6

6. After being instructed on 18 November 2019 to cease contact with Service User A, you disregarded this by attempting to contact them;
 - (a) On Facebook Messenger.
 - (b) By telephone.
 - (c) By text message.

Panel finds 6a and 6b proved, but 6c not proved

The panel was aware that Mrs Taylor-Bradley made admissions in respect of charges 6a and 6b but has not admitted charge 6c.

The panel had regard to the witness statement of Colleague C who states that:

'I gave the Nurse a clear verbal instruction to the effect that they were not allowed to have any contact with inside or outside of work. This would mean that, practically speaking, the Nurse was not allowed to contact Service User A by telephone, text or a home visit, from the time of the meeting onwards.'

'After the meeting, Service User A informed me that the Nurse had attempted to call them at 14:36, 14:37 and 15:17, along with sending them text messages.'

The panel took into account the witness statement of Service User A:

'On 18 November 2019, the Nurse was then called into Lincoln for a meeting with [Colleague C]. The Nurse told me that the meeting was at 14:00, and as soon as the meeting was finished the Nurse tried calling me and messaged me to say that she was not allowed to contact me anymore and that she could only speak to me at kickboxing. This was at 14.36 and so I assumed that the meeting was finished. She tried to call me and sent me a message but I did not answer her from this date and I told the Trust that she had tried to contact me again... The same day, I saw [Colleague C] and another CPN (whose name I do not remember), and showed them the final messages where the Nurse had tried to contact me. [Colleague C] took photos of these final messages and attempted calls, but I did not show her any of the other messages.'

The panel also had regard to Colleague C and Service User A's exhibited evidence of the Facebook Messenger messages and call history from 18 November 2019. The panel did not have sight of any text messages from Mrs Taylor-Bradley on this date.

The panel determined that on the basis of Mrs Taylor-Bradley's admissions and the evidence detailed above, that there was sufficient evidence to find charges 6a and 6b proved on the balance of probabilities. In the absence of an admission by Mrs Taylor-Bradley or any documentary evidence of text messages being sent on 18 November 2019, the panel concluded that charge 6c was not proved.

Charge 7

7. On one or more occasions between September 2018 and November 2019 breached professional boundaries by disclosing personal and/or confidential information to Service User A that related to:
 - (a) Colleague A
 - (b) Colleague B
 - (c) Colleague C
 - (d) Colleague D
 - (e) Colleague E
 - (f) Patient A

This charge is found proved

The panel found this charge proved on the basis of Mrs Taylor-Bradley's admissions, as well as the witness statements before it.

In her witness statement, Service User A confirms that Mrs Taylor-Bradley discussed personal and confidential information with them in relation to Colleagues A, B, C, D, and E, as well as Patient A.

The panel determined that there was sufficient evidence to find this charge proved on the balance of probabilities.

Fitness to practise

Having reached its determination on the facts of this case, the panel then moved on to consider, whether the facts found proved amount to misconduct and, if so, whether Mrs Taylor-Bradley's fitness to practise is currently impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as a registrant's suitability to remain on the register unrestricted.

The panel, in reaching its decision, has recognised its statutory duty to protect the public and maintain public confidence in the profession. Further, it bore in mind that there is no burden or standard of proof at this stage and it has therefore exercised its own professional judgement.

The panel adopted a two-stage process in its consideration. First, the panel must determine whether the facts found proved amount to misconduct. Secondly, only if the facts found proved amount to misconduct, the panel must decide whether, in all the circumstances, Mrs Taylor-Bradley's fitness to practise is currently impaired as a result of that misconduct.

Representations on misconduct and impairment

In its written submissions, the NMC invited the panel to take the view that the facts found proved do amount to misconduct. The NMC refer to the terms of 'The NMC code of professional conduct: standards for conduct, performance and ethics (2015)' (the Code) and outline the specific sections which it submits have been breached by Mrs Taylor-Bradley.

The NMC outlined that Mrs Taylor-Bradley's conduct occurred over a significant period of time, involving an extremely vulnerable service user which was detrimental to Service User A's health. It was submitted that Mrs Taylor-Bradley abused her position of trust, not only with Service User A, but also by disclosing personal information about her colleagues and other patients to Service User A. In these circumstances, the NMC submitted that Mrs Taylor-Bradley's conduct was a serious departure from the standards expected of a professional nurse and as such, amounts to serious misconduct.

In relation to current impairment, the NMC referred to Dame Janet Smith's 'test' as set out in the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant* [2011] EWHC 927 (Admin) and submitted that the first three limbs of this test are engaged in this case. It is submitted that Mrs Taylor-Bradley's actions caused harm to Service User A, breached the fundamental tenets of the profession, and brought the profession into disrepute.

In relation to assessing future risk, the NMC referred to the case of *Cohen v General Medical Council* [2008] EWHC 581 (Admin) in which the court set out the following factors:
'(i) *whether the concerns are easily remediable*
(ii) *whether they have in fact been remedied; and*
(iii) *whether they are highly unlikely to be repeated.*'

The NMC submitted that the concerns in this case are not easily remediable as they involve underlying attitudinal conduct and behaviour which could be regarded as being deep-seated. Furthermore, it was submitted that Mrs Taylor-Bradley failed to demonstrate any insight into her failings or sought to address the concerns identified; she has not provided any evidence of continued safe practice, through continued training or through continued employment in a healthcare setting. [PRIVATE].

On the basis of all of the above, the NMC submitted that there remains a risk of repetition and as such, Mrs Taylor-Bradley's fitness to practise is impaired on public protection grounds.

The NMC also submitted that a finding of current impairment is necessary on public interest grounds in order to promote public confidence and professional standards within the profession.

The panel accepted the advice of the legal assessor who referred to the cases of *Roylance v General Medical Council (No 2) [2000]* and *CHRE v NMC and Grant*.

Decision and reasons on misconduct

When determining whether the facts found proved amount to misconduct, the panel had regard to the terms of the Code. Taking into account its findings on the facts, the panel was of the view that Mrs Taylor-Bradley's actions did amount to a breach the Code, specifically:

1 Treat people as individuals and uphold their dignity

To achieve this, you must:

1.1 treat people with kindness, respect and compassion

1.5 respect and uphold people's human rights

3 Make sure that people's physical, social and psychological needs are assessed and responded to

To achieve this, you must:

3.4 act as an advocate for the vulnerable, challenging poor practice and discriminatory attitudes and behaviour relating to their care

5 Respect people's right to privacy and confidentiality

As a nurse, midwife or nursing associate, you owe a duty of confidentiality to all those who are receiving care. This includes making sure that they are informed about their care and that information about them is shared appropriately.

To achieve this, you must:

5.1 respect a person's right to privacy in all aspects of their care

17 Raise concerns immediately if you believe a person is vulnerable or at risk and needs extra support and protection

To achieve this, you must:

17.1 take all reasonable steps to protect people who are vulnerable or at risk from harm, neglect or abuse

17.3 have knowledge of and keep to the relevant laws and policies about protecting and caring for vulnerable people

20 Uphold the reputation of your profession at all times

To achieve this, you must:

20.1 keep to and uphold the standards and values set out in the Code

20.2 act with honesty and integrity at all times, treating people fairly and without discrimination, bullying or harassment

20.3 be aware at all times of how your behaviour can affect and influence the behaviour of other people

20.5 treat people in a way that does not take advantage of their vulnerability or cause them upset or distress

20.6 stay objective and have clear professional boundaries at all times with people in your care (including those who have been in your care in the past), their families and carers.

20.7 make sure you do not express your personal beliefs (including political, religious or moral beliefs) to people in an inappropriate way

20.8 act as a role model of professional behaviour for students and newly qualified nurses, midwives and nursing associates to aspire to

20.10 use all forms of spoken, written and digital communication (including social media and networking sites) responsibly, respecting the right to privacy of others at all times'

Whilst the panel appreciated that breaches of the Code do not automatically result in a finding of misconduct, it considered that Mrs Taylor-Bradley's actions did fall significantly short of the standards expected of a registered nurse and were sufficiently serious to

amount to misconduct. It noted that Mrs Taylor-Bradley abused her position of trust and breached professional boundaries with a particularly vulnerable individual in their care.

Decision and reasons on impairment

The panel next went on to decide if as a result of the misconduct, Mrs Taylor-Bradley 's fitness to practise is currently impaired.

The panel noted that nurses occupy a position of privilege and trust in society and are expected at all times to be professional and to maintain professional boundaries. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. To justify that trust, nurses must be honest and open and act with integrity. They must make sure that their conduct at all times justifies both their patients' and the public's trust in the profession.

In this regard the panel considered the judgment of Mrs Justice Cox in the case of *CHRE v NMC and Grant* in reaching its decision. In paragraph 74, she said:

'In determining whether a practitioner's fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.'

In paragraph 76, Mrs Justice Cox referred to Dame Janet Smith's "test" which reads as follows:

'Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her fitness to practise is impaired in the sense that s/he:

- a) *has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
- b) *has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*
- c) *has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*
- d) *...'*

The panel determined that the first three limbs of the above test were engaged in this case. It found that Service User A was caused harm as a result of Mrs Taylor-Bradley's misconduct. The panel noted that in her witness statement, Service User A sets out the impact that Mrs Taylor-Bradley's actions had upon her '*my mental health became almost unbearable, and without the support I am getting now I feel I would not have survived*'. Furthermore, the panel found that Mrs Taylor-Bradley's actions breached fundamental tenets of the profession relating to professionalism, trust, duty of candour and integrity. The panel also found that Mrs Taylor-Bradley's actions brought the reputation of the profession into disrepute.

In considering current risk, the panel had regard to the seriousness of the concerns and whether Mrs Taylor-Bradley has taken steps to address those concerns. The panel considered that the concerns in this case are serious and are not easily remediable as they relate to Mrs Taylor-Bradley's underlying attitude. It noted that Mrs Taylor-Bradley's behaviour was repeated even after she was told to cease communication with Service User A by Colleague C.

The panel determined that Mrs Taylor-Bradley has not addressed the misconduct in this case. Whilst Mrs Taylor-Bradley accepted most of the facts and that her fitness to practise is impaired by reason of her misconduct, the panel did not have any information before it to demonstrate that she would act differently if faced in a similar situation in the future. There is also no evidence to suggest that Mrs Taylor-Bradley recognises the impact of her

actions on the service user, her colleagues, and the wider profession. As such, the panel determined that Mrs Taylor-Bradley has not demonstrated sufficient insight.

On the basis of the seriousness of the concerns as well as Mrs Taylor-Bradley's lack of insight, the panel was of the view that there is a risk of repetition. The panel therefore decided that a finding of impairment is necessary on the grounds of public protection.

The panel bore in mind that the overarching objectives of the NMC to protect, promote and maintain the health, safety, and well-being of the public and patients, and to uphold and protect the wider public interest. This includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions. In this regard, the panel considered that public confidence in the profession would be undermined if a finding of impairment were not made. It therefore determined that a finding of impairment on public interest grounds is also required.

Sanction

The panel has considered this case very carefully and has decided to make a striking-off order. It directs the registrar to strike Mrs Taylor-Bradley off the register. The effect of this order is that the NMC register will show that Mrs Taylor-Bradley has been struck-off the register.

In reaching this decision, the panel has had regard to all the evidence that has been adduced in this case and had careful regard to the Sanctions Guidance (SG) published by the NMC.

Representations on sanction

In its written representations, the NMC submitted that the appropriate and proportionate sanction in this case is that of a striking-off order. The NMC outlined the specific aggravating factors and mitigating features which it submitted are relevant in this case.

The NMC submitted that Mrs Taylor-Bradley's conduct raises fundamental questions

about her professionalism and trust whereby public confidence cannot be maintained if she was temporarily removed from the register. The panel was referred to the NMC's guidance (SAN-3e) which sets out that a striking-off order is appropriate when the registered professional '*lacks probity, honesty or trustworthiness... and risk of harm to the public*'. The NMC submitted that in light of this guidance and taking into account the severity of the concerns, striking Mrs Taylor-Bradley from the register is the only sanction that sufficiently maintains public protection, professional standards and confidence within the profession.

The panel accepted the advice of the legal assessor.

Decision and reasons on sanction

Having found Mrs Taylor-Bradley's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose in this case. The panel has borne in mind that any sanction imposed must be appropriate and proportionate and, although not intended to be punitive in its effect, may have such consequences. The panel had careful regard to the SG. The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel took into account the following aggravating features:

- Deep-seated attitudinal behaviour
- Abuse of position and trust
- Exploitation/manipulation of a vulnerable patient
- Lack of duty of candour
- Misconduct over a sustained period of time
- Breach of confidentiality.

The panel was of the view that there were no mitigating factors in this case. [PRIVATE]

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case and the need to protect the public. The

panel decided that it would be neither proportionate nor in the public interest to take no further action.

It then considered the imposition of a caution order but determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mrs Taylor-Bradley's practice would not be appropriate.

The panel next considered imposing a conditions of practice order. It decided that there were no practical or workable conditions that could be formulated which would adequately address the seriousness of this case and sufficiently protect the public. The panel noted that the misconduct identified in this case was not something that could be easily addressed through retraining or supervision. It had regard to the fact that there had been no potential or willingness from Mrs Taylor-Bradley to continue her nursing career (she has requested voluntary removal) and that there is evidence of harmful deep-seated personality or attitudinal problems on her part. In these circumstances, the panel could not be satisfied that the placing of conditions on Mrs Taylor-Bradley's registration would be appropriate or proportionate.

The panel then went on to consider whether a suspension order would be an appropriate sanction. The panel had regard to the SG which outlines the circumstances where a suspension order may be appropriate and found that these were not present. It noted that this was a pattern of misconduct toward colleagues and patients, there is evidence of harmful deep-seated personality or attitudinal problems, and the panel is not satisfied that Mrs Taylor-Bradley has insight into the concerns. Whilst there is no evidence of repetition, the panel noted that Mrs Taylor-Bradley has not been practising since these incidents took place.

The panel therefore concluded that a suspension order would not be a sufficient, appropriate or proportionate sanction.

Finally, in considering a striking-off order, the panel took note of the following paragraphs of the SG:

- *Do the regulatory concerns about the nurse or midwife raise fundamental questions about their professionalism?*
- *Can public confidence in nurses and midwives be maintained if the nurse or midwife is not removed from the register?*
- *Is striking-off the only sanction which will be sufficient to protect patients, members of the public, or maintain professional standards?*

The panel found Mrs Taylor-Bradley's conduct constituted a significant departure from the standards expected of a registered nurse and is fundamentally incompatible with remaining on the register. Mrs Taylor-Bradley had abused her position as a CPN over a significant period of time and had caused substantial harm to the well-being of an extremely vulnerable service user. The panel determined that Mrs Taylor-Bradley's actions were extremely serious and to allow her to continue practising would undermine public confidence in the profession and in the NMC as a regulatory body.

Balancing all these factors and after taking into account all the evidence before it during this case, the panel determined that the appropriate and proportionate sanction is that of a striking-off order.

The panel determined that this order was necessary to mark the importance of maintaining public confidence in the profession, and to send to the public and the profession a clear message about the standard of conduct and behaviour required of a registered nurse.

This will be confirmed to Mrs Taylor-Bradley in writing.

Interim order

As the striking-off order cannot take effect until the end of the 28-day appeal period, the panel has considered whether an interim order is required in the specific circumstances of this case. It may only make an interim order if it is satisfied that it is necessary for the protection of the public, is otherwise in the public interest or in Mrs Taylor-Bradley's own interests until the striking-off order takes effect.

Representations on interim order

The panel took account of the written submissions made by the NMC, who submitted that an interim order is necessary to protect the public and is otherwise in the public interest. It was submitted that an interim suspension order for a period of 18 months is necessary to cover any possible appeal period. The NMC submitted that an interim suspension order would be appropriate as it would be consistent with the panel's decision to impose the substantive striking-off order.

Decision and reasons on interim order

The panel was satisfied that an interim order is necessary for the protection of the public and that it is otherwise in the public interest. The panel had regard to the reasons set out in its decision for the substantive order in reaching the decision to impose an interim order.

The panel concluded that an interim conditions of practice order would not be appropriate or proportionate, due to the reasons already identified in its decision for imposing the substantive order. The panel therefore imposed an interim suspension order for a period of 18 months to allow sufficient time for an appeal to be made by Mrs Taylor-Bradley.

If no appeal is made, then the interim suspension order will be replaced by the substantive suspension order 28 days after Mrs Taylor-Bradley is sent the decision of this hearing in writing.

That concludes this determination.