

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

**Substantive Order Review Hearing
Monday, 5 January 2026**

Virtual Hearing

Name of Registrant: Ann Louise Silcock

NMC PIN: 94I1320E

Part(s) of the register: Sub Part 1 RNA – Adult nurse (level 1) – 22 September 1997

Relevant Location: Merseyside

Type of case: Misconduct

Panel members: Anica Alvarez Nishio (Chair, Lay member)
Karin Downer (Registrant member)
Peter Cowup (Lay member)

Legal Assessor: Angus Macpherson

Hearings Coordinator: Eidvile Banionyte

Nursing and Midwifery Council: Represented by Soapna Roy, Case Presenter

Mrs Silcock: Not present and unrepresented

Order being reviewed: Suspension order (6 months)

Fitness to practise: Impaired

Outcome: Order to lapse upon expiry in accordance with Article 30 (1), namely end of 12 February 2026

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Mrs Silcock was not in attendance and that the Notice of Hearing had been sent to Mrs Silcock's registered email address by secure email on 20 November 2025.

Ms Roy, 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 substantive order being reviewed, the time, date and that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Mrs Silcock'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 Mrs Silcock has been served with notice of this hearing in accordance with the requirements of Rules 11 and 34.

Decision and reasons on proceeding in the absence of Mrs Silcock

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

Ms Roy referred the panel to the documentation from Mrs Silcock which included an email she sent to the NMC, dated 23 December 2025, in which she stated that she is not going to be attending and is content for the hearing to proceed in her absence:

'To inform you I will not be attending'

'Yes they can proceed without me'

The panel accepted the advice of the legal assessor.

The panel has decided to proceed in the absence of Mrs Silcock. In reaching this decision, the panel has considered the submissions of Ms Roy, the representations from Mrs Silcock and the advice of the legal assessor. It had particular regard to relevant case law and to the overall interests of justice and fairness to all parties. It noted that:

- No application for an adjournment has been made by Mrs Silcock;
- Mrs Silcock has informed the NMC that she is content for the hearing to proceed in her absence;
- There is no reason to suppose that adjourning would secure her attendance at some future date; and
- There is a strong public interest in the expeditious review of this case and this is also in the interest of Mrs Silcock and the NMC.

In these circumstances, the panel has decided that it is fair to proceed in the absence of Mrs Silcock.

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

At the outset of the hearing, Ms Roy made a request that this case be held partially or wholly in private on the basis that proper exploration of Mrs Silcock's case may involve reference to her [PRIVATE]. The application was made pursuant to Rule 19 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

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

Having heard that there may be reference to Mrs Silcock's [PRIVATE], the panel determined to hold the entirety of the hearing in private in order to protect her privacy.

Decision and reasons on review of the substantive order

The panel found that Mrs Silcock's fitness to practise remains impaired. In that context, it has decided to allow the suspension order to remain in place for the remainder of its term and to lapse with impairment when it expires on 12 February 2026. At that point, Mrs Silcock will be removed from the register, as she only remains on the register at present by reason of the current substantive suspension order. This will come into effect at the end of 12 February 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the first review of a substantive suspension order originally imposed for a period of six months by a Fitness to Practise Committee panel on 15 July 2025.

The current order is due to expire at the end of 12 February 2026.

The panel is reviewing the order pursuant to Article 30(1) of the Order.

The charges found proved were as follows:

'That you, a registered nurse:

1. *On one or more occasions between 1 January 2019 and 11 May 2020 used Resident A's debit card to withdraw money when you were not entitled to do so.*
2. *...*
3. *On one or more occasions between 1 January 2019 and 11 May 2020 discussed inappropriate matters relating to your private/family life with Resident A.*
4. *On/or before 11 May 2020, without clinical justification, shared your personal phone number with:*
 - a. *Resident A;*

- b. Resident B.*

- 5. On one or more occasions between 11 May 2020 and 12 August 2020, without clinical justification, called using your personal phone:*
 - a. Resident A;*
 - b. Resident B.*

- 6. On/or around 22 May 2020 improperly asked Colleague A:*
 - a. To access Resident A's notes;*
 - b. To provide you with information contained within Resident A's notes.'*

The original panel found misconduct in relation to Charges 4b, 5b, 6a and 6b only.

The original panel determined the following with regard to impairment:

'In coming to its decision, the panel had regard to the Fitness to Practise Library, updated on 27 March 2023, which states:

'The question that will help decide whether a professional's fitness to practise is impaired is:

"Can the nurse, midwife or nursing associate practise kindly, safely and professionally?"

If the answer to this question is yes, then the likelihood is that the professional's fitness to practise is not impaired.'

Nurses occupy a position of privilege and trust in society and are expected at all times to be professional and to maintain professional boundaries. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. To justify that trust, nurses must be honest and open and act with integrity. They must make sure that their conduct at all times justifies both their patients' and the public's trust in the profession.

In this regard the panel considered the judgment of Mrs Justice Cox in the case of CHRE v NMC and Grant 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 considered that limbs a, b and c of the Grant test are engaged.

The panel took into account Mrs Silcock's response to the NMC dated 18 May 2022. It also considered her reflective piece which although undated seems to have been attached to the RCN letter dated 17 July 2020. It noted the reference in the RCN letter to "Mrs Silcock has begun to remediate the areas of concerns she has identified through training. We are pleased to enclose the first of her training certificates". It considered the training certificate provided recording her successful completion of an online course on Professional Boundaries in Health and Social Care level 2, dated July 16 2020 which on the face of it states that it is valid for 2 years on the completed date. No evidence of further training has been provided since then and there is no evidence as to how the training has been put into practice.

The panel considered Mrs Silcock's reflective piece, in which she acknowledged that she "crossed over professional boundaries" and "got too involved". She makes specific reference to Resident A. She has expressed remorse and referred to an understanding of her 'role and responsibilities'. However, Mrs Silcock makes no reference to her behaviour as it specifically affected Resident B or of the potential for harm to those more generally under her care.

The panel considered that Mrs Silcock's behaviour is remediable and that tentative steps have been taken to remediate. However, the panel considered that at this time Mrs Silcock's misconduct has not been remediated.

The panel considered that there is a risk of repetition under limbs a, b and c of the Grant test. In exercising its professional judgement, it considered that whereas there is evidence of some initial insight, there is no evidence that that insight has developed. There is evidence of training, however this was undertaken almost 5 years ago, is now out of date and there is no evidence of further training having been undertaken or put into practice.

There is no evidence that Mrs Silcock understands the importance of professional boundaries, or the potential harm to those under her care arising from a breach of such boundaries. Neither is there any evidence of an understanding of the importance of maintaining patient confidentiality or the potential harm arising from

any breach of confidentiality. There is no evidence of any understanding of the need to adhere to policies in place.

The panel therefore determined that although Mrs Silcock has shown some insight and made initial attempts to remediate her behaviour, her insight is not fully developed and there is a risk of repetition of the misconduct identified.

The panel therefore determined that a finding of impairment is needed on public protection grounds.

The panel considered whether Mrs Silcock's fitness to practise is impaired under public interest grounds. The panel considered that a well-informed member would expect a finding of impairment in all the circumstances of this case.

The panel bore in mind that the overarching objectives of the NMC; to protect, promote and maintain the health, safety, and well-being of the public and patients, and to uphold and protect the wider public interest. This includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions.

Having regard to all of the above, the panel was satisfied that Mrs Silcock's fitness to practise is currently impaired on public protection and public interest grounds.'

The original panel determined the following with regard to sanction:

'Having found Mrs Silcock's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose in this case. 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 NMC Sanction Guidance. The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel took into account the following aggravating features:

- *Lack of insight into failings, including the vulnerability of Resident B and harm caused, patient confidentiality and asking a former colleague to improperly access and share patient notes.*
- *No evidence of strengthened practice*
- *No updated evidence of professional development*
- *Conduct which put patients at risk of suffering harm*

The panel also took into account the following mitigating features:

- *Family issues*
- *Contact appears to have stopped following the 'cease and desist' letter*
- *Mrs Silcock's friendship with Resident A*
- *Some of Mrs Silcock's behaviour seemed to be out of concern and welfare*
- *The start of insight into some areas of concern.*
- *Initial reflection and attempts to remediate*

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.

It then considered the imposition of a caution order, but again determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mrs Silcock's practice would not be appropriate in the circumstances. The SG states that a caution order may be appropriate where 'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour was unacceptable and must not happen again.' The panel considered that Mrs Silcock's misconduct in relation to charges 4b, 5b, 6a and 6b, was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the issues identified. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether placing conditions of practice on Mrs Silcock's registration would be a sufficient and appropriate response. The panel is mindful

that any conditions imposed must be proportionate, measurable and workable. The panel took into account the SG, in particular:

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

The panel was of the view that there were no practical or workable conditions that could be formulated, given the nature of the charges in this case. The misconduct identified in this case was not something that can be addressed through retraining.

Furthermore, the panel concluded that the placing of conditions on Mrs Silcock’s registration would not adequately address the seriousness of this case and would not protect the public. The panel noted that there is no evidence that Mrs Silcock would engage with any conditions imposed to address the particular areas of misconduct found.

The panel then went on to consider whether a suspension order would be an appropriate sanction. The SG states that suspension order may be appropriate where some of the following factors are apparent.

- “A single instance of misconduct but where a lesser sanction is not sufficient;*
- No evidence of harmful deep-seated personality or attitudinal problems;*
- No evidence of repetition of behaviour since the incident;*

- *The Committee is satisfied that the nurse or midwife has insight and does not pose a significant risk of repeating behaviour;”*

The panel was satisfied that in this case; the misconduct was not fundamentally incompatible with remaining on the register.

It did go on to consider whether a striking-off order would be proportionate but, taking account of all the information before it, and of the mitigation provided, the panel concluded that it would be disproportionate. Whilst the panel acknowledged that a suspension may have a punitive effect, it would be unduly punitive in Mrs Silcock’s case to impose a striking-off order.

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

The panel noted the hardship such an order will inevitably cause Mrs Silcock. However, this is outweighed by the public interest in this case.

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

The panel determined that a suspension order for a period of 6 months was appropriate in this case to mark the seriousness of the misconduct.

At the end of the period of suspension, another panel will review the order. At the review hearing the panel may revoke the order, or it may confirm the order, or it may replace the order with another order.

Any future panel reviewing this case would be assisted by:

- *Evidence of professional development, including documentary evidence of completion of relevant courses, and testimonials from a line manager or supervisor that detail your current work practices.*
- *Further reflection demonstrating insight into the areas of concern*
- *Evidence of strengthened practice*
- *Character references relating to the areas of concern'*

Decision and reasons on current impairment

The panel has considered carefully whether Mrs Silcock's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as a registrant's suitability to remain on the register without restriction. In considering this case, the panel has carried out a comprehensive review of the order in light of the current circumstances. Whilst it has noted the decision of the last panel, this panel has exercised its own judgement as to current impairment.

The panel has had regard to all of the documentation before it, including the NMC bundle, and written responses from Mrs Silcock. It has taken account of the submissions made by Ms Roy on behalf of the NMC, advice received from the legal assessor and the NMC Guidance, particularly REV-2h.

Ms Roy took the panel through the background of this case and referred it to the relevant documents.

Ms Roy referred the panel to the recommendations made by the substantive panel and submitted that Mrs Silcock has not complied with any of those. She further submitted that Mrs Silcock has informed the NMC that she has retired from nursing, not revalidated nor paid any relevant fees. Ms Roy further told the panel that Mrs Silcock has stated, in an email to the NMC dated 30 July 2025, that she would never work again as a registered nurse and indeed had retired before the substantive hearing in July 2025.

Ms Roy submitted that Mrs Silcock is currently impaired and has not provided any evidence of professional development to show that she is no longer impaired. Ms Roy further submitted that Mrs Silcock has not reflected or undertaken training to address the

areas of concern in this case and therefore was liable to repeat the matters of the kind found proved at the substantive hearing.

Ms Roy submitted that the finding of continuing impairment is necessary on the grounds of public protection. She submitted that the finding of impairment was also otherwise in the public interest and that a fully informed member of the public would be seriously concerned should a finding of impairment not be made at this time, given no new information has been provided by Mrs Silcock as to whether she has reflected or remediated the concerns since the sanction was imposed.

With regards to sanction, Ms Roy submitted that the misconduct that has been found proved is not something that can be addressed through retraining or conditions. She also submitted that a further suspension may not be appropriate given Mrs Silcock's level of engagement with the NMC and her repeated confirmation that she has retired from nursing. With regards to a striking-off order, Ms Roy submitted that this would be disproportionate and unduly punitive.

Ms Roy submitted that, given that Mrs Silcock has retired and has provided the NMC with evidence of this, the panel should allow the current order to lapse with a finding of impairment. She submitted that this would remove Mrs Silcock from the register and would also record that she remains impaired should she wish to apply to rejoin in the future.

The panel heard and accepted the advice of the legal assessor.

In reaching its decision, the panel was mindful of the need to protect the public, maintain public confidence in the profession and to declare and uphold proper standards of conduct and performance.

The panel considered whether Mrs Silcock's fitness to practise remains impaired.

The panel took into account that there has been no material change in circumstances since the imposition of the order. The panel noted the recommendations of the substantive panel that might assist a future reviewing panel. The panel noted that Mrs Silcock has not provided the panel with any information to suggest that she has mitigated the risks

identified. The panel also noted that Mrs Silcock has been retired for over two years, has not had the opportunity to strengthen her practice and is unlikely to do so in the future.

In light of this, this panel determined that Mrs Silcock is liable to repeat the misconduct found by the original panel. The panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection.

The panel has borne in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing profession and upholding proper standards of conduct and performance. The panel determined that a finding of continuing impairment on public interest grounds is also required in order to maintain confidence in the profession.

For these reasons, the panel finds that Mrs Silcock's fitness to practise remains impaired.

Decision and reasons on sanction

Having found Mrs Silcock's fitness to practise currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel noted that its powers are set out in Article 30 of the Order. The panel has also taken into account the 'NMC's Sanctions Guidance' (SG) and has borne in mind that the purpose of a sanction is not to be punitive, though any sanction imposed may have a punitive effect.

The panel first considered whether to revoke the suspension order, which would allow Mrs Silcock's removal from the register straight away. However, it concluded that this would be inappropriate in view of the seriousness of the case and would send a wrong message to the public. The panel decided that it would be neither proportionate nor in the public interest to revoke the order.

It then considered the imposition of a caution order but again determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mrs Silcock's practice would not be appropriate in the circumstances. The SG states that a caution order may be appropriate where *'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour*

was unacceptable and must not happen again.' The panel considered that Mrs Silcock's misconduct was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the issues identified. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether a conditions of practice on Mrs Silcock's registration would be a sufficient and appropriate response. The panel was mindful that any conditions imposed must be proportionate, measurable and workable. The panel bore in mind the seriousness of the facts found proved at the original hearing. It considered that there has been no material reduction in the risk since the last hearing. Moreover, it was not able to formulate conditions of practice that would adequately address the concerns relating to Mrs Silcock's misconduct. The panel has received information that Mrs Silcock has been retired for over two years and does not intend to return to practise as a registered nurse. Therefore, the panel considered that any conditions of practice order would not be workable and would serve no useful purpose. In these circumstances, the panel concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest.

The panel bore in mind that Mrs Silcock only remains on the NMC register due to this order, and it considered that the effect of taking no action, in the circumstances of this particular case, and allowing the current suspension order to continue would result in the order expiring at the end of the six-month period, namely end of 12 February 2026. At that point, given Mrs Silcock's settled intention not to return to nursing, her registration would lapse with impairment, and she would be removed from the register.

The panel was satisfied that the current suspension order is appropriate and proportionate in this case, as there has been no material change in circumstances and risk since the imposition of the order on 15 July 2025. It was satisfied that allowing the suspension order to continue for the duration of the six-month period would protect the public, as Mrs Silcock will be prevented from practising, and would meet the public interest as it will continue to mark the seriousness of the misconduct.

The panel determined that a strike off order would not be appropriate, as there has been no material change in the risk of harm to the public since the imposition of the suspension

order. It did not consider that the misconduct itself was fundamentally incompatible with remaining on the register.

The panel was of the view that the suspension order would sufficiently mark the seriousness of this case. Upon its expiry, Mrs Silcock will be removed from the NMC register.

In accordance with Article 30(1), the substantive suspension order will lapse upon expiry, namely the end of 12 February 2026.

This will be confirmed to Mrs Silcock in writing.

That concludes this determination.