

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

**Substantive Hearing  
Monday, 9 – Tuesday, 17 February 2026**

Virtual Hearing

**Name of Registrant:** **Rebecca Chappelle**

**NMC PIN:** 17F0010W

**Part(s) of the register:** Nurses part of the register sub part 1;  
Registered Nurse – Adult; RNA  
(September 2017)

**Relevant Location:** Newport

**Type of case:** Misconduct

**Panel members:** John Henry Millar (Chair, Lay member)  
Michelle Wells-Braithwaite (Registrant member)  
Frances McGurgan (Lay member)

**Legal Assessor:** Nigel Ingram

**Hearings Coordinator:** Priyam Jain

**Nursing and Midwifery Council:** Represented by Mohsin Malik, Case Presenter

**Miss Chappelle:** Not present and unrepresented

**Facts proved:** Charges 1a, 1b, 1c, 2a, 2b, 2c, 2d, 2e, 3a, 3b, 4, 5,  
6a and 6b

**Facts not proved:** Not applicable

**Fitness to practise:** Impaired

**Sanction:** **Striking-off order**

**Interim order:** **Interim suspension order (18 months)**

## **Decision and reasons on service of Notice of Hearing**

The panel was informed at the start of this hearing that Miss Chappelle was not in attendance and that the Notice of Hearing letter had been sent to Miss Chappelle's registered email address by secure email on 7 January 2026.

Mr Malik, 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).

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 that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Miss Chappelle's 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 Miss Chappelle 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 Miss Chappelle**

The panel next considered whether it should proceed in the absence of Miss Chappelle. It had regard to Rule 21 and heard the submissions of Mr Malik who invited the panel to continue in the absence of Miss Chappelle. He submitted that Miss Chappelle had voluntarily absented herself.

Mr Malik referred the panel to an email from Miss Chappelle dated 7 January 2026 which stated that:

*“I have not been nursing for years. You are wasting your time as I have asked to struck off so that I could stop the [PRIVATE] of all of this. I will not be attending. Please do not contact me again. I never intend to nurse again so just strike me off and save yourselves the time?”*

Mr Malik submitted that there had been no engagement at all by Miss Chappelle with the NMC in relation to these proceedings and, as a consequence, there was no reason to believe that an adjournment would secure her attendance on some future occasion.

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 Miss Chappelle. In reaching this decision, the panel has considered the submissions of Mr Malik, 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. It noted that:

- No application for an adjournment has been made by Miss Chappelle;
- Miss Chappelle has not engaged with the NMC, and her email dated 7 January 2026 makes it clear that she no longer wishes to engage or attend these proceedings;
- There is no reason to suppose that adjourning would secure her attendance at some future date;
- Number of witnesses have attended today to give live evidence, others are due to attend;

- Not proceeding may inconvenience the witnesses, their employer(s) and, for those involved in clinical practice, the clients who need their professional services;
- 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 Miss Chappelle in proceeding in her absence. Although the evidence upon which the NMC relies will have been sent to her at her registered email address. She will not be able to challenge the evidence relied upon by the NMC and will not be able to give evidence on her own behalf. However, in the panel's judgement, this 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 Miss Chappelle's decisions to absent herself from the hearing, waive her rights to attend, and/or be represented, and to not provide evidence or make submissions on her own behalf.

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

### **Details of charge**

That you, a registered nurse between December 2021 and March 2023:

1. In relation to Colleague A, who was an overseas member of staff in the Home:
  - a. On one or more occasion, did not talk to them or ignored them when they tried to speak to you
  - b. On one or more occasion, raised your voice at them and/or shouted at them

- c. On one or more occasion, rolled your eyes and deliberately spoke slowly when they asked for advice or assistance
2. In relation to Colleague B, who was your deputy manager:
  - a. Said 'I don't have time for small talk, keep out of my way' or words to that effect when they were observing you
  - b. On one or more occasion, told them to go away and to work in another department or words to that effect
  - c. On one or more occasion, when they made a request to you, said 'I don't have time, I am very busy, go do something else' or words to that effect
  - d. On one or more occasion, shouted and/or raised your voice at them
  - e. Said that Colleague B's behaviour was due to her 'culture' and/or that 'ladies from the Caribbean can be very loud and others are really quiet' or words to that effect
3. In relation to Colleague C, who was an overseas member of staff in the Home:
  - a. On one or more occasion, ignored them or rolled your eyes at them whilst they were speaking
  - b. On an date unknown, shouted at Colleague C
4. Your actions as set out in any or all of charges 1 and/or 3 were racially motivated.
5. Your actions as set out in charge 2(e) were discriminatory in that you had made an inappropriate comment to Colleague B based on their national origin or your perception of their national origin.
6. Your actions as set out in any or all of charges 1-3 amounted to behaviours which were or had the effect of:
  - a. Bullying
  - b. Intimidation

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

### **Decision and reasons on application to admit hearsay evidence**

The panel heard an application made by Mr Malik Rule 31 of the Nursing and Midwifery Council (Fitness to Practise) Rules 2004 to admit into evidence the investigation meeting notes of:

- a. Person 3 at page 44 of the exhibit bundle;
- b. Person 4 at page 47 of the exhibit bundle; and
- c. Person 5 at page 50 of the exhibit bundle.

Mr Malik submitted that the hearsay evidence is prima facie admissible in these proceedings provided it satisfies the requirements of relevance and fairness. He referred the panel to Rule 31(1), which permits a Fitness to Practice Committee, subject to relevance and fairness, to admit oral, documentary or other evidence whether or not such evidence would be admissible in civil proceedings.

Rule 31(1) is in the following terms:

*‘ Upon receiving the advice of the legal assessor, and subject only to the requirements of relevance and fairness, a Practice Committee considering an allegation may admit oral, documentary or other evidence, whether or not such evidence would be admissible in civil proceedings (in the appropriate Court in that part of the United Kingdom in which the hearing takes place).’*

Mr Malik further referred the panel to the case of *Thorneycroft v NMC [2014] EWHC 1565 (Admin)*, in particular paragraph 56, which sets out factors to consider when determining whether to admit hearsay evidence. These include:

- i. *'whether the statements were the sole and decisive evidence in support of the charges;*
- ii. *the nature and extent of the challenge to the contents of the statements;*
- iii. *whether there was any suggestion that the Witnesses had reasons to fabricate their allegations;*
- iv. *the seriousness of the charge, taking into account the impact which adverse findings might have on the Appellant's career;*
- v. *whether there was a good reason for the non-attendance of the Witnesses;*
- vi. *whether the Respondent had taken reasonable steps to secure their attendance; and*
- vii. *the fact that the Appellant did not have prior notice that the Witness statements were to be read.'*

Mr Malik submitted that the investigation meeting notes are not the sole or decisive evidence in respect of any of the charges. He submitted that the panel had already heard live evidence from Witness 1 and would hear from additional witnesses. Witness 2, who conducted the interviews and was present at those meetings, will also be in attendance and can be questioned about the content of the notes.

In relation to fabrication, Mr Malik submitted that there was no reason for the three members of staff to fabricate their evidence. The meeting notes are records of interviews conducted by Witness 2, and the panel will have the opportunity to question him about those interviews.

In relation to non-attendance, Mr Malik referred the panel to the hearsay bundle. He submitted that the emails demonstrate attempts made by the NMC to secure the attendance of these witnesses. He submitted that the NMC had taken all reasonable steps to secure their attendance.

Mr Malik further submitted that Miss Chappelle had been informed that the NMC intended to make the hearsay application and that she had not provided any response or challenge

to the content of the investigation meeting notes, nor provided any suggestion of conspiracy or fabrication.

Mr Malik submitted that should the panel determine that the hearsay is admissible, it then should consider what weight it should be given.

The panel accepted the legal assessor's advice on the issues it should take into consideration in respect of this application. This included that Rule 31 provides that, so far as it satisfies the requirements of 'relevance and fairness', a panel may accept evidence in a range of forms and circumstances, whether or not it is admissible in civil proceedings.

The legal assessor also advised the panel of the relevant factors to take into account, as identified in the case of *Thorneycroft*.

### **Panel's decision**

The panel gave the application to admit into evidence the investigation meeting notes careful consideration. It applied the guidance set out in *Thorneycroft* and considered each of the relevant factors.

The panel was satisfied that the investigation meeting notes are relevant to the charges before it.

The panel determined that the notes are not the sole or decisive evidence in respect of the charges. The panel has heard and will hear oral evidence from direct witnesses. The panel noted that Witness 2, who conducted the interviews, will be in attendance and available for questioning. Accordingly, the panel determined that the evidence is capable of being tested to some extent.

The panel considered whether the timing of the application caused any unfairness to the Miss Chappelle. The panel noted that Miss Chappelle had prior notice of the application

and had not challenged the content of the meeting notes, nor provided any evidence or submission suggesting fabrication or collusion. The panel concluded that no material prejudice has been caused.

The panel considered the steps taken by the NMC to secure the attendance of the witnesses. The panel took into account the email correspondence between the NMC and the witnesses. It noted that some witnesses expressly declined to engage further; others failed to respond despite attempts to contact them. The panel was therefore satisfied that reasonable steps had been taken in the circumstances.

The panel also noted that the meeting notes were taken during the same period as the events under investigation and therefore formed contemporaneous records of formal interviews conducted by a manager (Witness 2). The panel was therefore content that the process by which the statements were obtained was appropriate.

The panel determined that there was also public interest in the issues being explored fully which supported the admission of this evidence into the proceedings. The panel balanced the seriousness of the allegations and the potential impact on Miss Chappelle against the public interest in ensuring that all relevant evidence is considered.

In these circumstances, the panel concluded that it would be fair and appropriate to admit the investigation meeting notes into evidence as hearsay. The panel will give the evidence such weight as it considers appropriate, bearing in mind that it has not been tested by cross-examination on behalf of Miss Chappelle, although the panel can also ask questions of the witness, and the panel can then evaluate all the evidence before it.

## **Background**

The charges arose whilst Miss Chappelle was employed as a registered nurse by Caerleon House Nursing Home (the 'Home') between December 2021 and March 2023.

The NMC received a referral on 26 April 2023 by Person 1, who was the Registered Manager at the Home. The concerns related to Miss Chappelle's behaviour towards colleagues, in particular members of staff who were recruited from overseas. The referral alleged that Miss Chappelle had, on multiple occasions, ignored colleagues, raised her voice, shouted at them, rolled her eyes, spoken to them in a deliberately slow manner, and made comments relating to a colleague's culture.

The concerns also included allegations that Miss Chappelle had told Witness 3 to "*keep out of my way*" or words to that effect, had instructed her to work in another department, and had stated that she did not have time for small talk. It was further alleged that she had commented that a colleague's behaviour was due to her culture and that "*ladies from the Caribbean can be very loud and others are really quiet*" or words to that effect.

As part of the Home's internal process, Miss Chappelle attended a meeting on 21 March 2023 with Witness 3 and Witness 2, during which concerns were raised regarding her communication and conduct in the workplace. On 22 March 2023, Witness 3 submitted a formal grievance against Miss Chappelle following further alleged incidents, alleging discrimination, gross insubordination, gross misconduct and bullying. During the course of the internal investigation, further allegations emerged that Miss Chappelle had treated non-white colleagues, particularly staff who were not originally from the United Kingdom, differently from white European staff.

In response to the concerns, when Miss Chappelle was interviewed, she stated that during busy periods she may have spoken sharply or loudly, which she attributed to stress and workload pressures. She denied bullying or discriminatory behaviour and stated that she did not treat colleagues differently based on race. She accepted that she sometimes spoke more slowly to overseas staff as she believed she was assisting with communication but denied that this was derogatory.

The matter was then referred to the NMC and Miss Chappelle subsequently informed the NMC that she had sought voluntary removal from the register, which she stated was not an admission of guilt [PRIVATE]. She advised that she was no longer practising as a nurse.

### **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 Mr Malik 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:

- Witness 1: Registered general nurse at the Home at the time of the incident;
- Witness 2: Assistant Manager at Pentwyn House Nursing Home and Investigator;
- Witness 3: Deputy Manager at the Home at the time of the incident also Registered Nurse;
- Witness 4: Senior Carer at the Home at the time of the incident.

Before making any findings on the facts, the panel heard and accepted the advice of the legal assessor. It considered the witness and documentary evidence provided by the NMC. It assessed the credibility and reliability of the witnesses and the weight to be attached to their evidence.

The panel took into account that Miss Chappelle was not present and did not give evidence. The panel carefully considered her account as recorded in the investigation meeting notes and in the documentary evidence. The panel has drawn no adverse inference from the non-attendance of Miss Chappelle.

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

#### **Charge 1a**

That you, a registered nurse between December 2021 and March 2023:

1. *"In relation to Colleague A, who was an overseas member of staff in the Home:
  - a. On one or more occasion, did not talk to them or ignored them when they tried to speak to you."*

**This charge is found proved.**

In reaching this decision, the panel took into account the written statement of Witness 1 in which she stated that:

*"I felt as if Ms Chapelle never had any patience with me and she would often just ignore me and not talk to me."*

The panel noted that Miss Chappelle would ignore Witness 1 and she had to approach another member of staff to obtain the information she required. Witness 1 described Miss Chappelle's behaviour towards her as being constant rather than an isolated incident.

The panel further had regard to Witness 1's oral evidence. The panel noted that, in her oral evidence, Witness 1 was clear and consistent. She gave examples of occasions when she was ignored. She described that on some days she might attempt to speak to Miss Chappelle on multiple occasions and would be ignored for the majority of those attempts. She also described that Miss Chappelle would act as if she were busy and would not respond when spoken to.

The panel noted that Witness 1's oral evidence was consistent with her written statement and with the investigative meeting notes. The panel found Witness 1 to be a credible and reliable witness. She gave her evidence in a straightforward manner and did not seek to deviate from her account.

The panel next considered Miss Chappelle's account. In her interview, she denied ignoring Witness 1 and stated that any issues related to tone rather than refusal to engage. However, the panel did not find that this explanation undermined the clear and consistent account given by Witness 1.

Having considered all of the evidence, the panel was satisfied, on the balance of probabilities, that on one or more occasions Miss Chappelle ignored Witness 1 when she tried to speak to her.

Accordingly, the panel found Charge 1a proved.

### **Charge 1b**

That you, a registered nurse between December 2021 and March 2023:

1. *“In relation to Colleague A, who was an overseas member of staff in the Home:  
b. On one or more occasion, raised your voice at them and/or shouted at them.”*

**This charge is found proved.**

In reaching this decision, the panel took into account the evidence of Witness 1 in relation to this allegation. The panel noted that in her written statement, Witness 1 stated that:

*“Ms Chappelle was present when I approached the nursing assistant and she shouted at me in front of the nursing assistant and other team members and said that the nursing assistant was doing her medication round and that I shouldn't be disturbing her and that when I eventually start doing medication rounds, I will learn how annoying and frustrating it is to be disturbed whilst doing it. She was so forceful in her mannerisms that I had to walk off the ward, and I ended up crying as a result.”*

The panel noted that Witness 1's statement was directly relevant and a direct assertion to the charge. The panel also had regard to her oral evidence, in which Witness 1 said that Miss Chappelle raised her voice at her in front of other members of staff and, on at least one occasion, in front of residents. She gave a specific example relating to a patient with abdominal pain and concerns regarding a possible urinary tract infection, when she sought assistance and Miss Chappelle responded by shouting at her in front of others.

The panel noted that the evidence of Witness 1 was consistent and supported by the wider context of the evidence before it. The panel also noted that other witnesses described similar behaviour by Miss Chappelle in terms of shouting and raised voice and provided corroborating accounts.

The panel further considered that in her interview, Miss Chappelle denied shouting and stated that any issues related to tone and attitude rather than raising her voice. The panel

considered this account but did not attach much weight to this evidence in light of the clear and consistent evidence of Witness 1.

Having considered all of the evidence, the panel was satisfied, on the balance of probabilities, that Miss Chappelle did, on one or more occasions, raise her voice at and/or shout at Witness 1.

Accordingly, the panel found Charge 1b proved.

### **Charge 1c**

That you, a registered nurse between December 2021 and March 2023:

1. *“In relation to Colleague A, who was an overseas member of staff in the Home:  
c. On one or more occasion, rolled your eyes and deliberately spoke slowly when they asked for advice or assistance.”*

**This charge is found proved.**

In reaching this decision, the panel took into account the written statement of Witness 1 in which she stated that:

*“I would ask Ms Chappelle for advice and assistance with this but again, whenever I would ask her questions, she would roll her eyes and talk to me really slowly and make me feel embarrassed for even asking questions.*

*I would say that I have a good understanding of English but whenever Ms Chappelle would explain anything to me, she would talk to me as if I were a child. It was so upsetting to be spoken to like this, and it made me feel completely worthless and as if I was not part of the team.”*

The panel also had regard to Witness 1's oral evidence. She stated that Miss Chappelle would roll her eyes while she was speaking and would respond in a deliberately slow manner. She stated that the tone and manner in which Miss Chappelle spoke gave her the impression that Witness 1 did not understand English or that she did not know anything. The panel noted that Witness 1's oral evidence was consistent with her written statement.

The panel also observed that Witness 1 gave her evidence clearly and confidently in English. The panel was satisfied that she had a good command of the English language and did not require communication to be simplified in the manner described.

The panel next considered Miss Chappelle's account. In her interview, Miss Chappelle accepted that she had spoken slowly to some overseas staff but stated that she did so in order to assist communication and that it was not intended to be derogatory. The panel accepted that Miss Chappelle acknowledged speaking slowly, however, it did not accept that this fully explained the behaviour described by Witness 1. The allegation also included eye-rolling, which Miss Chappelle denied.

Having considered all of the evidence, the panel was satisfied, on the balance of probabilities, that Miss Chappelle did, on one or more occasions, roll her eyes and deliberately speak slowly to Witness 1 when she asked for advice or assistance.

Accordingly, the panel found Charge 1c proved.

## **Charge 2a**

That you, a registered nurse between December 2021 and March 2023:

2. *"In relation to Colleague B, who was your deputy manager:
  - a. Said 'I don't have time for small talk, keep out of my way' or words to that effect when they were observing you."*

**This charge is found proved.**

In reaching this decision, the panel took into account the written statement of Witness 3 in which she stated that:

*“When I went to observe Ms Chappelle, I advised her that I was just watching informally and that there was nothing to worry about etc., and she just replied something along the lines of, ‘I don’t have time for small talk, keep out of my way.’”*

The panel noted that Witness 3 also stated that observation formed an important part of her managerial duties.

The panel next had regard to Witness 3’s oral evidence, where she reiterated that she clearly remembered these words being said. She described the behaviour as occurring from day one and continuing thereafter. She stated that even after a focused supervision meeting attended by Witness 2, the behaviour persisted.

The panel noted that Witness 3’s oral evidence was consistent with her written statement. The panel found her to be a credible witness. She gave her evidence in a detailed manner and was able to recall specific details, including the context in which the words were used.

The panel also noted that the content of the focused supervision meeting and the grievance form supported the existence of ongoing issues around communication between Miss Chappelle and Witness 3.

Miss Chappelle denied behaving inappropriately and stated that any issues related to tone and attitude rather than rudeness or hostility. The panel considered this denial but did not find it sufficient to undermine the clear and consistent evidence of Witness 3.

The panel was therefore satisfied, on the balance of probabilities, that Miss Chappelle did say words to the effect that she did not have time for small talk and that Witness 3 should keep out of her way.

Accordingly, the panel found Charge 2a proved.

### **Charge 2b**

That you, a registered nurse between December 2021 and March 2023:

2. *“In relation to Colleague B, who was your deputy manager:*

*b. On one or more occasion, told them to go away and to work in another department or words to that effect.”*

**This charge is found proved.**

In reaching this decision, the panel took into account the written statement of Witness 3 in which she stated that:

*“I felt extremely intimidated by Ms Chappelle and found it hard to complete my job when she was around as she would often ask me to go away and to work in another department. She would often boss me around or, if she was not bossing me around, she would blank me, disregard me and not acknowledge me. As her line manager, I felt there was not form of respect there.”*

The panel noted that in her oral evidence, Witness 3 confirmed this and explained that she was performing her duties as Deputy Manager at the time. She stated that she attempted to explain her role and why she was observing Miss Chappelle, but that Miss Chappelle nevertheless instructed her to go away.

The panel further noted that this issue was also referenced in the focused supervision meeting documentation and in the grievance form. Witness 3 consistently maintained that she was told to go away and to work elsewhere.

The panel also had regard to Miss Chappelle's account. She denied inappropriate behaviour, but the panel did not find that her denial undermined the clear and consistent account provided by Witness 3.

The panel was therefore satisfied, on the balance of probabilities, that Miss Chappelle did, on one or more occasions, tell Witness 3 to go away and to work in another department or words to that effect.

Accordingly, the panel found Charge 2b proved.

### **Charge 2c**

That you, a registered nurse between December 2021 and March 2023:

2. *"In relation to Colleague B, who was your deputy manager:*

c. *On one or more occasion, when they made a request to you, said 'I don't have time, I am very busy, go do something else' or words to that effect."*

**This charge is found proved.**

In reaching this decision, the panel took into account the written statement of Witness 3 in which she stated that:

*"I felt extremely intimidated by Ms Chappelle and found it hard to complete my job when she was around a she would often ask me to go away and to work in another department, She would often boss me around or, if she was not bossing me around, she would blank me, disregard me and not acknowledge me. As her line manager, I felt there was no form of respect there."*

The panel also had regard to the focused supervision meeting notes dated 21 March 2023 in which Witness 3 stated that:

*“On several occasions Nurse Rebecca, as spoken to me ( new in post Deputy Manager) in a unprofessional manner, by using a elevated tone of voice, ..., allegedly appearing to express aggressive behaviour, to simple request, “I done have time “, I am very busy, go do something else.”*

The panel also took into account the Grievance Form dated 22 March 2023 in which Witness 3 stated that:

*“She routinely expressed aggressive behaviour towards me in response to simple and requests, stating “I don’t have time, I am very busy, go do something else.”*

The panel noted that in her oral evidence, Witness 3 confirmed that this occurred on more than one occasion. She stated that even during the supervision meeting attended by Witness 2, Miss Chappelle responded in this manner. She also referred to an incident concerning GP rounds, where she was told that these were “*GP rounds, not you,*” which she interpreted as another form of exclusion.

The panel found Witness 3’s evidence to be consistent with the documentary evidence and her earlier written account.

Miss Chappelle in her account denied acting inappropriately. However, the panel was satisfied that the evidence of Witness 3, supported by the contemporaneous documentary evidence, established that Miss Chappelle did say words to that effect.

The panel was therefore satisfied, on the balance of probabilities, that Miss Chappelle did, on one or more occasions, tell Witness 3 she doesn’t have time, go do something else or words to that effect.

Accordingly, the panel found Charge 2c proved.

## Charge 2d

That you, a registered nurse between December 2021 and March 2023:

2. *“In relation to Colleague B, who was your deputy manager:*

*d. On one or more occasion, shouted and/or raised your voice at them.”*

### **This charge is found proved.**

In reaching this decision, the panel took into account the evidence of Witness 3. The panel noted that in her oral evidence, Witness 3 stated that Miss Chappelle used an elevated voice and shouted at her. She described that Miss Chappelle would use a different tone and level of voice when speaking to her than when speaking to residents or other staff. Witness 3 stated that she felt that the manner in which she was spoken to was hostile and inappropriate.

The panel noted that references to raised tone and shouting appeared in the Grievance Form submitted in relation to Miss Chappelle by Witness 3 and in the supervision records. Although the written statement of Witness 3 did not elaborate extensively on shouting, her oral evidence was clear and made a direct assertion to the stem of this allegation.

The panel found Witness 3 to be a credible and reliable witness. Her evidence was consistent with the broader pattern of behaviour described by other witnesses and corroborated their accounts.

Miss Chappelle denied shouting and maintained that any issues related to tone and attitude rather than raised voice. The panel did not accept that this explanation undermined the evidence given by Witness 3.

The panel was therefore satisfied, on the balance of probabilities, that Miss Chappelle did, on one or more occasions, shout at and/or raise her voice at Witness 3.

Accordingly, the panel found Charge 2d proved.

### **Charge 2e**

That you, a registered nurse between December 2021 and March 2023:

2. *“In relation to Colleague B, who was your deputy manager:*

- e. *Said that Colleague B’s behaviour was due to her ‘culture’ and/or that ‘ladies from the Caribbean can be very loud and others are really quiet’ or words to that effect.”*

### **This charge is found proved.**

The panel first considered the allegation that Miss Chappelle said that Witness 3’s behaviour was due to her “*culture*”.

The panel took into account, the investigation meeting notes between Person 1, the Regional Manager investigating this matter, and Person 2, the note taker. Miss Chappelle claimed that her response was not accurately recorded, saying:

*“I did not put it down to culture I clarified that when I complained about the way she spoke to me with a colleague this was said to me. And the colleague was trying to defuse the situation by basically saying she wasn’t meaning to be rude to me.*

*Person 1: Do you recall Rebecca making the above statement?*

*Person 2: No, absolutely not. What Rebecca said was that she put it down to culture, as sometimes ladies from the Caribbean can be very loud and others are really quiet. I wrote it on my handwritten notes, but when I summarised the final notes, I left out the word Caribbean, which is an error.*

*Person 1: So, Rebecca definitely said she had put it down to culture?*

*Person 2: Yes, definitely.*

*Person 1: And you couldn't have mistaken that she said it was another colleague who said this?*

*Person 2: No, there was no mention of another colleague in relation to this question."*

The panel also had regard to the investigation meeting notes between Person 1, the Regional Manager investigating this matter and Witness 2. Miss Chappelle claimed that her response was not accurately recorded, saying:

*"I did not put it down to culture I clarified that when I complained about the way she spoke to me with a colleague this was said to me. And the colleague was trying to defuse the situation by basically saying she wasn't meaning to be rude to me.*

*Person 1: Do you recall Rebecca making the above statement?*

*Witness 2: Definitely not. I was actually present at the meeting with Witness 3 and Rebecca when she said she put it down to Witness 3's culture. Witness 3 also stated this in her own Grievance. At the investigation meeting with Rebecca last Friday, I asked her to explain what she meant by this, and she said she had put it down to Witness 3's culture. She said something along the lines of Caribbean ladies can be loud, whilst others are quiet.*

*Person 1: Are you absolutely sure Rebecca didn't say that it was in fact another colleague that had said this, and she was just repeating it?*

*Witness 2: Definitely not. I was present at the first meeting when she said it directly to Witness 3, it was a red flag to me when she said it as I knew it could be perceived as a racist comment, which is exactly how [Witness 3] took it.*

*Person 1: But at the meeting with Rebecca on Friday, did she give you a different or fuller explanation involving a colleague having said it, rather than herself?*

*Witness 2: Absolutely not."*

The panel noted that in these notes Miss Chappelle referred to culture in the context of communication styles. The panel further noted that Witness 3, in her oral evidence, gave a clear account that Miss Chappelle had referred to her culture when explaining her behaviour.

The panel next considered Miss Chappelle's account. In her interview, she denied that she was being discriminatory and stated that she treated all staff the same. However, the panel noted that the record of the investigation meeting contained a reference to a remark by her during the focused supervisory meeting to "culture" and that this was not disputed at the time. The panel was therefore satisfied that the reference to "culture" was made.

The panel then considered the second limb of the allegation, namely that Miss Chappelle said that "*ladies from the Caribbean can be very loud and others are really quiet*" or words to that effect.

The panel noted that this wording did not appear in the initial written grievance of Witness 3. The panel further noted that in her oral evidence Witness 3 could not recall the phrase being used. However, the panel had before it the investigation meeting notes conducted

by Person 1 following Miss Chappelle's complaint that the supervision meeting notes were inaccurate. As part of that investigation, Person 2 was interviewed, and her account was recorded as part of the investigation meeting notes explained above. In that record, Person 2 stated that Miss Chappelle said that she put Witness 3's behaviour down to culture and that sometimes ladies from the Caribbean can be very loud and others are really quiet. Person 2 stated that she had written this in her handwritten notes but had omitted the word "*Caribbean*" in the typed summary in error.

The panel further noted that Witness 2 was interviewed as part of the same investigation. In the investigation meeting notes admitted as hearsay evidence, Witness 2 recorded that Miss Chappelle said something along the lines that Caribbean ladies can be loud whilst others are quiet. The panel also noted that when cross-examined, he confirmed that the record of his interview was accurate.

The panel reminded itself that the evidence of Person 2 was hearsay. The panel had already determined that this evidence was admissible and had considered the weight to attach to it. The panel noted that the interview with Person 2 took place within four days of the supervision meeting and was therefore contemporaneous. The panel also noted that Person 1, the investigating manager compared the handwritten notes of both Person 2 and Witness 2 and found them to be consistent.

The panel further considered that there was no evidence of fabrication or collusion. Miss Chappelle had been aware of the content of the records and had not provided any explanation and only denied being discriminative.

Having considered all of the evidence, the panel was satisfied that Miss Chappelle did say that Witness 3's behaviour was due to her culture and did say words to the effect that ladies from the Caribbean can be very loud and others are really quiet.

Accordingly, the panel found Charge 2e proved in its entirety.

### **Charge 3a and 3b**

That you, a registered nurse between December 2021 and March 2023:

3. *“In relation to Colleague C, who was an overseas member of staff in the Home:*
  - a. *On one or more occasion, ignored them or rolled your eyes at them whilst they were speaking.*
  - b. *On an date unknown, shouted at Colleague C.”*

### **These charges are found proved.**

The panel considered Charges 3a and 3b together, as they arose from a similar pattern of behaviour as described by Witness 4 (Colleague C).

The panel took into account, the written statement of Witness 4, in which she stated that:

*“I found Ms Chappelle in particular very rude, she came across as if she had no patience for me and would never taken me or my concerns seriously. Additionally, on most occasions when you would speak with Ms Chappelle, she would either ignore you or, roll her eyes at you whilst you were speaking.”*

The panel noted that in her oral evidence, Witness 4 confirmed this account. She stated clearly that Miss Chappelle rolled her eyes and ignored her on more than one occasion. She also described occasions when this occurred in front of residents.

The panel noted that although Witness 4 did not specifically refer to eye-rolling in her initial interview with Witness 2, she described Miss Chappelle’s behaviour as rude and horrible. She spoke about feeling fearful and intimidated. The panel did not consider the absence of the specific phrase “*eye-rolling*” in the initial interview to undermine her credibility. The

panel therefore found that her written statement and oral evidence were clear and consistent in this regard.

In relation to Charge 3b, Witness 4 stated in her written statement that:

*“Therefore, I logged this in our internal system as a matter that needed looking into and, on doing this, Ms Chappelle came and found me and screamed at me for doing this and said that I should have told her. I did advice Ms Chappelle at this time that I had informed her previously, but she just kept talking over the top of me and shouting at me.”*

The panel noted that in her oral evidence, Witness 4 confirmed that Miss Chappelle had shouted at her. Her account was consistent and did not change.

The panel found Witness 4 to be a credible and reliable witness. She gave her evidence in a straightforward manner and did not seek to embellish her account. The panel was satisfied that her evidence was consistent with the broader pattern of behaviour described and corroborated by other witnesses.

The panel further had regard to Miss Chappelle’s account who denied shouting or behaving inappropriately. However, the panel did not find her denial sufficient to undermine the clear and consistent evidence of Witness 4.

Having considered all of the evidence, the panel was satisfied, on the balance of probabilities, that Miss Chappelle did, on one or more occasions, ignore Witness 4 and roll her eyes at her whilst she was speaking, and did shout at her.

Accordingly, the panel found Charges 3a and 3b proved.

#### **Charge 4**

That you, a registered nurse between December 2021 and March 2023:

4. *“Your actions as set out in any or all of charges 1 and/or 3 were racially motivated.”*

**This charge is found proved.**

In reaching this decision, the panel reminded itself of the legal advice it received. It bore in mind that to find this charge proved it must be satisfied that the conduct found proved in Charges 1 and/or 3 was motivated, at least in significant part, by race.

The panel further reminded itself that, in accordance with the NMC Guidance, the words in question must have a purpose behind them which at least in significant part was referable to race and then if satisfied it will decide whether the words were said in a way showing a discriminatory attitude. It further took into account the general meaning of discriminatory, being *“making or showing an unjust or prejudicial distinction between different categories of people, especially on the grounds of ethnicity.”*

The panel carefully considered whether the conduct it had found proved could be characterised as racially motivated, as opposed to general rudeness, poor communication skills or workplace stress.

The panel acknowledged that there was evidence before it that Miss Chappelle could be abrupt, sharp and rude with colleagues. It considered whether the behaviour described by Witness 1 and Witness 4 could be explained by personality, workload pressures or frustration. It noted that, in her statement, Witness 3 explained that:

*“I did not feel that Ms Chappelle treated people different based on their race. There were several complaints about her mannerisms from care assistants and visiting multidisciplinary professionals who were of the same race as her.”*

However, during cross-examination Witness 3 stated that her view of this issue had changed and she now attributed a racist motivation to Miss Chappelle's behaviour.

However, the panel identified a consistent pattern in the evidence including evidence from the three hearsay witnesses (Person 3, Person 4 and Person 5) who spoke of their contacts with Miss Chappelle which echoed the evidence given by the witnesses who attended before the panel.

Both Witness 1 and Witness 4 were overseas members of staff. Both described being spoken to slowly as if they were children, being ignored when seeking clinical guidance, being subjected to eye-rolling and being shouted at. Witness 1 stated that she felt she was being treated as though she did not understand English or did not know anything. She described feeling worthless and not part of the team.

The panel also took into account Witness 1's statement in which she stated that:

*"These are just some specific times but, as I have said, this type of behaviour was constant by Ms Chappelle and not just towards me but to all of the overseas staff and I felt as if we were not accepted and that Ms Chappelle and other colleagues made it their purpose to make us feel as worthless as possible."*

In relation to Witness 4, the panel noted that she similarly stated that Miss Chappelle's attitude came across as though overseas staff did not know anything because they were from abroad. She described feeling fearful and intimidated. The panel noted that this was not an isolated perception but reflected a shared experience.

The panel further took into account both Witness 1 and Witness 4's oral evidence. It was satisfied that both witnesses had a good command of English and were articulate and competent practitioners. The panel did not accept that the deliberate slow speaking described could reasonably be explained solely as an attempt to assist communication.

The panel further took into account its finding in relation to Charge 2e. It had found proved that Miss Chappelle stated that Witness 3's behaviour was due to her culture and that ladies from the Caribbean can be very loud whilst others are quiet. The panel considered that this comment demonstrated that Miss Chappelle attributed her behaviour to cultural or ethnic characteristics. Whilst Charge 2e related to a different witness, the panel did take that finding into consideration when assessing whether there was a racial element to the conduct in Charges 1 and 3.

The panel accepted that some evidence suggested that Miss Chappelle could be rude to others. However, the panel was satisfied that there was a distinction between general rudeness and behaviour that specifically related to overseas staff.

The panel carefully considered whether there was sufficient evidence to reach the threshold from rudeness to racial motivation. Having considered the pattern of behaviour, especially when communicating and interacting with overseas staff, the deliberate slow speaking, Miss Chappelle's conduct and the comment regarding culture found proved at Charge 2e, the panel was satisfied that the conduct in Charges 1 and 3 was motivated, at least in a significant part, by race.

Accordingly, the panel found Charge 4 proved.

### **Charge 5**

That you, a registered nurse between December 2021 and March 2023:

5. *"Your actions as set out in charge 2(e) were discriminatory in that you had made an inappropriate comment to Colleague B based on their national origin or your perception of their national origin."*

**This charge is found proved.**

In reaching this decision, the panel reminded itself that it had found Charge 2e proved in full. It had found that Miss Chappelle stated that Witness 3's behaviour was due to her culture and that ladies from the Caribbean can be very loud and others are really quiet, or words to that effect.

The panel reminded itself of the legal advice it received that discrimination involves making or showing an unjust or prejudicial distinction between categories of people, particularly on the grounds of ethnicity or national origin.

The panel considered whether the comment found proved amounted to discrimination within the meaning of this charge.

The panel was satisfied that Miss Chappelle's behaviour when attributed to a person's culture and referring to "*ladies from the Caribbean*" as being loud was generic in nature and was based on perceived national or ethnic origin. The panel was satisfied that this was an inappropriate and prejudicial comment.

The panel determined that this was not a neutral comment about communication styles. The comment was based on cultural or ethnic background of overseas members of staff and was capable of causing offence, undermining professional relationships and was derogatory in nature.

Accordingly, the panel was satisfied, on the balance of probabilities, that the actions set out in Charge 2e were discriminatory.

The panel therefore found Charge 5 proved.

### **Charge 6a and 6b**

That you, a registered nurse between December 2021 and March 2023:

6. *“Your actions as set out in any or all of charges 1-3 amounted to behaviours which were or had the effect of:*
- a. Bullying*
  - b. Intimidation.”*

**This charge is found proved.**

The panel considered Charges 6a and 6b together.

The panel reminded itself that it had found Charges 1, 2 and 3 proved. It therefore considered whether the conduct established amounted to bullying and/or intimidation.

The panel considered the ordinary meaning of bullying as repeated unreasonable behaviour directed towards an individual or group that creates a risk to health, safety or wellbeing. The panel considered intimidation to involve behaviour that causes fear or makes a person feel threatened or undermined.

The panel noted that the conduct found proved was not isolated. In relation to Witness 1 and Witness 4, the behaviour was described as constant and occurring on multiple occasions. In relation to Witness 3, the behaviour was described as ongoing and persisting even after a focused supervision meeting.

The panel noted that the witnesses described feeling humiliated, intimidated and excluded. Witness 1 stated that she felt worthless and embarrassed to ask questions. Witness 4 described feeling fearful and intimidated. Witness 3 described feeling undermined in her managerial role. The panel also noted the evidence that the behaviour occurred in front of other staff and residents.

The panel was satisfied that repeatedly ignoring colleagues, rolling eyes, speaking in a derogatory manner, shouting, instructing a deputy manager to go away and attributing

behaviour to culture went beyond general workplace behaviour. The conduct was unreasonable and created an intimidating and hostile working environment.

The panel was further satisfied that the behaviour had the effect of discouraging staff from seeking clinical guidance and from carrying out their roles competently and safely. The panel considered that such conduct in a clinical environment has the potential to impact patient care, patient safety and the wider public interest.

Having considered all of the evidence, the panel was satisfied, on the balance of probabilities, that the conduct found proved in Charges 1, 2 and 3 amounted to behaviour which was bullying and had the effect of intimidation.

Accordingly, the panel found Charges 6a and 6b 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 Miss Chappelle's fitness to practise is currently impaired. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's ability to practise safely and professionally.

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.'*

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, Miss Chappelle's fitness to practise is currently impaired as a result of that misconduct.

### **Submissions on misconduct**

The panel heard submissions from Mr Malik.

Mr Malik submitted that the facts found proved by the panel amount to serious professional misconduct and that Miss Chappelle's fitness to practise is currently impaired. He submitted that Miss Chappelle's conduct fell significantly short of the standards set out in the Code and that, in doing so, she breached fundamental professional duties expected of a registered nurse.

Mr Malik reminded the panel that misconduct is not statutorily defined. He referred to the cases of *Roylance v General Medical Council (No 2)* [2000] 1 AC 311 and *Nandi v General Medical Council* [2004] EWHC 2317 (Admin).

Mr Malik submitted that the conduct found proved in this case represents a serious departure from the standards expected of a registered nurse. He emphasised that the behaviour occurred within Miss Chappelle's professional role at the Home over a sustained period between December 2021 and March 2023. He submitted that the conduct was not isolated but formed a pattern of behaviour towards colleagues, particularly overseas members of staff.

Mr Malik reminded the panel of its findings on facts and submitted that bullying, intimidation and discriminatory behaviour are matters the NMC regards as serious because of their impact on individuals and on workplace culture. He submitted that colleagues were emotionally and psychologically harmed by Miss Chappelle's conduct. Staff described feeling humiliated, fearful and excluded. He submitted that such conduct created an environment in which colleagues felt emotionally distressed and abused a position of trust.

Mr Malik further submitted that the finding of racially motivated behaviour significantly aggravates the seriousness of the misconduct. He submitted that racism and discrimination in a healthcare setting are wholly incompatible with the values of the nursing profession and represent a profound departure from expected standards. He invited the panel to conclude that such behaviour would be regarded as deplorable by fellow practitioners.

Mr Malik submitted that Miss Chappelle failed to promote professionalism and trust, and that her conduct breached multiple sections of the Code, including 1.1, 1.3, 8.1, 8.2, 20.1, 20.2 and 20.3. Mr Malik reminded the panel of its overarching objective to protect the public and maintain confidence in the profession and the NMC as its regulator. On that basis, Mr Malik invited the panel to conclude that the facts found proved amount to serious professional misconduct.

### **Submissions on impairment**

Mr Malik 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 cases of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin).

Mr Malik invited the panel to find that Miss Chappelle's fitness to practise is currently impaired.

Mr Malik referred the panel to the principles in *Grant* and submitted that three limbs are engaged in this case. First, he said that Miss Chappelle's conduct placed colleagues and patients at an unwarranted risk of harm. He reminded the panel that several witnesses said that Miss Chappelle's behaviour caused them psychological and mental distress. He submitted that Miss Chappelle's conduct prevented them from carrying out their duties to maintain patient safety.

Secondly, Mr Malik submitted that Miss Chappelle's behaviour brought the nursing profession into disrepute and breached the fundamental tenets of the profession. He said that fellow practitioners would consider bullying a colleague, intimidating them, and referring to them in the terms found proved to be deplorable.

Thirdly, Mr Malik submitted that in the absence of any insight and remediation there remains a risk of repetition. Mr Malik submitted that there is no evidence before the panel that Miss Chappelle recognises the seriousness of her conduct or has any inclination to take any steps to address it.

Mr Malik submitted that the repetition of inappropriate behaviour, especially after a focused supervisory meeting involving two managers in which the conduct was discussed, indicates a deep-seated attitudinal issue. He invited the panel to conclude that such attitudinal concerns are not easily remediable and that in the absence of insight or remediation, the risk remains.

Mr Malik submitted that bullying, intimidation and discrimination in the workplace can seriously damage workplace culture, performance and attendance, and that this can ultimately affect the delivery of safe care. He submitted that the Code requires nurses to communicate effectively with colleagues, act with honesty and integrity, and treat people

fairly and without discrimination, bullying or harassment. Mr Malik submitted that Miss Chappelle failed in these duties.

Mr Malik submitted that a finding of impairment is also necessary to maintain public confidence in the profession and to uphold proper professional standards. He submitted that a well-informed member of the public would be concerned if a nurse found to have engaged in racially motivated, discriminatory and bullying behaviour were permitted to practise without restriction. Mr Malik therefore submitted that there is a continuing risk to both public protection and the wider public interest. He invited the panel to find that Miss Chappelle's fitness to practise is currently impaired on both public protection and public interest grounds.

The panel accepted the advice of the legal assessor which included reference to a number of relevant judgments. These included: *Roylance v General Medical Council (No 2)* [2000] 1 A.C. 311, *Nandi v General Medical Council* [2004] EWHC 2317 (Admin), and *General Medical Council v Meadow* [2007] QB 462 (Admin), *Cohen v General Medical Council* [2008] EWHC 581 (Admin) and *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant* [2011] EWHC 927 (Admin).

### **Decision and reasons on misconduct**

In coming to its decision, the panel had regard to the case of *Roylance v General Medical Council (No. 2)* [2000] 1 AC 311 which defines misconduct as a 'word of general effect, involving some act or omission which falls short of what would be proper in the circumstances.'

When determining whether the facts found proved amount to misconduct, the panel took into consideration the definition of misconduct as above and had regard to the terms of the Code.

The panel, in reaching its decision, further had regard to the protection of the public and the wider public interest and accepted that there was no burden or standard of proof at this stage and exercised its own professional judgement.

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

***'1 Treat people as individuals and uphold their dignity***

*To achieve this, you must:*

*1.1 treat people with kindness, respect and compassion*

*1.3 avoid making assumptions and recognise diversity and individual choice*

***8 Work cooperatively***

*To achieve this, you must:*

*8.1 respect the skills, expertise and contributions of your colleagues, referring matters to them when appropriate*

*8.2 maintain effective communication with colleagues*

*8.3 keep colleagues informed when you are sharing the care of individuals with other health and care professionals and staff*

*8.4 work with colleagues to evaluate the quality of your work and that of the team*

*8.5 work with colleagues to preserve the safety of those receiving care*

***9 Share your skills, knowledge and experience for the benefit of people receiving care and your colleagues***

*To achieve this, you must:*

*9.1 provide honest, accurate and constructive feedback to colleagues*

*9.2 gather and reflect on feedback from a variety of sources, using it to improve your practice and performance*

*9.4 support students' and colleagues' learning to help them develop their professional competence and confidence*

***16 Act without delay if you believe that there is a risk to patient safety or public protection***

*To achieve this, you must:*

*16.4 acknowledge and act on all concerns raised to you, investigating, escalating or dealing with those concerns where it is appropriate for you to do so*

*16.5 not obstruct, intimidate, victimise or in any way hinder a colleague, member of staff, person you care for or member of the public who wants to raise a concern*

*16.6 protect anyone you have management responsibility for from any harm, detriment, victimisation or unwarranted treatment after a concern is raised*

***20 Uphold the reputation of your profession at all times***

*To achieve this, you must:*

*20.1 keep to and uphold the standards and values set out in the Code*

*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*

*20.5 treat people in a way that does not take advantage of their vulnerability or cause them upset or distress'*

The panel is aware of the guidance given in FTP-2a that '*not all breaches of the Code or issues with practice will be a matter of regulatory concern*'. The panel appreciated that breaches of the Code do not automatically result in a finding of misconduct.

The panel then went on to consider the charges found proved to determine whether Miss Chappelle's actions fell significantly short of the standards expected of a registered nurse and were therefore so serious as to amount to misconduct.

The panel considered the charges both individually and cumulatively.

In respect of Charges 1a to 1c and Charges 3a and 3b, the panel found that Miss Chappelle ignored colleagues, rolled her eyes at them, spoke to them in a slow manner and shouted at them. The panel was satisfied that this conduct occurred within a professional setting and in the course of Miss Chappelle's duties as a registered nurse at the Home. The panel found that such behaviour was humiliating, demeaning and wholly inconsistent with the standards of professionalism expected of a registered nurse.

The panel considered that treating colleagues in this manner over a sustained period represents a serious falling short of professional standards. The conduct was not isolated. It formed part of a pattern of behaviour over a period of 15 months directed particularly towards overseas members of staff. The panel was satisfied that fellow practitioners would regard such conduct as deplorable.

In respect of Charges 2a to 2e, the panel found that Miss Chappelle obstructed Witness 3 in the performance of her duties, told her to "*keep out of her way*", directed her to work elsewhere, refused to engage appropriately in supervisory processes and shouted at her. The panel was particularly concerned that this behaviour impeded Witness 3's ability to

oversee clinical matters and carry out audits. The panel was satisfied that this created a toxic working environment and had the potential to undermine both patient care and patient safety.

The panel considered that bullying and intimidating a senior colleague (Witness 3, the Deputy Manager), particularly one in a supervisory role, represents serious abuse of position and authority. It was satisfied that this conduct amounted to a serious departure from the standards expected of a nurse.

In respect of Charge 4, the panel found that Miss Chappelle's conduct in relation to Charges 1 and 3 was racially motivated. The panel had carefully considered the evidence and concluded that Miss Chappelle treated overseas members of staff differently and that this differential treatment was linked to race. The panel was satisfied that racially motivated behaviour within a healthcare setting is particularly serious. Racism has no place in nursing practice. The panel considered that such conduct strikes at the heart of the values of the profession.

In respect of Charge 5, the panel found that Miss Chappelle made discriminatory comments linking Witness 3's (Colleague B) behaviour to her culture, including reference to *"ladies from the Caribbean"*. The panel concluded that this comment was inappropriate and discriminatory and was based on national origin or perceived national origin. The panel considered that this conduct further aggravated the seriousness of the conduct found proved.

In respect of Charge 6a and 6b, the panel found that Miss Chappelle's behaviour amounted to bullying and intimidation. The panel had heard consistent evidence of the emotional and psychological impact on colleagues, including fear, humiliation and loss of confidence. The panel considered that behaviour which amounts to bullying and intimidation within a nursing team undermines professional relationships and effective teamwork and has the potential to compromise safe care.

The panel concluded that the conduct found proved, both individually and cumulatively, represents serious professional misconduct. The behaviour occurred over an extended period, involved repeated incidents, included racially motivated and discriminatory elements, and caused harm to colleagues and potential risk to residents.

In light of the above, the panel found that Miss Chappelle's conduct amounts to serious professional misconduct.

### **Decision and reasons on impairment**

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

In coming to 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 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 *CHRE v NMC and Grant [2011] EWHC 927 (Admin)* in reaching its decision. In 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.'*

In 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 determined that limbs 'a,' 'b,' and 'c' of *Grant* are engaged in this case by Miss Chappelle's past actions.

In respect of limb 'a' the panel determined that Miss Chappelle's misconduct occurred within a residential nursing home setting where residents are inherently vulnerable. The panel found that Miss Chappelle created a toxic and dysfunctional working environment. Colleagues were intimidated, belittled and fearful. The panel noted that the evidence demonstrated that staff were reluctant to approach her, reluctant to raise concerns and hesitant to seek assistance. The panel accepted that this environment presents a patient safety issue. Where staff feel unable to escalate concerns or communicate openly, there is a real and unwarranted risk of harm to vulnerable residents. Although there was no evidence of actual patient harm, the panel was satisfied that Miss Chappelle's behaviour amounted to serious risk to patient care and that Miss Chappelle's behaviour had an impact on colleagues and on the working environment.

In respect of limb 'b' the panel determined that the misconduct involved racism, discrimination, bullying and intimidation over a prolonged period. Such behaviour fundamentally undermines public confidence in the nursing profession. The panel considered that a well-informed member of the public would be deeply concerned to learn that a registered nurse engaged in racially motivated and discriminatory behaviour towards colleagues and was permitted to practise without restriction. The conduct has brought the profession into disrepute.

In respect of limb 'c' the panel determined that the principles of equality, respect, professionalism, teamwork and integrity are fundamental tenets of the nursing profession. Miss Chappelle's racially motivated and discriminatory conduct, coupled with sustained bullying and intimidation, breached those core principles. Miss Chappelle's misconduct breached the fundamental tenets of the nursing profession.

The panel noted that dishonesty is not engaged in this case and therefore limb (d) is not applicable.

The panel then considered whether Miss Chappelle's fitness to practise is currently impaired.

The panel found no evidence of insight. Miss Chappelle has not attended these proceedings. She has provided no reflective statement, remorse or acknowledgment of her inappropriate behaviour. During the Home investigation meeting Miss Chappelle denied discriminatory conduct and did not demonstrate understanding of the impact of her behaviour. The panel also had regard to Miss Chappelle's email dated 7 January 2026, in which she reflected a dismissive stance towards the allegations. The panel was satisfied that this response demonstrated a lack of recognition of the seriousness of the concerns.

The panel was particularly concerned that following a formal, focused supervisory meeting in which concerns were raised, Miss Chappelle repeated the inappropriate behaviour the very next day. The panel considered this amounted to serious professional misconduct. Rather than reflecting and modifying her conduct, Miss Chappelle continued the same behaviour. This indicated a deep-seated attitudinal issue rather than a momentary lapse.

The panel determined that Miss Chappelle's misconduct reflects deep-seated attitudinal concerns, particularly in relation to racially motivated and discriminatory behaviour. Such concerns are not easily remediable. There is no evidence that Miss Chappelle has taken steps to strengthen her practice or address her behaviour. Miss Chappelle has indicated that she does not intend to return to nursing practice. The panel noted that while that may be Miss Chappelle's stated intention, it does not mitigate the current risk to the public, nor does it reduce the seriousness of the findings found proved.

The panel was of the view that despite the lapse of time since the incidents, there remains a risk of repetition, based on the seriousness of the misconduct, no insight demonstrated nor any evidence of effective remediation or strengthened practice. The concerns were not isolated incidents but spanned across multiple scenarios, involving multiple witnesses. The panel therefore decided that a finding of impairment is necessary on the grounds of public protection, given the impact of Miss Chappelle's behaviour on her colleagues and the workplace.

The panel bore in mind the overarching objectives of the NMC to protect, promote and maintain the health, safety and well-being of the public, and to uphold and protect the wider public interest. This includes maintaining public confidence in the profession and upholding proper professional standards.

The panel determined that a finding of impairment on public interest grounds is also required because Miss Chappell's conduct seriously undermined professional standards and public confidence. The panel determined that there is no place in nursing for racism in any form. A finding of impairment is necessary to mark the seriousness of racially motivated, discriminatory, bullying and intimidating conduct. Public confidence in the profession would be undermined if a finding of impairment were not made in this case. The public and the profession would expect the regulator to act decisively where such behaviour has been established.

Accordingly, the panel concluded that Miss Chappelle's fitness to practise is currently impaired on public interest grounds.

Having regard to all of the above, the panel was satisfied that Miss Chappelle's fitness to practise is currently impaired by reason of her misconduct.

## **Sanction**

The panel has considered this case very carefully and has decided to make a striking-off order. It directs the registrar to strike Miss Chappelle off the register. The effect of this order is that the NMC register will show that Miss Chappelle 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**

The panel next considered the submissions made by Mr Malik on sanction.

Mr Malik reminded the panel that its primary function at this stage is not to punish Miss Chappelle, but to protect the public, maintain public confidence in the profession, and uphold proper professional standards. He referred the panel to the NMC's Sanctions Guidance (SAN-1), (last updated 28 January 2026), and submitted that any sanction imposed must be proportionate and represent the least restrictive order capable of addressing the seriousness of the misconduct and the finding of current impairment.

Mr Malik submitted that this case concerns very serious professional misconduct. He reminded the panel of its findings that Miss Chappelle engaged in racially motivated and discriminatory behaviour towards colleagues, bullied and intimidated a number of members of staff, and created a toxic and dysfunctional working environment over a sustained period of approximately 15 months.

Mr Malik submitted that Miss Chappelle's misconduct was not an isolated incident but demonstrated a pattern of behaviour directed towards multiple colleagues, including overseas nurses who were in a vulnerable position due to their employment status and reliance upon continued employment and senior staff (Witness 3). He emphasised that the panel had found that Miss Chappelle's conduct included discriminatory remarks based on national origin and racially motivated treatment of overseas staff.

Mr Malik submitted that there were significant aggravating features. These included an abuse of trust in her position as a senior nurse; deliberate or at least reckless conduct which placed colleagues and patients at risk; repetition of the behaviour even after a formal supervisory meeting; the creation of a culture in which colleagues felt unable to raise concerns; and a complete absence of insight, remorse or remediation. He reminded the panel that Miss Chappelle denied the concerns during the internal process and repeated the behaviour immediately following the managerial intervention.

Mr Malik further submitted that the panel had found a real risk of harm to patients. While no actual patient harm had been proven, colleagues were intimidated from escalating clinical concerns, and this created a serious risk to patient safety. Mr Malik submitted that the misconduct therefore engaged both public protection and public interest considerations at the highest level.

In relation to mitigating factors, Mr Malik submitted that there was none. Miss Chappelle had provided no evidence of reflection, training, remediation or strengthened practice. She had not demonstrated insight into the impact of her behaviour on colleagues, patients or the profession.

Turning to the available sanctions, Mr Malik submitted that taking no further action or imposing a caution order would be wholly inappropriate given the seriousness of misconduct and the ongoing risk. He submitted that conditions of practice would not be workable or appropriate because the concerns relate to deep-seated attitudinal issues rather than remediable clinical failings, and there is no evidence that Miss Chappelle would engage with conditions.

Mr Malik submitted that a suspension order would also be insufficient. He submitted that Miss Chappelle's racially motivated and discriminatory conduct, sustained bullying and intimidation, lack of insight, and deep-seated attitudinal issues render her conduct fundamentally incompatible with continued registration. He submitted that there is no realistic prospect that a period of suspension would lead to remediation or safe return to unrestricted practice.

Accordingly, Mr Malik invited the panel to impose a striking-off order. He submitted that such an order is necessary and proportionate to protect the public, maintain confidence in the nursing profession, and uphold proper professional standards. He submitted that a well-informed member of the public would be seriously concerned if a nurse found to have engaged in sustained racially discriminatory and bullying behaviour were permitted to remain on the register.

## **Decision and reasons on sanction**

Having found Miss Chappelle's 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 panel had careful regard to the Sanctions Guidance (SG). The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel accepted the advice of the legal assessor. He advised the panel that the purpose of the imposition of a sanction is not to punish, but it is to adequately address any public protection or public interest concerns identified. He advised the panel to consider all the available sanctions before it in ascending order, in reaching its decision.

Before determining the appropriate sanction, the panel considered the aggravating and mitigating features of this case in accordance with the NMC's Sanctions Guidance (SAN-1).

The panel took into account the following aggravating features:

- abuse of a position of trust
- conduct which was borderline deliberate or reckless which puts people receiving care at risk of suffering harm
- deliberate breaches of the Code
- a pattern of misconduct over an extended period of time towards multiple colleagues
- failure to attend hearings, or to engage in the Fitness to Practise (FtP) process, without good reason
- absence of insight and remorse
- vulnerability of the person receiving care
- premeditated behaviour

- failure to work collaboratively with colleagues
- actual psychological and emotional harm
- discriminatory behaviour towards colleagues

The panel noted that the misconduct represented an abuse of trust. Miss Chappelle held a senior position within the Home and was in a position of authority over a number of junior and overseas colleagues. She used that position in a manner that intimidated, undermined and belittled staff. Her conduct restricted and undermined colleagues from carrying out their daily professional duties and, in particular, inhibited them from escalating clinical concerns.

The panel found that Miss Chappelle's conduct was deliberate or, at the very least, reckless with borderline deliberate features. The panel noted that she continued the behaviour immediately after a focused supervisory meeting at which the concerns had been clearly put to her. The repetition of the conduct the very next day demonstrated a willful disregard for managerial intervention and reinforced the seriousness of the deep-seated attitudinal issues identified by the panel.

The panel determined that the misconduct was not isolated. It formed part of a pattern of behaviour over a sustained period of approximately 15 months and was directed towards multiple colleagues, including overseas staff who were in a particularly vulnerable position due to their immigration and employment status.

The panel also found that Miss Chappelle's behavior created a toxic and dysfunctional working environment. Colleagues described feeling intimidated, humiliated and fearful. As a consequence, there was a real risk that patient safety concerns would not be raised. While there was no evidence of actual patient harm, there was clear potential for harm. The panel further found a complete absence of insight, remorse or remediation. Miss Chappelle denied the concerns during the internal investigation, demonstrated no reflection, and has provided no evidence of having taken any steps to address her

behaviour. She has not engaged meaningfully in the regulatory process. The panel considered this absence of insight to be a significant aggravating feature.

The panel determined that the misconduct involved racially motivated and discriminatory behaviour. The panel had already determined that Miss Chappelle's conduct towards overseas colleagues was racially motivated and discriminatory. Such behaviour strikes at the heart of the profession's core values and is inherently serious professional misconduct.

The panel determined that no mitigating factors were engaged in this case. It noted that there was no evidence of previous good character presented, no admissions, no remorse, no remediation, and no demonstration of strengthened practice. The panel carefully considered whether any contextual factors or workplace pressures might mitigate the behaviour but found no evidence that such factors were raised contemporaneously or substantiated.

Before determining the most appropriate sanction in this case, the panel took reference of NMC Guidance SAN-4 which deals with sanctions for highest risk cases which:

*'Some concerns are higher risk because it is harder for the professional to put the matter right. Examples of this type of concern include (but are not limited to):*

- ....
- *conduct that was discriminatory*
- ....
- ....'

Having regard to all of the above and its determination on a finding of impairment, the panel determined that Miss Chappelle's misconduct included an act of discrimination coupled with intimidating and bullying colleagues and therefore, it does reach the highest level of seriousness.

The panel next went to consider each of the available sanctions before it in ascending order.

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 Miss Chappelle's 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 Miss Chappelle's practice would not protect the public. It determined that this case is not at the lower end of the spectrum of seriousness. There remains a risk of repetition, and the misconduct involved sustained bullying, discrimination and racially motivated behaviour. A caution order would not provide adequate protection to the public nor maintain public confidence in the profession. The panel therefore determined that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether to place a conditions of practice on Miss Chappelle's 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 concerns

identified are not clinical competency issues capable of being addressed through training or supervision. Rather, they relate to deep-seated attitudinal and behavioral issues, including discriminatory and racially motivated conduct. There is no evidence that Miss Chappelle would comply with conditions or engage in remediation. In her communication with NMC Miss Chappelle clearly stated that she had no intent to continue practise and had invited that she be struck off. The panel therefore was not satisfied that any set of conditions could adequately address the risk identified. 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 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 Miss Chappelle 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 Miss Chappelle's deep-seated attitudinal issue, a lack of engagement, no insight and remorse, lack of intent to return to practise together with no evidence of 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 determined that Miss Chappelle's conduct is fundamentally incompatible with continued registration. The misconduct involved sustained racially motivated and discriminatory behaviour, bullying and intimidation of colleagues, abuse of trust, and the creation of a toxic working environment. The panel had found that Miss Chappelle demonstrated no insight, no remorse and no willingness to remediate. In this particular case, the panel determined that a suspension order would not be a sufficient, appropriate or proportionate sanction.

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). The panel determined that this is a case in which misconduct raises fundamental questions about Miss Chappelle's professionalism and her suitability to remain on the register. The discriminatory and racially motivated behaviour, sustained over a lengthy period,

combined with the absence of insight and the risk of repetition, renders her conduct fundamentally incompatible with continued registration.

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 this case does not concern a momentary lapse of judgment, a single episode of poor behaviour, or clinical shortcomings capable of remediation through training or supervision. The panel found a sustained pattern of bullying, intimidation, discriminatory and racially motivated behaviour over a significant period of approximately 15 months. The conduct was repeated, targeted and persisted despite formal managerial intervention. The fact that Miss Chappelle continued the same behaviour immediately after a supervisory meeting was particularly concerning. It demonstrated a conscious disregard for professional standards and managerial authority.

The panel had already determined that Miss Chappelle's conduct involved racially motivated treatment of overseas colleagues. Racism in any form is wholly incompatible

with the values of the nursing profession. Nursing is grounded in dignity, equality, inclusion and respect. A nurse who demonstrates discriminatory attitudes towards colleagues on the basis of national origin undermines those foundational principles. The panel considered that racially motivated conduct strikes at the heart of professional identity and it is extremely challenging to remedy in light of the evidence heard by the panel.

The panel also placed significant weight on the absence of insight. Miss Chappelle denied the concerns during the internal investigation. She has shown no reflection, no remorse, and no understanding of the impact of her behaviour on colleagues, patients, or the reputation of the profession. There is no evidence that she recognises the seriousness of her conduct. In the absence of insight, the risk of repetition remains high.

The panel further considered whether a period of suspension could realistically allow for remediation. However, there is nothing before the panel to suggest that Miss Chappelle is willing or able to remediate. Miss Chappelle has indicated that she does not intend to practise nursing again. There is therefore no realistic prospect that a suspension period would result in attitudinal change, strengthened practice, or meaningful reflection.

The panel was satisfied that a well-informed member of the public would be seriously concerned if a nurse found to have engaged in sustained racially discriminatory and bullying behaviour were permitted to remain on the register. Public confidence in the profession would be undermined if the panel did not mark the gravity of this misconduct with the most serious sanction available.

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

The panel considered that this order was necessary to mark the importance of maintaining public confidence in the profession, and to send to the public and the profession a clear message about the standard of behaviour required of a registered nurse.

This will be confirmed to Miss Chappelle in writing.

### **Interim order**

As the striking-off order cannot take effect until the end of the 28-day appeal period, the panel has considered whether an interim order is required in the specific circumstances of this case. It may only make an interim order if it is satisfied that it is necessary for the protection of the public, is otherwise in the public interest or in Miss Chappelle's own interests until the striking-off sanction takes effect.

### **Submissions on interim order**

The panel took account of the submissions made by Mr Malik. He submitted that an interim suspension order for a period of 18 months to cover any relevant appeal period before the substantive order takes place is required given the seriousness of the facts found proved in Miss Chappelle's case. He submitted that this interim order would be necessary on both public protection and public interest grounds.

The panel heard and 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.

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. No workable and practical conditions could be placed which could address the public protection and public interest issues in Miss Chappelle's case. Not to impose an interim suspension order would be inconsistent with the panel's earlier findings. The panel therefore imposed an interim suspension order for a period of 18 months to cover any relevant appeal period and allow any appeal, if made, to conclude.

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

That concludes this determination.

This will be confirmed to Miss Chappelle in writing.