

Nursing and Midwifery Council

Voluntary Removal Decision

30 March 2022

Registrant: Ananda Wilson

PIN: 06A0866E

Part(s) of the register: Sub part 1, RNA: Adult nurse, level 1

Area of Registered Address: England

Type of case: Misconduct

REGISTRAR'S DECISION

A decision has been made by the Registrar to approve the application for voluntary removal based on the assessment of the relevant criteria. The reasons for the decision to grant voluntary removal from the Register are below.

REGISTRAR'S REASONS

The following documents were considered when assessing this voluntary removal application:

- Voluntary removal application form dated 10 December 2021
- Draft charge
- Case management form dated 10 December 2021
- Case examiner decision letter dated 11 October 2021
- Previous correspondence with Ms Wilson
- Response from South Tyneside and Sunderland NHS Foundation Trust dated 4 February 2022

Background

Ananda Wilson first joined the NMC register in March 2006. Her registration expired in 2010 but she re-joined the register in 2017 after completing a return to practice course.

As part of her return to practice course, Ms Wilson was placed in the Intensive Therapy Unit at South Tyneside Hospital (the Hospital). She applied for a permanent post there and in 2017, she began working for South Tyneside and Sunderland NHS Foundation Trust (the Trust) as a Band 5 Staff Nurse.

On 9 November 2019, Ms Wilson was working a nightshift at the Hospital.

On 10 June 2020, the Trust made a referral to raise concerns about Ms Wilson's fitness to practise. On 26 June 2020, a panel of the Investigating Committee imposed an interim suspension order, preventing Ms Wilson from practising as a registered nurse.

Our case examiners considered the concerns on 21 September 2021. They decided there's a case to answer and referred the case to the Fitness to Practise Committee. On 10 December 2021, Ms Wilson completed an application for voluntary removal from the NMC register.

Acceptance of the regulatory concerns

Ms Wilson's application for voluntary removal contains confirmation that she accepts the facts of the concerns and that her fitness to practise is impaired.

On 10 December 2021, Ms Wilson completed a case management form indicating that she admits all but one of the factual allegations in the draft charge.

Even though she doesn't accept one of the factual allegations, overall I'm satisfied that Ms Wilson accepts the fitness to practise concern. Because of Ms Wilson's completed case management form and voluntary removal application, I'm satisfied that she accepts all of the other concerns as well.

Public interest considerations

When a nurse, midwife, or nursing associate is removed from the register through voluntary removal, the public is immediately protected from the risk of future harm. However, our guidance says more serious concerns where the nurse, midwife, or nursing associate's conduct is fundamentally incompatible with continued registration aren't suitable for voluntary removal. This is because there's a public interest in these matters being dealt with by the Fitness to Practise Committee.

One of the key factors when weighing up the public interest of a case will be the seriousness of the concerns and whether they require us take regulatory action in the public interest, to promote public confidence or uphold standards.

Having considered the seriousness of the concerns, on balance I don't consider the public interest requires the matter to be considered in full by a Fitness to Practise Committee panel.

Interests of the nurse, midwife or nursing associate

In her voluntary removal application, Ms Wilson said she no longer wants to be a nurse. She told the panel she should have looked for another job because nursing in that particular area was too difficult for her.

In terms of future plans, Ms Wilson said that she intends to start a new role as a support worker for young adults with learning disabilities.

Ms Wilson first expressed a wish to be removed from the NMC register in October 2020. We don't consider voluntary removal applications before our case examiners have decided there's a case to answer, but the fact that Ms Wilson has continued to request voluntary removal since then demonstrates a committed intention to leave the register.

Ms Wilson's voluntary removal application also contains a signed declaration that she won't reapply to the register for a period of at least 5 years.

Comments from the maker of the allegation

We contacted the Trust and invited them to comment on Ms Wilson's application. They said they have concerns about Ms Wilson's request to leave the register before a Fitness to Practise hearing.

The Trust's concerns about Ms Wilson's voluntary removal application are based on events preceding Ms Wilson's registration expiring in 2010, what she said about her future intentions at that time and her subsequent re-admission to the NMC register in 2017.

The events preceding Ms Wilson's registration expiring in 2010 were taken into account as part of the decision to allow Ms Wilson to re-join the NMC register in 2017.

Even though she hasn't expressed an intention to return to nursing, as voluntary removal isn't necessarily permanent there's a possibility that Ms Wilson could seek to be readmitted in the future. If she does, she'd need to provide evidence that she meets the registration requirements as well as a written submission that would then be considered alongside the detail of the concerns in this case.

Approving voluntary removal means that any future application would be made to the Registrar and the reasons wouldn't be published. In cases serious enough to warrant permanent removal from the register, there's a public interest in applications for readmission being scrutinised in public by a panel of the Fitness to Practise Committee. However, in this case I don't consider the public interest would require any future application for readmission to be scrutinized in public.

Registrar's decision

I've decided to approve Ms Wilson's application for voluntary removal from the NMC register. I'm satisfied that Ms Wilson accepts the concerns about her fitness to practise. I've considered the seriousness of the concerns and on balance, I've decided that allowing Ms Wilson to leave the register quickly, without the need for a full Fitness to Practise hearing is the best way to meet the public interest in this case.