

**Nursing and Midwifery Council  
Investigating Committee**

**Fraudulent/Incorrect Entry Meeting  
Thursday 7 March 2024**

Virtual Meeting

**Name of Registrant:** Izabella Bilmese

**NMC PIN** 14C0461C

**Part(s) of the register:** Registered Nurse – Adult Nursing

**Relevant Location:** Oxford

**Type of case:** Incorrect/Fraudulent entry

**Panel members:** Mahjabeen Agha (Chair, Lay member)  
Dee Rogers (Lay member)  
Aileen Cherry (Registrant member)

**Legal Assessor:** Sean Hammond

**Hearings Coordinator:** Sophie Cubillo-Barsi

**Outcome:** **Registration entry fraudulently made**

**Direction:** **The panel directs the Registrar to remove Ms Bilmese’s entry on the register in accordance with Article 26(7) of the Order**

**Direction:** **Interim Suspension order (18 months)**

## **Service of Notice of Meeting**

The panel noted that notice of this meeting was sent to Ms Bilmese's registered email address by secure email on 22 January 2024.

The notice of meeting informed Ms Bilmese that a meeting would be held on or after 27 February 2024 and details of the charges against her, and enclosed a bundle of evidence that the panel would consider. It also informed her that if she wished to request a hearing and/or provide a written response, she should do so no later than 26 February 2024. The panel noted that no written responses had been provided by Ms Bilmese to the notice of this meeting, despite attempts by the NMC to contact her.

The panel accepted the advice of the legal assessor.

In the light of the information available, the panel was satisfied that reasonable notice of this meeting has been served in compliance and accordance with Rules 5 and 34 of the Rules and that it would be fair and in the interests of justice to proceed with the meeting today.

## **Details of charge**

That you

1. On your application for revalidation dated 22 February 2023, declared that you had received confirmation from colleague A on 15 February 2023 when you had not received such confirmation.
2. On your application for revalidation dated 22 February 2023, declared that you had a reflective discussion with colleague A on 06 February 2023 when no such reflective discussion had taken place.
3. On your application for revalidation dated 22 February 2023, declared that you had completed 450 practice hours when you had completed fewer than 450 practice hours.

4. On your application for revalidation dated 22 February, declared that you had completed the required hours of CPD in line with “How to revalidate” when you had completed fewer than the required hours.

And thereby an entry on Sub part 1 of the NMC register in the name of Ms Izabella Bilmese, PIN 14C0461C was fraudulently procured or incorrectly made.

### **Decision and reasons for parts of the determination to be marked in private**

At the outset of the meeting, the panel noted that proper exploration of this case may involve reference to Ms Bilmese’s health.

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

Whilst the panel noted that today’s matter is being considered by way of a private meeting, it determined that Ms Bilmese’s right to privacy in relation to her health outweighed the public interest in publishing those parts of the determination in public. This decision was made pursuant to Rule 19 of ‘Nursing and Midwifery Council (Fitness to Practise) Rules 2004’, as amended (the Rules).

### **Background**

The NMC received a referral from Colleague A, Ms Bilmese’s previous manager, on 24 February 2023 raising concerns about Ms Bilmese’s recent revalidation.

Colleague A told the NMC that she had received an email from the NMC thanking her for supporting Ms Bilmese in her recent revalidation which was completed on 22 February 2023. Colleague A explained that she was Ms Bilmese’s manager when they had worked together at the Churchill Hospital (the Hospital) (part of Oxford University Hospitals NHS Trust) and that she had supported Ms Bilmese’s previous revalidation in February 2020.

Colleague A said that Ms Bilmese resigned in July 2020 and that she hadn't been in contact with her since she left. Colleague A said that she had not acted as Ms Bilmese's reflective discussion partner and/or confirmer for her recent revalidation and that Ms Bilmese had used her details without her knowledge or permission.

The NMC reviewed Ms Bilmese's online revalidation application, dated 22 February 2023, and noted that she named Colleague A as both her reflective discussion partner and her confirmer. The NMC also found that Ms Bilmese declared that she completed at least 450 practice hours and 35 hours of Continuing Professional Development (CPD) in the three years prior to submitting her revalidation application and stated that she was currently working at the Hospital.

Mr 1, the Deputy Divisional Head of Workforce at the Hospital, told the NMC that Ms Bilmese was employed as a staff nurse between 7 October 2019 and 29 July 2020 [PRIVATE] Mr 1 said that between 22 February 2020 and the last day of Ms Bilmese's employment, she had worked 10 shifts which meant that she had worked a total of 75 hours. Mr 1 was unable to provide the NMC with any evidence to show that Ms Bilmese had completed any CPD between 22 February 2020 and the last day of her employment.

The NMC have made attempts to contact Ms Bilmese but no response has been received.

### **Decision and reasons on the facts**

In reaching its decision on the disputed facts, the panel took into account all the documentary evidence in this case.

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.

Before making any findings on the facts, the panel heard and accepted the advice of the legal assessor.

### **Charge 1**

1. On your application for revalidation dated 22 February 2023, declared that you had received confirmation from colleague A on 15 February 2023 when you had not received such confirmation.

### **This charge is found proved.**

In reaching this decision, the panel took into account the copy of Ms Bilmese's revalidation form, dated 22 February 2023. It noted that within the form Ms Bilmese declares that she had received confirmation as part of an appraisal. She then provides the details of Colleague A including her contact details and PIN number, as her confirmer. Ms Bilmese states that the confirmation was carried out on 15 February 2023.

However, in Colleague A's witness statement dated 21 July 2023, she states:

*'Izabella resigned from the Trust on 29 July 2020, and I haven't had any contact with her since then. On 22 February 2023, I received a no reply email from the NMC thanking me for supporting Izabella with her revalidation...I was very surprised and concerned to have received this email from the NMC as I hadn't had any contact with Izabella since she left the Trust on 29 July 2020. I believe Izabella must have had my details from her revalidation submission in February 2020 and reused them for her revalidation submission in February 2023....Izabella never asked me to support her with her revalidation in 2023 and she used my details for her revalidation without my knowledge or permission. I never reviewed or discussed Izabella's revalidation portfolio and I wouldn't have agreed to act as Izabella's confirmer...'*

In light of all the information before it, including Colleague A's unambiguous written statement that she was not Ms Bilmese's confirmer, the panel was satisfied on the balance of probabilities, that it was more likely than not that on her application for revalidation dated 22 February 2023, Ms Bilmese declared that she had received confirmation from Colleague A on 15 February 2023 when she had not received such confirmation.

## **Charge 2**

2. On your application for revalidation dated 22 February 2023, declared that you had a reflective discussion with colleague A on 06 February 2023 when no such reflective discussion had taken place.

### **This charge is found proved.**

When making a decision in relation to this charge the panel again referred to Ms Bilmese's revalidation form, dated 22 February 2023. It noted that within the form Ms Bilmese declares that she has had a reflective discussion with '*an NMC registered nurse, midwife or nursing associate in line with 'How to revalidate'*'. Ms Bilmese then provides the details of Colleague A including her contact details and PIN number. Within the form Ms Bilmese declares that the reflective discussion took place on 6 February 2023.

However, in Colleague A's witness statement dated 21 July 2023, she states:

*'...I never reviewed or discussed Izabella's revalidation portfolio and I wouldn't have agreed to act as Izabella's confirmer and/or reflective discussion partner'*

In light of all the information before it, including Colleague A's unambiguous written statement that she did not have a reflective discussion with Ms Bilmese, the panel was satisfied on the balance of probabilities, that it was more likely than not that on her application for revalidation dated 22 February 2023, Ms Bilmese declared that she had a reflective discussion with Colleague A on 06 February 2023 when no such reflective discussion had taken place.

### Charge 3

3. On your application for revalidation dated 22 February 2023, declared that you had completed 450 practice hours when you had completed fewer than 450 practice hours.

#### **This charge is found proved**

When considering this charge, the panel noted Ms Bilmese's revalidation form, dated 22 February 2023 in which she confirmed that Churchill Hospital was her current employer.

The panel had before it the witness statement of Mr 2, a Registration Investigations Manager at the NMC. Mr 2 exhibits screenshots of the online revalidation screens that an applicant, including Ms Bilmese, would need to complete in order to submit their revalidation. The panel noted that within 'Step 4', applicants are asked to declare that they have undertaken the required hours of registered practice within the last three years, namely 450 hours.

The panel next considered the email from Mr 1, the Deputy Divisional Head of Workforce at Churchill Hospital, dated 1 August 2023, in which he states:

*'I have looked into the below and can confirm the following:*

1. IB was employed as a staff nurse, between 07/10/2019 to 29/07/2020
2. [PRIVATE]. IB went onto A/L. She only worked in the timeframe specified by yourself for 10 shifts, so 75 hours...'

Whilst the panel acknowledged that registrants may practise in other capacities whilst employed by a substantive employer, it is the evidence of Ms Bilmese, within her own revalidation form, that Churchill Hospital was indeed her most recent employer.

The panel did not have any evidence before it from Ms Bilmese to evidence the 450 hours she had alleged in her revalidation application.

In light of all the information before it, and in the absence of any evidence from Ms Bilmese to support her declaration in the revalidation application, the panel was satisfied on the balance of probabilities, that it was more likely than not that on her application for revalidation dated 22 February 2023, Ms Bilmese declared that she had completed 450 practice hours when she had completed fewer than 450 practice hours.

#### **Charge 4**

4. On your application for revalidation dated 22 February, declared that you had completed the required hours of CPD in line with “How to revalidate” when you had completed fewer than the required hours.

#### **This charge is found proved**

In reaching this decision, the panel again had regard the witness statement of Mr 2. Mr 2 exhibits screenshots of the online revalidation screens that an applicant, including Ms Bilmese, would need to complete in order to submit their revalidation. The panel noted that within ‘Step 7’ applicants are asked to declare that they have undertaken the required hours of CPD.

In an email from Mr 1, when asked how many hours of CPD did Ms Bilmese complete between 22 February 2020 and 22 February 2023, he states:

*‘I have looked into the below and can confirm the following:*

...

*3. We do not have access to this information as it stored on E-Learning. No study days are recorded through this time’*

Whilst the panel acknowledged that a CPD could be completed without having an employer, the panel did not have any evidence before it to suggest that this was case, despite a requirement within the revalidation process for the registrant to provide such



evidence to the confirmer. Colleague A, in her witness statement, confirmed that she never had any contact with Ms Bilmese in relation to her February 2023 revalidation.

In light of all the information before it, and in the absence of any evidence from Ms Bilmese to support her declaration in the revalidation application, the panel was satisfied on the balance of probabilities, that it was more likely than not that on her application for revalidation dated 22 February 2023, Ms Bilmese declared that she had completed the required hours of CPD in line with “How to revalidate” when she had completed fewer than the required hours.

### **Decision on Incorrect/Fraudulent Entry**

The panel decided that in respect of each charge the entry on the register in Ms Bilmese’s name was fraudulently procured.

In reaching this decision, the panel accepted the advice of the legal assessor who referred it to the case of *Ivey v Genting Casinos* [2017] UKSC 67, in which Lord Hughes stated:

*‘When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual’s knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest.’*

The panel bore in mind that for an entry to be fraudulent there must have been a deliberate attempt to mislead whereas an incorrect entry involves a mistake or genuine error.

The panel considered the NMC's guidance in relation to '*Fraudulent or incorrect entry to the register*' (FTP-2g). In relation to incorrect entry, the guidance states:

*'Someone's entry onto the register might be incorrect if our decision to register, renew or readmit them onto the register was based on wrong or inaccurate information about them meeting the relevant requirements.*

*For example, if someone wrongly declared that they had carried out the required number of hours of registered practice because they made a mistake when calculating them, their entry will be incorrect. The entry won't be incorrect if the error or inaccuracy doesn't make a significant difference to the registration decision or has subsequently been put right.*

*An entry could also be incorrect if we made a mistake during the application process. For example, if we entered the wrong person's name onto the register because of an administrative error.*

*If an entry was incorrectly made, it doesn't mean that there was any dishonesty involved. An incorrect entry may have come about because of a simple mistake by a nurse, midwife or nursing associate, by the NMC or another third party.*

*Where we consider an entry has been made incorrectly, we'll usually investigate whether there was any dishonesty involved, in other words, if the entry was fraudulently procured.'*

The panel noted that Ms Bilmese has been on the NMC register since March 2014. It further noted that Ms Bilmese had previously revalidated in February 2020 and that Colleague A was, at that time, her manager and had supported Ms Bilmese through the revalidation process. The panel had before it the revalidation guidance provided by the NMC, which is available to all registrants who are revalidating. It considered the evidence of Mr 2 who provided a screen shot of 'Step 2', which requires registrants to declare that they have read and understood the guidance, namely '*How to Revalidate*'. The panel noted that applicants are not able to proceed to the next steps of revalidation without clicking 'yes' to this declaration.

Having previously revalidated and having confirmed that she had read the NMC's guidance in relation to revalidation, the panel was satisfied that Ms Bilmese should have or would have known that the information she provided must be accurate. The panel did not have before it any explanation from Ms Bilmese as to why she mistakenly, or in error, provided the information she did.

In the absence of this information, and given all the evidence before it, the panel determined that when applying for revalidation, Ms Bilmese knowingly provided incorrect information. The panel was of the view that the information provided by Ms Bilmese was not an administrative error, but rather a deliberate attempt to mislead the NMC by knowingly submitting false information in order to remain on the NMC register. When applying the standards of an ordinary and honest person, the panel was satisfied that Ms Bilmese's conduct, as found proved within the charges, was dishonest and therefore her entry onto the NMC register was fraudulently procured.

### **Decision and reasons on direction**

Having determined that Ms Bilmese had fraudulently procured an entry on the NMC's register, the panel went on to decide what direction, if any, to make under Article 26(7) of the 'Nursing and Midwifery Order 2001' (the Order).

Article 26(7) states:

*'...If the Investigating Committee is satisfied that an entry in the register has been fraudulently procured or incorrectly made, it may make an order that the Registrar remove or amend the entry and shall notify the person concerned of his right of appeal under article 38.'*

The finding of a fraudulently procured entry to the NMC register is a serious matter, and the panel considered that to take no action in the circumstances was wholly inappropriate.

The panel also considered that an amendment was not appropriate in this case because it was not just a matter of Ms Bilmese having made a mistake. The false

information in this case was not capable of being corrected by an amendment; it went to whether or not Ms Bilmese had complied with revalidation requirements.

The panel considered that, in light of its finding that her entry to the NMC register had been fraudulently procured, the only appropriate action is to direct that Ms Bilmese's entry be removed. It had regard to the fact that the false information provided by Ms Bilmese on her online application was neither trivial nor unimportant as she provided false information in relation to matters which were required for revalidation. The panel recognised the importance of maintaining the integrity of the NMC register. It considered that this was now a case where a balancing exercise was required to be undertaken, including consideration of Ms Bilmese's character and suitability to remain on the register. Those were matters most appropriately considered by the Registrar.

The panel reminded itself that it is not the function of the Investigating Committee to consider the suitability of a registrant to remain on the register. This is the function of the Registrar. The panel considered that, should Ms Bilmese make a further application for readmission to the register, the Registrar should be afforded an opportunity to consider Ms Bilmese's to be on the register, taking into consideration all the relevant information, including circumstances in which she had provided false information.

In all the circumstances the panel decided that the only appropriate order is to direct the Registrar to remove Ms Bilmese's entry from the register. The panel therefore directs that the Registrar remove Ms Bilmese's entry from the register in accordance with Article 26(7) of the Order.

Ms Bilmese will be notified of the panel's decision in writing. Ms Bilmese has the right to appeal the decision under Article 38 of the Order. This order cannot take effect until the end of the appeal period (28 days from the date of the notice of the decision) or if an appeal is made, before the appeal has been concluded.

### **Decision on Interim Order:**

Having directed that the Registrar remove Ms Bilmese's entry from the register, the panel then considered whether an interim order was required under Article 26(11) of the Order, in relation to the appeal period.

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

In reaching its decision on whether to impose an interim order, the panel had regard to the reasons set out in its decision on the facts and its decision to direct the Registrar to remove Ms Bilmese's entry from the NMC register. It also had regard to the guidance published by the NMC. It noted that the imposition of an interim order is not an automatic outcome but is a matter for the panel's discretion in the circumstances of the case, having regard to the public interest in maintaining the integrity of the register. It also had regard to Article 31 of the Order and the NMC's guidance on interim orders.

The panel considered it necessary to impose an interim order on the grounds of public protection and that it is otherwise in the public interest. The panel has found that Ms Bilmese fraudulently procured her entry onto the NMC register and has not demonstrated that she has met the standards of practice required for revalidation. In the panel's view, this raised serious public protection concerns. In addition, a nurse who could circumvent the public guarantee of safe and effective nursing practice through the process of revalidation, created a risk to the safety of the public.

The panel next went onto consider the public interest. It determined that the public interest was engaged by Ms Bilmese's registration having been fraudulently procured, with the result that the integrity of the NMC register had been brought into question. In light of this, the panel determined that an interim order was also in public interest. To do otherwise, would seriously undermine the public's confidence in the nursing profession. A fully informed member of the public would be seriously concerned should Ms Bilmese be able to practice without restriction during any potential appeal period, before the panel's direction comes into effect.

The panel first considered whether an interim conditions of practice order could be formulated in the circumstances of this case. However, it determined that there were no workable conditions which could address the concerns as Ms Bilmese's eligibility to practise as a registered nurse had been brought into question. Further, the panel has found that Ms Bilmese acted dishonestly and it is inherently difficult to formulate conditions which would address this concern.

The panel therefore concluded that an interim suspension order was the appropriate and proportionate order to make in this case. Whilst the panel noted that such an order may cause Ms Bilmese financial hardship, it concluded that her interest in this regard was outweighed by public safety and public interest considerations, and that not to make an interim order would be inconsistent with its earlier findings.

The panel decided that the order should be for a period of 18 months to allow for the possibility of an appeal and, if one is brought, to allow sufficient time for it to be determined or otherwise resolved.

If no appeal is made then the interim order will lapse upon the removal of Ms Bilmese's entry on the register 28 days after she is sent the decision of this hearing in writing.

That concludes this determination.