

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

**Substantive Hearing
Monday, 20 July 2026 – Friday, 24 July 2026
Monday, 27 July 2026**

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

Name of Registrant:	Rachel George
NMC PIN:	05L0415O
Part(s) of the register:	Registered Nurse – Sub Part 1 Adult Nursing (Level 1) – 21 December 2005
Relevant Location:	Somerset
Type of case:	Misconduct
Panel members:	Graham Coulston-Herrmann(Chair, Lay member) Jennifer Portway (Lay member) Anne Sharpe (Registrant member)
Legal Assessor:	Angus MacPherson
Hearings Coordinator:	Abigail Addai
Nursing and Midwifery Council:	Represented by Iwona Boesche, Case Presenter
Mrs George:	Not present and unrepresented
Facts proved:	Charges 1a)i, 1a)ii, 1a)iii, 1a)iv, 1a)v, 2, 3, 4, 5, 6, 7
Facts not proved:	N/A
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 Mrs George was not in attendance and that the Notice of Hearing letter had been sent to Mrs George's registered email address by secure email on 9 June 2026.

Ms Boesche, 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 venue of the hearing, including instructions on how to join and, amongst other things, information about Mrs George'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 George 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 Mrs George

The panel next considered whether it should proceed in the absence of Mrs George. It had regard to Rule 21 and heard the submissions of Ms Boesche who invited the panel to continue in the absence of Mrs George.

Ms Boesche submitted that it is in the public interest to proceed in Mrs George's absence and it is important for such cases to conclude in a timely manner. She submitted that Mrs

George has received the Notice of Hearing and referred to the proceeding in absence bundle which outlines communication between the Case Officer and Mrs George.

Ms Boesche submitted that at first, Mrs George stated that she would send submissions for the panel's consideration. However, she later decided not to send submissions. Ms Boesche submitted that there has been no application to adjourn these proceedings and in these circumstances, she invited the panel to proceed in Mrs George's absence.

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 Mrs George. In reaching this decision, the panel has considered the submissions of Ms Boesche, 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 Mrs George;
- It is clear from the communication between Mrs George and her Case Officer that she would not be attending the hearing;
- The NMC offered to provide Mrs George with administrative support to produce documents and informed her that the panel would make reasonable adjustments to enable her to attend the hearing. Mrs George was receptive to this support but later retracted her wish to present documents and she made no written submissions;
- There is no reason to suppose that adjourning would secure her attendance at some future date;

- Not proceeding may inconvenience the witnesses, their employer(s) and, for those involved in clinical practice, the clients who need their professional services;
- The charges relate to events that occurred in 2020;
- 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 Mrs George in proceeding in her absence. Although the evidence upon which the NMC relies will have been sent to her at her registered address, she has made no response to the allegations. She will not be able to challenge the evidence relied upon by the NMC in person 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 Mrs George'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 Mrs George. The panel will draw no adverse inference from Mrs George's absence in its findings of fact.

Details of charge

That you a registered nurse whilst working at the Ferns Nursing Home ("the Home") between 1 February 2020 – 31 May 2020;

1) Breached Condition 1 of the Interim Conditions of Practice Order imposed by an Investigating Committee on 13 January 2020 ("the Interim Order") in that you;

a) Undertook one or more agency shifts at the Home on;

i) 24 April 2020;

ii) 29 April 2020;

iii) 2 May 2020;

iv) 3 May 2020;

v) 7 May 2020.

2) Breached Condition 2 of the Interim Order in that you, worked one or more shifts as the nurse in charge at the Home.

3) Breached Condition 3 of the Interim Order in that you, on one or more occasion, administered medication without supervision.

4) Breached Condition 4 of the Interim Order in that you worked one or more shifts without ensuring that a workplace line manager, mentor or supervisor nominated by your employer was present/working at all times on the same shifts.

5) Breached Condition 10 a) of the Interim Order in that you, did not disclose the full details your Interim Conditions of Practice Order to your employer, whilst working at the Home.

6) Breached Condition 10 b) of the Interim Order in that you; did not disclose the full details of your Interim Conditions of Practice Order when applying to work/interviewing at the Home

7) Your actions in one or more of charges 1 a) i, 1 a) ii, 1 a) iii, 1 a) iv, 1 a) v, 2, 3, 4, 5 & 6 were dishonest, in that you sought conceal your Interim Conditions of Practice Order from your employers/prospective employers.

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

Background

Mrs George was referred to the NMC on 4 February 2021 by the Deputy Clinical Manager/Clinical Lead of Ferns Nursing Home (the Home). It is alleged that Mrs George had been working at the Home as a Band 5 agency nurse from February 2020 – March 2020, and then as an employee from 13 May 2020 – 20 May 2020. However, invoices sent by First Call Care Services (The Agency) appear only to show that Mrs George was working as an agency nurse from 24 April 2020 – 7 May 2020.

In May 2020, the Home Manager discovered that Mrs George's registration was subject to an Interim Conditions of Practice Order. It is alleged that Mrs George did not disclose this to the Home either on application or during the period when she worked there in a substantive position. Further, it is alleged that Mrs George breached parts of her Interim Conditions of Practice Order, including the following:

1. You must only work for one substantive employer and you must not undertake any agency work as a registered nurse.
2. You must not be the nurse in charge of any shift.
3. At any time that you are undertaking administration of medication you must be directly observed by another registered nurse until such time as you have been assessed by another registered nurse as competent to do so without supervision.
4. At any time that you are employed or otherwise providing nursing services, you must place yourself and remain under the supervision of a workplace line manager, mentor or supervisor nominated by your employer, such supervision to consist of

working at all times on the same shift

10. You must immediately tell the following parties that you are subject to a Conditions of Practice Order under the NMC's fitness to practise procedures, and disclose the Conditions listed at (1) to (9) above, to them:

- a. Any organisation or person employing, contracting with, or using you to undertake nursing work;
- b. Any prospective employer (at the time of application) where you are applying for any nursing appointment"

Finally, it is alleged that Mrs George was dishonest in failing to comply with her Conditions when working at the Home and in failing to disclose to the Home that she was subject to the Interim Conditions of Practice Order.

Hearsay application

The panel heard an application made by Ms Boesche under Rule 31, to adduce Mrs George's contract of employment dated 13 May 2020 as hearsay. The contract of employment is a document held by the Home which is signed and dated by Mrs George. This document was sent to Mrs George on 4 March 2026 and notice of the NMC's intention to rely upon it as a hearsay document was given to her on 9 July 2026. Mrs George has not contested the authenticity of the document and has not objected to its being included in the evidence. Ms Boesche submitted that, in these circumstances, there was no reason to believe that this document has been fabricated. She submitted that the evidence is relevant as it confirms the start of Mrs George's employment and there is no prejudice to Mrs George if this document is adduced.

Ms Boesche submitted that before any witness can give evidence, there is a further bundle of evidence that should be adduced as hearsay. She then referred to the hearsay evidence of several persons whose statements appear in the bundle as follows:

Nick Farmer (Mr Farmer)

- Mr Farmer's email response dated 19 March 2021, which is relevant to charges 1a and 6;
- Mrs George's application form dated 26 April 2020 which is relevant to charges 1a and 6 as it shows that she was working as an agency nurse;
- The references which speaks to charge 1a;
- Mrs George's answers to the interview notes dated 29 April 2020, which speak to charges 1a, 5 and 6;
- Mrs George's timesheet which shows the start of her substantive employment as 13 May 2020. This is further corroborated by the Medication Administration Record (MAR) Chart;
- A screenshot from Mrs George's payroll which is relevant to the period when she was a substantive employee.

Ms Boesche submitted that all reasonable steps were taken to secure Mr Farmer's attendance at these proceedings. She then referred to the hearsay bundle which consists of attempts at communication and bounced back emails. Ms Boesche submitted that the evidence is not sole or decisive in respect of the charges because the panel can refer to the evidence of Jenny Wollington (Ms Wollington) and the invoices dated 24 April 2020 – 3 May 2020.

Ms Boesche then referred the panel to the attempts made to contact two persons in First Call Care Services, in particular the following individuals who produced the following evidence:

James Joseph (Mr Joseph)

Ms Boesche submitted that the invoices produced by Mr Joseph are relevant and should be adduced as hearsay. She submitted that reasonable efforts were made by the NMC to secure his attendance at these proceedings, including a series of telephone calls made to Mr Joseph. However, Mr Joseph did not respond or engage with the NMC in relation to these proceedings.

Ms Boesche submitted that the invoices are not the sole or decisive evidence on the charges because this evidence is equally set out in Ms Wollington's witness statement.

"Ms Jose"

Ms Boesche submitted that the telephone log dated 19 July 2023 – 12 December 2023 should be adduced as hearsay. She acknowledged that the logs are only tangentially relevant to the charges. Ms Boesche invited the panel to determine whether this evidence should be adduced.

In addition, Ms Boesche submitted that statements from the following individuals should be admitted as hearsay evidence. These individuals were interviewed by Rochelle Murinas (Ms Murinas) in the investigation conducted at the Home following allegations outlined in a letter to the Home from Ms Wollington, following her, Ms Wollington's, referral of the matters to the NMC. Ms Wollington is a witness in these proceedings.

Theresa Bellamy/Davey (Ms Bellamy)

Ms Boesche submitted that the following evidence of Ms Bellamy should be adduced as hearsay:

- Telephone log dated 21 October 2022, where Ms Bellamy explained her role, how she came to know Mrs George and Mrs George's employment history;
- Ms Bellamy's Investigation Statement which is directly relevant to the charges;
- The Care Quality Commission (CQC) Alert which shows evidence that Mrs George worked for the agency and had shifts with them before she worked at the Home;
- The Investigation Report as Ms Bellamy was one of the two individuals who conducted the investigation in respect of the alleged failure to ensure NMC required pin checks were carried out for Mrs George. Mrs George's pin restrictions came to light in this meeting and she was not forthcoming with this before. This therefore related to charges 5 and 6.

Ms Boesche submitted that all reasonable efforts were made to secure Ms Bellamy's attendance at these proceedings. However, Ms Bellamy informed the NMC that she did not want to provide a statement or continue engaging with the process due to [PRIVATE].

Kathleen Francis-Bacon (Ms Francis-Bacon)

Ms Boesche submitted that the following evidence from Ms Francis-Bacon should be adduced as hearsay:

- Investigation Meeting minutes dated 8 February 2021.

Finally, Ms Boesche invited the panel to accept the hearsay evidence of Sarah Cox.

Sarah Cox (Ms Cox)

Ms Boesche submitted that the following evidence from Ms Cox should be adduced as hearsay:

- Ms Cox's local statement which relates to charges that refer to Mrs George being the nurse in charge – charge 2 and to her medication administration - charge 3.
- Email communications with Ms Cox dated 2-3 February 2023, 31 August 2023 and 1 August 2023.

She submitted that reasonable efforts were made to secure Ms Cox's attendance in these proceedings. However, Ms Cox has not engaged with the NMC.

The panel heard and accepted the advice from the legal assessor on the issues it should take into consideration in respect of this application. This included that Rule 31 provides that, so far as it is 'fair and relevant', a panel may accept evidence in a range of forms and circumstances, whether or not it is admissible in civil proceedings. He also referred the panel to *Thorneycroft v Nursing and Midwifery Council* [2014] EWHC 1565 (Admin), namely paragraph 45 which states:

1.1. The admission of the statement of an absent witness should not be regarded as a routine matter. The FTP rules require the Panel to consider the issue of fairness before admitting the evidence.

1.2. The fact that the absence of the witness can be reflected in the weight to be attached to their evidence is a factor to weigh in the balance, but it will not always be a sufficient answer to the objection to admissibility.

1.3. The existence or otherwise of a good and cogent reason for the non-attendance of the witness is an important factor. However, the absence of a good reason does not automatically result in the exclusion of the evidence.

1.4. Where such evidence is the sole or decisive evidence in relation to the charges, the decision whether or not to admit it requires the Panel to make a careful assessment, weighing up the competing factors. To do so, the Panel must consider the issues in the case, the other evidence which is to be called and the

potential consequences of admitting the evidence. The Panel must be satisfied either that the evidence is demonstrably reliable, or alternatively that there will be some means of testing its reliability.

The legal assessor reminded the panel that no written statements have been provided by any of the witnesses, and there are no statements of truth. If the panel was minded to accept the hearsay evidence of any of these witnesses, it will need to consider what weight it will attach to the evidence. The legal assessor advised the panel that it may wish to make a decision on the extent to which the NMC have attempted to obtain the attendance of the witnesses. This is a matter that should be considered alongside how long the case has taken to reach this stage. The panel should also consider whether such evidence is the sole or decisive evidence in relation to the charges. In this case, the material does not seem to be the sole or decisive evidence in light of the fact that the witnesses to be called by the NMC do speak to Mrs George's employment at the Home.

The legal assessor then referred to paragraph 56 of *Thorneycroft* and went through the seven factors in turn;

- i. whether the statements were the sole and decisive evidence in support of the charges;*

In respect of the first factor, the legal assessor reminded the panel that the evidence produced is not the sole or decisive evidence and witnesses are scheduled to give live evidence as to Mrs George's employment by the agency and the Home.

- ii. the nature and extent of the challenge to the contents of the statements;*

The legal assessor reminded the panel that this material has been served on Mrs George on 9 July 2026. However, she has not responded or challenged the contents within the hearsay bundle.

- iii. *whether there was any suggestion that the witnesses had reasons to fabricate their allegations;*

The legal assessor informed the panel that while there are allegations against one of the witnesses and some uncertainty about some of the material put before the panel, this may not be in line with fabrication. However, the panel may wish to consider this when making its decision.

- iv. *the seriousness of the charge, taking into account the impact which adverse findings might have on the Registrant's career;*

The legal assessor informed the panel that the charges include dishonesty and allegations of a breach of Mrs George's Interim Conditions of Practice Order, and the NMC Guidance points out that dishonesty and a failure to abide by Conditions are serious.

- v. *whether there was a good reason for the non-attendance of the Witnesses; and*
- vi. *whether the Respondent had taken reasonable steps to secure their attendance;*

The legal assessor reminded the panel that it should consider whether the NMC has taken all reasonable steps to secure the attendance of these witnesses in these proceedings. However, they have not continued to engage with the NMC.

- vii. *the fact that the Appellant did not have prior notice that the Witness statements were to be read.*

The legal assessor advised the panel that Mrs George was given prior notice of this application, namely on 9 July 2026. Mrs George also did not challenge the contents of the bundle. The panel should also consider whether any prejudice will be caused to her if the evidence were admitted.

In reaching this decision, the panel considered the case of *Thorneycroft* and each of the evidence in turn.

Mrs George's Contract of Employment

Having regard to the NMC's application for this document to be adduced, the panel was of the view that this is a Contract of Employment in a standard form, which was signed and dated by Mrs George at the relevant time. Mrs George was also sent this document during the preliminary part of these proceedings with an invitation to respond. The panel noted that Mrs George has responded to some of the materials and did not raise any issues with this document. It considered that she has had ample time to respond should she so wish as the material was sent on 4 March 2026, and notice of this application was sent on 9 July 2026. In these circumstances, the panel determined that it was fair and proportionate to allow the document to be adduced as hearsay evidence.

Mr Farmer

The panel noted that Mr Farmer's evidence is not the sole or decisive evidence in respect of the charges and the documents he refers to can be considered in the evidence of other witnesses; it is contemporaneous. The panel was of the view that the NMC had taken reasonable efforts to secure his attendance. It noted that there was initial engagement in 2021. However, communication had ceased and the NMC received a bounced back email when attempting to contact Mr Farmer.

The panel then took into account the other factors of *Thorneycroft* in relation to Mr Farmer:

ii. the nature and extent of the challenge to the contents of the statements;

The panel noted that Mrs George has not challenged Mr Farmer's evidence or any of the documents associated with the Home. It considered that the information was served in good time (9 July 2026) and Mrs George chose not to respond to it.

iii. whether there was any suggestion that the witnesses had reasons to fabricate their allegations;

The panel determined that there was no indication that Mr Farmer had any reason to fabricate his evidence. It also noted that Mr Farmer had left the company and was looking at old records to provide the NMC with information.

iv. the seriousness of the charge, taking into account the impact which adverse findings might have on the Registrant's career;

The panel was of the view that the charges are serious. However, the evidence presented by Mr Farmer is not the sole or decisive evidence. It noted that Ms Wollington is due to give live evidence before the panel and will speak to the matters alleged. The panel also considered Mr Farmer's email response dated 19 March 2021 is relevant, namely the following:

'Did RG disclose any information to them about having conditions of practice imposed on her NMC registration:

yes, in interview had said, "Was reported to NMC because when working at hospital had pad in a gloved hand but there were no bags around so carried it to a bin was reported and then reported to NMC and put on supervision while working".

Was RG referred to them via an agency, and if so which one:

Had worked for First Call Agency and did shifts at Ferns as an HCA before being employed as a nurse with us.

During RG's employment did you have any concerns about her clinical practice and conduct? If so, what were the concerns:

As the person who employed RG is no longer with the company, I can only answer this according to documentation we have in HR files. RG had a risk assessment written and signed by the Deputy/Clinical Lead dated 13/05/2020 for the NMC conditions of restrictions. An additional note to interview was added on 20/05/2020 stating a concern with a lack of duty of candour on the part of RG as she had not been candid with all information regarding the restrictions.'

Having read this exchange in the email, the panel determined that aspects support Mrs George's case – in particular that Mrs George disclosed that she had been reported to the NMC. The panel determined that it would be fair to admit Mr Farmer's evidence as hearsay and will apply what it deemed appropriate weight once it has heard and evaluated all the evidence before it.

Mr Joseph and Ms Jose

The panel was of the view that these individuals from First Call Care Services do not make any statements which have relevance to the matters before it. In light of this, the panel determined that there is no reason to admit their evidence as hearsay.

Ms Bellamy

The panel took into account the following evidence when making its decision:

- The telephone interview dated 21 October 2021;
- The appendices to the Investigation Report which appears in the exhibit bundle.

The panel noted that there are some inconsistencies between Ms Bellamy's accounts in themselves and against those of others. It therefore recognised that her evidence, in particular as set out in the record of her interview, would need to be considered in the context of other evidence. In respect of fairness to Mrs George and the NMC, the panel determined that both documents need to be included as they are relevant to the panel's decision making. Further, it noted part of Ms Bellamy's evidence is corroborated by a live witness due to give evidence. In these circumstances, the panel determined that it would be fair to admit Ms Bellamy's evidence as hearsay and will apply what it deemed appropriate weight once it has heard and evaluated all the evidence before it.

Ms Francis-Bacon

The panel noted that Ms Francis-Bacon's evidence formed part of the Investigation Report, and that there were some issues on its reliability. It also noted that without including Ms Francis-Bacon's evidence, the panel would not be in a position to test the evidence of Ms Wollington and as a consequence, this may be prejudicial to Mrs George.

The panel noted that the NMC made no attempts to secure Ms Francis-Bacon's attendance. Nevertheless, the panel was satisfied that Mrs George was given prior notice of this application and she did not challenge the contents of this material.

In these circumstances, the panel determined that it would be fair to admit Ms Francis-Bacon's evidence as hearsay and will apply what it deemed appropriate weight once it has heard and evaluated all the evidence before it.

Ms Cox

The panel took into account that reasonable steps had been taken by the NMC to contact Ms Cox with contact ceasing in 2023. It also noted that Ms Cox purports to have good reason for her non-attendance as she had informed the NMC that [PRIVATE]. The panel was of the view that Ms Cox's evidence is not the sole or decisive evidence for the charges as there is documentary evidence and there are witnesses due to give live evidence on these allegations. The panel had no reason to suppose that her evidence is fabricated. Ms George was given prior notice of this application (9 July 2026) and did not challenge the content of this material. The panel can test its reliability based on the MAR charts, the Controlled Drug (CD) book and the oral evidence from the witnesses.

In these circumstances, the panel determined that it would be fair to admit Ms Cox's evidence as hearsay and will apply what it deemed appropriate weight once it has heard and evaluated all the evidence before it.

The Investigation Report , CQC Safeguarding Alert and the appendices

The panel noted that these documents formed part of the hearsay bundle and that therefore it should make a determination as to whether they should be admitted. The panel considered that they are relevant to the NMC's application. In addition, the panel noted that the business records of the Home relating to the engagement and/or employment of Mrs George were included in the appendices of the Investigation Report.

The panel also noted that the CQC Safeguarding Alert may include a statement from a temporary Home Manager which may not be entirely consistent with statements made by others. The panel was of the view that a consideration of the entirety of the evidence may assist it in determining what evidence it should accept in this case, and that this may be in Mrs George's interest.

The panel noted that the Investigation Report was not produced by a particular person; nevertheless, the panel concluded that this report discloses in particular the evidence of relevant witnesses into the matters which it is considering and it therefore determined to admit it.

Decision and reasons on facts

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

The panel has drawn no adverse inference from the non-attendance of Mrs George.

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:

- Jenny Wollington: Clinical Lead Nurse within the Ferns Nursing Home (“the Home”) at the time of the concerns;
- Natalie Mapletoft (Ms Mapletoft): Nursing Assistant at the Ferns Nursing Home (“the Home”) at the time of the concerns.

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.

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

Charge 1a)i, 1a)ii, 1a)iii, 1a)iv, 1a)v

That you a registered nurse whilst working at the Ferns Nursing Home (“the Home”) between 1 February 2020 – 31 May 2020;

1) Breached Condition 1 of the Interim Conditions of Practice Order imposed by an Investigating Committee on 13 January 2020 (“the Interim Order”) in that you;

a) Undertook one or more agency shifts at the Home on;

i) 24 April 2020;

ii) 29 April 2020;

iii) 2 May 2020;

iv) 3 May 2020;

v) 7 May 2020.

This charge is found proved in its entirety.

The panel noted the Interim Conditions of Practice Order contained in the Exhibits Bundle dated 13 January 2020 which provided by Condition 1 that:

‘You must only work for one substantive employer and you must not undertake any agency work as a registered nurse.’

Although Mrs George did not attend the Interim Order hearing on that day, the panel noted that this was in fact a review hearing. As will become clear upon reading the panel's determination in relation to Charges 5, 6 and 7, the panel was satisfied that Mrs George was aware that she was subject to the Interim Conditions of Practice Order at all times when she was working at the Home, that is when she was working as an agency nurse or in a substantive position. Ms Wollington set out in her communications with the NMC and with the Home in 2021, that when she informed Mrs George that she was being dismissed by the Home on 21 May 2020, Mrs George, after an initial denial, admitted that she was subject to the Interim Conditions of Practice Order.

The panel was of the view that there was evidence that Mrs George undertook agency shifts at the Home on all the dates outlined in the schedule of charge. In reaching this decision, the panel noted an email response of Ms Rojin George of First Call Care Services dated 12 May 2020 to Ms Francis-Bacon of the Home which sets out that:

'Ms Rachel has worked with us as an RGN and as a Health Care Assistant. During her tenure with us we found her Conduct and Character to be good...'

The panel further noted the oral evidence of Ms Wollington and Ms Mapletoft, who confirmed that Mrs George worked at the Home as an agency staff member before becoming a permanent employee. Their oral evidence was consistent on this point with their witness statements which read respectively:

'Rachel had only been an agency nurse for one or two shifts before being employed as a permanent nurse.' (Ms Wollington)

From what I was told, Rachel was employed a few times as agency and then she was poached to work for us and became a member of staff. (Ms Mapletoft)

The panel also had regard to the MAR charts at the Home and to the invoices from First Call Care Services. The MAR charts were signed and dated by Mrs George on all the dates in the schedule of charge, and the invoices likewise place Mrs George at the Home on the relevant days. Further, Mrs George signed and dated the CD book on the following days:

- 29 April 2020;
- 2 May 2020; and
- 3 May 2020.

The panel noted that Mrs George signed the contract of employment with the Home on 13 May 2020. In light of the foregoing, the panel concluded that when Mrs George was working at the Home before that date, she was working in her capacity as an agency nurse.

Having looked at the evidence in the round, the panel was satisfied that Mrs George worked agency shifts on all the dates outlined in the schedule of charge in breach of Condition 1 of the Interim Conditions of Practice Order, maintained by an Investigating Committee of the NMC on 13 January 2020.

Therefore, the panel found Charges 1a)i, 1a)ii, 1a)iii, 1a)iv, and 1a)v proved.

Charge 2)

That you a registered nurse whilst working at the Ferns Nursing Home (“the Home”) between 1 February 2020 – 31 May 2020;

2) Breached Condition 2 of the Interim Order in that you, worked one or more shifts as the nurse in charge at the Home.

This charge is found proved.

The panel noted that Condition 2 of the Interim Conditions of Practice Order dated 13 January 2020 provided:

‘You must not be the nurse in charge of any shift.’

In reaching this decision, the panel took into account the role of nurses at the Home having regard to Ms Mapletoft’s witness statement which reads:

‘The nurse was responsible for the general running of the Home, responsible for all the residents and any nursing duties such as catheterisation, administering insulin and peg feeds. The nurse would also write care plans, review care plans and wounds, and administer medication to half of the residents of the Home. If a doctor attended the Home, I would introduce the doctor to the nurse. If I wasn’t happy about something, if any observations came back abnormal, or I thought a resident was deteriorating, I would report it to the nurse and she would escalate if needed’

In oral evidence, Ms Mapletoft, who was a nursing assistant in 2020, told the panel that she recalled working with Mrs George on a specific shift on 18 May 2020. She told the panel that on this shift, there was the manager who was not a registered nurse, herself, Mrs George and six Healthcare Assistants. It therefore follows that Mrs George was the only registered nurse on that shift.

The panel then took into account Ms Wollington’s oral evidence. She told the panel that Mrs George would work on shifts with Ms Cox, likewise a nursing assistant, independently from one another. Both would administer medication on their own. This is corroborated by Ms Cox’s email dated 15 February 2021 which reads:

'I worked with her as a Nursing Assistant and a Senior Health Assistant, and when Miss George worked for the home I may have worked with her as a nursing assistant once or twice would have been the Nurse in charge of that shift... so she would have been responsible for administering medication to the appropriate residents..'

The panel noted that the signatures in the Drug Administration Records corroborated the testimony of the witnesses.

Having looked at the evidence in the round, the panel was satisfied that it is more likely than not that Mrs George worked as the nurse in charge of the Home on one or more shifts in breach of Condition 2 of the Interim Conditions of Practice Order, maintained by an Investigating Committee of the NMC on 13 January 2020.

Accordingly, the panel found Charge 2) proved.

Charge 3)

That you a registered nurse whilst working at the Ferns Nursing Home ("the Home") between 1 February 2020 – 31 May 2020;

3) Breached Condition 3 of the Interim Order in that you, on one or more occasion, administered medication without supervision.

This charge is found proved.

The panel noted that Condition 3 of the Interim Conditions of Practice Order dated 13 January 2020 provided:

‘At any time that you are undertaking administration of medication you must be directly observed by another registered nurse until such time as you have been assessed by another registered nurse as competent to do so without supervision.’

The panel first took into account the MAR Charts which were signed and dated by Mrs George and also evidence that Mrs George had her own medication trolley. This is further corroborated by the CD book which is signed and dated by Mrs George under the section ‘Given/ Disposed by’.

The panel also took into account Ms Mapletoft’s oral evidence where she stated the following:

“Mrs George had her own medication trolley. There were two trolleys and the residents were divided up. I would take one trolley and Mrs George would go off by herself to do the drugs”.

Ms Mapletoft’s oral evidence is further corroborated by her email dated 13 February 2021 which reads:

‘She had her own medication trolley and administered all the medication independently apart from controlled drugs which we done together. Her medication round properly would include insulin and administering medication via peg. I worked alongside the nurse as their nursing assistant and I work the second medication trolley.’

The panel also had regard to Ms Cox’s email dated 15 February 2021. where she confirms that Mrs George would work as the nurse and would independently administer medication to residents. Ms Wollington was also clear in her oral evidence that Mrs George would frequently work with Ms Cox, a nursing assistant, and would administer medication independently.

Having looked at the evidence in the round, the panel was satisfied that Mrs George administered medication without supervision on more than one occasion in breach of Condition 3 of the Interim Conditions of Practice Order, maintained by an Investigating Committee of the NMC on 13 January 2020.

Accordingly, the panel found Charge 3) proved.

Charge 4)

That you a registered nurse whilst working at the Ferns Nursing Home (“the Home”) between 1 February 2020 – 31 May 2020;

4) Breached Condition 4 of the Interim Order in that you worked one or more shifts without ensuring that a workplace line manager, mentor or supervisor nominated by your employer was present/working at all times on the same shifts.

This charge is found proved.

The panel noted that Condition 4 of the Interim Conditions of Practice Order dated 13 January 2020 provided:

‘At any other time that you are employed or otherwise providing nursing services, you must place yourself and remain under the supervision of a workplace line manager, mentor or supervisor nominated by your employer, such supervision to consist of working at all times on the same shift as, but not necessarily under the direct observation of, another registered nurse who is physically present in or on the same ward, unit, floor or home that you are working in or on.’

The panel recognised that Charge 4) does not oblige the panel to restrict its consideration of Mrs George's work at the Home to the period when she was a permanent employee. In fact, the panel determined to find this charge proved on the basis of her employment as an agency staff member as there was more clarity in relation to this charge whilst she was working in that capacity.

The panel first took into account the MAR charts and the CD Book, which show dates when Mrs George was working as an agency nurse as set out in relation to Charge 1 above.

The panel next had regard to Mrs Wollington's statement in the Investigation Meeting Notes dated 8 February 2021 which reads:

'JW states that RG spent 3 weeks working without a supervisor.'

Ms Wollington also stated in her witness statement that Mrs George would work with Ms Cox, a nursing assistant on weekends. This is confirmed by Ms Cox in her email dated 15 February 2021. She stated:

'I know I worked with Miss George when she was Bokked as A nurse.. I worked with her as a Nursing Assistant and Senior Health Assistant, and when Miss George worked for the home I may have worked with her as a nursing assistant once or twice would have been the nurse in charge of that shift., so she would have been responsible for administering medication to the appropriate residents..[sic]'

This is supported by the CD book which is signed and dated by Mrs George at the relevant times.

The panel also took into account Ms Mapletoft's witness statement which reads:

'I believe Rachel worked more with Sarah. Sarah is healthcare assistant Sarah Cox. I believe Rachel worked more with her, as going through the control drugs book I could see she worked more with Rachel than I did'

Having looked at the evidence in the round, the panel was satisfied that whilst she was working as an agency nurse at the Home, Mrs George worked unsupervised without a workplace line manager, mentor or supervisor nominated by your employer or at all on more than one occasion in breach of Condition 4 of the Interim Conditions of Practice Order, maintained by an Investigating Committee of the NMC on 13 January 2020.

Therefore, on the balance of probabilities, the panel found Charge 4) proved.

Charge 5)

That you a registered nurse whilst working at the Ferns Nursing Home ("the Home") between 1 February 2020 – 31 May 2020;

5) Breached Condition 10 a) of the Interim Order in that you, did not disclose the full details your Interim Conditions of Practice Order to your employer, whilst working at the Home.

This charge is found proved.

The panel noted that Condition 10a) of the Interim Conditions of Practice Order dated 13 January 2020 provided:

'You must immediately tell the following parties that you are subject to a conditions of practice order under the NMC's fitness to practise procedures, and disclose the conditions listed at (1) to (9) above, to them:

a. Any organisation or person employing, contracting with, or using you to

undertake nursing work;’

In reaching its decision, the panel interpreted Charge 5) to refer both to the period when she was working as an agency nurse at the Home and to the period when Mrs George was employed at the Home as a permanent member of staff.

The panel had regard to a Telephone Call between Ms Bellamy, the Home Manager and the NMC dated 21 October 2022 which reads:

‘What was your understanding of the ICOP/NMC referral when Rachel began employment?’

None - not least until Kath ran Rachel's PIN through the NMC register and discovered the restrictions. If we had known from the agency, we never would have hired Rachel.’

The panel also noted that Ms Wollington, who was supervising Mrs George in the week after she was first substantively employed at the Home on 13 May 2020, stated that she was unaware that Mrs George was subject to any restrictions until she was so told by the Home Manager, Ms Bellamy on 20 May 2020. She stated that she had identified a number of concerns about Mrs George’s practice when she was supervising her and that she had communicated these concerns to the Home Manager. The panel noted that Ms Francis-Bacon made an enquiry of the NMC and ascertained that Mrs George was subject to an Interim Conditions of Practice Order on 13 February 2020. The Home Manager requested Ms Wollington to set out her concerns in a Risk Assessment document and instructed her to dismiss Mrs George. Ms Wollington did so upon Mrs George’s arrival to work the following day, 21 May 2020.

At no stage did Mrs George inform any person that she was subject to Conditions until such time as she was dismissed by Ms Wollington. It was only then that Mrs George

acknowledged, following an initial denial, that she was in fact subject to restrictions on her practice.

This is corroborated by Ms Mapletoft's witness statement which reads:

'From what I was told, Rachel was employed a few times as agency and then she was poached to work for us and became a member of staff. I can't remember when I was told this, it would have been after 18 May 2020, after we found out there were restrictions on her PIN.'

Having looked at the evidence in the round, the panel was satisfied that Mrs George did not disclose to any person at the Home whilst she was working there that she was subject to the Interim Conditions of Practice Order and that therefore, she was in breach of Condition 10a) of the Interim Conditions of Practice Order, maintained by an Investigating Committee of the NMC on 13 January 2020.

Accordingly, the panel found Charge 5) proved.

Charge 6)

That you a registered nurse whilst working at the Ferns Nursing Home ("the Home") between 1 February 2020 – 31 May 2020;

6) Breached Condition 10 b) of the Interim Order in that you; did not disclose the full details of your Interim Conditions of Practice Order when applying to work/interviewing at the Home

This charge is found proved.

The panel noted that Condition 10b) of the Interim Conditions of Practice Order dated 13 January 2020 provided:

You must immediately tell the following parties that you are subject to a conditions of practice order under the NMC's fitness to practise procedures, and disclose the conditions listed at (1) to (9) above, to them

b. Any prospective employer (at the time of application) where you are applying for any nursing appointment;

The panel had regard to Mrs George's application form dated 26 April 2020 and noted that she made no reference to her Interim Conditions of Practice Order. It then had regard to her answers in her interview to a number of competency questions on 29 April 2020 including her answer to the following question:

'Tell us about a time when you made a mistake, what happened and how did you improve from it?

Was reported to the NMC because when working at hospital had pad in a gloved hand but there were no bags around so carried it to a bin was reported and then reported to NMC and put on supervision while working. Re did infection control training and a waiting hearing as postponed due the covid 19 (sic)'

The panel acknowledges that Mrs George made some disclosure of an NMC investigation and that she was put on supervision while working. However, she did not disclose the Interim Conditions of Practice Order in the interview. The panel also had Ms Wollington's account that Mrs George only made admissions, after an initial denial, that she was subject to an Interim Conditions of Practice Order when she dismissed her on 21 May 2020. This is consistent with Ms Bellamy's telephone note dated 21 October 2022 which reads:

'Could you explain Rachel's employment history (in particular her transition from agency to directly employed Registered Nurse)?

Rachel asked us for a permanent job. We were short of nurses, and we decided to give her an interview. During interview, she brought up an incident with her previous employer but never disclosed the interim restrictions against her NMC PIN. We had no idea because First Call never disclosed this to us also.'

Having looked at the evidence in the round, the panel was satisfied that Mrs George did not fully disclose to the Home that she was subject to the Interim Conditions of Practice Order when she made her application for the substantive position or when she was interviewed. Therefore, she was in breach of Condition 10b) of the Interim Conditions of Practice Order, maintained by an Investigating Committee of the NMC on 13 January 2020.

Accordingly, the panel found Charge 6 proved.

Charge 7)

7) Your actions in one or more of charges 1 a) i, 1 a) ii, 1 a) iii, 1 a) iv, 1 a) v, 2, 3, 4, 5 & 6 were dishonest, in that you sought conceal your Interim Conditions of Practice Order from your employers/prospective employers.

This charge is found proved.

When considering the issue of dishonesty, the panel applied the test set out in the case of *Ivey*:

'The Panel must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The reasonableness or otherwise of his/her belief is a matter of evidence going to whether he/she held the belief, it is not an

additional requirement that his/her belief must be reasonable; the question is whether it is genuinely held;

Once his/her actual state of mind as to knowledge or belief as to facts is established, the question whether his/her conduct was honest or dishonest is to be determined by the Panel by applying the (objective) standards of ordinary decent people. There is no requirement that the individual must appreciate that what he/she has done is, by those standards, dishonest.'

The panel first considered what Mrs George knew and understood in respect of the Interim Conditions of Practice Order, to which she was subject when she worked as an agency nurse for First Call Care Services, when she applied for a permanent position at the Home and when she was working at the Home.

The panel noted that she was not present when the Interim Conditions of Practice Order was maintained by the Investigation Committee on 13 January 2020. However it took into account the evidence from Ms Wollington that when she dismissed her on 21 May 2020, Mrs George acknowledged, after an initial denial, that she was subject to Conditions of practice. The panel reflected that this was likely to be the case since she also acknowledged to Ms Wollington that she was represented by the Royal College of Nursing (RCN) and that, following the Interim Order Review Hearing, in the ordinary course of business, Mrs George would have been sent the outcome of the hearing by way of email and/or post. The panel was satisfied that if she knew that she was subject to Interim Conditions of Practice Order, she would likewise have known that it was her duty to disclose this information to any prospective employer.

Notwithstanding that, the panel recognised that it had already heard evidence to the effect that Mrs George was aware that she was subject to the Interim Conditions of Practice Order when she was dismissed on 21 May 2020, it sought confirmation from Ms Boesche as to the position when the interim order was first imposed and subject to earlier review. Ms Boesche availed herself of an opportunity to research the file and confirmed to the

panel that Mrs George attended the hearing and was represented by the Royal College of Nursing (RCN) when the order was first imposed on 13 February 2019 and that she did not attend but was represented when it was subsequently reviewed prior to 13 January 2020.

Notwithstanding that, Mrs George was aware of the Interim Order, and would therefore have been aware of the restrictions to which she was subject, in breach of the Conditions, she worked as a nurse for an agency (Charge 1), she worked on one or more shifts as the nurse in charge (Charge 2), she administered medication without supervision (Charge 3), whilst working as an agency nurse, she was not supervised as required (Charge 4), she failed to disclose that she was subject to Conditions when working at the Home (Charge 5) and she failed to disclose that she was subject to Conditions when applying or being interviewed for a substantive position at the Home.

In these circumstances, the panel was satisfied that Mrs George's state of mind at the time was to conceal the existence of her Interim Conditions of Practice Order.

Having determined Mrs George's state of mind at the time, the panel went onto consider whether ordinary, decent people would consider her actions to be dishonest. The panel noted that Mrs George did not disclose her Interim Conditions of Practice Order when first working as an agency nurse. Mrs George then applied to be a permanent member of staff at the Home but she only made partial reference to a NMC restriction on interview. It noted that when confronted, Mrs George initially denied being subject to an Interim Order then subsequently made admissions upon dismissal. In light of this, the panel was satisfied that by the standards of ordinary decent people, Mrs George's conduct would be regarded as dishonest.

Accordingly, the panel found Charge 7) 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 Mrs George'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 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 will adopt 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, Mrs George's fitness to practise is currently impaired as a result of that misconduct.

Submissions 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.*'

Ms Boesche invited the panel to take the view that the facts found proved amount to misconduct. She referred the panel to 'The Code: Professional standards of practice and behaviour for nurses and midwives 2018' (the Code). She submitted that Mrs George breached sections 8.2, 8.4, 8.5, 8.6, 17.1, 19.1, 20.1, 20.2 and 23.3 of the Code.

Ms Boesche submitted that the misconduct is serious because Mrs George's actions were a significant departure from the fundamental principles of the Code, namely practising effectively, preserving safety and promoting professionalism and trust.

Submissions on impairment

Ms Boesche 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. She made reference to the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin).

Ms Boesche submitted that all four limbs of Dame Janet Smith's test to which Cox J. referred in *Grant* are engaged in Mrs George's case. She submitted that Mrs George's Conditions of Practice Order was put in place to protect the public. By ignoring her Conditions, including not disclosing them to the Home, Mrs George exposed those in her care to a risk of serious harm. Ms Boesche submitted that Mrs George's actions would shock a bystander should they learn that a nurse deliberately concealed the fact that she was subject to a Conditions of Practice Order, and obtained employment where she was tasked with caring for vulnerable residents.

Ms Boesche submitted that Mrs George has breached fundamental tenets of the nursing profession, specifically practising effectively, preserving safety and promoting professionalism and trust. She submitted that Mrs George's actions set out in Charges 1-6 were deliberately dishonest and there is no evidence of insight. Therefore, the likelihood of repetition is high.

Ms Boesche explained that concerns relating to Mrs George's competence (in a different case) were originally considered by an Investigating Committee panel in 2019. In June 2020, Mrs George made admissions to those concerns and was made subject to a

Conditions of Practice Order. She submitted that the last time that the order was reviewed was in June 2026. On that occasion, it was confirmed. Mrs George did not appear at review hearings in that case from about June 2023. She continued to be represented by the RCN until June 2025. Ms Boesche also informed the panel that [PRIVATE].

Ms Boesche invited the panel to find Mrs George impaired on public protection grounds because Mrs George remains a risk to public safety. She submitted that a finding of impairment is also otherwise in the public interest because the proven concerns are so serious. Mrs George's prolonged dishonesty whilst working as an agency nurse and failing to disclose restrictions on her practice, demonstrates a deep seated attitudinal concern that could put people receiving care at risk of harm. Therefore, a finding of impairment is required to maintain professional standards and public confidence in the nursing profession.

The panel accepted the advice of the legal assessor which included reference to a number of relevant judgments including *Roylance*.

Decision and reasons on misconduct

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

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

'8 Work co-operatively

To achieve this, you must:

8.2 *maintain effective communication with colleague.*

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.*
- 8.6 *share information to identify and reduce risk.*

19 *Be aware of, and reduce as far as possible, any potential for harm associated with your practice*

To achieve this, you must:

- 19.1 *take measures to reduce as far as possible, the likelihood of mistakes, near misses, harm and the effect of harm if it takes place.*
- 19.4 *take all reasonable personal precautions necessary to avoid any potential health risks to colleagues, people receiving care and the public.*

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.*

23 *Cooperate with all investigations and audits*

This includes investigations or audits either against you or relating to others, whether individuals or organisations. It also includes cooperating with requests to act as a witness in any hearing that forms part of an investigation, even after you have left the register.

To achieve this, you must:

- 23.3 *tell any employers you work for if you have had your practice restricted or had any other conditions imposed on you by us or any other relevant body'*

The panel appreciated that breaches of the Code do not automatically result in a finding of misconduct. The panel noted that the NMC Guidance: Sanctions for the highest risk cases

(Reference: SAN-4 Last Updated: 28/01/2026), sets out that some cases are particularly serious namely *cases involving dishonesty and cases involving deliberate breach of an interim order, final order or an undertaking*: In SAN-4, it is stated:

'Honesty is of central importance to a professional's practice because of the large degree of trust placed in them. Therefore, allegations of dishonesty will almost always put the public at risk of the professional not being trustworthy; because of this a professional who has acted dishonestly will always be at risk of strike-off. However, in every case the Committee must carefully consider the kind of dishonest conduct that has taken place. Not all dishonesty is equally serious

If a professional deliberately doesn't comply with an interim or final order this can demonstrate a risk to the public.'

The panel was of the view that Mrs George's deliberate breach of her Interim Conditions of Practice Order was serious. It took into account the record of Mrs George's answer to a question when she was being interviewed for her substantive post at the Home, as follows:

'Tell us about a time when you made a mistake, what happened and how did you improve from it?

Was reported to the NMC because when working at hospital had pad in a gloved hand but there were no bags around so carried it to a bin was reported and then reported to NMC and put on supervision while working. Re did infection control training and a waiting hearing as postponed due the covid 19 (sic)'

Although Mrs George did refer to the fact that she was reported to the NMC and put on supervision, this acknowledgement did not disclose the full position and by that time she had already worked shifts as an agency nurse in breach of the following Interim Conditions

of Practice Order: 1, 2, 3 and 4 as set out in the facts determination. In the circumstances, the panel determined that Mrs George's conduct was serious.

The panel found that Mrs George's actions did fall seriously short of the conduct and standards expected of a nurse and amounted to misconduct.

Decision and reasons on impairment

The panel went on to decide whether Mrs George's fitness to practise is currently impaired as a result of the misconduct.

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. 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) has in the past acted dishonestly and/or is liable to act dishonestly in the future.'*

The panel was of the view that at the time of Mrs George's misconduct, all four limbs of the *Grant* test were engaged. It noted that Mrs George's Interim Order was imposed by an Investigating Committee after determining that there would be a risk to the public should she be permitted to practise unrestricted. By working as a registered nurse for an agency and failing to disclose her Interim Conditions of Practice Order to the Home, Mrs George put vulnerable residents at risk of unwarranted harm. In so doing, she worked as the nurse

in charge and administered medication without supervision, despite not being permitted to do so by her regulator. As a consequence, Mrs George's actions brought the nursing profession into disrepute.

The panel determined that Mrs George breached the fundamental tenets of the nursing profession, namely practising effectively, preserving safety and promoting professionalism and trust. It considered that these breaches demonstrate deep seated attitudinal concerns which are difficult to put right.

The panel also determined that Mrs George's dishonesty was sustained over a period of time. It noted that Mrs George's Interim Order Review Hearing occurred on 13 January 2020, and that the reviewing panel maintained her Interim Conditions of Practice Order. Mrs George would have been aware of her restrictions. Nevertheless she worked as an agency nurse at the Home from 24 April 2020, and subsequently applied for substantive employment with the Home in late April 2020 without making proper disclosure of her Interim Conditions of Practice Order.

In terms of future risk, the panel had nothing before it to indicate that the risk has been mitigated. In these circumstances, the panel had no alternative but to conclude that there remains a risk that Mrs George will repeat the matters proved, place patients at unwarranted risk of harm, bring the profession into disrepute, breach fundamental tenets and act dishonestly.

In determining whether the concerns can be addressed, the panel had regard to the NMC Guidance: Insight and strengthen practice (Reference: FTP-16) which reads:

'When assessing evidence of the nurse, midwife or nursing associate's insight and the steps they have taken to strengthen their practice, decision makers will need to take into account the following questions:

- *Can the concern be addressed?*
- *Has the concern been addressed?*

- *Is it highly unlikely that the conduct will be repeated?*

The panel was of the view that the concerns are capable of remediation. However, it noted that the difficulty lies in Mrs George's sustained dishonesty. The panel took into account that Mrs George ignored the interim restrictions placed on her registration as she accepted an agency role even though Condition 1 was clear that she should not work agency shifts, and that she did not clarify that she was subject to the full range of restrictions maintained by the Investigating Committee at interview on 29 April 2020. With regard to insight, the panel have nothing before it to demonstrate remorse for her failings. It noted that Mrs George intended to provide written submissions for the panel's consideration but later withdrew this intention. As a result, there is nothing to show what steps Mrs George would take to prevent the risk identified.

The panel also took into account that Mrs George has not demonstrated any strengthened practice. Whilst it acknowledged that Mrs George has not practised as a nurse since 2023 due to [PRIVATE], the panel did not have anything by way of recent testimonials or a reflective piece to show remediation. Therefore, the panel had no material before it from which it could determine that Mrs George's misconduct will not be repeated.

The panel therefore decided that a finding of impairment is necessary on the grounds of public protection.

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 patients, and to uphold and protect the wider public interest. This includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions.

The panel next considered whether a finding of impairment on public interest grounds is warranted. It noted that Mrs George's Interim Order was put in place to protect the public and manage the risk identified. She dishonestly failed to disclose her restrictions to the Home and practised in contravention of those restrictions. The panel considered that an

ordinary member of the public would be dismayed if it did not make a finding that her fitness to practise is impaired following such behaviour. Therefore, a finding of impairment on public interest grounds is required to maintain public confidence in the nursing profession and uphold proper professional standards.

Having regard to all of the above, the panel was satisfied that Mrs George's fitness to practise is currently impaired.

Sanction

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

The panel accepted the advice of the legal assessor.

Submissions on sanction

Ms Boesche submitted that the NMC are seeking the imposition of a striking off order. She submitted that the following aggravating features are present in Mrs George's case:

- A deliberate breach of on-going regulatory intervention.
- Calculated dishonesty in an attempt to conceal the Interim Conditions of Practice Order.
- A breach of multiple Conditions put in place to protect the public.
- Deep-seated personality, attitudinal and behavioural concerns.
- Deliberately placing patients and professionals at a risk of harm.

- A lack of engagement.
- A lack of insight, remorse and remediation.

Ms Boesche did not identify any mitigating features.

Ms Boesche submitted that taking no further action is not suitable as there remain public protection and public interest concerns that require addressing. She submitted that a Caution Order is not suitable as the concerns have not been addressed and the sanction would not be appropriate given the seriousness of the case.

Ms Boesche referred the panel to the NMC Guidance: Conditions of Practice (Reference: SAN-3c). She submitted that a Conditions of Practice Order would not be appropriate in the circumstances because there is evidence of harmful deep-seated personality or attitudinal problems. Further, Mrs George has not demonstrated a willingness to re-train or show insight and there are no workable Conditions which would protect patients.

Ms Boesche submitted that a Suspension Order would not be an appropriate sanction because of Mrs George's lack of insight. There is also a risk of repetition. In these circumstances, the only appropriate sanction is a Striking-off order.

Decision and reasons on sanction

Having found Mrs George'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 decision on sanction is a matter for the panel independently exercising its own judgement.

The panel took into account the following aggravating features:

- Abuse of a position of trust;

- Conduct which deliberately or recklessly put people receiving care at risk of suffering harm;
- Deliberate breaches of the Code;
- A pattern of misconduct over a period of time;
- Failure to attend hearings, or to engage in the Fitness to Practise process, without good reason;
- Absence of or limited insight;
- Vulnerability of the person receiving care;
- Premeditated behaviour.

The panel also took into account the following mitigating feature:

- Mrs George made some admissions to Ms Wollington upon her dismissal.

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 Mrs George'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 Mrs George's practice would not protect the public. The panel also determined that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether to place a Conditions of Practice on Mrs George'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). Having found that these proceedings were in consequence of Mrs George's failure to comply with her previous Interim Conditions of Practice Order (only confirmed months before her engagement with the Home as an agency nurse and her subsequent employment at the Home), the panel determined that a Conditions of practice order would not be appropriate in the circumstances. The panel considered that there are no relevant, proportionate, workable or measurable Conditions that could be formulated to protect patients and to uphold professional standards.

The panel 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 Mrs George 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 Mrs George’s lack of engagement, lack of insight and remorse, 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 also noted that the dishonesty in this case was premeditated and sustained over a prolonged period of time.

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). It noted that Mrs George's Interim Conditions of Practice Order was put in place to protect the public and address the risks that had been identified. She failed to abide by her Interim Conditions of Practice Order and she behaved dishonestly over a sustained period. In consequence, Mrs George put patients in her care at risk of suffering harm and went against the restrictions placed on her by her regulator. 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?*

Mrs George'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 Mrs George's actions were serious and allowing 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, the panel determined that the appropriate and proportionate sanction is that of a striking-off order. Having regard to the effect of Mrs George'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 Mrs George 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 Mrs George's own interests until the striking-off sanction takes effect.

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

Submissions on interim order

The panel took account of the submissions made by Ms Boesche. She invited the panel to put in place an interim suspension order for a period of 18 months on the grounds of public protection and public interest. This will cover the appeal period should an appeal be lodged.

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. The panel therefore imposed an interim suspension order for a period of 18 months to cover the appeal period.

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

That concludes this determination.