

**Nursing and Midwifery Council
Investigating Committee**

**Registration Appeal Hearing
Friday, 25 July 2025**

Virtual Hearing

Name of Appellant: Romeo Zingwe

NMC PIN: 24I2113E

Type of case: Registrations appeal

Panel members: John Anderson (Chair, Lay member)
Sue Gwyn (Registrant member)
Sally Allbeury (Lay member)

Legal Assessor: Megan Ashworth

Hearings Coordinator: Eleanor Wills

Nursing and Midwifery Council: Represented by James Cox, Case Presenter

Mr Zingwe: Present and unrepresented

Decision: **Appeal dismissed**

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 of the Nursing and Midwifery Order 2001 (the Order). you have appealed the decision of the Assistant Registrar, dated 24 March 2025, that you do not meet the character requirements for registration.

In reaching its decision, the panel considered all of the evidence in this case, as well as your submissions, and those of Mr Cox, on behalf of the NMC. In addition, the panel also heard oral evidence, under affirmation, from you.

Background

On 23 October 2024 you applied, for the first time, to be admitted to the NMC Register. On 19 December 2024 the Assistant Registrar refused your first application to join the NMC Register. In reaching this decision they considered your convictions, as follows:

“Firstly, on 21 October 2019, you were charged with travelling on the railway without payment of fare. You were convicted of this offence on 28 August 2020 and were ordered to pay a fine of £180.

Secondly, on 30 April 2022, you were charged with driving a motor vehicle with excess alcohol and using a vehicle while uninsured. You were convicted of these offences on 9 June 2022. You were disqualified from driving for 24 months and were ordered to pay a fine of £700.

Thirdly, on 20 June 2022, you were charged with the following offences:

- *Driving a motor vehicle with excess alcohol*
- *Dangerous driving*
- *Driving whilst disqualified*

- *Using vehicle while uninsured*
- *Fail to supply information re drivers' identity as required*
- *Use motor vehicle/trailer with tyre with any of the ply/cord exposed on 20/06/22*

You were convicted of these offences on 25 January 2023. You received a 40-week suspended custodial sentence, wholly suspended for 18 months. You were disqualified from driving for 36 months and ordered to complete an alcohol rehabilitation activity.”

On 19 September 2022 you commenced MSc Mental Health Nursing programme at Bournemouth University (the University).

The Assistant Registrar took into consideration that the University confirmed to the NMC on 28 October 2024 that you declared your second conviction to them at the initial application stage; at this time, you had not been convicted of the third set of offences. You informed the NMC on 14 November 2024, that you did not declare the third set of convictions either at the relevant time or subsequently, to the University as you forgot to do so [PRIVATE].

The Assistant Registrar took into account that when applying to join the NMC Registrar on 23 October 2024 you declared all of your motoring convictions but did not declare your first conviction.

[PRIVATE].

The Assistant Registrar had regard to your reflective statement which you provided, however they were not satisfied that you had demonstrated sufficient insight into the impact of your offences on the profession and why you had not declared all your convictions to the University.

The Assistant Registrar, when considering your first application to join the NMC Register determined that your conduct breached a fundamental tenet of the nursing profession in

that you failed to promote professionalism and trust. The Assistant Registrar determined that your insight in relation to your conduct was limited and therefore you did not meet the character requirements for registration at that time.

On 5 March 2025, you made a second application to be admitted to the NMC Register. On 14 March 2025 the Assistant Registrar refused your second application to join the NMC Register. In reaching this decision they considered your convictions, as previously outlined, your failure to disclose your first conviction and third set of convictions to the University and your failure to declare your first conviction to the NMC.

The Assistant Registrar, having had regard to the letter you provided from the Disclosure Barring Service (DBS) dated 16 January 2025 and your reprinted DBS certificate, was satisfied that you provided a credible explanation as to why you did not declare your first conviction to the University and the NMC.

[PRIVATE].

The NMC as part of its investigation obtained a reference from your current employer who confirmed that they were aware of your convictions. Your current employer also raised concerns about your honesty in relation to your [PRIVATE] relationship with another member of staff.

The Assistant Registrar had regard to your reflective statements which you provided, however they were still not satisfied that you were of sufficient character to be able to practise safely and effectively, particularly alongside the concern raised by your employer.

The Assistant Registrar, when considering your second application to join the NMC Register determined that your conduct breached a fundamental tenet of the nursing profession in that you failed to promote professionalism and trust. The Assistant Registrar determined that your insight in relation to your conduct remains limited and therefore you do not meet the character requirements for registration at this time.

On 21 April 2025, you appealed the decision of the Assistant Registrar in a Notice of Appeal.

Decision and reasons on application for hearing to be held in private

During your oral evidence, the panel of its own volition, raised the matter as to whether this case should be held partly in private on the basis that proper exploration of your case involves [PRIVATE].

You supported this application.

Mr Cox supported this application

The legal assessor reminded the panel that Rule 30(1) stated that *‘The hearing shall be held in public unless the Appeal Panel is satisfied that, in the interests of justice or for the protection of the private life of the appellant, any person giving evidence or of any patient or client, the public should be excluded from all or part of the hearing.’*

The panel determined to go into private session [PRIVATE] as and when such issues are raised in order to [PRIVATE] in accordance with Rule 30(1) of the ‘Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004’ (the Rules).

Submissions

Mr Cox outlined the background to the case.

Mr Cox submitted that there are three outstanding issues, the convictions themselves, your failure to disclose your third set of convictions to the University and your failure to disclose your [PRIVATE] relationship with Colleague F to your employer.

Mr Cox referred the panel to the NMC guidance on health and character, paragraph 143.

“143. It is unlikely you’ll meet the character requirements for admission, readmission to the register or renewal of registration, if you’ve been involved in any of the following:

- ...
- *Conduct involving dishonesty, fraud or deception.*
- ...
- ...
- ...
- *If you received a custodial sentence (this includes suspended sentences), or the conviction was for a specified offence.”*

Mr Cox submitted that your conduct in relation to your first conviction involved dishonest, fraudulent and/or deceptive behaviour in that you travelled on the railway without payment of fare. He submitted that your conduct in failing to disclose your third set of convictions and [PRIVATE] relationship with Colleague F were deliberate acts of concealment and therefore involved dishonest, fraudulent and/or deceptive behaviour. Furthermore, he submitted that your third set of convictions resulted in a 40-week custodial sentence, suspended for 18 months.

Mr Cox referred the panel to the NMC guidance on health and character, paragraph 137.

“137. The Registrar will look at your application and the factors which will be taken into account are as follows:

- *Your age when the conduct took place.*
- *How long ago the conduct took place.*
- *Whether it was an isolated incident.*
- *Whether the incident(s) were linked to nursing or midwifery practice or employment.*
- *Whether the use of drugs or alcohol was a factor in the conduct.*
- *Reflection and insight about the conduct and obligations as a registered nurse, midwife or nursing associate.*
- *Personal mitigation.*
- *Any explanation offered for the conduct having occurred”*

He submitted that the most recent conviction took place in January 2023, which you failed to disclose at the relevant time, or subsequently to the University. He submitted that the most recent incident of dishonesty occurred in 2025, in that you failed to disclose your [PRIVATE] relationship with Colleague F to your employer, when you were required to do so. Mr Cox submitted that your dishonest conduct is not limited to a single isolated incident but has taken place since 2019.

Mr Cox submitted that although your conduct does not directly relate to your clinical practice it reflects a pattern of persistent disregard for rules and law, a concerning relationship with alcohol and a propensity to be dishonest.

Mr Cox submitted that your conduct has consistently breached the following standards of 'The Code: Professional standards of practice and behaviour for nurses and midwives (2015)' (the Code): 20.1, 20.2, 20.4 and 20.8.

Mr Cox submitted that your reflective statements are insufficient in that your insight into your conduct remains limited. Your statements do not provide adequate explanations for the severe and persistent nature of your conduct. Your statements do not demonstrate a sufficient understanding of the severity of your actions.

Mr Cox submitted that due to your lack of insight into your conduct you are not capable of safe and effective practice and do not meet the NMC's character requirements for registration.

Mr Cox therefore invited the panel to dismiss the appeal.

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

- Written statement dated 25 July 2025
- Testimonial from Colleague A dated 15 June 2025
- Testimonial from Colleague B dated 21 June 2025
- Testimonial from Colleague C dated 22 June 2025
- Testimonial from Colleague D dated 26 June 2025

- Testimonial from Colleague E dated 2 July 2025
- Placement feedback form dated 22 March 2023
- Placement feedback form dated 27 March 2023
- Placement feedback form dated 30 March 2023
- Placement feedback form dated 25 August 2023
- Placement feedback form dated 5 August 2024
- Placement feedback form dated 16 August 2024

You provided evidence under affirmation.

You acknowledged your wrongdoing, in respect of your convictions, in failing to disclose your third set of convictions to the University and by not immediately disclosing the nature of your [PRIVATE] relationship with Colleague F during your employment. You accepted responsibility for these lapses in judgement and stated you regret the impact they have had on you, your employer and the nursing profession. When questioned, you stated that you recognise the impact of your actions in respect of the risk of harm to patients and the wider public as well as the negative impact on the reputation of the nursing profession.

In respect of your failure to disclose your third set of convictions to the University you stated that this was not a deliberate act of concealment. [PRIVATE]. When questioned, you stated you were aware of your duty of disclosure and transparency at the time however due to your personal circumstances you forgot to disclose the convictions and subsequently realised when you applied to the NMC for registration. You confirmed that you failed to disclose the third set of convictions for a period of approximately a year and a half.

You stated that you did not fully appreciate the seriousness of the issue of non-disclosure at the time but have since understood the impact of your actions in respect of the importance of acting with transparency.

You stated that you have since been open and honest with both the NMC and your employer and have cooperated fully throughout this process and highlighted that these convictions occurred some time ago. However, having been questioned you

acknowledged that you have since acted dishonestly in failing to disclose your [PRIVATE] relationship with Colleague F.

By way of explanation, you stated that you did not initially realise that Colleague F was working on the same ward as you had applied to. You initially stated that you disclosed your relationship with Colleague F at the earliest opportunity in that you had informed your colleagues on your first day and clarified your [PRIVATE] relationship with Colleague F. When questioned you acknowledged your actions were dishonest in that you had stated to your employer, when you were offered the role, that [PRIVATE] worked on the ward. Subsequently when you were asked about it by your colleagues on your first shift, you clarified that it was in fact [PRIVATE]. You acknowledged that you should have informed management immediately when you were offered the role. You stated that you acted in this way due to fear that otherwise you would not be offered employment.

You stated that you have taken active steps to change over the past three years and have completed the rehabilitation activity requirement which helped you reflect on your behaviour and address your behaviour with alcohol. When questioned you acknowledged that this requirement was court mandated. You informed the panel that you have been working as a band 4 advanced clinical support worker in mental health for the past eight months and have provided five positive testimonials from colleagues which are supportive of your character and practice.

The panel accepted the advice of the legal assessor.

Panel's decision

The panel had regard to the NMC's guidance on health and character and the Code.

The panel had regard to the memoranda of the convictions from Oxfordshire Magistrates Court dated 28 August 2020 and from Reading Magistrates Court dated 9 June 2022 and 25 January 2023. The panel had regard to the fact that you accept that you failed to disclose your third set of convictions to the University, at the relevant time or for the following year and a half whilst you attended the University. Further you accept that you failed to inform your employer of your correct [PRIVATE] relationship with Colleague F.

The panel had regard to your explanation in respect of your conduct which led to your convictions. The panel took into account the nature of your convictions involving dishonest, fraudulent and/or deceptive behaviour. The panel noted that you received a suspended custodial sentence in respect of your third set of convictions. The panel determined that your convictions do not reflect an isolated incident but a pattern of behaviour which occurred over a period of time. The panel took into account that your second and third sets of convictions involved the use of alcohol and were similar in nature. The panel had regard to the fact that your conduct which led to your third set of convictions was in defiance of a court order and repeated the behaviour of which you had been convicted recently. The panel determined that your conduct which led to your convictions may be indicative of attitudinal/behavioural concerns. The panel took into account that your convictions are not directly linked to your practice, but they do demonstrate a pattern of poor consequential thinking and show little regard to the authority of the court, raising questions regarding your ability to act with honesty and integrity and to promote professionalism and trust.

The panel had regard to your reflective statements and oral evidence, in respect of your convictions. The panel took into account that you broadly recognised the impact of your convictions on patients, the wider public and the nursing profession. However, you did not provide a sufficient explanation as to what led to your convictions and what you have done to mitigate the risk of repetition. Further you did not demonstrate a sufficient understanding of the severity of your conduct. The panel determined that your insight into your convictions was limited.

The panel had regard to your explanation and insight in respect of your failure to disclose your third set of convictions to the University. The panel took into account that you admitted that you were aware of your duty of disclosure to the University at the time in respect of your convictions. You admitted that you did not declare your third set of convictions to the University at any time, however you did disclose all your convictions to NMC when you applied for admission. The panel noted your personal circumstances at the time and your explanation that this led to you forgetting to disclose your third set of convictions to the University. The panel determined that the explanation you provided was implausible in light of the fact that you failed to disclose your third set of convictions for a period of over a year and a half and during this period you were complying with the

supervision requirements of the sentence imposed for said convictions. Furthermore, you admitted that you were aware of your duty of disclosure to the University at the time. The panel concluded that you intentionally concealed your third set of convictions from the University. The panel determined that your insight into your failure to disclose your third set of convictions to the University was limited.

The panel had regard to your explanation and insight in respect of your failure to disclose your [PRIVATE] relationship with Colleague F to your employer.

The panel had regard to your account provided in the email you sent to the NMC dated 17 March 2025.

“... Following the completion of my nursing degree, I was invited for an interview for the staff nurse position. During the recruitment process, which included the interview and subsequent job offer, I was inquired whether I was acquainted with another staff member [PRIVATE]. At that moment, I confirmed that the individual was indeed [PRIVATE], but I incorrectly identified [PRIVATE] when, in fact, [PRIVATE]. Prior to receiving the job offer, I was unaware that [PRIVATE] was employed at [PRIVATE] ward. Upon reflection, I recognised that this was an act of dishonesty. On my first shift, when approached by colleagues, I disclosed that [PRIVATE] of the staff member in question. However, I did not take the opportunity to correct my earlier misrepresentation to my manager(s) immediately after the interview.”

The panel took into consideration your written statement provided in an email to the NMC dated 25 July 2025.

“Regarding the issue of my employment, I initially did not realise that [PRIVATE] was working on the same ward I had applied to. Once I became aware, I should have disclosed this immediately to management. While I clarified the relationship with colleagues on my first day, I acknowledge that I should have acted sooner. I understand now that professionalism requires full openness at all times — not just when asked, but proactively. Trust is built through consistent honesty, and I regret that my actions may have raised doubts in that regard.

I also acknowledge that fear played a role in my failure to disclose. At the time, I was eager to begin my nursing career and anxious that a disclosure might jeopardise the opportunity. But I now realise that fear or ambition can never justify a lack of honesty.”

The panel had regard to your explanation provided during your oral evidence. You initially stated that you had only discovered that Colleague F worked at the same hospital and on the same ward after you had been offered the job, as a band 4 advanced clinical support worker in mental health. You then stated that during the period between the end of your interview and the phone call you received to offer you the position, only a few hours, you phoned Colleague F and established that they worked on the ward you had applied for. You stated that before then you had no knowledge of where Colleague F worked despite you living with them at the time. You stated you informed your employer on the phone call that [PRIVATE] worked on the ward; you accepted that this was dishonest. You stated you were dishonest as you were afraid that otherwise you would not be offered the job. You stated that when you started your first shift you informed colleagues that it was in fact [PRIVATE] when asked to clarify your relationship with Colleague F.

The panel noted the email from the Ward Manager dated 13 March 2025 which stated that they were informed of the correct [PRIVATE] relationship not by you, but by Colleague F. In the email the Ward Manager reported that Colleague F made this disclosure because Colleague F had found out that you had not been honest about the relationship.

The panel determined that your explanations provided in respect of you having failed to disclose your relationship with Colleague F to your employer, were inconsistent with each other and the Ward Manager’s account. The panel determined that your insight into your failure to disclose your [PRIVATE] relationship with Colleague F to your employer was limited.

The panel took into account that you provided no evidence of strengthening of practice or remedial steps having been undertaken to address your conduct, other than the court ordered rehabilitation requirement. The panel took into account the testimonials provided in support of your character.

The panel determined that your actions amount to a persistent pattern of disregard of the importance to act with honesty and integrity, to keep to the laws of the country, and to uphold the standards expected of a Registered Nurse. The panel determined that your insight remains limited at this time in respect of your conduct and therefore you do not meet the character requirements in that you have failed to promote professionalism and trust.

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

This will be confirmed to you in writing.

That concludes this determination.