

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

**Substantive Hearing
Monday, 10 August 2026 – Wednesday, 19 August 2026**

Nursing and Midwifery Council
2 Stratford Place, Montfichet Road, London, E20 1EJ

Name of Registrant:	Belinda Jayne Ellams
NMC PIN:	98C0653E
Part(s) of the register:	Registered Nurse Adult – RNA (March 2001)
Relevant Location:	Cheshire
Type of case:	Misconduct
Panel members:	Anne Ng (Chair, lay member) Vickie Glass (Registrant member) Lorraine Chalk (Lay member)
Legal Assessor:	Oliver Wise
Hearings Coordinator:	Adaobi Ibuaka Daisy Sims (13-14 August 2026)
Nursing and Midwifery Council:	Represented by Amy Hazlewood, Case Presenter
Ms Ellams:	Not present and unrepresented
Facts proved:	Charge 1(a)(b)(c)(d)(e)(f), Charge 2(a)(b)(c), Charge 3 (a)(b)(c)(d)(i)(ii)(e)(f)(g), Charge 4, Charge 5(a)(b)(c), Charge 6, Charge 7(a)(b), Charge 8 and Charge 10
Facts not proved:	Charge 9
Fitness to practise:	Impaired
Sanction:	Striking-off order

Interim order:

Interim suspension order (18 months)

Decision and reasons for non-recusal

At the outset of the hearing, the panel informed Ms Hazlewood, who was representing the Nursing and Midwifery Counsel (NMC), of a potential conflict of interest.

On Friday 7 August 2026, the NMC conducted a training session for panel members. During the session, there was a case study, in which quotes from the charges in this case were used for training. The Chair Panel Member upon hearing the quotes raised the issue with the NMC training manager and was advised to withdraw from this section of the training. The Lay Panel Member also present at this training session withdrew at the same time. However, the originally allocated Registrant Panel Member had attended the same training session a week earlier; she had not received the papers in this case and accordingly had no reason to suppose that an issue was arising in this case. She therefore stayed and completed the course. On 7 August 2026, the last working day before this hearing was to commence, the difficulty was appreciated. The Chair Panel Member raised the matter with the NMC and the legal assessor. The original Registrant Panel Member was reallocated to another case and, late on 7 August 2026, a new Registrant Panel Member was allocated to this case. At that time the NMC did not check with the new Registrant Panel Member whether she had attended any of the training sessions.

On the morning of 10 August 2026, before the hearing was opened, the new Registrant Panel Member informed the panel and the legal assessor that she had also been on the training on the Friday. She did not read the papers until late Friday evening outside office hours; consequently, she was unable to inform the NMC she had attended the training on 7 August 2026 until 10 August 2026.

The legal assessor advised the panel to address any question of recusal as a preliminary issue. The registrant was not in attendance and accordingly he informed Ms Hazlewood that this would need to be addressed at the outset of the hearing.

It was then stated on record that the new Registrant Panel Member had attended the training on 7 August 2026. When the Chair Panel Member raised the issue, the Chair and the Lay Panel Member withdrew. The new Registrant Panel Member, who had no idea at this time that any issue could arise from training, continued to attend. However, soon after the issue had been raised, the NMC training presenter paused the training, after which there was no further reference to anything to do with this case. The new Registrant Panel Member was not able to take part in the limited discussions relating to matters deriving from this case, due to computer technical difficulties.

Ms Hazlewood submitted that there was no issue as to the Chair and Lay Panel Members remaining on this case. However, because the new Registrant Panel Member had been exposed to views expressed by other people present at the training, she submitted that the correct approach was for the Registrant Panel Member to be recused from the case. Ms Hazlewood referred the panel to the case of *Porter v Magill* [2001] UKHL 67; [2002] 2 AC 357, and submitted that the decision to recuse or not to recuse is a matter for the whole panel to decide.

The panel accepted the advice of the legal assessor. The panel would have to consider whether there was an appearance of bias. The test, as outlined in *Porter v Magill*, was whether a fair-minded and informed observer would conclude that there was a real possibility of bias. If so, the new Registrant Panel Member should be recused. If not, the current panel should continue with the case. Ms Hazlewood agreed that this was the correct approach.

The panel determined to reject the application for the recusal of the Registrant Panel Member. The panel has given careful consideration to the question whether a fair minded and informed observer would conclude that there was a real possibility of bias. Each member of the panel was satisfied that the fair-minded and well informed observer would conclude that there was no real possibility of bias. The essential question was whether what the new Registrant Panel Member had heard on the 7 August 2026 might compromise her ability to carry out her duties completely justly and fairly. That panel

member was aware that other panel members attending the 7 August 2026 training were expressing views, but she has no recollection of them. If any recollection returned to her in the future, she would have no difficulty in putting it out of her mind as irrelevant, in the same way that panel members frequently have to put out of their minds written evidence which is subsequently ruled inadmissible.

The panel, all of whom attended the training on 7 August 2026, was satisfied that the NMC did not provide any instructions on how to deal with this case or any other case. The instruction did include reference to the NMC's published guidance under the heading of 'Concerns', all of which can be found online. In the panel's judgment, no member of the panel is compromised as a result of attending the 7 August 2026 training. It would be completely contrary to panellists' duties to exercise their own judgement, in relation to cases involving the NMC and nurses, for any panel member to allow herself to be told by the NMC how to decide any case.

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Ms Ellams was not in attendance and that the Notice of Hearing letter had been sent to Ms Ellams' registered email address by secure email on 16 June 2026.

Ms Hazlewood, 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).

Ms Hazlewood submitted that the NMC received an email from Ms Ellams dated 7 August 2026, stating:

'...I will not be attending the hearing [PRIVATE].

Belinda Ellams.'

She submitted it can be inferred that Ms Ellams was aware of today's hearing and therefore there has been effective service.

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Hearing provided details of the allegation, the time, dates and venue of the hearing and, amongst other things, information about Ms Ellams' right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

In the light of all of the information available, the panel was satisfied that Ms Ellams has been served with the Notice of Hearing in accordance with the requirements of Rules 11 and 34.

Decision and reasons on proceeding in the absence of Ms Ellams

The panel next considered whether it should proceed in the absence of Ms Ellams. It had regard to Rule 21 and heard the submissions of Ms Hazlewood who invited the panel to continue in the absence of Ms Ellams. She submitted that Ms Ellams had voluntarily absented herself.

Ms Hazlewood submitted that there was no reason to believe that an adjournment would secure her attendance on some future occasion.

Ms Hazlewood submitted that the NMC received an email from Ms Ellams dated 7 August 2026, stating:

*'Good afternoon,
Thank you for your emails.'*

I have prepared a statement for the hearing that I would like to have read out please. As follows: I have served my community to the best of my ability for 23 and a half years. I have found it to be both a privilege and a joy to be able to have cared for so many wonderful patients and their families.

I deny all the allegations against me and I am absolutely appalled by them and how I have been treated.

[PRIVATE].

I felt that leaving nursing was the only option left to me because I could no longer continue to work in such a toxic environment

I will not be attending the hearing [PRIVATE].

Belinda Ellams.'

Ms Hazlewood submitted that there is a public interest in the expeditious disposal of this hearing and that Ms Ellams has flagged [PRIVATE]. However, there has been no evidence of that provided to the NMC.

The panel accepted the advice of the legal assessor.

The panel noted that its discretionary power to proceed in the absence of a registrant under the provisions of Rule 21 is not absolute and is one that should be exercised '*with the utmost care and caution*' as referred to in the case of *R v Jones (Anthony William)* (No.2) [2002] UKHL 5.

The panel has decided to proceed in the absence of Ms Ellams. In reaching this decision, the panel has considered the submissions of Ms Hazlewood, the written representations from Ms Ellams, and the advice of the legal assessor. It has had particular regard to the factors set out in the decision of *R v Jones* and *General Medical Council v Adeogba* [2016] EWCA Civ 162 and had regard to the overall interests of justice and fairness to all parties.

The main considerations were:

- No application for an adjournment has been made by Ms Ellams;
- Ms Ellams has indicated she is leaving nursing and does not want to take part in the proceedings;
- There is no reason to suppose that adjourning would secure her attendance at some future date;
- Four witnesses are due to give oral evidence;
- Not proceeding may inconvenience the witnesses, their employer(s) and, for those involved in clinical practice, the clients who need their professional services;
- The charges relate to events that occurred in 2024;
- Further delay may have an adverse effect on the ability of witnesses accurately to recall events; and
- There is a strong public interest in the expeditious disposal of the case.

There is some disadvantage to Ms Ellams in proceeding in her absence. The evidence upon which the NMC relies has been sent to her at her registered address. She has denied the allegations. Ms Ellams will not be able to challenge the evidence relied upon by the NMC in person and will not be able to give oral evidence on her own behalf. She has provided a written statement in the email above dated 7 August 2026. However, in the panel's judgement, her absence can be mitigated. The panel can make allowance for the fact that the NMC's evidence will not be tested by cross-examination and, of its own volition, can explore any inconsistencies in the evidence which it identifies. Furthermore, the limited disadvantage is the consequence of Ms Ellams decisions to absent herself from the hearing, waive her rights to attend, and/or be represented.

In these circumstances, the panel has decided that it is fair to proceed in the absence of Ms Ellams. The panel will draw no adverse inference from Ms Ellams' absence in its findings of fact.

Decision and reasons on application to amend the charge

The panel heard an application made by Ms Hazlewood, on behalf of the NMC, to amend the wording of charges six and seven.

The first proposed amendment was to correct a spelling mistake in charge 6 and to add the word offensive. The second proposed amendment was to amend charge 7 and to add subsections 7a) and 7b). It was submitted by Ms Hazlewood that the proposed amendments were justified by section 9 of the Equality Act 2010.

Charge 6 currently reads as follows:

6. 'On 30 July 2024 posted on your Facebook account, a image with the caption "Are you ready to face reality yet ? The Government will not help you. They are just allowing the illegal migrants in. They do not care about your lives or your children's lives."

The proposed amendment to charge 6 is as followed:

6. 'On 30 July 2024 posted on your Facebook account, an **offensive** image with the caption "Are you ready to face reality yet ? The Government will not help you. They are just allowing the illegal migrants in. They do not care about your lives or your children's lives."

Charge 7 currently reads as follows

7. 'Your actions at charge 6 above displayed discriminatory attitudes towards Muslim people and/or migrants.'

The proposed amendment to charge 7 is as follows:

7. '**Your actions at charge 6 above were:**
a) Racially motivated;

b) Motivated by hostility towards Muslims.'

The panel accepted the advice of the legal assessor and had regard to Rule 28 of 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

The panel was of the view that these amendments, as applied for, were in the interests of justice and it was appropriate to reflect the gravity and nature of the alleged misconduct. The panel noted that the NMC informed Ms Ellams about the proposed amendments to the charges on Wednesday 5 August 2026, and in her email response to the NMC on 7 August 2026 did not submit any observations about the proposed amendments. The panel was satisfied that there would be no prejudice to Ms Ellams and no injustice would be caused to either party by the proposed amendment being allowed. It was therefore appropriate to allow the amendments.

Details of charge (as amended)

That you, a Registered Nurse:

1. On one or more occasions on unknown dates before 4 August 2024, when speaking to or in the presence of Colleague A and/or unknown colleagues said words to the effect of:
 - a) "mussys";
 - b) "mussy bashers";
 - c) "the Muslims are coming";
 - d) "the Muslims are building an army to kill all white people";
 - e) "the Muslims are lying in wait";
 - f) "we need to be ready for the Muslims when they come".
2. On an unknown date between 29 July 2024 and 4 August 2024, after the incident in Southport on 29 July 2024 you told Colleague A:

- a) “the culprit was a radicalised Muslim” or words to that effect;
- b) “the media were in fact covering up this fact” or words to that effect;
- c) “we are gathering an army” or words to that effect.

3. On 4 August 2024, during your shift:

- a) Ranted at and/or in Colleague A’s presence about the protests, the Muslims and the police;
- b) Aggressively told Colleague A “don’t shut the conversation down” or words to that effect;
- c) Told Colleague A to make sure all the doors were locked “in case a Muslim gets in”;
- d) Had in your possession:
 - i) Weighted steel balls;
 - ii) A large pair of scissors without clinical justification;
- e) Demonstrated to and/or in the presence of Colleague A how the weighted steel balls could be swung to cause injury;
- f) Gave or attempted to give Colleague A a pair of sharpened nail scissors;
- g) When carrying out the actions in 3f) above, told Colleague A, she should take them “in case the mussels come” or words to that effect.

4. Your conduct at any or all of Charges 1 to 3 above were motivated by your hostility towards Muslims.

5. Your conduct at any or all of charges 1 to 3 above:

- a) Was unwanted by Colleague A:
- b) Related to a protected characteristic, namely religion.

and

- c) Had the effect of violating Colleague A's dignity and/or creating an intimidating, hostile, degrading, humiliating or offensive environment for Colleague A.
- 6. On 30 July 2024 posted on your Facebook account, an offensive image with the caption "Are you ready to face reality yet ? The Government will not help you. They are just allowing the illegal migrants in. They do not care about your lives or your children's lives."
- 7. Your actions at charge 6 above were:
 - a) Racially motivated;
 - b) Motivated by hostility towards Muslims.
- 8. On 8 August 2024, when lapsing your registration on the NMC Register, declared that you were not aware of any matter that could give rise to a fitness to practice allegation against you.
- 9. Your conduct at Charge 8 above was dishonest because you intended to conceal that a complaint had been made about you to Search Recruitment.
- 10. Your conduct at Charge 8 above showed a lack of integrity.

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

Background

The charges arose whilst Ms Ellams was employed as an registered agency nurse by Search Recruitment (the Agency).

Ms Ellams had worked various shifts at Millbrow Care Home (the Home) over a period of time, but the main concerns relate to a shift on 4 August 2024 when Ms Ellams was the nurse in charge.

Whilst working at the Home, concerns were raised that Ms Ellams had allegedly expressed discriminatory views. Specifically:

- Making comments such as “Muslims are going to kill all white people” and “we need to be ready for the Muslims”.
- Showing other staff members videos of far-right protests.
- Bringing weapons into work, some of which were home-made, in case she needed to defend herself against “the Muslims”.
- Giving staff members weapons.
- Asking staff to lock all windows and doors in case “the Muslims” get in.

This was observed and witnessed by Ms Ellams colleague Michelle Isaac (Colleague A/ Ms Isaac) who reported it to the manager Jayne Adamson (Ms Adamson). Another colleague also reported an offensive Facebook post, allegedly posted by Ms Ellams.

The Agency was notified of the concerns, and a local investigation was conducted. Ms Ellams was suspended on the 8 August 2024 and that evening she applied to remove herself from the register. Ms Ellams stated that she was not aware of any matter that could give rise to a fitness to practise allegation against her.

Decision and reasons on application to admit hearsay evidence of Abbie Loughe

Ms Hazlewood referred the panel to Rule 31 of the Rules and to the case of *Thorneycroft v Nursing and Midwifery Council* [2014] EWHC1565 (Admin) (*Thorneycroft*).

Ms Hazlewood invited the panel to admit the undated statement of Abbie Loughe (Ms Loughe) into evidence and for the panel to consider Ms Loughe's hearsay evidence during its finding of facts. She submitted that Ms Loughe's evidence relates to charge 3d)ii), in particular, the sentence which reads: *'After this, she showed me a big pair of scissors that she had in her pockets.'*

Ms Hazlewood submitted that Ms Loughe's statement is not the sole and decisive evidence and the panel has heard evidence that corroborates this, from Ms Isaac's evidence.

Ms Hazlewood submitted that there was a good reason for Ms Loughe's non-attendance at this hearing, [PRIVATE]. She submitted that the NMC has taken reasonable steps to get Ms Loughe to attend the hearing and directed the panel to a number of emails from the NMC to Ms Loughe, between from 24 February 2025 to most recently 13 February 2026; where the NMC has tried to secure her attendance, but have been unable to.

Ms Hazlewood then referred the panel to an email from Ms Loughe to the NMC, dated 13 February 2026 where she gives her view on attending the hearing: *'I have already been in touch with you and told that I want nothing to do with this. This was 2 years ago now and I can't even remember the majority of what went on.'*

Ms Hazlewood acknowledged that this was a serious charge and if there was an adverse finding, it would have an impact on Ms Ellams' career. However, she submitted that Ms Ellams was given prior notice through an email dated 24 July 2026, where the NMC informed her that it intended to make an application for the hearsay evidence of Ms Loughe to be considered by the panel. Ms Ellams has since then responded to the NMC denying all the allegations.

Therefore taking the above into account, Ms Hazlewood submitted it would be fair for the panel to admit Ms Loughe's hearsay evidence.

The panel accepted the advice of the legal assessor.

The panel considered whether it was fair to admit this evidence and took into account the considerations set out in *Thorneycroft*.

In considering whether it was fair to admit it, the panel then went on to assess whether this document was sole and decisive. The panel was satisfied that Ms Loughe's statement was relevant and was not the sole and decisive evidence in relation to the charge. The panel was satisfied that Ms Loughe's evidence was demonstrably reliable and could be tested. It noted that Ms Loughe's evidence was corroborated by the evidence of Ms Isaac.

The panel was also satisfied that the NMC had taken reasonable steps to try and secure Ms Loughe's attendance to the hearing. It was of the view that although the NMC did not pursue a witness summons for Ms Loughe, it had taken reasonable measures to persuade Ms Loughe to attend, given that she was not a nurse, and the controversial nature of the charges. The panel was also satisfied that there was good reason for Ms Loughe's non-attendance, having had sight of the email responses from Ms Loughe, who stated [PRIVATE] and other matters as a reason for non-attendance.

The panel therefore concluded that it would be fair to admit Ms Loughe's statement into evidence.

Decision and reasons on facts

In reaching its decisions on the disputed facts, the panel took into account all the oral and documentary evidence in this case together with the submissions made by Ms Hazlewood on behalf of the NMC.

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 heard live evidence from the following witnesses called on behalf of the NMC:

- Michelle Isaac (Colleague A): Health Care Assistant at the Home;
- Jayne Adamson: Registered Manager at the Home;
- Nichola Aird (formerly Docherty): Clinical Nurse Manager at the Agency;
- Louise Embley: Nurse manager at the Agency.

Before making any findings on the facts, the panel accepted the advice of the legal assessor. It considered the witness and documentary evidence provided by the NMC.

The panel has drawn no adverse inference from the non-attendance of Ms Ellams. The panel noted the evidence provided by Ms Ellams that is before it, specifically an email dated 29 August 2024 and an email dated 7 August 2026.

Ms Ellams in the email to the NMC dated 29 August 2024 stated:

'I believe that whatever I was alleged to have said and done, has been taken completely out of context and misconstrued, resulting in my feeling victimised and unsupported, as have other staff, whilst in the employ of HBC.'
[...] 'I have [PRIVATE] terrifying events in the UK[...]' .

In this same email Ms Ellams raised concerns about the Home:

'Nursing home security- unknowns, usually males, on the grounds, asking to remove items from the waste areas.'

'Nursing home doors unsecured, no protection for the staff and residents from outside threats of violence/hatred during the time of the riots.'

It further noted that in this email Ms Ellams stated:

'It is suggested that I have been discriminatory against Muslims. I am not.'

Ms Ellams sent a further email to the NMC on 7 August 2026 in which she stated:

'I deny all the allegations against me and I am absolutely appalled by them and how I have been treated.'

'I have prepared a statement for the hearing that I would like to have read out please as follows:

I have served my community to the best of my ability for 23 and a half years. I have found it to be both a privilege and a joy to be able to have cared for so many wonderful patients and their families. I deny all the allegations against me and I am absolutely appalled by them and how I have been treated [PRIVATE]. I felt that leaving nursing was the only option left to me because I could no longer continue to work in such a toxic environment'.

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

Charge 1(a)

1. “On one or more occasions on unknown dates before 4 August 2024, when speaking to or in the presence of Colleague A and/or unknown colleagues said words to the effect of:

- a) “mussys”;

This charge is found proved.

In reaching its decision the panel considered the evidence of Michelle Isaac/Colleague A (‘Ms Isaac’).

The panel noted that Ms Isaac provided detailed oral evidence to the panel including giving an explanation of the term ‘*mussys*’. It noted that Ms Isaac also stated that Ms Ellams used the word ‘*mussys*’ in her contemporaneous note dated 5 August 2024 (‘the contemporaneous note’):

‘Belinda said “muzzy basher” quite a lot.’.

The panel determined that there is no evidence before it to suggest a reason for Ms Isaac to fabricate this evidence. The panel therefore accepted the evidence of Ms Isaac. Given that the contemporaneous note was made on 5 August 2024, the panel was satisfied that Ms Isaac’s statement above refers to events before 4 August 2024.

The panel therefore determined on the balance of probabilities that on one of more occasions Ms Ellams used the term ‘*muzzy*’ in the presence of Colleague A.

Charge 1(b)

1. “On one or more occasions on unknown dates before 4 August 2024, when speaking to or in the presence of Colleague A and/or unknown colleagues said words to the effect of:

- b) “mussy bashers”;

This charge is found proved.

In reaching its decision the panel considered the evidence of Ms Isaac.

The panel noted that the term '*muzzy basher*' only appears in Ms Isaac's NMC witness statement, not in her contemporaneous note dated 5 August 2024. However, the panel noted Ms Isaac's oral evidence in which she defined the term '*muzzy basher*', she explained to the panel that this was a term that she understood to mean beating up Muslims.

The panel determined that the oral evidence of Ms Isaac, together with its findings at 1a, make it more likely than not that Ms Ellams did use the term '*muzzy basher*' when speaking to or in the presence of Colleague A before 4 August 2024.

Charge 1(c - f)

1. On one or more occasions on unknown dates before 4 August 2024, when speaking to or in the presence of Colleague A and/or unknown colleagues said words to the effect of:
 - c) "the Muslims are coming";
 - d) "the Muslims are building an army to kill all white people";
 - e) "the Muslims are lying in wait";
 - f) "we need to be ready for the Muslims when they come".

These charges are found proved.

In reaching its decision the panel considered the contemporaneous note of Ms Isaac, specifically:

‘Please find outlined before some of the statements made prior to 4th August 24.

“The Muslims are coming”

“The Muslims are building an army to kill all white people”

“The Muslims are lying in wait”

“We need to be ready for the Muslims when they come.”

The panel reminded itself that this note was made on 5 August 2024 and so these statements would have been fresh in the mind of Ms Isaac. The panel also noted that Ms Isaac was consistent with this statement in her oral evidence.

The panel therefore determined, on the balance of probabilities, that Ms Ellams did say the quotes in question to Ms Isaac before 4 August 2024.

Charge 2 (a – c)

2. “On an unknown date between 29 July 2024 and 4 August 2024, after the incident in Southport on 29 July 2024 you told Colleague A:
 - a) “the culprit was a radicalised Muslim” or words to that effect;
 - b) “the media were in fact covering up this fact” or words to that effect;
 - c) “we are gathering an army” or words to that effect.”

These charges are found proved.

In reaching this decision, the panel took account of Ms Isaac’s oral evidence in which she said that Ms Ellams was unhappy with the media coverage of the Southport murders, that

Ms Ellams was scared, that *'there was an anger in her that I had never seen before'*, and *'that she was not in control of what she was saying and not her usual self'*.

The panel noted the contemporaneous note of Ms Isaac in which she details that Ms Ellams said the quotes in subcharges a – c, specifically:

'As everyone is Aware, there was a tragic incident in southport last week. During my first encounter after this , I was told , the culprit was a radicalised Muslim and the media were in fact covering up this fact. She explained to me how "we" (I assume meaning the group she marches with), " are gathering an army"

It also noted that Ms Isaac was consistent in her oral evidence to the panel in relation to these charges.

The panel particularly noted that Ms Isaac, in her oral evidence, stated *'I have never encountered that kind of view before. That could cause real murders.'* And *'When she said that they were gathering an army, that was quite scary her saying that, I've got kids'*. The panel was of the view that Ms Isaac's recollection of these events is reliable given that she had a strong reaction to the comments, which caused her to feel concern for the safety of her children. The panel therefore accepted the evidence of Ms Isaac in relation to charges 2 a – c.

Charge 3a)

3. "On 4 August 2024, during your shift:

- a) Ranted at and/or in Colleague A's presence about the protests, the Muslims and the police;"

This charge is found proved.

In reaching this decision, the panel took into account the contemporaneous notes of Ms Isaac, specifically:

‘On Sunday 4th August, Belinda attended the home. She seemed especially [PRIVATE]. Her first statement to us was to explain that she had only had 2 and a half hours sleep. Genuinely concerned, I asked why and was she OK. Immediately she began what I can only describe as a rant about the protests, the Muslims and the police.’

The panel considered that Ms Isaac was consistent with this in her oral evidence. The panel therefore accepted the evidence of Ms Isaac in relation to this charge.

Charge 3b)

3. “On 4 August 2024, during your shift:

b) Aggressively told Colleague A “don’t shut the conversation down” or words to that effect;”

This charge is found proved.

In reaching this decision, the panel took into account the oral evidence of Ms Isaac. She was asked what made the gesture Ms Ellams made aggressive and she demonstrated to the panel the gesture of someone holding their hand out with their palm out towards the person they are speaking to. The panel considered this evidence together with that within Ms Isaac’s contemporaneous note:

‘[...] I learned at this point, it was not appreciated. , she felt I was irrational and aggressively told me “don’t shut the conversation down” whilst holding her palm out.’

The panel considered that Ms Isaac was consistent with this in her oral evidence. The panel therefore accepted the evidence of Ms Isaac in relation to this charge.

Charge 3c)

3. “On 4 August 2024, during your shift:

- c) Told Colleague A to make sure all the doors were locked “in case a Muslim gets in”

This charge is found proved.

In reaching this decision, the panel took into account the evidence of Ms Isaac.

The panel noted that in oral evidence in response to a question about the security levels at the Home, Ms Isaac stated that she did not disagree with the need for the Home to be secure. She later stated that Ms Ellams was concerned about the security because *‘she was terrified that a Muslim would come in’*. Ms Isaac also stated that Ms Ellams was *‘directing conversations at Muslims all day, making out that they were all going to kill everyone’*.

The panel considered that Ms Isaac was consistent with this in her contemporaneous statement. The panel therefore accepted the evidence of Ms Isaac in relation to this charge.

Charge 3d)i)

3. “On 4 August 2024, during your shift:

- d) Had in your possession:
 - i) Weighted steel balls;”

This charge is found proved.

In reaching this decision, the panel took into account the evidence of Ms Isaac.

Ms Isaac's contemporaneous note states:

'Myself and other Co workers, were shown various items that she had upon her persons. One of the items was a chain of weighted steel balls [...]

The panel noted that Ms Isaac was consistent in her oral evidence in relation to this charge.

The panel also noted the evidence of Ms Adamson in her NMC witness statement, specifically:

'Michelle Isaac advised that on Sunday 4 August 2024, Belinda had items in her pockets including a weighted chain with balls on it and some large scissors.'

Based on the above, the panel determined that on the balance of probabilities, this charge is found proved.

Charge 3d)ii)

3. "On 4 August 2024, during your shift:

d. Had in your possession:

ii) A large pair of scissors without clinical justification;"

This charge is found proved.

In reaching this decision, the panel took into account the evidence of Ms Isaac and Ms Adamson.

The panel noted Ms Adamson's NMC witness statement, specifically:

'Michelle Isaac advised that on Sunday 4 August 2024, Belinda had items in her pockets including a weighted chain with balls on it and some large scissors. It is not uncommon for a nurse to have scissors in their pocket, but they would only be very small dressing scissors. The way Michelle described the scissors held by Belinda seemed a little bit excessive. Michelle also advised that Belinda gave her a pair of scissors to defend herself.'

The panel also took into account Ms Isaac's contemporaneous note:

'Another item of concern was a large pair of scissors that were so large the kept falling out her pocket. I can confirm that at one point, I entered the kitchen, were the cook was being shown videos of Muslim gangs and the aforementioned scissors.'

Ms Isaac explained how large these scissors were in her oral evidence to the panel.

Based on the above, the panel determined that on the balance of probabilities, this charge is found proved.

Charge 3e)

3. "On 4 August 2024, during your shift:

- e) Demonstrated to and/or in the presence of Colleague A how the weighted steel balls could be swung to cause injury;"

This charge is found proved.

In reaching this decision, the panel took into account the evidence of Ms Isaac.

Ms Isaac's contemporaneous note states:

‘Myself and other Co workers, were shown various items that she had upon her persons. One of the items was a chain of weighted steel balls which I learned by demonstration, could be swung to cause Injury [...]

The panel noted that in oral evidence Ms Isaac described in detail the weighted steel balls and that Ms Isaac demonstrated how they could be used or be swung to cause injury.

Based on the above, the panel determined that on the balance of probabilities, this charge is found proved.

Charge 3f)

3. “On 4 August 2024, during your shift:

f) Gave or attempted to give Colleague A a pair of sharpened nail scissors;”

This charge is found proved.

In reaching this decision, the panel took into account the evidence of Ms Isaac.

In Ms Isaac’s oral evidence she was taken to her NMC witness statement, specifically this section; *‘I recall one day I went for a cigarette break with Belinda whilst we were on shift, and she handed me sharps and a pair of sharpened nails’*. Ms Isaac explained that this was a typographical error in the statement and instead she meant sharpened nail scissors.

Ms Isaac in oral evidence to the panel described the nail scissors by stating that they were *‘sharpened to an absolute fine point’*, *‘they were like a shiv’* which she described as *‘a find pointed blade’* and stated that they were *‘a weapon’*.

The panel also noted that this is corroborated in Ms Isaac’s contemporaneous note in which she stated:

‘When I was going to the edge of the premises, she kindly placed in my hand a small black pouch and said “just in case”. I honestly think that she was actually genuinely of the belief I may be attacked. When I opened the pouch there was a sharpened pair of nail scissors.’

The panel considered that Ms Isaac was consistent with this in her contemporaneous statement. The panel therefore accepted the evidence of Ms Isaac in relation to this charge.

Charge 3g)

3. “On 4 August 2024, during your shift:

g) When carrying out the actions in 3f) above, told Colleague A, she should take them “in case the mussels come” or words to that effect.”

This charge is found proved.

In reaching this decision, the panel reminded itself of its findings at charge 3f. The panel noted that the Ms Isaac in her contemporaneous note wrote that Ms Ellams stated *‘just in case’*.

In light of all of its findings, the panel determined that it is more likely than not that Ms Ellams was passing Ms Isaac a pair of sharpened nail scissors in case Muslims were to attack Ms Isaac.

Further the panel took account of Ms Isaac’s NMC witness statement, specifically:

‘I recall one day I went for a cigarette break with Belinda whilst we were on shift, and she handed me sharps and a pair of sharpened nails. I didn’t take them off her, but

she said I should take them in case the ‘muzzys’ come. She was deadly serious, but I tried to laugh it off’.

The panel considered that Ms Isaac was consistent with this in her contemporaneous statement and her oral evidence. The panel therefore accepted the evidence of Ms Isaac in relation to this charge.

Charge 4)

4. “Your conduct at any or all of Charges 1 to 3 above were motivated by your hostility towards Muslims.”

This charge is found proved.

In reaching this decision, the panel took into account its decisions at charges 1 to 3.

The panel determined that all of the comments within charge 1 including, amongst others, ‘muzzy basher’, ‘the Muslims are building an army to kill all white people’ and ‘we need to be ready for the Muslims when they come’ together with Ms Ellams having weapons in her possession.

The panel considered that this was motivated by a hostility towards Muslims as she was using the term as a descriptor for a whole group of people in a derogatory manner. These comments also suggested that all Muslims were dangerous and violent. This constituted a widely recognised Islamophobic trope.

The panel determined that the context of all of the actions from charges 1-3 shows that Ms Ellams was hostile to all Muslims. The panel therefore determined that all of the charges from charges 1 – 3 were motivated by Ms Ellams’ hostility towards Muslims.

Charge 5a)

5. “Your conduct at any or all of charges 1 to 3 above:

a) Was unwanted by Colleague A:”

This charge is found proved.

In reaching this decision, the panel took into account the evidence provided by Ms Isaac.

The panel particularly noted that Ms Isaac in oral evidence said the following:

‘I stopped and walked away’

‘I didn’t want to anger her because I had to work with her, I would have had to argue with a right wing activist and I didn’t have it in me’

Additionally, in Ms Isaac’s contemporaneous note she stated:

‘I had no intention of offending her, I explained that I wasn’t but as I’ve previously said ‘I don’t want to know’

‘I appreciate a person’s opinion is their opinion but it was becoming quite passive aggressive at this point’

[...] I find her ideology to be irrational, aggressive and one sided’

‘Even whilst I felt she was forcing opinions on me, she often tried to reassure me that my children would be safe’

The panel noted that in oral evidence, as well as in the contemporaneous note, Ms Isaac has remained consistent in being uncomfortable due to the actions and comments made by Ms Isaac as outlined in charges 1 – 3. The panel therefore found this charge proved.

Charge 5b)

5. “Your conduct at any or all of charges 1 to 3 above:

b) Related to a protected characteristic, namely religion.”

This charge is found proved.

In reaching this decision, the panel took into account its previous findings that Ms Ellams showed a hostility towards all Muslims. It was satisfied that all of the charges from 1 to 3 clearly relate to Ms Ellams’ hostility towards all Muslims. The panel determined that it is clear that a hostility towards all Muslims does directly relate to the protected characteristic of religion.

The panel therefore found this charge proved.

Charge 5c)

5. “Your conduct at any or all of charges 1 to 3 above:

c) Had the effect of violating Colleague A’s dignity and/or creating an intimidating, hostile, degrading, humiliating or offensive environment for Colleague A.”

This charge is found proved.

In reaching this decision, the panel took each of the terms used in this charge individually.

In relation to Ms Ellams’ conduct violating Ms Isaac’s dignity, the panel reminded itself of its earlier decision at charge 5(a) that Ms Ellams’ behaviour made Ms Isaac uncomfortable. The panel then went on to consider whether this amount to violating Ms

Isaac's dignity. It noted that Ms Ellams was in a managerial position above Ms Isaac. It also noted that Ms Ellams' behaviour continued over a period of time and the views were unwanted and were causing Ms Isaac distress.

The panel considered that Ms Ellams' actions put Ms Isaac's psychological safety at risk of harm due to continually putting her in an uncomfortable position. The panel determined from this that some of Ms Ellams' actions did violate Ms Isaac's dignity but not all. It determined that Ms Ellams' actions does amount to violating Ms Isaac's dignity.

The panel grouped the terms intimidating and hostile together in its consideration because of the similar nature of the terms. The panel was satisfied that Ms Ellams' actions were both intimidating and hostile because of her bringing weapons into her place of work and showing these to Ms Isaac and others. Additionally, the panel found that Ms Ellams' actions at charge 3b were also intimidating and hostile because of the way it made Ms Isaac feel which is outlined above.

The panel considered that Ms Ellams' actions were not degrading towards Ms Isaac herself and so did not find this part of the charge proved.

The panel then considered whether Ms Ellams' actions created a humiliating environment for Ms Isaac. The panel noted that there is no evidence to suggest that Ms Ellams' actions had the potential to make Ms Isaac feel ashamed or humiliated. The panel therefore determined that Ms Ellams' actions did not create a humiliating environment for Colleague A.

The panel then went on to consider whether Ms Ellams' actions created an offensive environment for Ms Isaac. The panel noted that it is clear from Ms Isaac's evidence that she did not appreciate these comments and was subjected to hearing them regularly by Ms Ellams. The panel again noted that Ms Ellams was in a senior position to Ms Isaac. The panel therefore determined that Ms Ellams' repeated behaviour as outlined in charges 1 – 3 would have created an offensive environment for Ms Isaac.

The panel determined that Ms Ellams' actions did not create a degrading or humiliating environment for Ms Isaac. However, the panel determined that Ms Ellams' behaviour did create an environment that did violate Ms Isaac's dignity and created an intimidating, hostile and offensive environment for Ms Isaac. Based on all of the above, the panel was satisfied that this charge is proved.

Charge 6)

6. "On 30 July 2024 posted on your Facebook account, an offensive image with the caption "Are you ready to face reality yet ? The Government will not help you. They are just allowing the illegal migrants in. They do not care about your lives or your children's lives."

This charge is found proved.

In reaching this decision, the panel took into account the evidence provided by Ms Adamson, specifically a screenshot of a Facebook post, dated 30 July by a profile named 'Belinda Ellams'.

The panel noted that in oral evidence Ms Adamson stated that she was alerted to a picture posted by Ms Ellams on Facebook and that she recognised the profile picture and the name of Ms Ellams.

The panel then considered the screenshot of this Facebook post that was before it. The text that was posted alongside the image states

'Are you ready to face reality yet? The Government will not help you. They are just allowing the illegal migrants in. They do not care about your lives or your children's lives'

The image itself shows the Houses of Parliament and Big Ben in the background, with three bearded men in traditional Muslim clothing running to the foreground of the picture. In the foreground there is another bearded male in the same traditional Muslim dress, holding a large knife above his head and who appears to be shouting. In front of this male with a knife is a very young white blond haired male child, wearing a t-shirt with a large union jack flag printed on the front. The child is crying and visibly distressed.

The panel determined that this image is offensive because it depicts a suggestion that a Muslim man is going to attack a child.

The panel determined that the image, together with the caption, would appear to equate followers of the Muslim religion with illegal migrants who are physically violent towards a white child and this message (the image and caption together) is clearly offensive.

The panel found this to be a recognised Islamophobic trope.

Charge 7a)

7. "Your actions at charge 6 above were:

a) Racially motivated;"

This charge is found proved.

In reaching this decision, the panel took into account of Section 9(1) of the Equality Act 2010 which states that '*race includes colour, nationality, and ethnic or national origins*'.

The categories of illegal migrants, Muslims and violent men are all racial tropes which are displayed in this picture.

The panel therefore determined that this was racially motivated.

Charge 7b)

7. “Your actions at charge 6 above were:

b) Motivated by hostility towards Muslims.”

This charge is found proved.

In reaching this decision, the panel took into account the contents of the message together with the image that Ms Ellams posted on Facebook.

The panel found that the men depicted in the image are portrayed as violent and hostile towards a white child wearing a union jack t-shirt.

The panel therefore determined that this post was motivated by Ms Ellams’ hostility towards Muslims.

Charge 8)

8. “On 8 August 2024, when lapsing your registration on the NMC Register, declared that you were not aware of any matter that could give rise to a fitness to practice allegation against you.”

This charge is found proved.

In reaching this decision, the panel had sight of the questions and answers in the NMC form dated 8 August 2024 which shows that in answer to a question stating ‘I am not aware of any matter which could give rise, or has given rise, to a fitness to practise allegation being made against me’, Ms Ellams answered ‘yes’.

The panel noted that the last day Ms Ellams worked at the Home was 4 August 2024,

It then considered the NMC witness statement of Ms Docherty in which she confirmed that Ms Ellams was aware that concerns had been escalated to the safeguarding team and this was reconfirmed in Ms Docherty's oral evidence.

Additionally, the panel considered the NMC witness statement of Ms Embry which states:

'On the 8th August 2024, Jayne Adamson told me that she had passed her findings and BE statement to safeguarding. I updated BE of this information. Later that evening, whilst I was on call, BE messaged me to say she was going to resign from the NMC.'

The panel were therefore satisfied that Ms Ellams was aware that concerns about her were escalated on 8 August 2024.

The panel then noted the oral evidence provided by Ms Embry in which she stated that Ms Ellams was upset and would have known that the concerns raised could have given rise to Fitness to Practice allegations.

The panel considered the screenshot of text messages between Ms Ellams and Ms Embry in which Ms Ellams states at 22:19 '[...] my mind is made up [...] I have resigned'. It further noted that the form Ms Ellams completed was timed at 22:46.

The panel determined that it is more likely than not that Ms Ellams knew that the concerns raised could have given rise to a fitness to practice allegation. The panel therefore found this charge proved.

Charge 9)

9. "Your conduct at Charge 8 above was dishonest because you intended to conceal that a complaint had been made about you to Search Recruitment."

This charge is found NOT proved.

The panel noted its findings at charge 8 that Ms Ellams attempted to lapse her registration to avoid any further process with the NMC. It noted that there is no other evidence of her intentions to conceal complaints from Search Recruitment.

The panel also noted the text between Ms Ellams and Ms Embry in which Ms Ellams states '*I feel terrified, mortified, hugely embarrassed*'.

The panel considered, from the evidence before it, that it is more likely than not that Ms Ellams' application to lapse her registration was a knee jerk reaction to the concerns being raised because of the emotion she showed in the text messages and this being late in the evening. The panel determined that there is insufficient evidence before it to show that this was done dishonestly, nor was it an attempt to conceal the concerns.

The panel therefore determined that this charge is found not proved.

Charge 10)

10. "Your conduct at Charge 8 above showed a lack of integrity."

This charge is found proved.

In reaching this decision, the panel took into account its findings at both charge 8 and 9, specifically that this was a knee jerk reaction from Ms Ellams. The panel considered that this was not a planned event. However, the panel determined that Ms Ellams was not truthful on her form and therefore was not open with her regulator.

The panel therefore determined that because Ms Ellams was not open and accurate in this form, this does amount to a lack of integrity. It therefore found this charge 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 Ms Ellams' 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 safely and effectively without restriction.

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, Ms Ellams' fitness to practise is currently impaired as a result of that misconduct.

Submissions on misconduct

Ms Hazlewood submitted that the facts found proved amount to misconduct. Ms Hazlewood referred to the terms of 'The Code: Professional standards of practice and behaviour for nurses and midwives 2015' (the Code).

Ms Hazlewood identified the case of *Roylance v General Medical Council (No. 2)* [2000] 1 AC 311 and made reference to the relevant standards where Ms Ellams' actions amounted to misconduct. Ms Hazlewood then referred the panel to the NMC Guidance 'Freedom of expression and Fitness to Practice' FTP – 2a and FTP – 2b. Particularly FTP – 2a – v, which states;

'We don't expect professionals to conceal their personal beliefs at work. Yet, we may find their practice impaired, if they express a personal belief in a way that:

- constitutes discrimination, harassment, bullying or victimisation of others,*
- means that they are not delivering the fundamentals of care effectively, or are not listening to people and responding to their preferences and concerns, or*
- conflicts with the Code's requirement to treat patients and people who use services with 'kindness, respect and compassion'.*

Ms Hazlewood invited the panel to consider this guidance and submitted that the charges found proved raise fundamental questions about Ms Ellams' ability to uphold the standards and values set out in the Code.

Ms Hazlewood submitted that such conduct could seriously undermine the public's trust in the profession and invited the panel to find the facts found proved serious enough to amount to misconduct.

Submissions on impairment

Ms Hazlewood moved on to the issue of impairment and addressed the panel on the need to have regard to protecting 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. This included reference to the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin) (*Grant*).

Ms Hazlewood submitted that the panel must consider whether the concerns can be addressed and the steps Ms Ellams has taken to strengthen her practice. She referred the panel to all the communications between Ms Ellams and the NMC, and submitted that Ms

Ellams has not accepted or taken responsibility for her actions, and has shown little insight or remorse into her behaviour.

Ms Hazlewood submitted that there was no evidence to suggest that Ms Ellams has taken steps to address the concerns. Therefore, it is likely that this conduct could be repeated in the future. She submitted that the repeated discriminatory nature of the comments made by Ms Ellams in relation to race and religion, is a concern. Ms Hazlewood submitted that although there is no evidence to suggest residents were harmed, these comments have been made directly to colleagues and could therefore create a toxic work environment that has a potential to put residents at a risk of harm.

Ms Hazlewood submitted that there is significant concern that this type of behaviour could be repeated if Ms Ellams was to continue working as a registered nurse. She submitted that this could lead to public safety issues, especially as the concerns raised are not a single lapse in judgement but suggest deep seated attitudinal issues. Ms Hazlewood further submitted that breaches of the code constitute a serious risk to public confidence in the profession.

Ms Hazlewood submitted that taking into account the panel's findings on facts, the panel should find Ms Ellams' fitness to practice impaired on both public protection and public interest grounds.

The panel accepted the advice of the legal assessor who quoted passages from *Grant*.

Decision and reasons on misconduct

When determining whether the facts found proved amount to misconduct, the panel had regard to the Code.

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

'20 Uphold the reputation of your profession at all times

To achieve this, you must

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

20.4 keep to the laws of the country in which you are practising

20.7 make sure you do not express your personal beliefs (including political, religious or moral beliefs) to people in an inappropriate way

20.8 act as a role model of professional behaviour for students and newly qualified nurses, midwives and nursing associates to aspire to

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'

The panel appreciated that breaches of the Code do not automatically result in a finding of misconduct. However, the panel went through the charges to determine whether or not they amounted to misconduct.

In relation to charges 1 (a-f), 2(a-c), 3(a-g) and 4, the panel considered that Ms Ellams' conduct in these charges were motivated by her hostility towards Muslims. It considered that in regard to charges 1 (a-f), 2(a-c), 3(a, b, c, e, f and g) and 4, Ms Ellams used derogatory language against a group of people with protected characteristics while at work. The panel noted that there was evidence that people from different ethnic minority backgrounds also worked in the same Home, where she had expressed her hostile views. It further considered that Ms Ellams' hostility towards Muslims was an aggravating factor. The panel determined that Ms Ellams' conduct was a serious breach of the Code, specifically 20.2, 20.3, 20. 4, 20.7 and 20.8.

In regard to charge 3d)i) and 3d)ii), the panel considered that Ms Ellams was a senior nurse in a position of trust, taking weapons (one of which was adapted) into a clinical environment with vulnerable residents. The panel determined that Ms Ellams' conduct in the charges found proved was a serious breach of the Code, specifically 20.2, 20.3, 20.7 and 20.8.

Therefore, the panel determined that Ms Ellams' conduct in charges 1(a-f), 2(a-c), 3(a-g) and 4 was serious and amounted to misconduct.

In relation to charge 5 (a-c), the panel considered that Ms Ellams had violated Ms Isaac's dignity and demonstrated discrimination and hostility in the words she used. The panel further considered that Ms Ellams had used derogatory language against a group of people with a protected characteristic, which was a serious breach of the Code, specifically, 20.3 and 20.7. Therefore, the panel determined that Ms Ellams' conduct was serious and amounted to misconduct.

In relation to charges 6 and 7, the panel considered its earlier findings on facts and determined that Ms Ellams conduct in sharing an offensive image, was a serious breach of the Code, specifically, 20.2, 20.3, 20.7,20.8 and 20.10. Therefore, the panel determined that Ms Ellams' conduct was serious and amounted to misconduct.

In relation to charge 8 and charge 10, the panel determined that Ms Ellams had breached the Code, specifically, 20.2. However, the panel considered that Ms Ellams did have a duty to accurately complete the form but it was insufficiently serious as to amount to misconduct, and determined that charges 8 and 10 did not amount to misconduct.

Therefore, the panel found that Ms Ellams' actions did fall seriously short of the conduct and standards expected of a registered nurse and amounted to misconduct on charges 1(a-f), 2 (a-c), 3(a-g), 4, 5, 6 and 7 only.

Decision and reasons on impairment

The panel next went on to determine if as a result of the misconduct, Ms Ellams' fitness to practise is currently impaired.

In reaching its decision, the panel had regard to the NMC Guidance on '*Impairment*' (Reference: DMA-1 Last Updated:28/01/2026) in which the following is stated:

'Being fit to practise is not defined in our legislation but for us it means that a professional on our register can practise as a nurse midwife or nursing associate safely and effectively without restriction.'

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

In this regard the panel considered the judgment of Mrs Justice Cox in the case of *Grant* in reaching its decision. At paragraph 74, she said:

'In determining whether a practitioner's fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.'

At paragraph 76, Mrs Justice Cox referred to Dame Janet Smith's "test" which reads as follows:

'Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her fitness to practise is impaired in the sense that s/he:

- a) has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
- b) has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*
- c) has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*
- d)'*

The panel found that limbs a – c were engaged. The panel found that Ms Ellams caused emotional harm to colleagues and that patients were put at risk of harm as a result of Ms Ellams' misconduct. Ms Ellams' misconduct had breached the fundamental tenets of the nursing profession and therefore brought its reputation into disrepute.

The panel considered whether Ms Ellams' conduct was likely to be repeated in the future. It was satisfied that the misconduct in this case was capable of being addressed. However, the panel recognised that Ms Ellams displayed deep seated attitudinal issues and this could be difficult to put right.

The panel carefully considered the evidence before it in determining whether Ms Ellams had demonstrated insight or remorse into her actions and taken steps to strengthen her practice. The panel took into account the following factors in assessing Ms Ellams' explanation for her behaviour:

- Text messages from Ms Ellams to Lousie Embrey dated 9 August 2024, '*... I feel terrified, mortified, hugely embarrassed...*'.
- Email correspondence from Ms Ellams to the NMC dated 29 August 2024, '*It is suggested that I have been discriminatory against Muslims. I am not.*'
- Ms Isaac's oral evidence where she stated, '*...honestly think [Ms Ellams] was actually genuine in the belief I may be attacked*'.

The panel considered that these were the only evidence before it of Ms Ellams' beliefs. The panel was not able to establish whether Ms Ellams had gained insight into her behaviour as she did not provide any formal reflection or evidence of further training to strengthen her practice either verbally or by way of written evidence. The panel therefore determined there was no remediation of her practice.

The panel had sight of the NMC guidance on Freedom of Expression in Fitness to Practice, specifically:

'We don't expect professionals to conceal their personal beliefs at work. Yet, we may find their practice impaired, if they express a personal belief in a way that:

- *constitutes discrimination, harassment, bullying or victimisation of others,*

- ...
- *conflicts with the Code's requirement to treat patients and people who use services with 'kindness, respect and compassion'*

The panel agreed that a nurse is entitled to her own views. However, a nurse should not be expressing those views at work, in an inappropriate way, which Ms Ellams had done. The panel considered that Ms Ellams put residents and colleagues at risk of harm by bringing weapons into work, and expressing derogatory and discriminatory views against a group of people openly. Ms Ellams has not demonstrated she has understanding of the effect her conduct could have on residents and colleagues; or the impact her behaviour could have on public confidence in the profession and the NMC as its regulator. The panel was therefore of the view that there was a risk of repetition and decided that a finding of impairment is necessary on the grounds of public protection.

Turning to the public interest, 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 public would be concerned if a nurse with racist and discriminatory views about Muslims, carried weapons to work, breached the fundamental tenets of the nursing profession and had not demonstrated any insight into her conduct, was allowed to practise unrestricted. The panel also determined that members of the public would be hesitant, or even reluctant, to engage with members of the profession if they knew that there was a risk that they would not be treated fairly based on their race and/or religion.

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 Ms Ellams' fitness to practise impaired on the grounds of public interest.

Having regard to all of the above, the panel was satisfied that Ms Ellams' fitness to practise is currently impaired.

Sanction

The panel has considered this case carefully and has determined to make a striking-off order. It directs the registrar to strike Ms Ellams off the register. The effect of this order is that the NMC register will show that Ms Ellams 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 regard to the NMC Guidance on '*The sanctions available*' (Reference: SAN-2 Last Updated: 28/01/2026).

Submissions on sanction

Ms Hazlewood submitted that while sanction is a matter for the panel's judgement, a striking-off order is the most appropriate order in this case. She referred the panel to the NMC guidance on sanctions, particularly SAN-2 and submitted that discriminatory views against a group with protected characteristics and bringing weapons into a clinical environment, was serious and incompatible with being on the register.

Ms Hazlewood submitted that permanent removal from the register is necessary to protect the public and maintain public confidence in the profession. She submitted that Ms Ellams' actions had been so serious, that suspension would not be sufficient to uphold the reputation of the profession.

Ms Hazlewood submitted that the panel has found that Ms Ellams displayed discriminatory views about Muslims towards colleagues and posted a Facebook post, where the nature of the image leads to a strong inference that she maintained these discriminatory views.

Ms Hazlewood invited the panel to take into account the context of what was going on in the area at the time, the Southport attacks that were geographically close and close in time.

Ms Hazlewood further submitted that Ms Ellams has not demonstrated any insight, remorse or remediation and therefore invites the panel to impose a striking-off order.

The panel accepted the advice of the legal assessor.

Decision and reasons on sanction

Having found Ms Ellams' fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose. 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 decision on sanction is a matter for the panel independently exercising its own judgement.

The panel found the following to be aggravating features:

- Abuse of a position of trust;
- Conduct which deliberately or recklessly puts people receiving care at risk of suffering harm;
- Deliberate breaches of the Code;
- A course of conduct over a period of time;
- Failure to attend the hearing;
- No evidence of insight;
- Premeditated behaviour by bringing in weapons, including adapted weapons;
- Failure to work collaboratively with colleagues, with regard to discriminatory views.

The panel found the following to be mitigating features:

- The panel acknowledged Ms Ellams' view that [PRIVATE] the terrifying events in the her local area at the time (Southport murders).

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.

The panel next considered a caution order and had regard to the NMC Guidance on 'Caution order' (Reference: SAN-2b Last Updated: 28/01/2026) in which the following is stated:

'A caution is only appropriate if the Committee has decided there's no risk to the public or to people using services that requires the professional's practice to be restricted. This means the case is at the lower end of the spectrum of impaired fitness to practise, but the Committee wants to mark that what happened was unacceptable and must not happen again.'

The panel considered that Ms Ellams' actions were not at the lower end of the spectrum, and it found that there is a risk to patient and public safety. The panel therefore determined that a sanction that does not restrict Ms Ellams' practice would not protect the public. The panel also determined that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether to place conditions of practice on Ms Ellams' registration. In considering whether conditions of practice are appropriate, the panel had regard to the factors set out in the NMC Guidance on 'Conditions of practice order' (Reference: SAN-2c Last Updated: 28/01/2026).

The panel determined that the nature and seriousness of Ms Ellams' conduct was indicative of deep seated attitudinal issues, and a conditions of practice order would not be appropriate in the circumstances. The panel considered that there are no relevant,

proportionate, workable or measurable conditions that could be formulated to protect patients and to uphold professional standards. The panel determined that the misconduct identified in this case was not something that can be addressed through retraining as there were no concerns with Ms Ellams' clinical practice.

The panel went on to consider whether a suspension order is appropriate in this case. The panel had regard to the NMC Guidance on '*Suspension order*' (Reference: SAN-2d Last Updated: 28/01/2026) in which the following factors on when a suspension order may be appropriate are set out:

- *'the impairment is very serious but not fundamentally incompatible with continuing to be a registered professional*
- *an outcome less severe than strike-off would still satisfy the over-arching objective.'*

The panel also had regard to the key considerations as set out in the NMC Guidance to weigh up before imposing a suspension. It noted the following list of circumstances that may make a suspension order an appropriate sanction:

- *'the charges found proved are at the most serious end of the spectrum and call into question the professional's suitability to continue practising, either currently or at all*
- *while it is possible that the professional could be fit to practise in future, only a period out of practice would be sufficient to allow them to fully strengthen their practice through reflection, the development of their professional skills and / or development of insight and remediation*
- *there is a risk to the safety of people using services if the professional were allowed to continue to practise even with conditions*
- *what went wrong is so serious that public confidence in the profession and professional standards could not be maintained if the professional were able to continue practising without stopping for a period of time*
- *despite the seriousness of what happened, the professional has engaged in the proceedings and has shown at least some meaningful insight which evidences a*

realistic possibility that they will continue to develop this insight, address their concerns and return to practice.'

Whilst the panel acknowledged that the risks identified could be managed by Ms Ellams' being temporarily removed from the Register, it considered that it would not be sufficient to uphold public confidence in the profession and maintain professional standards due to the seriousness and nature of the facts found proved. Given Ms Ellams' lack of engagement, no evidence of insight, remorse, training and development, the panel considered that there is no realistic possibility that she would address the concerns to such a level where she could return to practise safely. The panel considered that the seriousness of the discrimination was at the higher end of the spectrum, and that Ms Ellams has not shown any understanding or taken any responsibility for her actions.

In this case, the panel determined that a suspension order would not be a sufficient, appropriate or proportionate sanction, nor would public confidence in the profession be maintained.

In considering a striking-off order, the panel had regard to the NMC Guidance on '*Sanctions for the highest risk cases*' (Reference SAN-4 Last Updated: 28/01/2026). Having regard to all of the above, the panel determined that this case falls within the definition of being a '*highest risk case*'.

The panel had regard to the following considerations as set out in the NMC Guidance entitled '*Striking-off order*' (Reference: SAN-2e Last Updated; 28/01/2026):

- *Do the charges found proved raise fundamental questions about their professionalism?*
- *Can public confidence in the profession be maintained if the professional is not removed from the Register?*

- *Is there any amount of insight and reflection which could keep people receiving care and members of the public safe, maintain public confidence in the profession, and uphold professional standards?*
- *Is there a realistic prospect that, after suspension, the professional will have gained insight and strengthened their practice such that the risk they pose will have reduced?*

The panel found that Ms Ellams' conduct was exceptionally serious and incompatible with the standards expected of a registered nurse. Her actions represented a serious breach of the fundamental tenets of the profession, including the obligations to treat people with kindness, dignity and respect.

The panel considered that fully informed members of the public would be extremely concerned if a registered nurse who had made discriminatory comments about Muslims, had brought weapons into a clinical environment with vulnerable patients, and had not demonstrated any insight or meaningful remediation, were permitted to remain on the register. The panel determined that public confidence in the profession and the NMC as a regulator would be seriously undermined if a sanction short of striking-off were imposed.

The panel therefore determined that a striking-off order was the only sanction sufficient to protect the public interest, maintain public confidence in the nursing profession and uphold proper professional standards and conduct. The panel concluded that Ms Ellams' conduct was fundamentally incompatible with remaining on the register.

The panel was of the view that the findings in this case demonstrate that Ms Ellams' actions were serious and to allow her to continue practising would not protect the public and 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 effect of Ms Ellams' 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 sanction 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 Ms Ellams 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 to cover the potential appeal period. 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 Ms Ellams' own interests until the striking-off sanction takes effect.

Submissions on interim order

The panel took account of the submissions made by Ms Hazlewood. She submitted that given the panel's decision on sanction, an interim suspension order for a period of 18 months is necessary to protect the public and is also otherwise in the public interest, to cover the 28-day appeal period before the substantive order becomes effective.

The panel accepted the advice of the legal assessor.

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. To not impose an interim suspension order would be inconsistent with the panel's earlier findings and determination.

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 for a period of 18 months to allow for the appeal period.

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

This will be confirmed to Ms Ellams in writing.

That concludes this determination.