

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

**Substantive Meeting
Monday, 6 October – Tuesday, 7 October 2025**

Virtual Meeting

Name of Registrant:	Karen Ann Eden
NMC PIN:	00A0259E
Part(s) of the register:	Nurses part of the register Sub part 1 RNA: Adult nurse, level 1 (1 May 2003) Recordable qualifications: V300: Nurse independent / supplementary prescriber (29 June 2006)
Relevant Location:	Newcastle
Type of case:	Misconduct
Panel members:	Susan Thomas (Chair, Lay member) Paula Charlesworth (Lay member) Sally Hatt (Registrant member)
Legal Assessor:	Sean Hammond
Hearings Coordinator:	John Kennedy
Facts proved:	Charges 1, 2, 3, and 4
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 noted at the start of this meeting that the Notice of Meeting had been sent to Mrs Eden's registered email address by secure email on 26 August 2025 registered address by recorded delivery on 27 August 2025.

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Meeting provided details of the allegation, the time, date after which the hearing would be heard and the fact that this meeting was heard virtually.

In the light of all of the information available, the panel was satisfied that Mrs Eden has been served with notice of this meeting in accordance with the requirements of Rules 11A and 34 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

Details of charge

That you, a registered nurse:

1) On one or more of the dates set out in Schedule 1, worked shifts for Medical Resource Partners ("the Agency") while in receipt of sick pay from North East Ambulance Service.

2) Your actions at Charge 1 were dishonest in that you represented to North East Ambulance Service that you were entitled to receive sick pay when you knew you were not.

3) On 29 February 2024, in relation to Colleague A, you posted a comment on Facebook that stated, "Jealousy is an awful trait to have and you are a real green eyed monster".

4) Your actions at Charge 3 intended to intimidate Colleague A and/or defame her

as you thought she had referred you to the NMC.

Schedule 1

29 April 2023

30 April 2023

4 May 2023

13 May 2023

14 May 2023

20 May 2023

21 May 2023

22 May 2023

29 May 2023

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

Background

Mrs Eden was referred to the NMC in July 2023 by North East Ambulance Service NHS Foundation Trust (the Trust) in relation to allegation that she worked a number of shifts at Medical Resource Partners (the Agency) while claiming sick pay from the Trust. It is further alleged that after the NMC submitted the report to the Case Examiners Mrs Eden made a Facebook post mentioning Colleague A making purportedly intimidating statements.

Decision and reasons on facts

In reaching its decisions on the disputed facts, the panel took into account all the documentary evidence in this case together with the representations made by the NMC and the emails and local statements from Mrs Eden.

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 had regard to the written statements of the following witness on behalf of the NMC:

- Witness 1: Colleague A

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

The panel then considered each of the disputed charges and made the following findings.

Charge 1

“1) On one or more of the dates set out in Schedule 1, worked shifts for Medical Resource Partners (“the Agency”) while in receipt of sick pay from North East Ambulance Service.”

This charge is found proved.

The panel had sight of a printout of the dates Mrs Eden was signed off sick from the Trust and which she confirmed at the local investigation as an accurate record. The panel also had sight of the signed timesheets for shifts Mrs Eden worked at the Agency. It noted that the dates are the same as those she was on sick leave.

The panel considered that when confronted about this in the local investigation Mrs Eden accepted working shifts at the Agency, on more than one of the dates listed at schedule 1, while in receipt of sick pay from the Trust.

Therefore the panel finds this charge to be proved.

Charge 2

“2) Your actions at Charge 1 were dishonest in that you represented to North East Ambulance Service that you were entitled to receive sick pay when you knew you were not.”

This charge is found proved.

The panel considered the case of *Ivey v Genting Casinos* [2017] UKSC 67 which sets out the test for dishonesty. The panel adopted this process and therefore determined first what Mrs Eden’s understanding was at the time of the incident and secondly what the objective understanding of an ordinary decent person would be.

The panel considered that at the local investigation Mrs Eden stated, when questioned, that she knew she should not work shifts at the Agency while also claiming sick pay from the Trust, she made no alternative explanation and was clear that she knew this was something she should not do. Therefore the panel considered that it is more likely than not that Mrs Eden’s understanding was that she knew not to work elsewhere while receiving sick pay and to do so would be dishonest.

The panel then considered that an ordinary, decent person would view the act of working somewhere other than one’s main employment while in receipt of sick pay would be inherently dishonest.

The panel noted that Mrs Eden has not offered any alternative explanation for her actions.

This charge is therefore found to be proved in its entirety.

Charge 3

“3) On 29 February 2024, in relation to Colleague A, you posted a comment on Facebook that stated, “Jealousy is an awful trait to have and you are a real green eyed monster”.”

This charge is found proved

The panel had sight of a screenshot of the Facebook post made by Mrs Eden on 29 February 2024 in which the phrase quoted is used. The panel noted that Colleague A is mentioned three times by name in the post, with an acknowledgement that Mrs Eden continued to follow Colleague A on Facebook. Mrs Eden has not disputed making the Facebook post and in emails to the NMC makes reference to having made the post.

Therefore the panel considered that on the balance of probabilities this charge is proved.

Charge 4

“4) Your actions at Charge 3 intended to intimidate Colleague A and/or defame her as you thought she had referred you to the NMC.”

This charge is found proved (in relation to the first limb only)

The panel considered the first limb of the charge, namely that the Facebook post was intended to intimidate Colleague A. The panel noted that the post contained numerous instances where Colleague A was named, the panel bore in mind that by naming someone on Facebook it is possible they have been “tagged” meaning the post will also show up on their profile. In it Mrs Eden makes multiple statements that are clearly offensive and intended to cause hurt or otherwise intimidate Colleague A, including by comparing them to “*a green eyed monster*”.

The panel considered that such language is inherently intimidating.

Therefore the panel found the first limb of this charge to be proved.

However, the panel considered that there is a lack of evidence that the Facebook post was intending to make libelous or defamatory statements against Colleague A, but that it was more likely intended to be intimidatory. Therefore on the balance of probabilities the panel finds the second limb not proved.

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 Eden's fitness to practise is currently impaired. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's ability to practise kindly, safely and professionally.

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 Eden's fitness to practise is currently impaired as a result of that misconduct.

Representations on misconduct and impairment

The NMC invited the panel to take the view that the facts found proved amount to misconduct. The panel had regard to the terms of 'The Code: Professional standards of practice and behaviour for nurses and midwives (2015)' ("the Code") in making its decision.

The NMC identified the specific, relevant standards where Mrs Eden's actions amounted to misconduct and were a serious departure from the expected standards of a registered nurse.

The NMC requires the panel to bear in mind its overarching objective to protect the public and the wider public interest. This included the need to declare and maintain proper standards and maintain public confidence in the profession and in the NMC as a regulatory

body. The panel has referred to the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant* [2011] EWHC 927 (Admin).

The NMC invited the panel to find Mrs Eden's fitness to practise impaired on the grounds that the conduct was repeated over a sustained period of time, were premeditated acts of dishonesty for personal financial gain, and brought the profession into disrepute.

The panel accepted the advice of the legal assessor which included reference to a number of relevant judgments.

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.

The panel was of the view that Mrs Eden's actions did fall significantly short of the standards expected of a registered nurse, and that Mrs Eden's actions amounted to a breach of the Code. Specifically:

'Uphold the reputation of your profession at all times

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

20.10 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

Uphold your position as a registered nurse, midwife or nursing associate

21.3 act with honesty and integrity in any financial dealings you have with

everyone you have a professional relationship with, including people in your care'

The panel appreciated that breaches of the Code do not automatically result in a finding of misconduct. However, the panel was of the view that Mrs Eden's actions were representative of a pattern of sustained premeditated misconduct over a period of a number of months for her personal financial gain. The panel considered that posting a Facebook post in a public forum with the intention to intimidate a fellow registered nurse is a breach of the fundamental tenets of nursing practice. The panel considered that a fellow practitioner would consider Mrs Eden's actions to be deplorable.

The panel found that Mrs Eden's actions did fall seriously short of the conduct and standards expected of a nurse and amounted to misconduct.

Decision and reasons on impairment

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

In coming to its decision, the panel had regard to the Fitness to Practise Library, updated on 27 March 2023, and the judgment of Mrs Justice Cox in the case of *CHRE v NMC and Grant*, particularly paragraphs 74 and 76.

Nurses occupy a position of privilege and trust in society and are expected at all times to be professional. 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.

While there is no evidence of patient harm as a result of Mrs Eden's actions the panel considered that there was a significant risk of harm to patients. By working at the Agency while receiving sick pay from the Trust Mrs Eden defrauded the NHS and took valuable resources that could have otherwise been used in treating patients, the panel considered that this could have by extension put patients at risk of harm by not being able to be treated due to the Trust not having appropriate resources. The panel considered that Mrs

Eden's actions did cause emotional harm towards Colleague A by making intimidatory public posts about.

Mrs Eden's misconduct had breached the fundamental tenets of the nursing profession, to treat all people kindly and professionally, and therefore brought its reputation into disrepute. It was satisfied that confidence in the nursing profession would be undermined if its regulator did not find charges relating to dishonesty extremely serious.

Regarding insight, the panel considered that while Mrs Eden made full admissions at an early stage of the local investigation there has been no reflection submitted as part of the NMC process to indicate any insight, remorse, or strengthening of practice.

In light of this, the panel is of the view that there is a risk of repetition as there has been no remediation, and the misconduct found proved is indicative of an attitudinal concern which would require sustained remediation but there is no indication Mrs Eden has undertaken or would be willing to undertake such steps. 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.

The panel determined that a finding of impairment on public interest grounds is required because the misconduct found proved breached the fundamental tenets of kind, safe, and effective nursing practice, brought the reputation into serious disrepute. The panel concluded that a finding of impairment is required to declare and uphold the expected standards of a registered nurse.

In addition, the panel concluded that public confidence in the profession would be undermined if a finding of impairment were not made in this case and therefore also finds Mrs Eden's fitness to practise impaired on the grounds of public interest.

Having regard to all of the above, the panel was satisfied that Mrs Eden's fitness to practise is currently impaired.

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 Eden off the register. The effect of this order is that the NMC register will show that Mrs Eden 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. The panel accepted the advice of the legal assessor.

Representations on sanction

The panel noted that in the Notice of Meeting, the NMC had advised Mrs Eden that it would seek the imposition of a striking-off order if it found Mrs Eden's fitness to practise currently impaired.

Decision and reasons on sanction

Having found Mrs Eden'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:

- Abuse of a position of trust
- Lack of insight into failings
- A pattern of misconduct over a period of time
- Premeditated misconduct for personal gain

The panel also took into account the following mitigating features:

- Early admissions at a local level
- Written apology submitted to the NMC
- Difficult personal circumstances

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.

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 Eden's practice would not be appropriate in the circumstances. The 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 Eden's misconduct was not at the lower end of the spectrum and that a caution order 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 impose a caution order.

The panel next considered whether placing conditions of practice on Mrs Eden's registration would be a sufficient and appropriate response. The panel is of the view that there are no practical or workable conditions that could be formulated, given the nature of the charges in this case. The misconduct identified in this case was not something that can be addressed through training as it is attitudinal. Furthermore, the panel concluded that the placing of conditions on Mrs Eden's registration would not adequately address the seriousness of this case and would not protect the public.

The panel then went on to consider whether a suspension order would be an appropriate sanction. The SG states that suspension order may be appropriate where some of the following factors are apparent:

- *A single instance of misconduct but where a lesser sanction is not sufficient;*
- *No evidence of harmful deep-seated personality or attitudinal problems;*
- *No evidence of repetition of behaviour since the incident;*
- *The Committee is satisfied that the nurse or midwife has insight and does not pose a significant risk of repeating behaviour;*
- ...
- ...

The conduct, as highlighted by the facts found proved, was a significant departure from the standards expected of a registered nurse. The panel noted that the serious breach of the fundamental tenets of the profession evidenced by Mrs Eden's actions is fundamentally incompatible with Mrs Eden remaining on the register.

In this particular case, the panel determined that a suspension order would not be a sufficient, appropriate or proportionate sanction, given the serious sustained dishonesty and the attitudinal concerns.

Finally, in looking at 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?*

Mrs Eden's actions were significant departures from the standards expected of a registered nurse, and are fundamentally incompatible with her remaining on the register. The panel was of the view that the findings in this particular case demonstrate that Mrs Eden's actions were 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 of 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. Having regard to the matters it identified, in particular the effect of Mrs Eden's actions in bringing the profession into disrepute by adversely affecting the public's view of how a registered nurse should conduct herself, the panel has concluded that nothing short of this would be sufficient in this case.

The panel considered 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 behaviour required of a registered nurse.

This will be confirmed to Mrs Eden 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 Eden's own interests until the striking-off sanction takes effect. The panel heard and accepted the advice of the legal assessor.

Representations on interim order

The panel took account of the representations made by the NMC that an interim suspension order of 18 months is necessary to cover any potential appeal period on the grounds of public protection and otherwise in the public interest.

Decision and reasons on interim order

The panel was satisfied that an interim order is necessary for the protection of the public and is otherwise in the public interest. The panel had regard to the seriousness of the facts found proved and 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 in this case, due to the reasons already identified in the panel's determination for imposing the substantive order. The panel therefore imposed an interim suspension order of 18 months as being necessary to cover any potential appeal period on the grounds of public protection and otherwise in the public interest.

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

That concludes this determination.