

**Nursing and Midwifery Council  
Investigating Committee**

**Registration Appeal Hearing  
Tuesday, 4 November – Wednesday, 5 November 2025**

Virtual Hearing

<b>Name of Appellant:</b>	Olalekan Ojo
<b>Type of case:</b>	Registrations appeal
<b>Panel members:</b>	Michael McCulley (Chair, Lay member) Nicola Harvey (Registrant member) Darren Rice (Lay member)
<b>Legal Assessor:</b>	Sharmistha Michaels
<b>Hearings Coordinator:</b>	John Kennedy
<b>Nursing and Midwifery Council:</b>	Represented by Mousumi Chowdhury, Case Presenter
<b>Mr Ojo:</b>	Present and unrepresented
<b>Decision:</b>	<b>Appeal dismissed</b>

## **Decision and reasons**

The panel decided to dismiss your appeal against the decision of the Assistant Registrar of the Nursing and Midwifery Council (NMC).

This appeal is made under Article 37(1)(a) of the Nursing and Midwifery Order 2001 (the Order). You appealed the decision of the Assistant Registrar, dated 5 December 2023, that you did not meet the character requirements for registration to the NMC register.

## **Background**

On 16 March 2023, Pearson VUE, the NMC's computer-based test (CBT) provider, alerted it to unusual data relating to tests taken at Yunnik Technologies Ltd test centre in Ibadan, Nigeria (Yunnik). The CBT test is in two parts, numeracy and clinical. The data raised questions about whether some or all of the CBT results at Yunnik had been obtained through fraud and called into question the validity of all tests taken at Yunnik.

Following completion of the NMC's initial investigation into this issue it concluded that there was evidence of widespread fraud at the Yunnik centre, where a large number of candidates had allegedly fraudulently obtained their CBT. The NMC asked Pearson VUE to provide it with assurance that the data concerning tests taken at Yunnik were accurate, and not the result of a system error, cyber-attack, or other technical issue. Pearson VUE confirmed that, following a detailed investigation into the testing facility at Yunnik and review of the data, Pearson VUE were satisfied that there was no evidence of system error, cyber-attack, or other technical error and that the data was indicative of one or more proxy testers operating at the centre.

The NMC next asked an independent data analytics expert of OAC Limited (OAC), Witness 4, to provide the NMC with an objective analysis of the data provided by Pearson VUE. OAC looked at the times in which CBT candidates at Yunnik took to achieve their CBT pass, compared with times taken by CBT candidates from other test centres in Nigeria and globally. Using this data, OAC then calculated the probability that each CBT candidate at Yunnik could achieve their CBT pass within the time it took them to complete the test. OAC's analysis of the data supports Pearson VUE's conclusion that there may

have been widespread fraudulent activity at Yunnik probably through a proxy tester acting on behalf of test candidates.

The data in relation to your CBT shows that you achieved a pass in you test(s) in the following time(s):

- Numeracy: 21.03 Minutes (Time allocated for test: 30 minutes).
- Clinical: 21.47 Minutes (Time allocated for test: 150 minutes).

Comparing your time to complete the tests with times taken by candidates globally, it was considered very unlikely by the NMC that you could have achieved a pass in the tests within the times it took you to complete them.

Taking into account the times in which your tests were taken, in a centre in which the NMC allege there to have been widespread fraudulent activity, it was considered by the NMC to be more likely than not that your CBT result was obtained fraudulently.

When considering your application to the register, the Assistant Registrar took into account the following documentation:

- Expert reports by Witness 4 Head of Data Analytics at OAC
- Witness statements of Witness 5, Director of Information Security and Security Services at Pearson VUE
- Witness statements of Witness 6, Executive Director of Professional Practice at the NMC
- Your completed application

In your correspondence you stated that you were not involved in, or aware of, any fraudulent activity at the Yunnik test centre and that you were not aware of anyone who was involved in it either.

The Assistant Registrar considered your explanation. The Assistant Registrar was not satisfied with your explanation and considered that they had not been presented with any

evidence to change the conclusion that you obtained your CBT results fraudulently. The Assistant Registrar therefore determined that you did not meet the character requirements to be considered capable of safe and effective practice.

On 5 December 2023, you were informed that the Assistant Registrar had refused your application onto the register. You appealed the decision on 26 December 2023, within the 28 day time limit.

## **Evidence**

The panel took account of the written evidence and witness statements from the following witnesses on behalf of the NMC:

- Witness 1: Band 5 nurse in the UK who provided her experience sitting an exam at Yunnik.
- Witness 2: Band 4 Pre-registration nurse in the UK who provided her experience sitting an exam at Yunnik.
- Witness 3: The Deputy Director for Business Transformation and a member of the Executive Team for Professional Regulation.
- Witness 4: Director of Information Security and Security Services at Pearson VUE.
- Witness 5: An independent Data Analyst who provided the NMC with an analysis of the data provided by Pearson VUE.

- Witness 6: Employed by the NMC as the Executive Director of Professional Practice.

## **Submissions**

Ms Chowdury outlined the background to the case as above. She submitted that in your particular CBT test, the results are at a rate which the expert evidence states is highly indicative of being obtained through the use of a proxy.

You provided the panel with documentation to support this appeal including:

- Screenshot of mock test results
- Example of preparation material you used
- Certificate in nursing, with exam results
- Positive testimonial cards from patients
- Letter of commendation and excellence award from current employer

You gave evidence under oath. You outlined the background of your nursing career in Nigeria and that you revised for the CBT test using mock questions and tests. You described how you booked the test and found the Yunnik Centre through searching online and made phone contact to book the test.

You answered questions from Ms Chowdury and the panel describing what the Yunnik Centre was like on the day of your test, how many other people were present, when you first became aware that your times were quick. You stated that you finished in the time you did as you had revised substantively for it and were able to complete it as you were a highly capably nurse.

The panel accepted the advice of the legal assessor.

The panel noted that within the accepted evidence there was some element of hearsay and decided to place appropriate weight on those parts.

### **Panel's decision**

In making its decision, the panel first considered whether it had sufficient evidence before it to substantiate the NMC's case that there was widespread fraud occurring at the Yunnik Centre.

The panel had sight of the analysis provided by Witness 5 and Witness 4's data, including diagrams which evidence the time taken globally, including other centres in Nigeria, to complete the CBT, compared to the times achieved at the Yunnik Centre. The panel considered Witness 4's analysis your specific data, which provided the following odds of how achievable your test times were:

*"Evaluated Clinical Timing: 21.47 minutes: Odds less likely than 1 in 2455.57*

*Evaluated Numeracy Timing: 21.03 minutes: less likely than 1 in 2.04"*

This analysis identifies that, as result of your test times, it is likely that you used a proxy tester at the Yunnik Centre.

It is the evidence of Witness 6 that so far, 18 individuals have come forward and made admissions to using a proxy tester at the Yunnik Centre. 16 of those individuals remain anonymous. Additionally, the panel had before it the data from Pearson Vue with regards to the times taken to complete the CBT at the Yunnik Centre. Witness 6 records the accounts given by 14 of individuals and in three admissions, the time recorded for Part B (Clinical) was inside the threshold of 1 in 2,500.

The panel considered the witness statements of both Witness 1 and Witness 2, who describe attending for the CBT at the Yunnik Centre and subsequently being pressured into using a proxy tester.

The panel next considered whether it is more likely than not that you used a proxy test taker in obtaining a satisfactory test result from the Yunnik centre in Ibadan, Nigeria.

The panel noted that you claim to have prepared for over 18 months for these tests and undertook a range of mock tests which prepared you well for the exam. You did provide some evidence of a bank of questions you used to revise and a single mock test result where you answered 44 questions achieving a 91% score, but this was not timed.

The panel took into account the documents you submitted and found no plausible explanation as to how you completed the test so quickly, other than stating you completed the exam to the best of your ability. The panel considered that the appeal grounds that you provided focused on challenging the Assistant Registrant's reliance on the speculative and suspicious evidence, and that you have otherwise worked in healthcare and received positive testimonials. The panel considered that the information from you was very limited and did not undermine the decision of the Assistant Registrar. The panel noted that you had submitted a copy of your nursing certificate which had consistent results; however, in considering the CBT test result the panel noted that in your oral evidence you stated you had found the test "*tricky*." The panel considered that in light of this difficulty you described and the probability of the timing you achieved there is limited weight that can be placed on your previous academic results. The panel did not find sufficient evidence from you demonstrating how you earned the results without using a proxy.

The panel also considered why you were able to achieve such unlikely test times at Yunnik. The panel noted that the expert evidence suggests that globally 27 people were likely to be able to achieve the times you did in the clinical test. It considered that it is highly unlikely therefore that three people were able to achieve this on the same day at the Yunnik Centre. The panel therefore concluded that on the balance of probabilities it is more likely that you use a proxy to achieve this result. It concluded that the only reasonable explanation for your fast completion was more likely than not that you obtained your test results by the use of a proxy.

Finally, the panel went on to determine whether you meet the character requirements for admission to the NMC register. The panel had regard to the NMC guidance on health and character, in particular 'Factors that we take into account when considering character cases', last updated on 5 September 2024. The panel was aware that it was for you to

satisfy the panel that she met the character requirements for successful admission on the register.

The panel noted that you have provided two positive testimonials from patients who you assisted while working as a healthcare assistant, and a letter of commendation from your employer. However, the panel considered that these do not address the character requirements for successful admission to the register given the finding that you had achieved the CBT test result via a proxy.

The panel considered that integrity, candour, and trust are fundamental values that any prospective registered nurse must demonstrate. It found that by using a proxy to obtain more favourable test results you have failed to uphold these values. The panel did not have before it any reflection or insight from you regarding this, and the testimonials did not speak to the issue of integrity. The panel therefore concluded that there is insufficient information before it to be satisfied that you meet the character requirements for registration.

The panel therefore decided to dismiss your appeal, to uphold the decision of the Assistant Registrar, thereby refusing your application to the NMC register.

You have the right to appeal this decision. If you appeal the decision, you must submit your appeal to the county court within 21 days of this decision.

This will be confirmed to you in writing.

That concludes this determination.