

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

**Substantive Order Review Hearing
Monday, 3 August 2026**

Virtual Hearing

Name of Registrant:	Abigail Donkor
NMC PIN:	14H2224E
Part(s) of the register:	Nurses part of the register Sub part 1 Registered Nurse – Adult (15 September 2017)
Relevant Location:	England
Type of case:	Misconduct
Panel members:	James Carr (Chair, lay member) Elaine Whitton (Registrant member) Tricia Breslin (Lay member)
Legal Assessor:	Charlene Bernard
Hearings Coordinator:	Adaobi Ibuaka
Nursing and Midwifery Council:	Represented by Sahara Fergus-Simms, Case Presenter
Ms Donkor:	Present and represented by Laura Herbert, instructed by the Royal College of Nursing (RCN)
Order being reviewed:	Suspension order (12 months)
Fitness to practise:	Not Impaired
Outcome:	Order to lapse upon expiry in accordance with Article 30 (1), namely 8 September 2026

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

At the outset of the hearing, Ms Herbert, on your behalf, made a request that this case be held partly in private on the basis that proper exploration of your case involves matters related to your personal life. The application was made pursuant to Rule 19 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

Ms Fergus-Simms, on behalf of Nursing and Midwifery Council (NMC) indicated that she supported the application.

The legal assessor reminded the panel that while Rule 19(1) provides, as a starting point, that hearings shall be conducted in public, Rule 19(3) states that the panel may hold hearings partly or wholly in private if it is satisfied that this is justified by the interests of any party or by the public interest.

The panel determined to hold the hearing partly in private, to protect your privacy.

Decision and reasons on review of the substantive order

The panel decided to allow the current suspension order to lapse and found that your practise is no longer impaired either on public protection and public interest grounds, hence no further restrictions upon your practice are needed. The panel's decision was to allow the existing order to expire.

This order will lapse upon expiry at the end of 8 September 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the first review of a substantive suspension order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 6 August 2025.

The current order is due to expire at the end of 8 September 2026.

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. Failed to notify, one or more of the following organisation(s), that on 26 May 2022, you had received one or more police caution(s):*
 - a) Buckinghamshire NHS Foundation Trust;*
 - b) DBS;*
 - c) Nursing and Midwifery Council*
- 2. Your conduct at any or all of charge 1 was dishonest in that you sought to mislead the organisation(s) into believing you had no caution(s).*

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

The original substantive hearing panel determined the following with regard to impairment:

‘Although there was no evidence of direct harm to patients, the panel was of the view that your dishonesty had the potential to undermine trust in the profession, especially in the context of safeguarding and working with vulnerable adults. The panel noted that the DBS had considered barring you, and that your dishonesty had occurred in relation to this serious safeguarding mechanism.

The panel considered the insight you had demonstrated. Whilst you had completed reflective work and undertaken courses relating to honesty and the duty of candour, the panel found that this learning did not come through in your written reflections or your answers to questions. Although you outlined your key takeaways from the course, the panel was not persuaded that your reflection had led to any meaningful change in your understanding or behaviour. You were unable to articulate, either in writing or in oral evidence, a full appreciation of how your actions could affect public confidence or the reputation of the profession. You deflected responsibility onto others including the police, your solicitor, and your colleagues in the Trust and failed

to acknowledge your own professional obligations to verify and disclose material facts.

In the panel's view, your reflection lacked depth and sincerity. The panel concluded that you had not demonstrated material insight.

*The panel also considered the case of **Sawati v GMC [2022] EWHC 283 (Admin)**, which was cited on your behalf. The panel accepted that a rejected defence, on its own, does not necessarily always demonstrate a lack of insight. However, the panel was satisfied that your lack of insight was not based solely on your denial of dishonesty. Rather, it was demonstrated by your oral evidence, which the panel found to be knowingly untruthful. It noted that your account involved alternate narratives, shifting blame onto others and your continued refusal to recognise your responsibilities.*

The panel considered that your denial of dishonesty showed a sustained lack of candour and was indicative of an attitudinal concern.

Given the seriousness of the dishonesty, your failure to demonstrate full insight or remediation and your putting responsibility onto others, the panel found that there is an ongoing attitudinal concern. The panel concluded that there remains a risk of repetition. The panel was not satisfied that you are currently able to practise safely, kindly and professionally. It therefore determined that your fitness to practise is impaired on the ground of public protection.

The panel also concluded that a finding of impairment is required in the wider public interest. The dishonesty found proved was serious and sustained, involving multiple organisations and a disregard for professional standards. The public rightly expects nurses to act with honesty, integrity and transparency. Failure to uphold these standards, particularly in connection with safeguarding and regulatory processes, risks undermining confidence in the profession.

The panel therefore determined that a finding of impairment is also required on public interest grounds, in order to uphold proper professional standards and to maintain confidence in the nursing profession.

Having regard to all of the above, the panel determined that your fitness to practise is currently impaired on the grounds of both public protection and public interest. '

The original substantive hearing panel determined the following with regard to sanction:

'The panel next considered whether placing conditions of practice on your registration would be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable. The panel took into account the SG, and noted in particular:

- *"No evidence of harmful deep-seated personality or attitudinal problems;*
- *Identifiable areas of the nurse or midwife's practice in need of assessment and/or retraining;*
- *No evidence of general incompetence;*
- *Potential and willingness to respond positively to retraining;*
- *Patients will not be put in danger either directly or indirectly as a result of the conditions;*
- *The conditions will protect patients during the period they are in force;*
and
- *Conditions can be created that can be monitored and assessed."*

The panel had regard to the fact that there was no evidence of general incompetence. The panel took into account that you have continued to work in clinical practice without incident, and you have demonstrated a willingness to engage in training.

However, the panel was of the view that the concerns identified in this case relate to underlying attitudinal issues regarding honesty and candour and the panel concluded that there were no practical or workable conditions that could be formulated to address the dishonesty found. The panel could not be satisfied that the imposition of conditions would protect patients or uphold public confidence in the profession. The panel therefore determined that a conditions of practice order would be insufficient to address the seriousness of the misconduct.

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, midwife or nursing associate has insight and does not pose a significant risk of repeating behaviour.”*

The panel determined that this was not a single incident but the dishonesty was confined to a series of related actions. You have practised without incident since the events in question but there is evidence of ongoing attitudinal concerns in terms of denial of your conduct and passing responsibility onto others. You have taken some steps towards addressing your behaviour but you have not shown sufficient insight into your dishonest behaviour and the importance of the duty of candour.

The panel determined that your misconduct was serious and involved a prolonged pattern of dishonesty. However, it was satisfied that this was not fundamentally incompatible with remaining on the register in these particular circumstances. The panel gave weight to the mitigating circumstances and positive aspects of your professional record. It concluded that, while your insight remained limited, some steps had been taken and there was potential for further remediation.

The panel considered whether a striking-off order would be proportionate and considered the following paragraphs of the SG:

- “Do the regulatory concerns about the nurse, midwife or nursing associate raise fundamental questions about their professionalism?*

- *Can public confidence in nurses, midwives and nursing associates be maintained if the nurse, midwife or nursing associate is not struck off from the register?*
- *Is striking-off the only sanction which will be sufficient to protect patients, members of the public, or maintain professional standards?"*

The panel found that a striking-off order would be disproportionate in the context of this particular case due to the mitigating circumstances mentioned above. While the panel acknowledged that a suspension order may have a punitive effect, it determined that imposing a striking-off order would be disproportionately punitive. Your dishonesty breached fundamental tenets of the profession and engaged the public interest. However, the panel was satisfied that a suspension order would be sufficient to mark the seriousness of the misconduct, protect the public, and maintain public confidence in the profession. It was satisfied that due to the lack of harm caused and your continued practice, a suspension order as opposed to a striking-off order would be sufficient to mark the seriousness of the misconduct, protect the public, and maintain public confidence in the profession.

Balancing all of these factors the panel has concluded that a suspension order would be the appropriate and proportionate sanction.

The panel noted the hardship such an order will inevitably cause you especially as you are financially responsible for your two children. However, this is outweighed by the public interest in this case.

The panel considered that this order is 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.

The panel determined that a suspension order for a period of 12 months was appropriate in this case to mark the seriousness of the misconduct.'

Decision and reasons on current impairment

The panel considered carefully whether your fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as the ability of a professional on our register to practise as a nurse, midwife or nursing associate safely and effectively 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 and your response bundle. It has taken account of the submissions made by Ms Fergus-Simms, Ms Herbert and your answers to panel questions.

Ms Fergus-Simms referred the panel to the background of your case and the original substantive hearing panel's decision.

Ms Fergus-Simms submitted that the panel has regard to your bundle and highlighted that the concerns of the original substantive hearing panel appear to have been addressed within your bundle. She submitted that you are currently under a 12 month suspension order, and therefore have not worked as a nurse, but that you have provided a reflective piece and evidence of relevant training which satisfy the requirements that the original substantive hearing panel stated would assist today's substantive review panel.

Ms Herbert referred the panel to the NMC guidance REV – 2, and submitted that there was no issue in regard to risk of harm on the grounds of public protection. She submitted that maintaining public confidence in the profession and declaring and upholding proper standards has been met through the 12 month suspension order imposed last year.

Ms Herbert referred the panel to the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Paula Grant* [2011] EWHC 927 (Admin) and submitted that you are no longer impaired. She submitted that you accepted that in the past, you acted in a way that brought the profession into disrepute and that you have in the past breached the fundamental tenet of the profession and had acted dishonestly.

However, she submitted that you are not liable to repeat matters of the kind found proved in the future.

Ms Herbert submitted that you have provided a written reflection to demonstrate your insight and understanding of the seriousness of your misconduct and have undergone relevant training to address this.

Ms Herbert submitted that in your written reflections you set out how your dishonesty has affected the nursing profession and the reputation of the profession, as well as your understanding of your responsibility to your family, patients, colleagues, your employers, the nursing profession and the NMC as its regulator. Ms Herbert further submitted that you have set out what you would do differently in the future, by being transparent, and communicate with your employer regarding any issues you are facing.

Ms Herbert submitted that the mitigating factors highlighted by the original substantive hearing panel is relevant to today's substantive review panel, in regards to the risks in the future. She submitted that there was evidence of your ongoing safe practice, without further incident, and that there were no concerns in this case regarding your clinical practice.

Ms Herbert referred the panel to your personal mitigation, giving a detailed breakdown of [PRIVATE at that time, that led to the dishonest conduct and the police caution.

Ms Herbert submitted that you have taken steps to remedy the concerns and have provided, alongside your written reflection and training certificates, positive testimonials about your clinical practice and character. She submitted that you had continued to work for the Stoke Mandeville Hospital (The Trust) through the agency from 2024 until the substantive hearing date when you were suspended. Ms Herbert told the panel that you were currently working as a cleaner, and although not a nursing role, you were in a position of trust and worked unsupervised.

Ms Herbert invited the panel to allow your suspension order to lapse on its expiry in September 2026.

During panel questions you told the panel that you would be open in sharing information and not restrict yourself or keep things in. You told the panel that there are people available who you could contact and are willing to help you, and you will access them as and when you need to. You stated that you would always think about the profession first as this will help you promote integrity of the profession in your nursing career.

You also told the panel that whatever happens you will not keep things to yourself and will endeavour to let your employer know so that they can lead you in the right direction. You stated that you accept your fault and are truly sorry about not telling them.

You told the panel that the training you undertook has helped you reflect and learn from your mistakes and you have learned to be bold and accept that your actions were wrong. You stated that you take responsibility for them.

When asked what you meant by '*living and working in complete integrity even when nobody is watching*', you told the panel that it is to always think about what you represent and what the public expects from you as a nurse. You stated '*I'm representing the nursing profession. I have to think about the integrity of the profession... I have to think about the trust that the public has in me as a nurse*'. This means acting with integrity wherever you are, whether at the patient's bedside or in public.

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 your fitness to practise remains impaired.

The panel noted that the original substantive hearing panel found that you had not demonstrated material insight. This panel has determined that you have fully developed your insight, noting how you had deeply reflected on your actions, the effect it had upon patients, colleagues and the nursing profession. The panel noted that in your reflective statement, you have shown deep remorse and regret for your actions.

The panel had regard to oral submissions and considered that you demonstrated a considerable understanding of why what you did was wrong. You provided the panel with detailed explanations of what you would do differently, accepted how serious your misconduct had been and expressed full remorse for this. You also recognised how dishonesty negatively impacts the nursing profession. You explained that you would in similar circumstances be open and transparent with your employer and that going forward you would strive to work with integrity at all times.

In its consideration of whether you have taken steps to strengthen your practice, the panel took into account your written reflection, training certificates and your positive testimonial. The panel considered that although you were not currently working in a clinical role, you had been working as a cleaner for 16 weeks, with no issues and provided a positive testimonial from your employer, who referred to you as an honest person.

The panel had regard to the years of unrestricted practice before the misconduct and dishonesty occurred. The panel considered that this misconduct, although serious, had substantial mitigating personal issues at the root of it and that these were recognised by the previous panel. The panel considered that since the 12 months suspension order came into effect, you have now demonstrated significant strengthening of practice and have fully developed your insight. The panel concluded that your misconduct is highly unlikely to be repeated in the future. It noted that before the hearing you had worked safely and have no previous concerns. It further noted that you have worked with no further incidents since the original substantive hearing. The panel therefore decided that a finding of continuing impairment is not necessary on the grounds 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 on public interest grounds is also not required.

For these reasons, the panel finds that, although your fitness to practise was impaired at the time of the incidents, given all of the above, your fitness to practise is not currently impaired.

In accordance with Article 30(1), the substantive suspension order will lapse upon expiry, namely the end of 8 September 2026.

This will be confirmed to you in writing.

That concludes this determination.