

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

**Substantive Order Review Hearing
Friday, 5 December 2025**

Virtual Hearing

Name of Registrant: Jacqueline Kaye-Robinson

NMC PIN: 09H2593E

Part(s) of the register: Registered Nurse – Sub Part 1 Learning Disabilities Nursing (Level 1) (September 2009)

Relevant Location: Barnsley

Type of case: Misconduct

Panel members: James Lee (Chair, Registrant member)
Karin Downer (Registrant member)
Paul Barton (Lay member)

Legal Assessor: Richard Ferry-Swainson

Hearings Coordinator: Emma Hotston

Nursing and Midwifery Council: Represented by Megan Verity, Case Presenter

Mrs Kaye-Robinson: Not present and unrepresented

Order being reviewed: Suspension order (6 months)

Fitness to practise: Impaired

Outcome: **Striking-Off order to come into effect on 23 January 2026 in accordance with Article 30 (1)**

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Mrs Kaye-Robinson was not in attendance, and that the Notice of Hearing had been sent to Mrs-Kaye-Robinson's registered email address by secure email on 28 October 2025.

Ms Verity, on behalf of the Nursing and Midwifery Council (NMC), submitted that it had complied with the requirements of Rules 11 and 34 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Hearing provided details of the substantive order being reviewed, the time and date that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Mrs Kaye Robinson's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

The panel noted that the Rules do not require delivery and that it is the responsibility of any registrant to maintain an effective and up-to-date registered address.

In light of all of the information available, the panel was satisfied that Mrs Kaye-Robinson has been served with notice of this hearing in accordance with the requirements of Rules 11 and 34.

Decision and reasons on proceeding in the absence of Mrs Kaye-Robinson

The panel next considered whether it should proceed in the absence of Mrs Kaye-Robinson. The panel had regard to Rule 21 and heard the submissions of Ms Verity on behalf of the NMC, who invited the panel to continue in the absence of Mrs Kaye-Robinson. She submitted that Mrs Kaye-Robinson had voluntarily absented herself.

Ms Verity submitted that there had been limited engagement by Mrs Kaye-Robinson with the NMC in relation to these proceedings, with one email response sent by Mrs Kaye-Robinson on 13 November 2025 to request an in-person hearing but no engagement since this date. As a consequence, there was no reason to believe that an adjournment would secure her attendance on some future occasion.

The panel accepted the advice of the legal assessor.

The panel has decided to proceed in the absence of Mrs Kaye-Robinson. In reaching this decision, the panel has considered the submissions of Ms Verity and the advice of the legal assessor. It had particular regard to the case law and to the overall interests of justice and fairness to all parties. It noted that:

- No application for an adjournment has been made by Mrs Kaye-Robinson;
- Mrs Kaye-Robinson sent an email to the NMC on 13 November 2025 to request an in-person hearing but has not engaged with the NMC in relation to this hearing since this date;
- Mrs Kaye-Robinson sent an email to the NMC on 23 June 2025 to inform the NMC that she has been [PRIVATE];
- Mrs Kaye-Robinson engaged in part of the substantive hearing and sent an email response in relation to the first review hearing but has since shown limited engagement with the NMC.
- There is no reason to suppose that adjourning would secure her attendance at some future date;
- It is in Mrs Kaye-Robinson's own interests that an order restricting her practice be reviewed;
- There is a strong public interest in the expeditious review of the case; and
- The order is due to expire 23 January 2026.

It was clear that Mrs Kaye-Robinson was aware of this review hearing and yet had chosen not to engage with it. Accordingly, the panel was satisfied that she had voluntarily absented herself and thereby waived her right to be present. In all the circumstances, the panel has decided that it is fair to proceed in the absence of Mrs Kaye-Robinson.

Decision and reasons on review of the substantive order

The panel decided to replace the current suspension order with a striking off order.

This order will come into effect at the end of 23 January 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is a third review of a substantive suspension order originally imposed for a period of 12 Months by a Fitness to Practise Committee panel. This order was first reviewed on 18 December 2024 when it was extended for a period of six months. The order was next reviewed on 16 June 2025 when it was further extended for a period of six months.

The panel is reviewing the order pursuant to Article 30(1) of the Order.

The charges found proved which resulted in the imposition of the substantive order were as follows:

'That you, a registered nurse,

1) On 20 April 2021, in relation to Patient A

a) Acted contrary to their care plan in that you did not

i) Attempt to de-escalate the situation

ii) offer Promethazine or Lorazepam.

b) [...]

c) Restrained them by allowing two staff members to hold them in a MAPA hold when there was no clinical justification to do so

2) On 20 April 2021, in relation to Patient A, administered a Promethazine tablet inappropriately in that you:

a) Administered the tablet when Patient A was under restraint

b) Attempted to administer the tablet via a syringe

c) [...]

3) Failed to keep accurate records of the actions in charges 1 and 2 above in that:

a) you did not record how long Patient A was restrained for in the Patient notes

b) you did not record that you had administered medication whilst Patient A was restrained and via a syringe

4) That your actions in charge 3 above were dishonest as they did not reflect what had happened. [This charge was found proven in respect of charge 3b only]

AND in light of the above, your fitness to practise is impaired by reason of your Misconduct.'

The second reviewing panel determined the following with regard to impairment:

'The panel considered whether Mrs Kaye-Robinson's fitness to practise remains impaired.

The panel determined there has been no new evidence provided by Mrs Kaye-Robinson.

The panel noted that the last reviewing panel found that Mrs-Kaye Robinson had insufficient insight. At this hearing, the panel referred to the decision of the previous panel which stated the following:

'...In its consideration of whether Ms Kaye-Robinson has taken steps to strengthen her practice, the panel took into account her email of 16 December 2024 which states that she had continued with CPD and undertaken a safeguarding course. However, no evidence of course completion has been provided, neither was there any application to nursing practice in her reflective statement. Although the panel acknowledged that Ms Kaye-Robinson has been unable to strengthen her clinical skills in

practice, it determined that she could have undertaken courses that directly addressed the original issues or sought work in a healthcare setting.'

The last reviewing panel determined that Mrs Kaye-Robinson was liable to repeat matters of the kind found proved. Today's panel had not received any new information and in light of this, the panel determined that Mrs Kaye-Robinson's fitness to practise remains impaired. The panel therefore decided that a finding of continuing impairment is necessary on the ground of public protection.

The panel has borne in mind that its primary function is to protect patients and the wider public interest; which includes maintaining confidence in the nursing profession and upholding proper standards of conduct and performance. The panel determined that, in this case, a finding of continuing impairment in the public interest grounds is also required due to the serious nature of the misconduct and that Mrs Kaye-Robinson has shown only limited insight.

For these reasons, the panel finds that Mrs Kaye Robinson's fitness to practise is currently impaired.'

The second reviewing panel determined the following with regard to sanction:

'The panel next considered whether a conditions of practice on Mrs Kaye-Robinson's registration would be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable. The panel bore in mind the seriousness of the facts found proved at the original hearing. The panel considered that conditions could be formulated to address her failings. However, a conditions of practice order would not be workable due to Mrs Kaye-Robinson's lack of engagement and any evidence of strengthening of practice. Also, her lack of insight into her dishonesty and treatment of the patient in question.

The panel concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest. The panel was not able to formulate conditions of practice that would adequately address the concerns relating to Mrs Kaye-Robinson's misconduct

The panel considered the imposition of a further period of suspension. It was of the view that a suspension order would allow Mrs Kaye-Robinson further time to fully reflect on her previous dishonesty and the impact of her treatment of the patient in this case.

The panel also carefully considered whether to allow Mrs Kaye-Robinson's registration to lapse on expiry of the order. The panel took account of NMC guidance REV- 2h and that Mrs Kaye-Robinson's registration only remains active on the NMC register due to the order in place.

The panel could not conclude that Mrs Kaye-Robinson would not make progress due to the comments made to the previous hearing such that she could return to safe unrestricted practice in a reasonable period of time. The previous panel recorded that Mrs Kaye-Robinson had stated her intention to return to nursing practice.

The panel concluded that a further six month suspension order would be the appropriate and proportionate response and would afford Mrs Kaye-Robinson adequate time to further develop her insight and take steps to strengthen her practice.

The panel found although the facts found proved were serious Mrs Kaye-Robinson has expressed some remorse and provided some insight the panel agreed that a sanction of a striking-off order would be disproportionate.

The panel determined therefore that a suspension order is the appropriate sanction which would continue to both protect the public and satisfy the

wider public interest. Accordingly, the panel determined to further extend the suspension order for a period of six months.

This would provide Mrs Kaye-Robinson with an opportunity to engage with the NMC.'

Decision and reasons on current impairment

The panel has considered carefully whether Mrs Kaye-Robinson's fitness to practise remains 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 without restriction. In considering this case, the panel has carried out a comprehensive review of the order in light of the current circumstances. Whilst it has noted the decision of the last panel, this panel has exercised its own judgement as to current impairment.

The panel has had regard to all of the documentation before it, including the NMC bundle, the on-table papers and the submissions made by Ms Verity on behalf of the NMC. Mrs Kaye-Robinson did not provide any written submissions for the panel to consider at this review hearing.

Ms Verity outlined the background of the case and referred the panel to the relevant parts of the bundle.

Addressing the panel first on impairment, Ms Verity submitted that it is the panel's decision as to whether Mrs Kaye-Robinson remains impaired on the grounds of public protection and public interest. Ms Verity reminded the panel that the persuasive burden is on Mrs Kaye-Robinson to demonstrate that she is no longer impaired. Ms Verity submitted that there is nothing before the panel today that would persuade it that there is no current impairment.

Ms Verity drew the panel's attention to the last review hearing dated 16 June 2025. She submitted that the previous panel found Mrs Kaye-Robinson's practice to be impaired and that Mrs Kaye-Robinson has not provided evidence of strengthened practice or improved insight. She submitted that Mrs Kaye-Robinson has failed to comply with the

recommendations provided by the previous panel. Accordingly, Ms Verity submitted that there is no information before this panel to suggest that Mrs Kaye-Robinson's insight has developed or that there has been any form of remediation, since the substantive order was made in December 2023.

Turning to sanction, Ms Verity submitted that the extension of a suspension order previously imposed in the last hearing that was intended to give Mrs Kaye-Robinson an opportunity to demonstrate remediation and clarify her intentions for the future, resulted in very limited re-engagement with the NMC's proceedings.

Ms Verity submitted that, due to the seriousness of the outstanding regulatory concerns and the risk of repetition, the current order imposed on Mrs Kaye-Robinson's practice should not simply be allowed to lapse as this would not protect the public from risk of harm. She invited the panel to impose an order at the higher level and submitted that a striking off order is now appropriate, given the limited insight and lack of constructive steps taken by Mrs Kaye-Robinson to remediate.

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

In reaching its decision, the panel was mindful of the need to protect the public, maintain public confidence in the profession and to declare and uphold proper standards of conduct and performance.

The panel considered whether Mrs Kaye-Robinson's fitness to practise remains impaired.

The panel noted that the persuasive burden is on Mrs Kaye-Robinson to demonstrate that she is no longer impaired and were of the view that she has not discharged this burden.

The panel noted that past panels have found Mrs Kaye-Robinson's fitness to practise was impaired on the grounds of public protection and public interest. The panel today found that Mrs Kaye-Robinson's fitness to practise remains impaired on the same grounds and for the same reasons, since nothing has changed.

The panel noted that due to a lack of engagement by Mrs Kaye-Robinson, it did not have any new information before it to suggest that she has demonstrated any further insight into the ongoing regulatory concerns. Further, there was no information before the panel to show that she had taken any other steps to strengthen her practice and remediate the concerns found proved, despite being provided with ample opportunity to do so.

The panel noted that whilst the original panel had received a written reflection from Mrs Kaye-Robinson, this lacked meaningful insight and that the main focus of her reflection had been on how the proceedings had affected her personally. The panel therefore had insufficient new evidence before it today to suggest that Mrs Kaye-Robinson had developed further insight and remorse into her actions.

The panel noted the lack of any reflective pieces or any testimonials. The panel further noted that Mrs Kaye-Robinson has shown limited engagement with the NMC since the substantive suspension order was first imposed.

In light of this and the absence of any new information, this panel determined that Mrs Kaye-Robinson currently remains liable to repeat matters of regulatory concerns of the kind found proved. The panel therefore determined that the finding of impairment was necessary on the grounds of public protection, since if she were to repeat her misconduct it would put patients at significant risk of harm.

The panel has borne in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing profession and upholding proper standards of conduct and performance. The panel determined that, in this case, Mrs Kaye-Robinson's misconduct has brought the profession into disrepute and breached the fundamental tenets of the NMC Code, namely, prioritising people, practicing effectively, preserving safety and promoting professionalism and trust; Therefore, a finding of continuing impairment on public interest grounds is also required. This is because members of the public would have their confidence and trust in the profession and the NMC as a regulator undermined in circumstances whereby a nurse who represented a risk of harm to the public and had acted dishonestly, were permitted to return to practice without restriction.

For these reasons, the panel finds that Mrs Kaye-Robinson's fitness to practise remains impaired on the grounds of both public protection and the wider public interest.

Decision and reasons on sanction

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to take no further action and simply allow the order to lapse.

It then considered the imposition of a caution order but again determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mrs Kaye-Robinson's practice would not be appropriate in the circumstances. The NMC Sanctions Guidance (SG) states that a caution order may be appropriate where *'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour was unacceptable and must not happen again.'* The panel considered that Mrs Kaye-Robinson's misconduct was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the issues identified. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether a conditions of practice on Mrs Kaye-Robinson's registration would be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable. The clinical and record keeping failures in this case are matters which ordinarily could be addressed by way of conditions. Dishonesty, however, is less easy to remedy with conditions because it is attitudinal. In any event, to be workable, the panel would have to be satisfied that Mrs Kaye-Robinson were genuinely committed to complying with any conditions and could be trusted to do so. In light of her very limited insight and engagement with this process and her absence at this review hearing, the panel could not be so satisfied and accordingly a conditions of practice order was not workable, even assuming it were possible to formulate conditions.

The panel also noted that that the NMC had received an email from Mrs Kaye-Robinson dated 23 June 2025 where she discussed that she would be of retirement age from July 2025, however, the panel noted that this email did not provide a clear indication of Mrs Kaye Robinson's career intentions and it was unclear if Mrs Kaye-Robinson intended to return to practise as a nurse, as she said that she '*wished to come out of nursing and be a pip assessor.*' The email stated:

'I am most disappointed at the outcome of the Panel's decision. It dragging on 4 years, and I've had no chance to show I've learned from my actions. I have not been able to secure any employment in the career I was so passionate about. I have emphasised on numerous occasions that I wished to come out of nursing, and be a pip assessor, this has been impossible with a restriction.

[PRIVATE].' [sic]

The panel next considered imposing a further suspension order. The panel noted that due to her lack of engagement with the NMC, Mrs Kaye-Robinson has not demonstrated any further insight into her previous failings or provided information on how she has attempted to remediate her situation or strengthen her practice. The panel also observed Mrs Kaye-Robinson did not respond to the previous panel's suggestions:

'Any future panel reviewing this case would be assisted by:

- *Clear indication Mrs Kaye Robinsons' career intentions*
- *Evidence of further reflection, professional development and how Mrs Kaye-Robinson will use her learning to improve her nursing practice*
- *Engage with the fitness to practice panel and process.'*

The panel recognised that these proceedings have been ongoing since 2021. Furthermore, the panel noted that Mrs Kaye-Robinson has not practised as a nurse for over four years since the incident and so there is no evidence of a period of safe and effective practice.

The panel was of the view that considerable evidence would be required to show that Mrs Kaye-Robinson was no longer impaired and could safely return to practice. The panel was not persuaded by Mrs Kaye-Robinson's assertion that *'I've had no chance to show I've learned from my actions,'* as a result of the imposition of a suspension order, as one does not need to be a registered nurse or in employment, to address many of the concerns identified. The panel looked carefully at the reasons given by the previous panel and decided that it must have been clear to Mrs Kaye-Robinson, if she had read the decision that was sent to her, that any future panel, in the absence of evidence from herself, would have to seriously consider a striking-off order.

The panel took into account the guidance provided by the NMC on sanction and when to consider a striking-off order. It also took into account the case of *Unozor v. Nursing and Midwifery Council*, 25 February 2016, cited by the Legal Assessor. In that case, the High Court held that a panel was entitled to conclude that it was not appropriate to continuously extend its suspension orders in the hope that the Registrant might eventually comply with its suggestions. The panel was also assisted by the case of the *PSA v NMC & Graham [2025] EWHC 3132 (Admin)*, referred to by Ms Verity and the Legal Assessor, which provided helpful guidance on when it is appropriate to impose a striking-off order, rather than simply allowing a substantive order to lapse.

The panel determined that further periods of suspension would not serve any useful purpose in all of the circumstances, given Mrs Kaye-Robinson's limited engagement with proceedings since the substantive suspension order was originally imposed, and that a decision had to be made to conclude this case. The panel determined that it was necessary to take action to prevent Mrs Kaye-Robinson from practising in the future and concluded that the only sanction that would adequately protect the public and serve the public interest by upholding proper standards and confidence in the profession and the regulator was a striking-off order.

This striking-off order will take effect upon the expiry of the current suspension order, namely the end of 23 January 2026 in accordance with Article 30(1).

This decision will be confirmed to Mrs Kaye-Robinson in writing.

That concludes this determination.