

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

Substantive Hearing

**Monday, 8 September 2025 – Friday, 12 September 2025
Monday, 15 September 2025 – Thursday, 18 September 2025
Monday, 22 September 2025 – Friday, 26 September 2025
Monday, 5 October 2026 – Friday, 9 October 2026
Monday, 12 October 2026 – Friday, 16 October 2026 (in camera)
Monday 19, October 2026 – Wednesday, 21 October 2026**

Virtual Hearing

Name of Registrant:	Rennie Paul Bartlette
NMC PIN:	9811126O
Part(s) of the register:	Registered Nurse - Sub part 1 RN3 Mental Health Nurse - August 1998
Relevant Location:	Berkshire
Type of case:	Misconduct
Panel members:	Konrad Chrzanowski (Chair, Lay member) Wendy Hope (Registrant member) Chanelle Gibson-McGowan (Lay member)
Legal Assessor:	Paul Hester (8 September 2025) Sean Hammond (9 September 2025 onwards)
Hearings Coordinator:	Bethany Seed
Nursing and Midwifery Council:	Represented by Marcia Persaud, Case Presenter (8 – 26 September 2025) Represented by Alastair Kennedy, Case Presenter (5 October 2026 onwards)
Mr Bartlette:	Present and represented by Laura Herbert, instructed by the Royal College of Nursing (RCN)
No case to answer:	Charge 1b(iv)
Facts proved by admission:	Charges 1a(i) (in respect of Schedule 1, (iii) only), 1a(ii), 1b(i) (in respect of Schedule 2, (vi) and (vii) only), 1b(ii)(a), 1b(ii)(b) 1b(ii)(c),

1b(ii)(e), 1b(iii), 1b(v), 1b(viii), 1d(i) (in respect of Schedule 3, (iii) and (iv) only), 1e(vi), 1e(vii), 1g, 2 (in respect of Schedule 6 (i) only), 3a, 3b, 3c, 3d, 3e, 4a, 4b, 4c, 7 and 8.

Facts proved:

Charges 1a(i) (in respect of Schedule 1, (i), (ii), (iv), (v), (vi) and (vii)), 1a(iv), 1b(i) (in respect of Schedule 2 (i) and (v)), 1b(ii)(d), 1b(vi), 1b(vii), 1c, 1d(i) (in respect of Schedule 3 (i) and (ii)) 1d(ii), 1e(i) (in respect of Schedule 4 (i), (ii), (iii), (iv), (vi), (viii), (ix), (x) and (xi)), 1e(ii), 1e(iv), 1e(v)(b), 1f(i) (in respect of Schedule 5 (i), (ii), (iii), (iv), (v), (vi)) 1f(ii), 1f(iii), 2 (in respect of Schedule 6 (ii), (iii), and (iv)), 6a, 6b, 6c, 6d, 9, 10 (in respect of 3d only) and 11

Facts not proved:

Charges 1a(iii), 1b(i) (in respect of Schedule 2 (ii), (iii), (iv), (viii), (ix)), 1e(i) (in respect of Schedule 4 (v) and (vii)), 1e(iii), 1e(v)(a), 1e(v)(c), 5 and 12

Fitness to practise:

Impaired

Sanction:

Striking-off order

Interim order:

Interim suspension order (18 months)

Final outcome:

FTP impaired - striking off order

Details of charge

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:

a. In relation to Colleague B:

- i. Made one or more of the comments to her and/or asked her one or more of the questions set out in Schedule 1 or used words to that effect. **[PROVED]**
- ii. Put your arm around her and/or gave her a side hug. **[ADMITTED]**
- iii. On one or more occasion stroked her hair. **[NOT PROVED]**
- iv. Took a document out of her breast pocket and/or when putting it back asked her to lean forward. **[PROVED]**

b. In relation to Colleague C:

- i. Made one or more of the comments to her and/or asked her one or more of the questions set out in Schedule 2 or used words to that effect. **[PROVED]**
- ii. On one or more occasion:
 - a. Contacted her on her personal phone. **[ADMITTED]**
 - b. Shared with her confidential information about other colleagues and/or patients. **[ADMITTED]**
 - c. Waited for her at the end of her shift. **[ADMITTED]**
 - d. Stared at her chest and/or said that you were trying to see through her top. **[PROVED]**
 - e. Stroked her arm and/or tried to hug her. **[ADMITTED]**
- iii. Asked her to get in your car. **[ADMITTED]**
- iv. Messaged her to say that you’d seen a short black dress and/or that you could imagine her in it. **[NO CASE TO ANSWER]**
- v. Asked her to stay until the evening as you wanted to see her before she went home. **[ADMITTED]**
- vi. Put your hand up the back of her top. **[PROVED]**

- vii. Put your hands between her thighs and/or pulled her legs open and/or made a thrusting motion whilst leaning over her. **[PROVED]**
- viii. Contacted her after you had been suspended from the Hospital. **[ADMITTED]**
- c. On a date in the Summer of 2022 stroked Colleague D's ankle and/or said words to the effect of "*oh someone's shaved*". **[PROVED]**
- d. In relation to Colleague E:
 - i. Made one or more of the comments to her set out in Schedule 3 or used words to that effect. **[PROVED]**
 - ii. Said that you would text her on her personal number. **[PROVED]**
- e. In relation to Colleague F:
 - i. Made one or more of the comments to her and/or asked her one or more of the questions set out in Schedule 4 or used words to that effect. **[PROVED]**
 - ii. Asked her for her personal mobile number and/or where she lived. **[PROVED]**
 - iii. Asked her to remove her mask and/or said that you just wanted to see her lips. **[NOT PROVED]**
 - iv. Commented on her appearance and/or told her that you missed her. **[PROVED]**
 - v. On one or more occasion:
 - a. Touched her legs and/or her knee. **[NOT PROVED]**
 - b. Took and/or stroked her hand. **[PROVED]**
 - c. Brushed her arms or waist. **[NOT PROVED]**
 - vi. Contacted her on her personal mobile phone. **[ADMITTED]**
 - vii. Told her confidential information about other colleagues and/or patients in the hospital. **[ADMITTED]**
- f. In relation to Colleague G:

- i. Made one or more of the comments to her and/or asked her one or more of the questions set out in Schedule 5 or used words to that effect. **[PROVED]**
 - ii. On one or more occasion touched her hair. **[PROVED]**
 - iii. Looked at her bottom and/or said “*I know exactly where you’re going to put that*” in relation to her lunch. **[PROVED]**
 - g. Told Colleague H that Colleague A was under investigation for grooming a patient. **[ADMITTED]**
2. Whilst employed as a Nurse Specialist Advisor to the CQC on 9 May 2023 made one or more of the comments to Person 1 and/or asked her one or more of the questions set out in Schedule 6 or used words to that effect. **[PROVED]**
3. In relation to your Nurse Specialist Advisor role at the CQC:
- a. Failed to inform the CQC that you had been under investigation and/or dismissed from the Active Care Group. **[ADMITTED]**
 - b. At a meeting with the CQC on 4 July 2023 said that your reason for leaving your full-time job in August 2022 was to care for your spouse as opposed to informing them that you had been dismissed. **[ADMITTED]**
 - c. Submitted a Personal Contact and Employment details form to the NMC on 21 August 2023 which failed to mention your employment at the CQC. **[ADMITTED]**
 - d. During the interim order hearing on 22 August 2023 failed to correct your representative and/or inform the panel that your CQC role did require NMC registration. **[ADMITTED]**
 - e. Failed to inform the CQC that you were subject to interim conditions of practice. **[ADMITTED]**
4. Breached your NMC interim conditions of practice order and/or demonstrated a lack of integrity in that you:
- a. Failed to provide the CQC with a copy of the conditions as required by condition number 8. **[ADMITTED]**

- b. Failed to inform the NMC that on 19 September 2023 the investigation at the CQC had proceeded to a disciplinary hearing as required by condition number 9. **[ADMITTED]**
 - c. Failed to inform the NMC that you had stopped working for the CQC as required by condition number 6. **[ADMITTED]**
- 5. Informed an NMC panel at a review hearing on 4 December 2023 that you had informed the CQC in October 2022 of your dismissal from the Hospital when this was not the case. **[NOT PROVED]**
- 6. Your conduct at any or all of the charges 1a – 1f and 2:
 - a. Was sexual in nature. **[PROVED]**
 - b. Was a breach of professional boundaries. **[PROVED]**
 - c. Intended to cause colleagues to feel harassed and/or abused and/or intimidated. **[PROVED]**
 - d. Was sexually motivated in that you intended to pursue a sexual relationship with Colleague B and/or Colleague C and/or Colleague E and/or Colleague F and/or Colleague G and/or Person 1. **[PROVED]**
- 7. Your conduct at charges 1b(ii)(b) and/or 1e(vii) and/or 1g was a breach of confidentiality. **[ADMITTED]**
- 8. Your conduct at charge 1b(viii) demonstrated a lack of integrity in that you knew that you should not be contacting colleagues and/or discussing the investigation with them. **[ADMITTED]**
- 9. Your actions at charges 3a and/or 3b above were dishonest in that you were deliberately trying to conceal from the CQC that you had been dismissed from the Hospital. **[PROVED]**
- 10. Your actions at charges 3c and/or 3d above were dishonest in that you were trying to conceal from the NMC that your CQC role required NMC registration and/or that you were under investigation by them. **[PROVED, in respect of 3d only]**

11. Your actions at charge 3e were dishonest in that you knew you were under a duty to inform employers about your conditions. **[PROVED]**

12. Your actions at charge 5 were dishonest in that you knew that you had not informed the CQC. **[NOT PROVED]**

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

Schedule 1

- i. Referred to her by her first name *"with the big eyes"*. **[PROVED]**
- ii. *"You don't want to know what I was thinking"*. **[PROVED]**
- iii. *"I can see your bra through your top"*. **[ADMITTED]**
- iv. *"When are you going to tell your mum about us?"* and/or *"age is nothing but a number"*. **[PROVED]**
- v. *"Do you have a boyfriend?"* **[PROVED]**
- vi. *"I hope you're not giving your vagina out for free"*. **[PROVED]**
- vii. *"If I piss you off, you will go home and sleep with your partner and say sorry, Rennie has stressed me out so I need to relieve my stress"*. **[PROVED]**

Schedule 2

- i. *"Do you have a partner?"*. **[PROVED]**
- ii. In relation to her partner said *"he must not be getting anything"* and/or *"he must be missing you"*. **[NOT PROVED]**
- iii. Colleague I *"would be a squirter in bed"*. **[NOT PROVED]**
- iv. *"You would be a screamer in bed"*. **[NOT PROVED]**
- v. *"How's your intimate life?"*. **[PROVED]**
- vi. In relation to dyeing a patient's hair said *"your breasts could accidentally get close to the patient"*. **[ADMITTED]**
- vii. *"I'm coming over to see you later"*. **[ADMITTED]**

- viii. *"I'll need a cold shower after seeing you". [NOT PROVED]*
- ix. In relation to stroking her arm said *"I bet that touching made you wet". [NOT PROVED]*

Schedule 3

- i. *"Make sure you wear colourful clothes tomorrow or I'll scratch your car". [PROVED]*
- ii. In relation to her jeans said *"I like those". [PROVED]*
- iii. Said *"wishful thinking"* when discussing the possibility of having breakfast with her. **[ADMITTED]**
- iv. *"Look into my eyes for a minute". [ADMITTED]*

Schedule 4

- i. *"You're looking good today". [PROVED]*
- ii. *"How do you not have a husband/boyfriend?". [PROVED]*
- iii. *"I can take you to stand on the corner of the M4 and you'll pick up loads of guys" [PROVED]*
- iv. *"What's wrong with hookers, I have met and worked with many of them and...you'd get a lot of men looking at you". [PROVED]*
- v. In reference to her being a senior support worker said *"you have to be more professional so you can dress a lot sexier now". [NOT PROVED]*
- vi. *"I know where you live". [PROVED]*
- vii. In relation to a sealed box of condoms in the desk drawer said *"I've put things in place so that if someone asked or if something were to happen, I have these assurances". [NOT PROVED]*
- viii. *"Have you slept with your partner?" and/or "what sexual positions were used". [PROVED]*
- ix. *"Did you have wild sex and christen every single room last night". [PROVED]*
- x. *"Now that's a good outfit" and/or "now I can see you figure". [PROVED]*
- xi. *"I like you in your dresses". [PROVED]*

Schedule 5

- i. *"If I wanted a female, I could get any that I want, I don't need to be in the workplace"*. **[PROVED]**
- ii. *"Do you have a boyfriend?"*. **[PROVED]**
- iii. *"How often do you have sex?" and/or "do you do it regularly?"*. **[PROVED]**
- iv. *"Have you had sex in any extravagant places?"*. **[PROVED]**
- v. *"What do you wear to sleep?" and/or "Do you sleep naked?"*. **[PROVED]**
- vi. *"Do you ever get heated so much that you need it right here right now?"*. **[PROVED]**

Schedule 6

- i. *"It's like the old 0900 numbers, you can hear them but you can't see what you get"*. **[ADMITTED]**
- ii. *"I've looked through pictures on your phone trying to find the breastfeeding ones but without the baby"*. **[PROVED]**
- iii. *"I'll message your partner to say we've been messaging"*. **[PROVED]**
- iv. *"What is he going to think if I've been messaging you, will he think we were having an affair?"*. **[PROVED]**

Background

You were referred to the Nursing and Midwifery Council ('NMC') on 3 August 2022 by Ms Edyta Jaworska, a HR Business Partner at the Active Care Group ('ACG'), and Mr Roger James at the Care Quality Commission ('CQC').

You joined ACG on 15 March 2021 as an Interim Compliance and Risk Transformation Head, until you were appointed as the Head of Nursing at the Hospital. The Hospital is a secure mental health unit for children aged between 11 and 17 years old.

In June 2022, allegations were made by two colleagues that you had made sexually inappropriate comments towards them and had touched them inappropriately. In light of the allegations, you were suspended from the Hospital on 8 July 2022 pending investigation into these matters.

During the investigation, it is alleged that you had been sexually inappropriate with eight colleagues. It is further alleged that you contacted Colleague C which was in breach of your suspension conditions from the Hospital. You were subsequently dismissed from your role as Head of Nursing for gross misconduct.

At the time of the alleged incidents at the Hospital, you were also working in a self-employed role as a Specialist Advisor ('SpA') for the CQC, for which you required a nursing registration. On 9 May 2023, you attended St Catherine's View Care Home ('the Home') for a CQC inspection. It is alleged that you made inappropriate comments to a Nurse Practitioner during this visit. The Home raised the concerns with the CQC, and it was determined that your case should be referred to a disciplinary hearing. On 24 September 2023, before the disciplinary hearing could take place, you resigned from your role with the CQC.

In October 2023, the Deputy Director of the CQC shared their concerns regarding the allegations at the Home. The NMC became aware of your employment with the CQC, and it is alleged that the CQC was not aware that you were subject to an interim conditions of practice order at this time.

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

Dr Persaud, on behalf of the NMC, made a request that this case be held partly in private on the basis that proper exploration of your case involves reference to the health and personal matters of Colleague B and Colleague H, who are due to attend this hearing and give evidence. The application was made pursuant to Rule 19 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', ('the Rules').

Ms Herbert, on your behalf, indicated that she did not oppose the application.

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

The panel determined to go into private when the health and personal matters of Colleague B and Colleague H arise, in order to protect all parties' right to privacy.

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

Dr Persaud made a further request that this case be held partly in private on the basis that this hearing is scheduled for a long period, and the panel will be hearing from several witnesses who will likely refer to their health in their evidence. The application was made pursuant to Rule 19 of the Rules.

Ms Herbert indicated that she did not oppose the application. She submitted that you may also make reference to your health during your evidence, and she requested that the application for health matters to be heard in private be extended to you.

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 third party, or by the public interest.

The panel determined to go into private when matters relating to any party's health and private matters are raised, in order to protect all parties' right to privacy.

Decision and reasons on application for special measures in respect of Colleague D

Dr Persaud made an application pursuant to Rule 23(1)(e) of the Rules for you to turn your camera off whilst Colleague D (Witness 3) is giving her evidence. She submitted that given the nature of the charges in this case, and that Colleague D is the alleged victim, she is a vulnerable witness, and the Rules provide that special

measures can be taken to allow Colleague D to give her best evidence. She submitted that Colleague D also has a person sitting out of view of the camera to support her.

Ms Herbert did not oppose the application.

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

The panel determined that Rule 23(1)(e) applies in this instance and that Colleague D is a vulnerable witness, given the nature of the charges and that she has NMC Public Support Service ('PSS') support. In light of this, the panel determined that you would turn your camera off and that Colleague D may have a support person with her whilst giving her evidence. The panel directed that the person supporting Colleague D should be visible on the screen to prevent any verbal or nonverbal influence on Colleague D's evidence. The panel concluded that Colleague D's request is proportionate and would allow her to give her best evidence, and that there is no prejudice or unfairness to you by granting this application.

Decision and reasons on application for special measures in respect of Colleague E

Dr Persaud made an application pursuant to Rule 23(1)(e) of the Rules for you to turn your camera off whilst Colleague E (Witness 4) is giving her evidence. She submitted that given the nature of the charges in this case, and that Colleague E is the alleged victim, she is a vulnerable witness, and the Rules provide that special measures can be taken to allow Colleague E to give her best evidence.

Ms Herbert did not oppose the application.

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

The panel determined that Rule 23(1)(e) applies in this instance and that Colleague E is a vulnerable witness, given the nature of the charges. In light of this, the panel determined that you would turn your camera off whilst Colleague E is giving her

evidence. The panel concluded that Colleague E's request is proportionate and would allow her to give her best evidence, and that there is no prejudice or unfairness to you by granting this application.

Decision and reasons on application for special measures in respect of Colleague F

Dr Persaud made an application pursuant to Rule 23(1)(e) of the Rules for you to turn your camera off whilst Colleague F (Witness 6) is giving her evidence. She further informed the panel that Colleague F is supported by a member of the NMC PSS team who will appear on screen. She submitted that given the nature of the charges in this case, and that Colleague F is the alleged victim, she is a vulnerable witness, and the Rules provide that special measures can be taken to allow Colleague F to give her best evidence.

Ms Herbert did not oppose the application.

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

The panel determined that Rule 23(1)(e) applies in this instance and that Colleague F is a vulnerable witness, given the nature of the charges. In light of this, the panel determined that you would turn your camera off whilst Colleague F is giving her evidence. The panel concluded that Colleague F's request is proportionate and would allow her to give her best evidence, and that there is no prejudice or unfairness to you by granting this application.

Decision and reasons on application for special measures in respect of Colleague C

Dr Persaud made an application pursuant to Rule 23(1)(e) of the Rules for you to turn your camera off whilst Colleague C (Witness 2) is giving her evidence. She further informed the panel that Colleague C [PRIVATE] would prefer to have her camera switched off whilst she gives evidence in order to allow her to focus on giving her best evidence. She submitted that given the nature of the charges in this case,

and that Colleague C is the alleged victim, she is a vulnerable witness, and the Rules provide that special measures can be taken to allow Colleague C to give her best evidence.

Ms Herbert did not oppose the application in respect of you turning your camera off whilst Colleague C is giving evidence. Ms Herbert did oppose the application in respect of Colleague C turning her camera off whilst giving evidence. She submitted that having her camera off would prevent her, Dr Persaud and the panel from assessing Colleague C's demeanour whilst she is giving evidence. She submitted that this could be problematic and would not be in accordance with most special measures' applications.

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

The panel determined that Rule 23(1)(e) applies in this instance and that Colleague C is a vulnerable witness, given the nature of the charges. In light of this, the panel determined that you would turn your camera off whilst Colleague C is giving her evidence. The panel concluded that Colleague C's request is proportionate and would allow her to give her best evidence, and that there is no prejudice or unfairness to you by granting this application in this respect.

The panel rejected the application in respect of Colleague C turning her camera off. The panel determined that as Colleague C does not have PSS support in the hearing, it is a matter for the panel to safeguard Colleague C whilst she gives her evidence, which includes being able to assess whether she may need to take a break or if she requires further support. The panel also considered that the application for Colleague C's camera to be turned off would be unfair to you. The panel considered if there was any way using the MS Teams platform to prevent you from seeing Colleague C, and it was informed by the Hearings Coordinator that you could dial in via telephone. However, the panel noted that this would prevent you from being able to see your advocate and also the panel's reaction to Colleague C's evidence, and therefore it would be unfair for you to dial in via telephone.

Decision and reasons on application to amend charge 1b(iv)

Dr Persaud made an application pursuant to Rule 28 of the Rules to amend charge 1b(iv) in light of the evidence given by Colleague C. She submitted that in Colleague C's written statement, she indicated that you made the alleged comment over text message. She invited the panel to amend this charge in light of Colleague C's oral evidence that you made the alleged comment during a telephone call. Dr Persaud proposed that this amendment would better reflect the evidence that the panel has heard, and that it would be fair to you to amend the charge as it does not fundamentally change the mischief of the charge. She submitted that the case of *PSA v NMC & Jozi* [2015] EWHC 764 reinforced that panels should play a more active role in ensuring that charges brought by the regulator adequately reflect the mischief of the case. The proposed amendment is as follows:

"That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital ("the Hospital") of Active Care Group, between 12 July 2021 and 3 August 2022:

b. In relation to Colleague C (FA):

- iv. ~~Message her~~ **Telephoned and/or spoke to her** to say that you'd seen a short black dress and/or that you could imagine her in it."

Ms Herbert opposed the application. She submitted that whether an amendment is fair will depend on the nature of the allegation made. She submitted that the case of *Jozi* applies in cases where the panel have a duty to prevent a registrant being undercharged. She submitted that your case is not one that is undercharged. She submitted that Colleague C signed a statement of truth in respect of her witness statement that the alleged comment was made over text. She submitted that Colleague C's oral evidence that you must have made the alleged comment over the telephone is not grounds for the charge to be amended, and that sometimes

evidence does not support a charge. She submitted that it would be unfair to amend the charge retrospectively in light of how the evidence had been presented.

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

The panel determined that it would be unfair to you to amend the charge retrospectively in light of the inconsistencies with Colleague C's evidence. The panel considered that the evidence of the text messages has been before the NMC for some time, and therefore any amendment should have been applied for before the panel heard Colleague C's evidence. The panel was of the view that it would set a harmful precedent that any inconsistency in a witness's evidence could result in the charge being amended to better reflect their oral evidence. The panel considered that it would be a matter for it to consider the weight and credibility of the evidence for this charge at a later time. The panel was mindful of its duty to be proactive and to ensure that the case is properly charged. However, it was satisfied that by refusing the application to amend this charge, this case would not be undercharged given the number and breadth of the charges in your case. Therefore, the panel rejected the application to amend the charge.

Decision and reasons on application to admit Colleague B/Witness 1's written statement and exhibited investigation meeting notes as hearsay evidence

The panel heard an application made by Dr Persaud under Rule 31 to allow the written statement and exhibited investigation meeting notes of Colleague B, who is Witness 1 in these proceedings, into evidence. Witness 1 was not present at this hearing and, whilst the NMC had made sufficient efforts to ensure that this witness was present, she was unable to attend today ... [PRIVATE]. Dr Persaud submitted that the evidence is highly relevant and was produced for the purpose of the internal investigations and the NMC investigation into these allegations.

[PRIVATE].

Dr Persaud submitted that Witness 1 has engaged and cooperated with the NMC in order to provide as much information as possible regarding her non-attendance. She

submitted that Witness 1's evidence is not sole and decisive. She submitted that Witness 1's evidence is supported by other witnesses' accounts of similar allegations and is supported by other contemporaneous documentary evidence. Dr Persaud submitted that the panel may consider that the similarity in the allegations suggests that it is unlikely that they occurred independently and are representative of a pattern of behaviour. She invited the panel to consider the similarity of the allegations, the lack of collusion and the consequential unlikelihood of coincidence.

Dr Persaud submitted that the evidence is relevant to the allegations. She submitted that the panel has heard about the nature and extent of the challenge to Witness 1's evidence, and that the NMC accepts that you will not have an opportunity to cross-examine Witness 1. However, she submitted that this does not render the evidence inadmissible. She submitted that it would be a matter for the panel to determine what, if any, weight is attached to Witness 1's evidence.

Dr Persaud submitted that the NMC has taken all reasonable steps to try to secure Witness 1's attendance at this hearing. She submitted that Witness 1 has fully engaged and was willing to attend the hearing to give evidence. She submitted that you did have prior notice that the witness statement would be read, and that you were put on notice at the earliest opportunity when the NMC learned that Witness 1 may not be able to attend.

Ms Herbert submitted that it would be unfair to admit the written statement of Witness 1 as hearsay evidence. She accepted that the evidence of Witness 1 is relevant to the allegations, but that this was a matter of fairness. She submitted that the panel should first consider whether to admit the evidence as hearsay evidence and then, if admitted, the panel should consider what weight, if any, to attach to the evidence.

Ms Herbert submitted that Witness 1's evidence is the sole or decisive evidence of some of the allegations made against you. She submitted that there is no direct, contemporaneous evidence that corroborates Witness 1's evidence. She submitted that Witness 1's evidence cannot be said to be demonstrably reliable as there is no corroborative evidence in support of these specific allegations.

Ms Herbert submitted that you deny almost all of the allegations made by Witness 1, and therefore the challenge in relation to these allegations is almost in its entirety. She submitted that it would be unfair to admit the evidence as you cannot test the voracity of Witness 1's evidence in cross examination. Ms Herbert submitted that the charges are of a serious nature, and that any adverse findings of fact would have a significant negative impact on your career. She submitted that it would be unfair if the only evidence in support of these charges was hearsay evidence.

Ms Herbert submitted that there may be a good and cogent reason for Witness 1's non-attendance. [PRIVATE]. She submitted that this does not outweigh or counterbalance the argument that it would be unfair to admit the evidence as hearsay evidence. She submitted that reasonable steps may have been taken to secure Witness 1's attendance at this hearing, and that some prior notice was given that Witness 1 may be unable to attend. However, she submitted that these are not key features for the panel to consider, and that it is a matter of fairness as to whether the evidence should be admitted.

The panel heard and accepted the legal assessor's advice on the issues it should take into consideration in respect of this application. This included that Rule 31 provides that, subject to the requirements of relevance and fairness, a panel may accept evidence in a range of forms and circumstances, whether or not it is admissible in civil proceedings. The legal assessor also provided the panel with a copy of the written judgment in the case of *Thorneycroft v NMC* [2014] EWHC 1565 (Admin) and advised generally on the principles of the cross admissibility of evidence. He informed the panel that, should it determine to admit the evidence as hearsay evidence, he will provide further advice on the cross admissibility of evidence at the fact-finding stage.

The panel gave the application in regard to Witness 1 careful consideration. It bore in mind the principles set out in the case of *Thorneycroft*.

The panel is satisfied that Witness 1's evidence is relevant to the allegations in charge 1a and Schedule 1 and relate to allegations made by Witness 1, namely that you acted inappropriately towards her specifically.

The panel next considered whether it would be fair to admit the written statement of Witness 1 as hearsay evidence. In so doing, the panel applied the principles set out in paragraph 45 of the judgment in *Thorneycroft*, and undertook a balancing exercise, taking into account the factors listed in paragraph 56 of the judgment.

The panel was of the view that the evidence of Witness 1 is the decisive evidence in relation to charge 1a and Schedule 1. The panel noted that the charges are of a similar nature to the allegations made by other witnesses. However, it considered that charge 1a and Schedule 1 relate specifically to allegations made by Witness 1 and there is no other direct evidence of these allegations.

Having determined that the evidence is decisive, the panel next considered whether the evidence is demonstrably reliable or if there are other ways of testing its reliability. The panel considered that there is no other evidence that corroborates the evidence of Witness 1, and therefore it cannot be said to be demonstrably reliable. The panel took into account Dr Persaud's submission that other witnesses have made allegations of a similar nature. However, the panel is not satisfied that this renders the evidence of Witness 1 as demonstrably reliable. The panel further noted that Colleague F, in her evidence, stated that her individual investigation meeting notes had been inaccurately recorded. Witness 1 has provided evidence with her NMC witness statement of her investigatory meeting notes, and so any inaccuracies cannot be challenged or explored during her oral evidence. The panel considered that this further indicates that the evidence is not demonstrably reliable. Furthermore, the panel concluded that there is also no other way of testing the evidence of Witness 1.

The panel considered the other factors listed in paragraph 56 of *Thorneycroft* to determine whether it would be fair to admit Witness 1's evidence as hearsay evidence. The panel noted that these allegations are almost entirely challenged by you. It noted that these charges are very serious, and any adverse findings would

have a significant impact on you and your career. The panel noted Ms Herbert's submission that Witness 1 *"did not like you"*, but the panel had no evidence before it to substantiate that claim. The panel was therefore satisfied that there is no evidence before it that Witness 1 had any reason to fabricate the allegations. [PRIVATE]. The panel was satisfied that the NMC has taken reasonable steps to secure Witness 1's attendance at this hearing [PRIVATE]. The panel noted that you were told about the possibility of Witness 1 being unable to attend to give evidence at the earliest opportunity. The panel was satisfied that you were informed that Witness 1 may not attend the hearing on the first day of the hearing [PRIVATE].

When balancing the above factors, the panel also bore in mind the NMC Guidance DMA-6 *Evidence* (last updated: 9 June 2025) which states that:

"Evidence may be unfair where it cannot be challenged."

The panel determined that it would not be fair to admit Witness 1's evidence as hearsay. In reaching this decision, the panel found that the evidence of Witness 1 is the decisive evidence in relation to charge 1a and Schedule 1. It further considered that the charges are of a serious nature which if found proved, would have an adverse impact on you and your career. The panel determined that it would be unfair to admit the evidence as hearsay, depriving you of the opportunity to challenge it.

The panel noted that fairness is a balancing act, and that the NMC may be disadvantaged by this decision. However, the panel considered that fairness to you outweighed any disadvantage in this instance. Therefore, the panel rejected the NMC's application to admit the hearsay evidence of Witness 1.

Decision and reasons on application to adjourn the hearing until 25 September 2025

The panel was informed that the NMC had made further inquiries into whether Colleague B could attend within these listed dates in light of the panel's decision on the application to admit Colleague B's written statement as hearsay evidence. Dr Persaud informed the panel that Colleague B would be able to attend the hearing on

25 September 2025 from 11:00. Dr Persaud requested that the hearing be adjourned until 25 September 2025 in order to allow Colleague B to give her evidence.

The panel determined that in the interest of fairness, the hearing should adjourn to allow Colleague B to attend and give evidence. The hearing adjourned until 25 September 2025.

Decision and reasons on application for special measures in respect of Colleague B

Dr Persaud made an application pursuant to Rule 23(1)(e) of the Rules for you to turn your camera off whilst Colleague B (Witness 1) is giving her evidence. She further submitted that Colleague B has requested that you dial in to the hearing so that you cannot see her whilst she is giving her evidence. Colleague B has informed the NMC that she is uncomfortable knowing that you can see her whilst she is giving evidence. She submitted that given the nature of the charges in this case, and that Colleague B is the alleged victim, she is a vulnerable witness, and the Rules provide that special measures can be taken to allow Colleague B to give her best evidence.

Ms Herbert did not oppose the application in respect of you having your camera turned off. Ms Herbert opposed the application in respect of Colleague B having her camera turned off, or you dialling in to the hearing. She submitted that it is important that the panel and both advocates are able to see Colleague B whilst she gives her evidence. She further submitted that it would be unfair to you to dial into the hearing as you may struggle to follow the proceedings and it could be prejudicial for you not to be able to see you advocate.

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

The panel determined that Rule 23(1)(e) applies in this instance and that Colleague B is a vulnerable witness, given the nature of the charges. In light of this, the panel determined that you would turn your camera off whilst Colleague B is giving her evidence. The panel concluded that in this respect, Colleague B's request is

proportionate, would allow her to give her best evidence and that there is no prejudice or unfairness to you by granting this application.

In respect of you or Colleague B dialling in, the panel determined that, although Colleague B is supported by a member of the PSS team, it is a matter for the panel to safeguard Colleague B whilst she gives her evidence, which includes being able to assess whether she may need to take a break or if she requires further support. The panel also considered that the application for you to dial into the hearing would be unfair to you. The panel noted that this would prevent you from being able to see your advocate and also the panel's reaction to Colleague B's evidence, and therefore it would be unfair for you to dial in via telephone.

Decision and reasons on application of no case to answer in relation to charge 1b(iv)

At the close of the NMC's case, Ms Herbert made an application under Rule 24(7) that there is no case to answer in relation to charge 1b(iv). She submitted that under the second limb of the test of *R v Galbraith* [1981] 1 WLR 1039, the evidence given in respect of charge 1b(iv) taken at its highest, is so weak or tenuous that a tribunal, properly directed, could not find the facts proved.

Ms Herbert submitted that in her signed witness statement Colleague C stated that you made the comment that you had seen a black dress and that you could imagine her in it in a text message to her. She submitted that evidence of this message has not been provided. She further submitted that in her live evidence, Colleague C stated that the comment must have been made over the telephone. She submitted that the evidence is so inconsistent and tenuous that the panel could not find charge 1b(iv) proved. Therefore, she submitted that the second limb of *Galbraith* applies, and the panel should find that there is no case to answer in respect of charge 1b(iv).

Dr Persaud opposed the application. She submitted that Colleague C has maintained both in her written statement and live evidence that this comment was made. She submitted that there is evidence in respect of this charge. She submitted that it is a matter for the panel to consider any inconsistencies in its deliberations on

credibility and reliability. She submitted that the mischief of the charge is that you had inappropriate direct communication with Colleague C, and there is evidence before the panel that you did have such communications.

Dr Persaud submitted that the ruling in *R v Shippey* [1988] Crim LR 767 directs that the panel should assess the entirety of the prosecution's evidence, not just the strongest parts. She submitted that the evidence before this panel is not so weak, tenuous or inconsistent that the panel could not make a decision on the charge and therefore the application of no case to answer should be rejected.

Ms Herbert clarified that the allegation before the panel is that you messaged Colleague C that you had seen a black dress and that you could imagine her in it. She submitted that the NMC has made an application, which was subsequently rejected by this panel, to amend the wording of the charge which suggests that the panel could make a decision on whether the comment was made over a text or a phone call. She submitted that it is not a matter for the panel at this stage to consider this charge in respect of the other charges, but rather to consider what, if any, evidence is before the panel at this stage. She submitted that there is no evidence of a message to this effect before the panel and therefore invited the panel to accept the application of no case to answer.

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

The panel had regard to the evidence before it in respect of charge 1b(iv), the submissions of Ms Herbert and Dr Persaud, and the legal assessor's advice. The panel first considered whether there is any evidence before it in relation to charge 1b(iv). The panel is satisfied that Colleague C has provided some evidence in relation to charge 1b(iv).

The panel next considered whether this evidence was so weak, tenuous or inconsistent that taken at its highest, a panel properly directed could not make a finding on the fact of the charge. The panel considered the wording of the charge and noted that it specifies that you allegedly messaged Colleague C words to the effect that you saw a black dress and could imagine her wearing it. The panel

interpreted the word “messed” to mean a text message. It noted that the NMC had made an application to amend the wording of the charge to better reflect Colleague C’s evidence, which infers that the panel could make a finding on the charge as it is drafted.

The panel considered the text messages and voicemail transcripts between you and Colleague C as well as Colleague C’s oral evidence. It noted that Colleague C stated that there were several phone calls between the two of you that were not recorded, but the panel considered that Colleague C had been able to recall clearly other specific examples of alleged comments made but not this comment, which contradicted the account given in her witness statement. The panel therefore considered that this left the remaining evidence in relation to charge 1b(iv) weak and inconsistent.

The panel could find no other evidence in the documents before it that there is a message in which you made this comment. The panel determined that the second limb of the *Galbraith* test applies and that a panel, properly directed, would not be able to find this charge proved based on the evidence before it at this stage. Therefore, the panel concluded that you have no case to answer in respect of charge 1b(iv).

At this stage, the panel handed down its determination thus far and adjourned prior to the opening of your case. The hearing was scheduled to resume in 2026 with listing days to be confirmed.

Decision and reasons on facts

The hearing resumed on 5 October 2026.

At the outset of the hearing the panel heard from Ms Herbert that you made full admissions to the following charges: 1a (in respect of Schedule 1, (iii) only), 1b(i) (in respect of Schedule 2, (vi) and (vii) only), 1b(ii)(a), 1b(ii)(c), 1b(ii)(e), 1b(v), 1b(viii), 1d(i) (in respect of Schedule 3, (iii)), 1e(vii), 1g, 2, (in respect of Schedule 6 (i) only), 3b, 3c, 3d, 3e, 4a, 4b, 4c and 8.

The panel therefore finds the above charges proved in their entirety, by way of your admissions.

During the course of this hearing, you made further admissions to some of the charges, and these were confirmed in Ms Herbert's closing submissions. As a result of these further admissions, the panel therefore finds the following charges proved: charges 1a(ii), 1b(i) (in respect of Schedule 2, (vii)), 1b(ii)(b), 1d(i) (in respect of Schedule 3, (iv)), 1e(vi), 3a and 7.

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

The panel was aware that the burden of proof rests on the NMC, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that a fact will be proved if a panel is satisfied that it is more likely than not that the incident occurred as alleged.

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

- Witness 1/Colleague B: Senior Support Worker at the Hospital during the time of the alleged incidents.
- Witness 2/Colleague C: Support Worker at the Hospital during the time of the alleged incidents.
- Witness 3/Colleague D: Nursing Associate at the Hospital during the time of the alleged incidents.

- Witness 4/Colleague E: Mental Health Nurse at the Hospital during the time of the alleged incidents.
- Mary Enderson/Colleague H: Clinical Team Leader at the Hospital during the time of the alleged incidents.
- Witness 6/Colleague F: Support Worker/Assistant Psychologist at the Hospital during the time of the alleged incidents.
- Witness 7/Colleague G: Support Worker/Mental Health Administrator at the Hospital during the time of the alleged incidents.
- Witness 8/Person 1: Nursing Associate at the Home during the time of the alleged incidents.
- Ramonita Dinamling: Nurse at the Home during the time of the alleged incidents.
- Razia Khan: Senior Human Resources Advisor at the CQC.
- Geraldine Wilkinson: Operations Manager at the CQC and the Independent Manager appointed to carry out the investigation into the

concerns about you by the
Home.

The panel also took into account the written statements of Edyta Jaworska, Warren Irving, Joanne Johnson, Elizabeth Jones, Michael Thurgood and Roger James.

The panel also heard evidence from you under oath.

The panel was mindful that the way some of the charges have been drafted is unusual; namely the number of comments included in the schedules, and the way that charges 6c and 6d have been particularised.

The panel took into consideration that there was no application by the NMC to amend the wording of these charges. Furthermore, during his closing submissions, Mr Kennedy acknowledged that the wording of these charges was unusual but submitted that in fairness to you, the panel should proceed with the charges as drafted.

The panel noted that the wording of the charges relating to the schedules could be found proved if one comment included in the schedule is found proved. However, the panel was of the view that the number of comments that have allegedly been made could impact on its decision-making in relation to seriousness at the next stage. In this regard, the panel determined it would consider if each individual comment contained in the schedules, was found proved or not proved in order to assist it in its decision making at the next stage.

In regard to charge 6c, the panel noted that it alleges that your conduct was *“intended to cause colleagues to feel harassed and/or abused and/or intimidated”* rather than alleging that your conduct had the purpose or effect of causing your colleagues to feel harassed and/or abused and/or intimidated. Given the specific way the NMC have drafted charge 6c, the panel determined that in order to find this charge proved in respect of your conduct at any of charges 1a – 1f and 2, it must be satisfied on the balance of probabilities that you intended to cause colleagues to feel harassed and/or abused and/or intimidated.

In regard to charge 6d the panel noted that it alleges that your conduct was “*sexually motivated in that you intended to pursue a sexual relationship with ...*” The panel noted that the wording of this charge appears to reflect part of the definition of sexual misconduct as set out in *Basson v GMC* [2018] EWHC 505 (Admin). The panel further noted that the way in which charge 6d has been particularised does not reflect more recent case law such as the decision in the cases of *Haris v GMC* [2021] EWCA Civ 763 and *Haddon v UKCP* [2025] EWHC 1628. Given the specific way the NMC have drafted charge 6d, the panel determined that in order to find this charge proved in respect of your conduct at any of charges 1a – 1f and 2, it must be satisfied on the balance of probabilities that your conduct was sexually motivated in that you intended to pursue a sexual relationship with the individual named. The panel determined that it would approach its deliberations with the above in mind. It will consider whether each of the comments in schedules 1 – 6 is proved or not proved.

Before making any findings on the facts, the panel heard and accepted the advice of the legal assessor. In particular, the legal assessor referred to the case of *Professional Standards Authority v General Medical Council & Garrard* [2025] EWHC 318 (Admin) in relation to the cross-admissibility of evidence.

In *Garrard*, Mr Justice Macdonald at paragraph 47 stated that in determining an issue of cross-admissibility, a Tribunal should have regard to a number of relevant factors. The legal assessor advised that evidence may be cross-admissible on two primary grounds; where it may establish propensity to commit the kind of conduct; and/or where it may rebut coincidence.

The legal assessor advised that it is the NMC’s case that the evidence this panel has heard is cross-admissible on the second ground, and therefore the panel must consider the cross-admissibility of evidence on this ground only. The legal assessor advised that the panel would need to consider whether the evidence in question is capable of being cross admitted by evaluating whether there is a sufficient connection and similarity between the facts. He further advised that where the evidence is admitted to rebut coincidence, before attaching weight to the evidence,

the panel must be satisfied that any similarity in the witnesses' evidence cannot be explained by collusion or contamination, before it makes a decision that the allegations are unlikely to be a product of coincidence.

If collusion and contamination are excluded, the panel may determine that the fact of two witnesses making similar allegations reduces the likelihood of there being an innocent explanation for them. The legal assessor further advised that it is not necessary for this panel to find an allegation proved before relying upon the evidence for that allegation in support of another one.

The legal assessor also referred to a number of judgments, including: *R (Dutta) v General Medical Council* [2020] EWHC 1974 (Admin), *Gestmin SGPS S.A v Credit Suisse* [2013] EWHC 3560 (Comm), *Carmarthenshire County Council v Y* [2017] EWHC 36, *Suddock v NMC* [2015] EWHC 3612 (Admin), *Khan v GMC* [2021] EWHC 374 (Admin), *Sawati v GMC* [2022] EWHC 283 (Admin), *R v Adams* [2019] EWCA Crim 1363, *Ivey v Genting Casinos* [2017] UKSC 67, *Basson v GMC* [2018] EWHC 505 (Admin), *Haris v GMC* [2021] EWCA Civ 763 and *Haddon v UKCP* [2025] EWHC 1628 (KB).

Before determining the facts of this case, the panel considered the matter of cross admissibility. The panel first considered whether there is a sufficient connection or similarity between the alleged facts. In respect of charges 1a – 1g, 2 and 6a – 6d, the panel noted that these allegations are by and large sexual allegations made by junior female colleagues. The panel was of the view that in some instances, there is sufficient similarity in the allegations made against you, and that the matter of cross-admissibility may become relevant during its decision making.

The panel next considered whether the possibility of collusion or contamination can be excluded. The panel considered that in your role at ACG, you have described being not well-liked by the members of staff you managed. The panel noted that Colleagues B, C, D, E, F and G all worked in the same location, on the same wards and in close proximity. The panel also noted the context that the staff had been asked to complete a survey, and this had been the topic of conversation amongst them. Several of the witnesses in this case gave evidence that they had spoken to

other members of staff about their experiences with you. The panel could not find any reason to suggest that these colleagues had colluded with each other to make these allegations about you, though it was of the view that the witnesses had the opportunity to discuss matters between themselves prior to making their individual allegations against you. The panel acknowledged that you have described the workplace as being toxic, and this is supported by the findings made by the CQC. In light of this, the panel could not be satisfied that it could exclude the possibility of contamination in respect of Colleagues B, C, D, E, F and G. The panel therefore determined that their evidence was not cross-admissible.

However, the panel considered the evidence of Person 1, who did not work at ACG fell into a different category. There is no evidence before this panel to suggest that Person 1 knew any of the other witnesses making similar allegations in this case. In respect of Person 1, the panel was satisfied that it could exclude the possibility of collusion or contamination. It therefore concluded that if it became relevant to its decision making later on, the panel could consider the evidence of Person 1 as cross-admissible.

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

Charge 1a)i)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:
 - a. In relation to Colleague B:
 - i. Made one or more of the comments to her and/or asked her one or more of the questions set out in Schedule 1 or used words to that effect.

Schedule 1

- i. Referred to her by her first name "*with the big eyes*".
- ii. "*You don't want to know what I was thinking*".
- iii. ...
- iv. "*When are you going to tell your mum about us?*" and/or "*age is nothing but a number*".
- v. "*Do you have a boyfriend?*"
- vi. "*I hope you're not giving your vagina out for free*".
- vii. "*If I piss you off, you will go home and sleep with your partner and say sorry, Rennie has stressed me out so I need to relieve my stress*".

This charge is found proved in respect of Schedule 1 (i), (ii), (iv), (v), (vi) and (vii).

In reaching this decision, the panel took into account the evidence of Colleague B, the Investigation Meeting Notes between Marc Sycamore and Colleague B dated 19 July 2022 and your evidence.

- (i) Referred to her by her first name "*with the big eyes*"

The panel had regard to the Investigation Meeting Notes between Colleague B and Mr Sycamore dated 19 July 2022. When asked whether you had ever commented on her appearance, Colleague B stated:

"only about my big eyes. He said I had lost a lot of weight."

The panel considered that this was a contemporaneous record of what Colleague B was alleging you said to her. The panel also considered that in her witness statement to the NMC dated 13 November 2023, Colleague B confirms:

"Not long after I first met Mr Bartlette, he started calling me '[Colleague B] with the big eyes'"

This account was further supported by Colleague B's live evidence. The panel was of the view that Colleague B gave a consistent account of this comment being made

by you from the contemporaneous record in July 2022 through to her live evidence at this hearing.

The panel also bore in mind your evidence. In your evidence, you explained that there was another member of staff working on the ward with the same first name as Colleague B. You told the panel that other staff members referred to Colleague B as “*with the big eyes*” to distinguish her from the other member of staff with the same name.

In light of the evidence above, the panel was satisfied that on the balance of probabilities, you did on at least one occasion refer to Colleague B as “*with the big eyes*.”

(ii) “*You don’t want to know what I was thinking*”

The panel noted that this comment is alleged to have been said in the same or similar context as Schedule 1(i) above. The panel had regard to the same evidence outlined above.

In the Investigation Meeting Notes, Colleague B stated:

“I had only just met him, he hadn’t long been working here long, and he said I was thinking about your eyes last night, I said yes they are big, as I was walking away, he was going to lock the doors and said that I don’t want to know what he was thinking about my eye’s. He laughed as he said this.”[sic]

In her witness statement, Colleague B further stated:

“On a date I am unable to recall, we crossed paths going through the doors that lead to the reception area. He said to me, “[Colleague B], I was thinking about your eyes last night” and I said, “yes they’re big, I know”. I said this because he frequently said I had big eyes, and I was anticipating what he was going to say about them.”

When Colleague B gave evidence to this panel, she was asked whether she thought it could have been a “joke” comment, to which she said it was hard to tell as you giggled after saying it, and you were wearing a mask at the time. She further stated that she thought it was a bizarre and inappropriate comment to make.

The panel considered that Colleague B had been consistent in her evidence in respect of this allegation. Whilst it noted that you deny this charge, the panel was satisfied that on the balance of probabilities, you had made this comment towards Colleague B.

- (iv) “When are you going to tell your mum about us?” and/or “age is nothing but a number”

The panel had regard to the same evidence as outlined above. It noted that this allegation is made in the Investigation Meeting Notes dated 19 July 2022, and is also alleged in Colleague B’s witness statement dated 13 November 2023, approximately 16 months after ACG’s investigation into the allegations made against you.

In the Investigation Meeting, Colleague B stated the following:

“Another time, I was going on my break, I was walking on the gravel to my car and he was in his car, he saw me and he said so when are you going to tell your mum about us with a smile on his face. I just said you’re really old, he then said Age is nothing but a number. I just try to avoid him. He makes me feel really uncomfortable. I try and have other people in a room with me if I have to meet with him, as I don’t feel comfortable on my own.”

In her witness statement, Colleague B states:

“As I started walking to my car, he put his driver’s side window down and started driving next to me whilst I walked, and was talking to me. During the conversation, he said “when are you going to tell your mum about us?”, or words to that effect. I felt uncomfortable and did not know what to say, but I think I said something to the effect of, “what are you talking about, you are so old”. Mr

Bartlette smiled and said “age is nothing but a number”,and giggled. I cannot remember how the conversation was left, but I recall trying to get to my car as soon as possible”[sic]

Colleague B reiterated this account in her oral evidence to this panel.

The panel also noted your evidence in respect of this allegation. You told the panel that you and Colleague B spoke about her health in regard to her not wanting to do any overtime. You explained that Colleague B had a partner, but her parents did not know about him and therefore this would come up a lot in conversation. You stated that you could not recall making this comment. However, you also stated that it was possible that these allegations had been made against you because some members of staff had received a pay rise, which was subsequently rescinded after three months.

The panel considered that on the whole, Colleague B was a consistent and credible witness. Therefore, the panel was satisfied that it was more likely than not that you made this comment as alleged.

(v) *“Do you have a boyfriend?”*

The panel had regard to the Investigation Meeting Notes dated 19 July 2022. When Colleague B was asked why she would only go into the office with another person, she responded:

“he called us into his office, the other person left, he was asking me if I had a boyfriend, I said yes.”

In her witness statement, Colleague B recounts the incident stating that:

“Whilst Godknows left the room, Mr Bartlette smiled at me and laughed. He was wearing a face mask but I could see through his upper face and eyes that he was smiling. He asked me if I thought he was too hard on Godknows.

What felt like out of nowhere, Mr Bartlette asked me if I had a boyfriend, and I said yes.”

During her oral evidence, Colleague B’s account remained consistent with the Investigation Meeting Notes and her witness statement. The panel also bore in mind your evidence. It noted that you have stated that Colleague B had a boyfriend, that her parents did not know about him and that you had spoken about it previously with her.

The panel considered Colleague B has given consistent and reliable evidence in respect of this comment. The panel also considered that it was clear that a conversation was had between you both regarding her boyfriend. Therefore, the panel determined that it was more likely than not that you asked her whether she had a boyfriend.

- (vi) *“I hope you’re not giving your vagina out for free”*
- (vii) *“If I piss you off, you will go home and sleep with your partner and say sorry, Rennie has stressed me out so I need to relieve my stress”*

Whilst the panel considered these sub charges separately, its consideration of the evidence and reasoning remained the same for both.

The panel considered the Investigation Meeting Notes dated 19 July 2022, in particular:

“I don’t remember exactly how it went, he said make sure you’re not giving your vagina out for free. He was talking about sex and me having sex with my partner, and saying I’m sure you get really stressed at work, and if I piss you off you will go home and sleep with your partner and say sorry Rennie has stressed me out so I need to relieve my stress.”

The panel noted that in her witness statement, Colleague B stated the following:

“He then said, “[Colleague B], I hope you’re not giving your vagina out for free”. He said this with a smirk, and I could see he was smirking through his upper face and the way his eyes were looking at me. I think I said, “no, I’m not, I have a boyfriend”. Then, Mr Bartlette said, “I’m sure you get really stressed at work, and if I piss you off, you will go home and sleep with your partner and say sorry, Rennie has stressed me out so I need to relieve my stress”, or words to that effect. Mr Bartlette said this with reference to me having sex with my partner.”

When she was asked whether she had spoken about this to anyone before in the Investigation Meeting, Colleague B stated:

*“I spoke to **[Freda Agyemang], and said I feel really uncomfortable, she said he sees me as a daughter, I told her no man would treat his daughter like this. I spoke to ** [Eunice] as well. I think [Ms Agyemang] spoke to him because for a while he completely ignored me, he would go out of his way to ignore me and speak with everyone else, he recently started talking to me again once we were asked to go to Thames. He was letting it be known that he was ignoring me”*

In addition, the panel noted that in her witness statement, Colleague B stated:

“After this interaction, I told Eunice and also Freda, separately. I specifically said to Freda that I felt Mr Bartlette was a pervert. I felt that Freda was dismissive of my concerns, as she said “he thinks of you as a daughter”, or words to this effect. Freda said that she spoke to Mr Bartlette about what I told her. I am not sure exactly what she said to Mr Bartlette but after this, he ignored me for a while after.”

During her oral evidence, Colleague B gave evidence that supported this allegation, though she accepted in cross examination that she could not provide specific dates and times for this conversation. Colleague B was asked directly whether she had fabricated the allegations because you “gave her the creeps,” and she responded with “No, no, I’ve got no reason to make up the allegation.”

In cross examination, Colleague B went into detail about the surrounding context, namely that she had been left alone in your office with you after Mr Chigumba left to retrieve supervision forms from his ward. When it was put to her that you had never made any comments of a sexual nature to her, she responded that this is incorrect.

The panel bore in mind that you deny this allegation, and it is your case that the NMC has not provided corroborative evidence from several witnesses who were allegedly present for these conversations or at least had knowledge of the allegations.

However, the panel was of the view that Colleague B has been a credible and consistent witness. It noted that she told Mr Sycamore she had reported her concerns to a colleague and her manager, and when giving her account, she acknowledged that she could not recall details about the date and time of this interaction, rather than guessing. The panel considered that in these circumstances, it preferred Colleague B's evidence to yours.

In light of the above, the panel determined that charges 1a(i) Schedule 1 (i), (ii), (iv), (v), (vi) and (vii) are proved.

Charge 1a)iii)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital ("the Hospital") of Active Care Group, between 12 July 2021 and 3 August 2022:
 - a. In relation to Colleague B:
 - iii. On one or more occasion stroked her hair.

This charge is found NOT proved.

In reaching this decision, the panel took into account the Investigation Meeting Notes with Colleague B, Colleague B's witness statement, her oral evidence and your evidence.

In the Investigation Meeting Notes, the panel noted that Colleague B told Mr Sycamore that you touched her hair and touched her hair often. In her witness statement, Colleague B stated that you had touched her hair on approximately 5 – 10 occasions, and you would stroke her hair for a few seconds. In her live evidence to the panel, Colleague B said that she had asked you not to touch her hair, and that she would wear her hair both up and down for work, and that she did not have any issues with having her hair up at work.

The panel also considered your evidence. You accepted that you had touched her hair when she requested you do so to feel how heavy it was. You told the panel that when you were trying to implement the uniform policy, Colleague B told you that she did not like putting her hair up and told you to feel how heavy her hair was. You also accepted that on one occasion during a staff meeting, you used Colleague B to demonstrate why hair needed to be tied up when doing restraints.

The panel gave the word "*stroked*" its ordinary meaning. Whilst the panel considered that Colleague B gave reliable and consistent evidence, the panel also considered that you gave consistent evidence on this matter. The panel noted that in Colleague B's contemporaneous account to Mr Sycamore, she described you touching her hair, rather than stroking it. The panel considered that it was more likely than not, based on the evidence of you and Colleague B, that on one or more occasions you had touched her hair. However, the panel was mindful that touching and stroking have different connotations, and it could not be satisfied that you had stroked her hair on any of these occasions. In light of this, the panel determined that this charge is not proved.

Charge 1a)iv)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:

a. In relation to Colleague B:

i. Took a document out of her breast pocket and/or when putting it back asked her to lean forward.

This charge is found proved.

In reaching this decision, the panel took into account the Investigation Meeting Notes with Colleague B, Colleague B’s witness statement, Colleague B’s oral evidence and your evidence.

In particular, the panel noted that Colleague B told Mr Sycamore that:

“yes she was at the other end of the day room,[...] I was wearing a baggy shirt, and he took my shift planner out of my top pocket and he then went to put it back in again, he asked me to lean forward, only after that I realised what he was doing did I say no, I remained still and he chuckled a little. The shift planner was in my top breast pocket.”

In Colleague B’s witness statement, she reiterated:

“Mr Bartlette asked me about staffing numbers and then all of a sudden, he leant towards me and took the staff planner out of my left breast pocket and started looking at it. I was completely taken aback, and looked at him in disbelief. I carried on working, and he asked me questions about the staffing numbers. He then folded the paper and put it back in my pocket. As he started to put it back, the piece of paper was about half way in, he asked me to lean forward. It all happened so quickly, but I did not lean forward. He giggled after he said this.”[sic]

In her live evidence, Colleague B stated that when she was at the nurse’s station, you took the staff planner out of her breast pocket, folded it up and then asked her to

lean forward so that you could put it back. She stated that she did not lean forward as she was shocked, and that she felt it was inappropriate to take it out of her pocket and then to try to put it back.

In your evidence, you accepted that you spoke to Colleague B daily about staffing numbers in the office.

In all the circumstances, the panel considered that it would not be unusual for you to discuss staffing numbers with Colleague B or to ask for the staff planner. The panel considered that it was likely that you had reached forward and taken the document out of Colleague B's breast pocket, without thinking about the implications of this. The panel also considered that it was likely you would have attempted to put the staff planner back, though it was unlikely that this action was ill-intentioned, and was more likely just a thoughtless action.

The panel noted the inconsistencies in Colleague B's evidence, in that in her contemporaneous record she stated that this happened in the day room, but in her witness statement and oral evidence, she stated that this incident occurred at the nurse's station. However, the panel was satisfied that Colleague B gave credible evidence overall, and that the inconsistency was likely due to the passage of time. Therefore, the panel concluded that this charge is found proved.

Charge 1b)i)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital ("the Hospital") of Active Care Group, between 12 July 2021 and 3 August 2022:

- b. In relation to Colleague C:

- i. Made one or more of the comments to her and/or asked her one or more of the questions set out in Schedule 2 or used words to that effect.

Schedule 2

- i. *"Do you have a partner?"*.
- ii. In relation to her partner said *"he must not be getting anything"* and/or *"he must be missing you"*.
- iii. Colleague I *"would be a squirter in bed"*.
- iv. *"You would be a screamer in bed"*.
- v. *"How's your intimate life?"*.
- vi. ...
- vii. ...
- viii. *"I'll need a cold shower after seeing you"*.
- ix. In relation to stroking her arm said *"I bet that touching made you wet"*.

This charge is found proved in respect of Schedule 2 (i) and (v).

In reaching this decision, the panel took into account Colleague C's evidence, Colleague C's Investigation Meeting Notes from 21, 22 and 26 July 2022, the text messages between you and Colleague C and your evidence.

(i) *"Do you have a partner?"*

The panel took into account Colleague C's witness statement to the NMC dated 17 January 2024, in which she stated:

"After the meeting, Mr Bartlette and I were alone and he asked me if I had a partner and I told him that I did but we were not on speaking terms."

Colleague C further stated:

"Mr Bartlette asked me about my boyfriend, and I explained that we had split up. Mr Bartlette said that my ex-boyfriend was a horrible person and I didn't deserve it."

In her live evidence, Colleague C confirmed that she thought you had asked her if she had a partner. During cross-examination, when it was put to her that you knew

about her relationship status because you were trying to support her at work during a difficult time, she further confirmed that she thought you had asked her if she had a partner and this is how your conversations around this topic started.

In your evidence, you told the panel that you and Colleague C often spoke about “Mr [Colleague C].”

The panel noted that Colleague C did not make this allegation in the Investigation Meeting Notes dated 21, 22 or 26 July 2022. However, the panel was of the view that Colleague C gave credible evidence overall. It bore in mind the contextual information provided by you, that you had been speaking about Colleague C’s relationship because you had welfare concerns. You also told the panel that you, Colleague C and another member of staff were having regular meetings due to the whistleblowing in respect of the Hospital.

In light of the above, the panel considered that it was more likely than not that you asked Colleague C if she had a partner.

- (ii) In relation to her partner said “*he must not be getting anything*” and/or “*he must be missing you*”.

The panel noted that there was no mention of this allegation to Mr Sycamore in the Investigation Meeting Notes dated 21, 22 and 26 July 2022.

In Colleague C’s witness statement to the NMC, she stated:

“Mr Bartlette said, “he must not be getting anything”, and I took this to mean sex. Mr Bartlette then said, “he must be missing you”. I was shocked and confused and laughed it off, as I had only just met him.”

The panel had regard to the text messages between you and Colleague C. It noted that the messages start on 21 August 2021, and that you started your employment at the Hospital in April 2021. The panel concluded that this allegation could reasonably be inferred to have occurred prior to 21 August 2021.

The panel noted that in her oral evidence, Colleague C confirmed that you had said “*he must not be getting any*” and “*he must be missing you.*” Colleague C told the panel that she did not make a complaint about these comments because she felt you were her only support in the workplace, and she was facing a number of issues at work at the time. The panel considered that Colleague C gave persuasive evidence that she was in a difficult position at work, having regular meeting with you, and that she saw you as her only support mechanism. The panel considered that this was corroborated by your evidence. You told the panel that you had supported her in the workplace.

However, the panel considered that in respect of the alleged comment(s) made, there is no contemporaneous record of the allegation. The first time these comments were alleged to have been made was in Colleague C’s witness statement which is dated January 2024, well after the investigation into you was underway. Whilst the panel considered that overall, Colleague C gave consistent evidence, it could not be satisfied that you made these alleged comments, given that there is no contemporaneous record of the complaint. Therefore, this charge is not proved.

- (iii) Colleague I “*would be a squirter in bed*”
- (iv) “*You would be a screamer in bed*”

The panel considered these charges separately, but the evidence and the panel’s reasoning was the same for both.

The panel noted that there is no contemporaneous record of this allegation in the Investigation Meeting Notes between Mr Sycamore and Colleague C.

In her witness statement to the NMC, Colleague C stated:

“After this, during the first couple of weeks of knowing Mr Bartlette, he mentioned to me over the phone that he thinks [Colleague I] “would be a squirter in bed” and that I “would be a screamer”.”

In her oral evidence, Colleague C stated that she believed you and her had been speaking about her ex-partner and then almost abruptly you made this comment. She told the panel that she could not recall you, her and Colleague I discussing sex at the time, so it was random for you to make these comments.

The panel considered that Colleague C gave consistent evidence. However, the panel also noted that you deny this allegation and have also given consistent evidence on this matter. In the absence of any contemporaneous record of the allegation, the panel could not be satisfied that Colleague C's account was more persuasive than yours. Therefore, the panel determined that these charges are not proved.

(v) *"How's your intimate life?"*

The panel noted Colleague C's witness statement to the NMC, which stated:

"Mr Bartlette asked me about my boyfriend, and I explained that we had split up. Mr Bartlette said that my ex-boyfriend was a horrible person and I didn't deserve it. Then he said, "I know this is out there but how's your intimate life, is that what caused it?". Mr Bartlette was very intrigued and wanted to talk about intimate topics, which I found strange as we were not friends and did not know each other very well at this stage."

The panel also noted Ms Herbert's submission that there was a friendship between you and Colleague C. However, the panel was mindful that this allegation is alleged to have taken place prior to you both developing a friendship.

In her oral evidence, Colleague C explained that you wanted to talk about intimate matters. The panel also had regard to the text messages between you and Colleague C. In these messages, Colleague C goes into detail about her sex life. The panel noted that on an occasion in November 2021, you asked Colleague C *"How soon did you progress to the bedroom when you're[sic] relationship began."*

In light of the above, the panel concluded that it was more likely than not that you had asked her about her intimate life. However, the panel also considered there was relevant contextual information, in that many of the discussions relating to Colleague C's sex life were prompted by her, and your responses appear to have been supportive. Therefore, the panel determined that this charge is proved.

(viii) *"I'll need a cold shower after seeing you."*

The panel noted that this allegation was not raised in the Investigation Meeting Notes on 21, 22 or 26 July 2022.

The allegation is first mentioned in Colleague C's witness statement, in which she stated:

"I recall a time where Mr Bartlette stroked my arm and tried to give me a hug from the side. I recall that generally, Mr Bartlette tried to sexualise everything and he would often say, after seeing me at work, that he would need a "cold shower"."

The panel also took into account the WhatsApp messages between you and Colleague C. It had particular regard to any messages that mentioned showering. The panel considered that there are several mentions of showers in the text messages, but these are predominantly sent by Colleague C, and it could not find many messages where you had brought up showers. The panel noted that where you did speak about showers, you were asking Colleague C if she had already had one, or said you were going to have one to decompress from the day. The panel noted that these messages appear to have been sent completely innocently.

In Colleague C's oral evidence, she stated that this just became a sentence she associated with you. She stated that after she left the Hospital, when having conversations with other people about the culture, all she could think about was you when she heard those words, and she was sure you had said it more than once.

The panel considered that it did not have enough evidence before it to conclude that it was more likely than not that you made this comment. Given the development in your relationship with Colleague C, the panel was of the view that if you had made such a comment, some reference would have been made in one or more of the WhatsApp messages, or in the initial investigation with Mr Sycamore.

As the panel could not find any corroborative evidence, it determined that this charge is not proved.

(ix) In relation to stroking her arm said *“I bet that touching made you wet”*

The panel noted that again, this allegation is not mentioned in the Investigation Meeting Notes.

The panel considered Colleague C’s witness statement in which she stated:

“I recall another incident where I was in Mr Bartlette’s office. Mr Bartlette was being very touchy and I felt that he always tried to think of a reason to try and touch me. On this occasion I believe he was sat in front of me at the desk and was close enough that he was stroking my arm. As I was leaving the room Mr Bartlette said to me, “I bet that touching secretly made you wet”. I was shocked but tried to laugh it off, and said, “that’s filthy”. I wish I reacted differently, but I never knew how to. I felt disgusted by what Mr Bartlette said and I did not like him stroking my arm. I think a few days later, Mr Bartlette apologised for making the comment.”

In Colleague C’s oral evidence, she confirmed that this had happened. The panel also reviewed the WhatsApp messages. Whilst there were some messages from you that could have been interpreted as having crossed the line and that were inappropriate, there was no evidence of such explicitly sexual comments being made by you. The panel noted that many of the messages that are sexual in nature are not in relation to you, but are comments made by Colleague C about her boyfriend.

Therefore, the panel determined that there was insufficient evidence before it to conclude that it was more likely than not that you made this comment.

In light of the above, the panel determined that charges 1b(i) Schedule 2(i) and (v) are proved. Charge 1b(i) Schedule 2 (ii), (iii), (iv), (viii) and (ix) are not proved.

Charge 1b)ii)d)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:
 - b. In relation to Colleague C:
 - i. On one or more occasion:
 - d. Stared at her chest and/or said that you were trying to see through her top.

This charge is found proved.

In reaching this decision, the panel took into account the Investigation Meeting Notes dated 22 July 2022, Colleague C’s witness statement and evidence, the WhatsApp messages between you and Colleague C and your evidence.

The panel considered that in the Investigation Meeting with Mr Sycamore, Colleague C was asked if you had made inappropriate comments towards her, and she responded with:

“he will look at my chest, laugh and say I’m just trying to see what colour your[sic] wearing.”

In Colleague C’s witness statement, she stated:

“On dates I cannot recall, on two separate occasions, whilst we were at work, Mr Bartlette would stare at my chest and laugh and say that he was trying to see through my top. I recall that we were alone for these interactions. I think the first time it happened I told him to stop looking in a jokey way, but the second time it happened I was more serious and told him to stop. I did not like him looking at my chest and it made me feel extremely uncomfortable.”[sic]

In her oral evidence, Colleague C stated that you and her would be sat in the office, and that you would stare and subsequently laugh it off, saying that you were trying to see through her top.

The panel had regard to the WhatsApp messages between you and Colleague C, namely that you messaged her:

“Your upper body is already perfect [emoji]”

The panel also considered your evidence. You stated that if you had been referring to Colleague C’s chest or breast you would have said so and not generalised. The panel did not consider that this was probable.

Therefore, the panel determined that it was more likely than not that on at least one occasion, you stared at Colleague C’s chest and said that you were trying to see through her top.

Charge 1b)vi)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:
 - b. In relation to Colleague C:
 - vi. Put your hand up the back of her top.

This charge is found proved.

In reaching this decision, the panel took into account the Investigation Meeting Notes dated 22 July 2022, Colleague C's evidence and your evidence.

In the meeting, Mr Sycamore asked Colleague C if she said he touched her hair, to which she responded:

"not so much hair, stroking my arm, trying to put arm around me. He would ask if he is making me nervous, he would say he didn't want to make me feel uncomfortable., or I didn't mean to startle you, I'm just checking. Your ok. My top had rolled up, and I was leaning forward, he put his hand up the back of my top, try and touch my bra, there was no reason, he just said am I making you feel uncomfortable."[sic]

In Colleague C's witness statement, Colleague C describes that you put your hand up her top and tried to touch her bra strap. She stated that you asked her if you were making her uncomfortable, but she did not immediately move away from you because it was totally unexpected and she did not know how to react.

In her oral evidence, Colleague C gave evidence that you put your hand up her top, but that she did not say anything to you at the time. She said in cross-examination that you put your hand under her clothes and touched her back.

The panel considered your evidence, specifically that you stated you could not recall doing this. You stated you could remember that another member of staff was commenting on what Colleague C was wearing.

The panel was of the view that Colleague C gave clear and consistent evidence on this allegation. The panel considered that you did not outrightly rebut the allegation and stated that you could not recall whether this had happened or not.

Therefore, on balance, the panel preferred the evidence of Colleague C and determined that this charge is found proved.

Charge 1b)vii)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:

- b. In relation to Colleague C:

- vii. Put your hands between her thighs and/or pulled her legs open and/or made a thrusting motion whilst leaning over her.

This charge is found proved.

In reaching this decision, the panel took into account the Investigation Meeting Notes dated 22 July 2022, Colleague C’s evidence, the WhatsApp messages between you and Colleague C and your evidence.

The panel noted that in the Investigation Meeting Notes, Colleague C told Mr Sycamore that you tried to show her the sex positions that were used in a CCTV video of two colleagues having sex at the Hospital. She said that you tried to move her legs apart, and this was her first experience of you physically touching her without asking.

In her witness statement Colleague C stated that shortly before you were investigated by the Hospital, you touched her inappropriately. She described the following:

“Mr Bartlette then approached me, whilst I was sat at the desk. He walked towards me, and then put his body in between the desk and myself. Mr Bartlette got closer and closer and was directly in front of me. He then leaned over me, and he put both of his hands in between my thighs with a firm grip and said, “it was like this” and then pulled my legs open. He then bent over me even more and was moving his body, in a light thrusting motion. I remember how close he was to me, to the extent his clothes touched mine. I did not like what Mr Bartlette

did; I was scared and I was shaking and said, “don’t do that”. Mr Bartlette moved back and found the situation funny. I left the room straight away. It all happened so quickly.”

In her evidence to the panel, Colleague C said that you had tried to show her the CCTV video and you were trying to describe it to her. Her account of this was consistent with what was reported in the investigation meeting, and in her witness statement.

In cross-examination, Colleague C reiterated that you did open her legs and did try to show her the position that the two colleagues were doing on the video.

The panel bore in mind that you have denied this allegation, and you have also denied having seen the CCTV footage of the incident.

The panel considered that Colleague C gave clear and consistent evidence, which was recorded contemporaneously in the Investigation Meeting Notes, and has remained consistent during the NMC investigation and at this hearing.

The panel considered the strength of Colleague C’s evidence. In particular, the detail in which she described this incident both initially to Mr Sycamore, and to this panel at this hearing. The panel noted the WhatsApp messages between you and Colleague C, in which she appears to deny having told Mr Sycamore that you touched her, after she had given the information to Mr Sycamore earlier that day. The panel formed the view that this was consistent with Colleague C’s description that she panicked about you finding out about her answers after having spoken to Mr Sycamore.

The panel placed more weight on Colleague C’s evidence, notwithstanding the inconsistencies in the WhatsApp messages, and therefore determined that this charge is found proved.

Charge 1c)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:

- c. On a date in the Summer of 2022 stroked Colleague D’s ankle and/or said words to the effect of “*oh someone’s shaved*”.

This charge is found proved.

In reaching this decision, the panel took into account Colleague D’s evidence, Colleague C’s evidence and your evidence.

In particular, the panel noted Colleague D’s witness statement dated 19 December 2023:

“On a date I cannot recall, although I think it was some time in the Summer of 2022, I was sat at a desk at the nurses station, doing some work on the computer. I was sat with one of my legs crossed over my lap, and my other leg on the floor, under the desk. Mr Bartlette came in and sat next to me. As he did this, I turned in my chair to face him. We were talking about work. What seemed like all of a sudden, he looked me up and down and then leant forward and used his whole hand to stroke my ankle. I was wearing skinny jeans which sat a few inches above my ankles. Mr Bartlette stroked my ankle and said, “oh someone’s shaved”. I immediately moved my leg away from him and responded, “what the fuck?””

In her oral evidence to the panel, Colleague D said she had told Colleague B about this incident, as they were close and would often speak about their experiences with you. She stated that she did not report this to Ms Agyemang as Ms Agyemang was close with you, and Colleague D did not feel comfortable reporting it. Colleague D told the panel that in her mind, she had dealt with the matter by telling you to “*fuck off*” or words to that effect.

Colleague D also gave evidence that Ms Agyemang may have overheard this interaction, as she responded by saying that you were “*just being a man,*” but

Colleague D also said that she thought Ms Agyemang did not know what had happened.

In response to panel questions, Colleague D said that Ms Agyemang laughed after she said “*fuck off*” and there were no other comments or conversations had after she made the comment about men.

In Colleague B’s evidence, she told the panel that she was pretty sure that Colleague D had spoken about you touching her leg, though she accepted she may have been getting people confused.

The panel also took into account your evidence. You told the panel that you could remember having conversations with Colleague D about her cat but could not recall this incident.

The panel considered that Colleague D gave clear and consistent evidence. It noted that she had spoken to Colleague B, who could recall a conversation being had about you touching Colleague D’s leg. The panel noted that it does not appear that you and Colleague D had a positive relationship. However, the panel was of the view that her evidence was persuasive and supported by Colleague B’s recollection. Therefore, it determined that this charge is found proved.

Charge 1d)i)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:
 - d. In relation to Colleague E:
 - i. Made one or more of the comments to her set out in Schedule 3 or used words to that effect.

Schedule 3

- i. *"Make sure you wear colourful clothes tomorrow or I'll scratch your car".*
- ii. In relation to her jeans said *"I like those"*.
- iii. ...
- iv. ...

This charge is found proved in its entirety.

In reaching this decision, the panel took into account Investigation Meeting Notes between Mr Sycamore and Colleague E dated 6 July 2022, Colleague E's evidence and your evidence.

- (i) *"Make sure you wear colourful clothes tomorrow or I'll scratch your car"*

The panel had regard to the Investigation Meeting Notes dated 6 July 2022, in which Colleague E told Mr Sycamore that:

"One day I was wearing all black, not wearing colourful clothes, he said if you don't wear the other clothes I will scratch your car, I don't know if he thinks its funny, but its just weird."

In her witness statement to the NMC dated 4 December 2023, Colleague E stated:

"I was known at work to always wear colourful clothes. On a date I cannot recall, I was wearing all black clothing. Mr Bartlette looked at me and said, "you're all in black, why?" and I said, "It's the mood I am in today" and he replied, "make sure you wear your colourful clothes tomorrow or I'll scratch your car" or words to this effect. It was also known at work that my car was my pride and joy, and Mr Bartlette knew this."

In her oral evidence, Colleague E told the panel that she remembered this vividly. She stated that she was known at work for wearing colourful clothes and that on the day in question, she was wearing black and told you that was just her mood for the

day. In her cross-examination, Colleague E said that this comment was not made in response to a conversation you allege having about wearing colourful clothes to lift her mood. She also could not recall ever having a conversation about wearing clothes to fit her mood generally, only that she was known for typically wearing colourful clothes. She stated that everyone at work knew she loved her car, and she said that you “100%” said that she should wear colourful clothes or you would key her car.

In your evidence, you denied ever having made the comment. You told the panel that Colleague E usually wore colourful clothes, so you asked how she was feeling. You also recall having a conversation with Colleague E about the Goodwood Festival of Speed, and that you would sometimes speak to her about her car as she was a car enthusiast.

The panel considered that Colleague E is a registered nurse and is therefore subject to the same duty of candour as you. The panel was of the view that she gave clear and consistent evidence, and her account of the incident was persuasive. It noted that you and Colleague E did not have a positive relationship, and therefore it is probable that if you made a joke about Colleague E’s clothes, or her car, it would not have been interpreted as a joke or received well. The panel accepted Colleague E’s evidence that she did not think you would ever key her car, and that she thought it was an odd thing to say. The panel determined that this charge is proved.

(ii) In relation to her jeans said “I like those”

The panel noted that in the Investigation Meeting on 6 July 2022, Colleague E told Mr Sycamore:

“Another day I wore Jeans with ribbons, and he looked me up and down, ‘oh I like those’, I catch him eyeing me.”

This was consistent with Colleague E’s witness statement, in which she stated:

“I saw Mr Bartlette eyeing me up, in that he was looking me up and down from my waist downwards. It made me feel really uncomfortable. Mr Bartlette then said, “I like those”, in reference to the jeans I was wearing, which had bows up the sides of the legs.”

In her oral evidence, Colleague E described that she felt uncomfortable with you looking her up and down and said that it did not feel professional as it happened in the corridor in a public place.

You gave evidence that you did comment on the jeans, but you told her that some patients found the ribbons on her jeans to be triggering as it reminded them of ligatures.

In all the circumstances, the panel considered that Colleague E was assured and consistent in her evidence. The panel was satisfied that a conversation was had about the jeans, and it was satisfied you said *“I like those”* or words to that effect.

In light of the above, the panel determined that charges 1d(i) Schedule 3 (i) and (ii) are proved.

Charge 1d)ii)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:

- d. In relation to Colleague E:
 - ii. Said that you would text her on her personal number.

This charge is found proved.

In reaching this decision, the panel took into account the Investigation Meeting Notes dated 6 July 2022, Colleague E’s evidence and your evidence.

In the Investigation meeting, Colleague E told Mr Sycamore that you had called her on her personal telephone number. She stated that you had called her on her day off to ask her about two other members of staff and if they had gone home or stayed at work.

In her witness statement, Colleague E stated that you had to call her regarding a work matter on her personal phone number. She also stated that on a date she could not recall, you told her you would text her about something later in a flirty way, and she told you that you should not have her personal phone number.

In her live evidence, she reiterated this account and said that you had previously said you would text her later about things, and she had said she did not want you texting her on her personal number.

In your evidence, you accepted that you contacted her on her personal phone number in relation to the death of a patient on the ward. You also told the panel that you were told by Mr Sycamore to contact Colleague E about a deputy manager position.

In light of the above, the panel was satisfied that you told Colleague E that you would text her on her personal phone number.

Charge 1e)i)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:

- e. In relation to Colleague F:

- i. Made one or more of the comments to her and/or asked her one or more of the questions set out in Schedule 4 or used words to that effect.

Schedule 4

- i. *"You're looking good today".*
- ii. *"How do you not have a husband/boyfriend?"*.
- iii. *"I can take you to stand on the corner of the M4 and you'll pick up loads of guys"*
- iv. *"What's wrong with hookers, I have met and worked with many of them and...you'd get a lot of men looking at you".*
- v. In reference to her being a senior support worker said *"you have to be more professional so you can dress a lot sexier now"*.
- vi. *"I know where you live"*.
- vii. In relation to a sealed box of condoms in the desk drawer said *"I've put things in place so that if someone asked or if something were to happen, I have these assurances"*.
- viii. *"Have you slept with your partner?"* and/or *"what sexual positions were used"*.
- ix. *"Did you have wild sex and christen every single room last night"*.
- x. *"Now that's a good outfit"* and/or *"now I can see you figure"*.
- xi. *"I like you in your dresses"*.

This charge is found proved in respect of 1e(i) Schedule 4 (i), (ii), (iii), (iv), (vi), (viii), (ix), (x) and (xi).

In reaching this decision, the panel took into account Colleague F's handwritten notes, the Investigation Meeting Notes dated 4 July 2022, Colleague F's witness statement, Colleague F's evidence and your evidence.

- (i) *"You're looking good today"*
- (ii) *"How do you not have a husband/boyfriend?"*
- (iii) *"I can take you to stand on the corner of the M4 and you'll pick up loads of guys"*
- (iv) *"What's wrong with hookers, I have met and worked with many of them and...you'd get a lot of men looking at you"*

The panel noted that these comments are alleged to have been made in the same conversation. In particular, the panel took into account Colleague F's witness statement, dated 8 February 2024, in which she stated:

"The first time I saw Mr Bartlette, I was starting my 08:00am shift and was in the PICU reception area. I was stood there with the receptionist and my colleague, Hannah Dixon. Mr Bartlette was coming down the stairs at the end of a night shift. Mr Bartlette made a comment to me to the effect of, "You're looking good today". We had never spoken before and I found this strange."

In her live evidence, Colleague F stated that you said she was looking good that day, and she said thank you and was shocked. In her cross-examination, Colleague F clarified that this was the first time you had directly spoken to her, though you had worked with each other for a while.

Colleague F's written notes, which are recorded as "Sept 2021" state the following:

"Overheard convo with [redacted] in PICU reception on lack of respectful men to date came downstairs. Asked "how do you not have a husband""

Colleague F also clarified that her handwritten notes are not chronological and contemporaneous, rather they are scattered notes she took down at the time when she remembered things with approximate dates. The approximate date for this incident is alleged to be around August – September 2021.

The panel noted that you gave evidence that you were new to your role, and that you were stood near the nurses station which was near to the PICU reception area and that you *"probably would have said nothing."*

The panel considered that the timeline around this allegation is unclear. It appears that the allegation arose during August – October 2021, but these notes may not be contemporaneous records. Colleague F stated that she had worked on Thames Ward as a Senior Support Worker during this period, and you were working as the Head of Nursing from 5 June 2021. You allege that you heard a conversation

between Colleague F and the receptionist, and that you were very new and sitting in the busy PICU area near the nurses station.

The panel also noted that by Colleague F's own admission, the handwritten notes provided are not a contemporaneous record of events and were written approximately nine months later as part of the investigation into your alleged conduct. It noted that Colleague F, in her live evidence, described making these notes arising out of how she felt about your behaviour towards her as she remembered them. The panel was satisfied that although the notes are not a chronological record, this is a truthful account of what happened and was written by Colleague F as, in effect, an "aide memoire" of her experiences during these interactions.

It is mentioned in Colleague F's handwritten notes and appears to be within the same alleged conversation as above and is recorded as:

"I can help...I can take you to the corner of the M4 and men will stop and you'll meet lots." I asked if he was implying that I prostitute myself RB replied "What's wrong with prostitutes? I have met and worked with many and they are lovely people"

This was consistent with the account Colleague F gave in her witness statement and live evidence.

The panel also considered the evidence of Person 1, which it determined was cross-admissible in these proceedings.

The panel noted that you made admissions at the beginning of the hearing to a comment towards Person 1. This comment was *"It's like the old 0900 numbers, you can hear them but you can't see what you get."* The panel noted your evidence that you made this comment after watching a documentary on Channel 4 about 0900 numbers which were historically used as gambling and sex lines. The panel considered it was more likely than not that in this context, you were referring to sex lines where callers could phone the 0900 number and pay to speak to a person in a

sexual nature. The comment “*you can’t see what you get*” would not have relevance to gambling sites but would have relevance to paid sex lines.

The panel therefore considered that the comment about 0900 numbers and these two comments relate to paying for services of a sexual nature. The panel also considered that collusion and contamination can be excluded as firstly, you made the admission yourself to making the comment to Person 1, and secondly, Person 1 worked at a different workplace and did not know any of the other complainants in this case.

Considering the evidence as a whole, the panel was satisfied that the evidence of Person 1 is cross-admissible and it is unlikely that the allegations are mere coincidence. In light of this, the panel determined that these allegations are found proved.

- (v) In reference to her being a senior support worker said “*you have to be more professional so you can dress a lot sexier now*”

The panel had regard to Colleague F’s handwritten notes which stated:

“Told me I will need to get out of my gym clothes and dress more professional”

The panel also had regard to Colleague F’s witness statement which stated:

“When I was a support worker, I would wear comfortable and agile clothing, such as leggings and t-shirts, as I was involved in physical restraints of patients. When I became a senior support worker, Mr Bartlette said, “you have to be more professional so you can dress a lot sexier now” or words to this effect. I said that I still had to be involved in physical restraints.”

The panel also considered your evidence. You told the panel that you told Colleague F that she could dress more smartly now that she would not be doing NG feeds. You also accepted that you told her that she and another staff member looked like twins.

You explained that you had commented on what she was wearing as she commented that her clothes were not fitting her after she had been on holiday.

The panel noted that Colleague F's evidence in respect of this charge is inconsistent. In the handwritten notes, the word "sexier" is not mentioned, whereas it is in her witness statement which was dated about 16 months after the alleged incident. The panel considered the surrounding context that you were responsible for the dress policy in your role so it would not be out of the ordinary for you to speak to her about her clothes.

In light of the inconsistencies in Colleague F's evidence, the panel concluded that the NMC has failed to discharge the burden of proof in respect of this charge.

(vi) *"I know where you live"*

The panel took into account Colleague F's witness statement, in which she stated:

"Mr Bartlette said to me on numerous occasions that he knew where I lived. Mr Bartlette said that he knew I had a balcony and a big grass area outside my house and both of these things were true. This made me feel very scared and threatened. I did not give Mr Bartlette my home address, so I assumed that he got this from work. Mr Bartlette said he went to see my new area and it was really nice. Mr Bartlette offered to drive by my house to check I was safe as he knew I was living by myself."

Colleague F gave evidence at this hearing that was consistent with the account in her witness statement.

The panel also took into account the evidence of Colleague G. In her witness statement dated 4 March 2023, she stated:

"Around the same time, in approximately June or July 2022, my colleague, [Colleague F], told me in person in the court yard that Mr Bartlette told her that he saw that she had a plant in her bathroom window when he drove past."

[Colleague F] told me that she was worried that he knew where she lived and she was anxious and worried that he would turn up and speak to her when she was walking to and from her car, or arriving home from work.”

In your evidence, you told the panel that you could not recall commenting on Colleague F’s house. You stated that you knew she lived south of the hospital.

The panel considered the surrounding context, that you were a manager and had access to personnel files which would have included addresses. Colleague F gave clear and consistent evidence on this incident, and there is supporting evidence from Colleague G regarding this allegation.

The panel was satisfied that both Colleague F and you recall having conversations about where she lived, and therefore, the panel thought it was more probable than not that you had said words to the effect of “*I know where you live.*”

- (vii) In relation to a sealed box of condoms in the desk drawer said “*I’ve put things in place so that if someone asked or if something were to happen, I have these assurances*”

The panel noted that in Colleague F’s handwritten notes, she records you as having said:

“He said he might as well put a box of condoms in his desk to prove he isn’t being inappropriate.”

In her witness statement to the NMC, Colleague F stated:

“On one occasion in Mr Bartlette’s office, on a date I cannot recall, he was talking to me again about his relationships with other women at work. Mr Bartlette said, “I’ve put things in place so that if someone asked or if something were to happen, I have these assurances”. I asked Mr Bartlette what he meant by this, and he told me he had a box of condoms in the top drawer of his desk

but they were sealed, so everyone will know that he had not used them so nothing could be said to have happened”[sic]

In her live evidence, Colleague F told the panel that she had been in the office speaking about work when your relationship with women being investigated came up. She alleged that you made this comment at this point.

You gave evidence that at the time, you were aware of rumours about yourself from Colleague C and Colleague I.

The panel considered that Colleague F’s evidence in respect of this comment is inconsistent. In the handwritten notes, which were noted closer to the time, stated that you said you “may as well” put a box of condoms in your drawer. In her witness statement and oral evidence, Colleague F alleges that you did have them in a drawer already.

In light of these inconsistencies, the panel could not be satisfied that this happened on the balance of probabilities.

- (viii) *“Have you slept with your partner?” and/or “what sexual positions were used”*
- (ix) *“Did you have wild sex and christen every single room last night”.*

The panel had regard to Colleague F’s handwritten notes, dated 15 February in which she wrote:

“In Reception (came up close + whispered) Moved house → asked if we had wild sex in every room this weekend”

“On other occasions[sic] in Mr Bartlette’s office, he would often ask me if I was seeing anyone. I wasn’t, but I would say yes in the hope that it would prevent him from continuing to behave inappropriately. Mr Bartlette asked me if I had slept with this partner and if I did, what sexual positions were used. On one occasion, in January 2022, I had actually met someone and Mr Bartlette kept

trying to find out information about him and kept asking me what his name was and where he was from. Mr Bartlette also asked me if I had sex in my house with my new partner and when I'd leave work he'd say, "you're going home to him now"."

Colleague F gave consistent evidence at this hearing. In cross-examination, she explained that she would say yes to anything to get you to stop asking inappropriate questions. She said that she had been seeing someone to get you to leave her alone, and you proceeded to ask questions about what sex positions they used.

The panel bore in mind that you deny this allegation.

However, the panel was of the view that Colleague F gave consistent evidence in regard to these comments from it being noted down at the time, to this hearing. In these circumstances, the panel was satisfied that it was more likely than not that these comments were made.

- (x) "Now that's a good outfit" and/or "now I can see you figure" and
- (xi) "I like you in your dresses"

The panel noted that multiple references to comments made about Colleague F's clothes and dresses specifically are contained in her handwritten notes. The panel also noted that in Colleague F's witness statement to the NMC, the only mention of clothes was when she alleged you commented that she needed to dress more professionally.

In her live evidence, Colleague F described that after being promoted, she was aware she had to wear formal wear, and she would often wear dresses. She told the panel that when she wore dresses, you commented saying that she looked good, or would mention details such as her handbag matching her dress. She stated that when she wore something more modest, or covered up, you would ask her where her dresses and nice clothes were.

The panel noted that there are several allegations regarding you commenting on other people's clothes. The panel bore in mind that you admitted to charge 1(a)(i) Schedule (iii) which was a comment made about being able to see Colleague B's bra through her top. As you have admitted this charge, the panel can rule out collusion or contamination and found this evidence to be cross-admissible. The panel has also found charge 1(d)(i) Schedule 3(i) proved in that you told Colleague E to wear colourful clothes.

The panel considered that Colleague F gave consistent evidence that you made these comments. It also found that some evidence is cross-admissible in this respect, and that it has already independently found proved that you have made comments about other people's clothes. In these circumstances, the panel was satisfied that it was more likely than not that you made these comments.

In light of the above, the panel found that this charge is found proved in respect of 1e(i) Schedule 4 (i), (ii), (iii), (iv), (vi), (viii), (ix), (x) and (xi).

Charge 1e)ii)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital ("the Hospital") of Active Care Group, between 12 July 2021 and 3 August 2022:

- e. In relation to Colleague F:

- ii. Asked her for her personal mobile number and/or where she lived.

This charge is found proved.

In reaching this decision, the panel took into account Colleague F's handwritten notes, Colleague F's evidence and your evidence.

In particular, the panel noted that in Colleague F's handwritten notes, she wrote:

“Was in his office, he noted it down. Asked where I live, I gave a brief answer, said can he have my cell number to check on me from time to time. I said I’m fine, I have support from friends.”

The panel also noted that Colleague F had written:

“April going to SA – can he call and text me while I’m there to see pictures and catch up?”

In Colleague F’s witness statement, she stated:

“He would ask me for my personal phone number and would say, “give me your personal number” and “I’ll call you”. I would always say no. I quickly learnt that it was widely known amongst staff at the Hospital that Mr Bartlette would ask numerous people for their numbers or say inappropriate comments, however it was accepted that this was just how Mr Bartlette was. I therefore felt that I had to put up with it and would not directly address any issues with Mr Bartlette.”

The panel also noted that in her witness statement, Colleague F describes having difficulties with a flatmate, and you offered to drive her home so that her flatmate would know that she *“was in a higher position at work.”* In oral evidence, Colleague F told the panel that you asked for her personal number and asked her where she lived.

The panel bore in mind that it has already found charge 1(e)(i) Schedule 4 (vi) proved, that you told Colleague F you knew where she lived. It noted that you denied asking for her number and address, but that you accepted you had previously been instructed to call her on her personal phone by Ms Tracy Ellis, a HR professional. You told the panel that this phone call was for a patient matter, and that Ms Ellis had given you Colleague F’s phone number.

The panel considered that Colleague F gave clear and consistent evidence, and it preferred her evidence to yours in relation to this allegation. Therefore, the panel

determined that it was more likely than not that you asked for Colleague F's phone number and address.

Charge 1e)iii)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital ("the Hospital") of Active Care Group, between 12 July 2021 and 3 August 2022:

- e. In relation to Colleague F:

- iii. Asked her to remove her mask and/or said that you just wanted to see her lips.

This charge is found NOT proved.

In reaching this decision, the panel took into account Colleague F's handwritten notes, Colleague F's Investigation Meeting Notes with Mr Sycamore dated 4 July 2022, Colleague F's evidence and your evidence.

The panel noted that no mention of this allegation is made in Colleague F's handwritten notes, or in her interview with Mr Sycamore. Both of these records are more contemporaneous than Colleague F's witness statement and oral evidence.

In her witness statement, Colleague F describes an occasion where you asked her to remove her face mask, and subsequently after she told you that you should not be asking her to do this, you told her you just wanted to see her lips. In oral evidence, Colleague F reiterated what was in her witness statement. In cross-examination, when asked whether it was possible that you could not hear her with the mask on, she responded with that you did not need to see her lips to hear her.

The panel noted that you deny this allegation.

The panel considered that there is no contemporaneous note of this allegation. The panel was of the view that both you and Colleague F gave clear and consistent evidence overall. It therefore could not be satisfied that one version of events was more likely than the other. On balance, the panel considered that it was not more likely than not that you made this comment. Therefore, this charge is not proved.

Charge 1e)iv)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:

- e. In relation to Colleague F:

- iv. Commented on her appearance and/or told her that you missed her.

This charge is found proved.

In reaching this decision, the panel took into account Colleague F’s handwritten notes, it’s previous findings and your evidence.

The panel noted that it has already found an allegation proved that you made comments about Colleague F’s clothes and appearance.

The panel had regard to Colleague F’s handwritten notes, which stated:

“RB Asked how the new job was and that he “misses” me on Thames (as senior) “nothing being done the same””

In your oral evidence, you accepted that Colleague F was a reliable member of staff who gave good handover at site meetings. You told the panel that you did say you missed her in the context of work. You also accepted that you had commented on her

appearance after she made a comment that she had eaten too much when she had been in South Africa.

In light of the above, the panel was satisfied that this charge is proved.

Charge 1e)v)a)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital (“the Hospital”) of Active Care Group, between 12 July 2021 and 3 August 2022:

- e. In relation to Colleague F:

- v. On one or more occasion:

- a. Touched her legs and/or her knee.
 - b. Took and/or stroked her hand.
 - c. Brushed her arms or waist.

This charge is found proved in respect of 1(e)(v)(b) only.

The panel considered these sub charges individually; however, it noted that all three relate to the same incident and rely on the same evidence. It therefore has recorded its decision making together.

In reaching this decision, the panel took into account Colleague F’s handwritten notes, Colleague F’s Investigation Meeting Notes dated 4 July 2022, Colleague F’s evidence and your evidence.

The panel noted that in the handwritten notes, Colleague F described this interaction as:

“While looking me over, spotted my new ring on my left middle finger. Said “what? Show me this” I asked what? He said “are you not telling me something?” me confused. He said “Are you engaged?” “No” Held my hand up

straight. He moved his chair around and took my hand to see. Asked if it is diamonds. I pulled hand back and said no. tucked hands under.”

The panel noted that Colleague F addresses this incident in more detail in her witness statement dated 8 February 2024:

“Once Mr Bartlette had moved me closer to him, I noticed that he was looking up and down my body. Mr Bartlette touched my leg that was crossed over my other leg; he placed his hand on my knee with one hand. I immediately squirmed and moved my crossed leg off of my other leg, hoping that would make him move his hand. Mr Bartlette’s hand stayed on my knee, I panicked but froze not knowing what to do and felt very uncomfortable and scared so I then moved my chair a bit and pulled away stating I had to go see a patient.

...

Mr Bartlette then noticed that I was wearing a diamond ring on my middle finger and he asked me if it was an engagement ring. I said no and showed him my hand by lifting it in the air vertically. Mr Bartlette then took my hand and looked closer at the ring, this made me feel overwhelmed with fear and confusion of what to do, as if I was backed into a corner and afraid to challenge him due to his status in the company. Mr Bartlette then started to stroke my hand and said, “oh no, it should be an engagement ring”. I quickly took my hand back from Mr Bartlette. Immediately after I did this, Mr Sycamore entered the office. At this point, Mr Bartlette was leaning forward in his chair towards me, and I was sitting back in my chair trying to shuffle it backwards. Mr Sycamore said, “oh sorry are you in a meeting?” and I replied, “no I need to leave”. Mr Bartlette said, “we need to finish this conversation” and Mr Sycamore said, “I can leave?” and I said, “no I need to leave, I have to see a patient”.”

The panel noted that in the Investigation Meeting Notes dated 4 July 2022, Colleague F describes the incident as though Mr Sycamore had not been present at the end of the incident. The panel noted that Colleague F’s oral evidence was similar to what was written in her witness statement.

The panel considered your evidence, that you and Colleague F did not have this type of relationship. You stated that you were wary of her and you knew her friendship group was aware of you. You could not recall having any physical contact with Colleague F.

The panel considered that in respect of the allegations that you touched Colleague F's legs and/or knee and brushed her hand and waist, there is no contemporaneous mention of this in the handwritten notes. The panel considered that these details first appear in Colleague F's witness statement which was written approximately 16 months after the incident is alleged to have occurred. Given this inconsistency, the panel did not think it was more likely than not to have happened. Therefore, it did not find charges 1(e)(v)(a) and 1(e)(v)(c) proved.

The panel noted that Colleague F's evidence that you took her hand has been consistent from when it was recorded in the handwritten notes to her evidence at this hearing. In this regard, the panel considered Colleague F's evidence to be consistent. Therefore, it determined that charge 1(e)(v)(b) is proved.

Charge 1f)i)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital ("the Hospital") of Active Care Group, between 12 July 2021 and 3 August 2022:

f. In relation to Colleague G:

- i. Made one or more of the comments to her and/or asked her one or more of the questions set out in Schedule 5 or used words to that effect.

Schedule 5

- i. *"If I wanted a female, I could get any that I want, I don't need to be in the workplace".*
- ii. *"Do you have a boyfriend?".*

- iii. *“How often do you have sex?” and/or “do you do it regularly?”.*
- iv. *“Have you had sex in any extravagant places?”.*
- v. *“What do you wear to sleep?” and/or “Do you sleep naked?”.*
- vi. *“Do you ever get heated so much that you need it right here right now?”.*

This charge is found proved in its entirety.

In reaching this decision, the panel took into account the Investigation Meeting notes with Colleague G and Mr Sycamore dated 6 July 2022, Colleague G’s evidence and your evidence.

- (i) *“If I wanted a female, I could get any that I want, I don’t need to be in the workplace”.*

The panel had regard to Colleague G’s Investigation Meeting Notes. Colleague G told Mr Sycamore:

“Rennie said lots of rumours about him and females, if he wanted to have a female he could have them he doesn’t need lots of them.”

Colleague G in her witness statement dated 4 March 2024 stated:

“When I first started, Mr Bartlette also said to me, “you might have heard rumours about me and females, but if I wanted a female, I could get any that I want, I don’t need to be in the workplace”, or words to that effect. I didn’t know what to say to this and found it very inappropriate.”

Colleague G confirmed this in her oral evidence to the panel. She told that panel that she could not remember the exact wording of what was said, but that she could remember you saying that you could get anyone that you wanted. During cross-examination, when it was put to her that there were rumours about you at the Hospital and that the conversation was related to two colleagues who had been

caught having sex in the car park, Colleague G responded that you definitely made this comment to her.

The panel took your evidence into account. You told the panel that from a managerial perspective, you had spoken to Colleague G previously regarding paperwork errors. You said that you told Colleague G to tell reception every time she was going to your office and that there were rumours going around about you. You also said that it was a professional relationship only.

The panel was of the view that Colleague G gave consistent evidence throughout. Colleague G told the panel that she had never discussed her experiences with anybody, but that others had told her about their experiences. She said the only time she told anyone about the comments was when she spoke to Mr Sycamore in July 2022.

The panel considered that Colleague G's evidence was persuasive and consistent. It appears from the evidence that she kept to herself at work and did not overlap much with the other complainants in this case.

Therefore, the panel was satisfied that on the balance of probabilities, this charge is proved.

- (ii) "Do you have a boyfriend?"
- (iii) "How often do you have sex?" and/or "do you do it regularly?"
- (iv) "Have you had sex in any extravagant places?"
- (v) "What do you wear to sleep?" and/or "Do you sleep naked?" and
- (vi) "Do you ever get heated so much that you need it right here right now?"

The panel had regard to the Investigation Meeting Notes with Mr Sycamore dated 6 July 2022, in which Colleague G stated:

"I came to the conclusion that he is just that type of person, maybe it's a culture difference and he doesn't no boundaries and he doesn't know how to communication with a woman. Maybe just the type of person, its not ok, but he

does it to a lot of people. Im not being targeted, the amount of people he has made these comments too.”[sic]

In her witness statement, Colleague G detailed that:

“Not long after I had started in my administrator role, Mr Bartlette asked me if I had a boyfriend. I said yes. He then asked me, “how often do you do it? Do you do it regularly?”. He also asked me if we had sex “in any extravagant places?”. I was very shocked and felt taken off guard by this question, and wanted the conversation to end as soon as possible. I said, “no, I’m very old fashioned”. I don’t recall Mr Bartlett’s response, but I think that was the end of it. Mr Bartlette should not have been asking me if I had a boyfriend or how often we had sex. We were professional colleagues and it was highly inappropriate.

...

Mr Bartlette came into my office. He said to me, “Do you ever get heated so much that you need it right here right now?”. I said, “what do you mean?” and he said, “you know what I mean”. I replied, “no, not really, I don’t get heated like that”. Mr Bartlette called Ms Carter out of her office into my office. Ms Carter then came into my office. Mr Bartlette said to Ms Carter, “Hey Anna, [Colleague G] said she doesn’t get heated so much that she needs it right here right now, do you believe that?”. Ms Carter said to me, “oh, you don’t feel it? Maybe it’s just her.” Ms Carter tried to cut the conversation short and moved the topic of conversation on.”[sic]

Colleague G reiterated this in her oral evidence to the panel. She told the panel that she remembered the conversation well where you asked her if she had a boyfriend and if they had sex in adventurous places. She told the panel that after this, you called another person into the conversation and asked if they both ever got “so heated” that they needed sex “*right here, right now.*”

Colleague G went on to say that you asked her what she wore to sleep as she wore a lot of layers at the office. [PRIVATE]. She told the panel that you subsequently asked what she wore to sleep, and if she slept naked or with no clothes on.

The panel noted that you deny having this conversation and suggested that the only personal conversation you had with Colleague G was about her brother who also worked at the hospital.

The panel considered the quality of Colleague G's evidence. The panel determined that Colleague G has been consistent in her evidence contemporaneously and at this hearing. The panel concluded that Colleague G was a reliable and persuasive witness, and therefore it preferred her evidence to yours.

The panel therefore determined that charges 1f(i) Schedule 5 (i), (ii), (iii), (iv), (v) and (vi) are proved.

Charge 1f)ii)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital ("the Hospital") of Active Care Group, between 12 July 2021 and 3 August 2022:
 - f. In relation to Colleague G:
 - ii. On one or more occasion touched her hair.

This charge is found proved.

In reaching this decision, the panel took into account the Investigation Meeting Notes, Colleague G's evidence and your evidence.

Colleague G told Mr Sycamore in the Investigation Meeting that:

"A lot of the conversation are not work related. The office is small, I don't really hear anyone when they come in. He will sneak behind, and I will feel him behind me, as he is brushing my hair away. Its happened twice. Very

shocked by that. I don't hear him come in, until he is very very close to me, people usually knock, but he doesn't."

This is reiterated in Colleague G's witness statement which stated:

"When I was new to the role, Mr Bartlette started to come up to my office and would lean over my shoulder. His face would appear next to mine and he would pretend to watch me work on the computer. His presence used to make me jump and he would say, "you didn't hear me?". I recall on two occasions when he did this, he moved the hair hanging down the left side of my face, behind my shoulder. I did not want him to do this or come near me and it made me feel extremely uncomfortable."

Colleague G remained consistent in her evidence to the panel. The panel noted that you deny this allegation. Given the strength and quality of Colleague G's evidence, the panel was satisfied that it was more likely than not that you touched her hair on more than one occasion. Therefore, this charge is found proved.

Charge 1f)iii)

That you, a registered nurse:

1. Whilst employed as Head of Nursing at Taplow Manor Hospital ("the Hospital") of Active Care Group, between 12 July 2021 and 3 August 2022:

- f. In relation to Colleague G:

- iii. Looked at her bottom and/or said *"I know exactly where you're going to put that"* in relation to her lunch.

This charge is found proved.

In reaching this decision, the panel took into account the Investigation Meeting Notes, Colleague G's evidence and your evidence.

The panel had regard to the Investigation Meeting Notes, in which Colleague G told Mr Sycamore that:

“I was in the dining room, and had my lunch in my hands, he commented “I hope you put that you know” and continued to look at my behind I just responded jokingly with ‘I wish but I am Asian’”

The panel noted that this was consistent with Colleague G’s witness statement. In her witness statement, Colleague G described being in the canteen and that there were other people around. In her oral evidence, Colleague G explained that the interaction only took place between her and you, but given that you were both in the canteen, she was not sure if other people may have overheard the comment and that was why she felt embarrassed.

You told the panel that this did not happen. You said that you did not regularly go to the canteen, and that on this occasion, Colleague G was wearing a coat.

Given the strength and quality of Colleague G’s evidence, the panel preferred her account. Therefore, the panel determined that this charge is found proved.

Charge 2

That you, a registered nurse:

2. Whilst employed as a Nurse Specialist Advisor to the CQC on 9 May 2023 made one or more of the comments to Person 1 and/or asked her one or more of the questions set out in Schedule 6 or used words to that effect.

Schedule 6

- i. ...
- ii. *“I’ve looked through pictures on your phone trying to find the breastfeeding ones but without the baby”.*
- iii. *“I’ll message your partner to say we’ve been messaging”.*

- iv. *“What is he going to think if I’ve been messaging you, will he think we were having an affair?”.*

This charge is found proved in its entirety.

In reaching this decision, the panel took into account the email from the Home reporting concerns about you dated 18 May 2023, Person 1’s evidence, Ms Dinamling’s evidence, CQC Investigation Interview Minutes dated 5 July 2023 and CQC Investigation Interview Meeting Notes dated 11 July 2023.

- (ii) *“I’ve looked through pictures on your phone trying to find the breastfeeding ones but without the baby”.*

The panel noted the initial complaint from the Home which stated:

“Rennie could see the photo of [Person 1]’s baby (months old) as it’s a screensaver on her mbl. Rennie allegedly said “ I was going to look for breastfeeding photos but ones without the baby”.*

[Person 1] was left “raging and upset” by this however continued to support with the inspection as Rennie was going through residents’ care plans and asking her questions. Afterwards, Lauren came out of the nurses station and came down to reception and discreetly said to the Administrator “That guy is so inappropriate”. “[sic]

In the Investigation Meeting Notes dated 11 July 2023, Person 1 reiterated the allegation:

“When I returned, mobile phone was in front of RB along with other documents. He made a jovial comment that he looked through the pictures on my phone. He said “I was looking for a breastfeeding picture, the ones without a baby”. I replied “you wouldn’t find any such pictures” then picked the phone and brushed off the conversation. I left the nursing station immediately.”

In Person 1's witness statement to the NMC dated 14 August 2025, the allegation remains the same. Person 1 gave evidence at this hearing, and told the panel that there had not been a previous conversation about her child. She said that she went to pick her phone up, and you said something along the lines of you were looking through her photos to find pictures of her breastfeeding but without the baby.

The panel had regard to Person 1's CQC Interview Notes, in which she stated that she did not raise the issue at the time as she knew how important the inspection was to the Home, and she did not want to ruin it.

The panel noted that you deny this allegation. You told the panel in evidence that there were a few occasions where Person 1 left their phone unsecured, and you did not try to use it. You told the panel that her phone rang, and you saw a picture of a baby on her lock screen. You stated that you were never alone in the room with Person 1.

The panel also had regard to your Fact-finding meeting with the CQC dated 26 May 2023. In this interview, you stated:

"When I realised that staff member A and staff member B had left the mobile phone unlocked on the desk I didn't even go and retrieve my notebook and pen as this was by the phone. That's how I am I'm always very hyper aware."

The panel considered that this was inconsistent with the evidence you gave during this hearing.

The panel was of the view that Person 1 gave consistent evidence, and there is a contemporaneous record of the allegation which is supported by other evidence. Therefore, the panel determined that this charge is proved.

- (iii) "I'll message your partner to say we've been messaging" and
- (iv) "What is he going to think if I've been messaging you, will he think we were having an affair?"

In particular, the panel noted the initial complaint email, which is a contemporaneous record of Person 1's account. The email stated:

"Nita went and used [Person 1]'s phone and [Person 1] left the nurses station[sic] and when she came back Nita had finished with [Person 1]'s mobile which was left on the side.

Rennie said jokingly "I've messaged your partner pretending to be your new lover"."

The panel considered that this was consistent with the live evidence that Person 1 gave to the panel. It noted that Person 1 said she could not remember the exact wording, but that you made a comment that you were going to message her partner and that they might think you were having an affair.

You denied these allegations. You told the panel that you had never met Person 1 prior to this inspection, and so you did not know why she would make this complaint against you.

The panel determined that Person 1 gave consistent evidence, and that she was a reliable witness. Therefore, it determined that these charges are proved.

In these circumstances, the panel found charge 2 Schedule 6 (ii), (iii) and (iv) proved.

Charge 5)

That you, a registered nurse:

5. Informed an NMC panel at a review hearing on 4 December 2023 that you had informed the CQC in October 2022 of your dismissal from the Hospital when this was not the case.

This charge is found NOT proved.

In reaching this decision, the panel took into account your Interim Order Review determination dated 4 December 2023, Razia Khan's evidence, your resignation from the CQC letter dated 24 September 2023, the Specialist Advisor Terms of Engagement, email correspondence from HR Coordinator dated 6 December 2022 and your evidence.

The panel bore in mind Ms Khan's evidence. She told the panel that as part of the NMC investigation into your conduct, she checked two inboxes for correspondence from you informing them that you had been dismissed from the Trust. She told the panel that the only email you sent to the CQC in this time was to state that you were available to attend an inspection in October 2022.

You told the panel in evidence that you had tried to update the SpA profile but you were unable to do so. You stated that you contacted the CQC in order for them to change your profile to reflect that you were no longer working at the Hospital. You provided the panel with an email from a HR professional at the CQC dated 6 December 2022 which appears to be a response to an inquiry you made about your SpA profile. The panel did not have sight of your email to this inbox.

It is your case that having been dismissed from the Hospital in October 2022, you told the CQC immediately that you had been dismissed. The panel noted that Ms Khan gave consistent and credible evidence that in the two inboxes she searched, there was no email from you informing the CQC you had been dismissed. However, the panel accepted that you received a response from a HR professional in December 2022, who acknowledged that they were delayed in responding to you regarding updating your SpA profile.

In light of the inconsistencies, the panel was not satisfied that the NMC has discharged the burden of proof in respect of this allegation. Therefore, the panel determined that this charge is not found proved.

Charge 6a) – 6d)

That you, a registered nurse:

6. Your conduct at any or all of the charges 1a – 1f and 2:
 - a. Was sexual in nature.
 - b. Was a breach of professional boundaries.
 - c. Intended to cause colleagues to feel harassed and/or abused and/or intimidated.
 - d. Was sexually motivated in that you intended to pursue a sexual relationship with Colleague B and/or Colleague C and/or Colleague E and/or Colleague F and/or Colleague G and/or Person 1.

This charge is found proved.

The panel considered charges 1a – 1f and 2 separately, and determined whether they were proved in respect of charges 6a – d.

The panel used the definition of “*sexual*” outlined in section 78 of the Sexual Offences Act 2003, which reads:

“For the purposes of this Part (except sections 15A, 66B to 66D, 69 and 71), penetration, touching or any other activity is sexual if a reasonable person would consider that—

(a) whatever its circumstances or any person’s purpose in relation to it, it is because of its nature sexual, or

(b) because of its nature it may be sexual and because of its circumstances or the purpose of any person in relation to it (or both) it is sexual.”

As a consequence of the way the NMC has drafted charge 6c, the panel considered the charge on the basis that the NMC must prove that you intended to cause colleagues to feel harassed and/or abused and/or intimidated.

As a consequence of the way the NMC has drafted charge 6d, the panel considered sexual motivation on the basis that the NMC must prove that your conduct was sexually motivated in that you intended to pursue a sexual relationship.

Charge 1a – allegations relating to Colleague B

The panel has determined that the following charges are proved: 1a(i) Schedule 1 (i), (ii), (iii), (iv), (v), (vi), (vii), 1a(ii) and 1a(iv).

In respect of charge 6a, the panel determined that charge 1a(i) Schedule 1(i) is not sexual in nature and was merely used to distinguish Colleague B from another staff member with the same name. The panel determined that charge 1a(i) Schedule 1 (ii) was sexual in nature, in that it alluded to sex and was a suggestive, flirtatious comment. The panel considered that charge 1a(i) Schedule 1 (iii) was not sexual in nature, as it accepted that you made the comment in respect of the dress policy that you were responsible for. The panel considered that charge 1a(i) Schedule 1 (iv) is an inappropriate comment, but it is not overtly sexual in nature. The panel determined that on its own, charge 1a(i) Schedule 1 (v) was not sexual in nature. However, given that this took place in the same conversation as charges 1a(i) Schedule 1 (vi) and (vii), the panel determined that they are inextricably linked as the same course of conduct. The panel was of the view that these comments were sexual in nature, as you were referring to Colleague B's vagina and sex life. In relation to charges 1a(ii) and 1a(iv), the panel did not consider these to be sexual in nature. It was of the view that touching another member of staff, particularly a junior female colleague, was inappropriate. However, it was not satisfied that this crossed the threshold for being sexual in nature.

In respect of charge 6b, the panel determined that charge 1a(i) Schedule 1 (i) was not a breach of professional boundaries. The panel determined that charge 1a(i) Schedule 1 (ii) was a breach of professional boundaries given that the comment was sexual in nature. Charge 1a(i) Schedule 1 (iii) was not a breach of professional boundaries in the context of you implementing the dress policy and as Colleague B's direct line manager, you were within your rights to make her aware of a breach of the policy. However, the panel did consider that you did not handle this appropriately. The panel considered that in respect of charge 1a(i) Schedule 1 (iv) this was a breach of professional boundaries given the disparity in age and seniority. Given that the panel has found that charges 1a(i) Schedule 1 (v), (vi) and (vii) were sexual in

nature, it follows that these comments also breached professional boundaries. In relation to charge 1a(ii), the panel was of the view that this conduct did breach professional boundaries, bearing in mind the disparity in age and seniority between you and Colleague B. The panel did not consider that charge 1a(iv) was a breach of professional boundaries as it was done in the course of discussion around staffing numbers, though it did think that this was a careless and thoughtless action to take.

In respect of charge 6c, the panel considered your state of mind at the time you made these comments. The panel was of the view that you were not thinking about the impact that making such comments would have on Colleague B. Whilst the panel accepted that your conduct in respect of charge 1a(i) Schedule 1 (i), (ii), (iii) and (iv) may have had the effect of causing Colleague B to feel harassed, abused or intimidated, the panel was not satisfied that that you intended to harass, abuse or intimidate Colleague B in relation to these charges.

However, in relation to charge 1a(i) Schedule 1 (v), (vi) and (vii), the panel took into account the evidence of Colleague B. In particular it noted:

“He called myself and Godknows into his office and he started to have a go at Godknows in front of me. He was asking Godknows questions and expecting an immediate response, before Godknows was able to answer. I remember feeling embarrassed about being there and felt that Mr Bartlette should have spoken to Godknows alone.

””

I do not recall what, if anything, I said in response to this – I was in shock. I was absolutely disgusted by what Mr Bartlette said. I just remember feeling uncomfortable and wanting to leave the room as soon as possible.”[sic]

The panel considered that your conduct towards Mr Chigumba was intimidating and abusive. The panel considered that the comments found proved that arose following this altercation were intended to intimidate Colleague B. Colleague B describes in her evidence being intimidated by you, and therefore being present whilst you shouted at another member of staff would have caused her to feel more intimidated.

The panel also bore in mind the disparity in age, size and seniority. It concluded that you did intend to intimidate and abuse Colleague B in relation to charge 1a(i) Schedule 1 (v), (vi) and (vii).

In relation to 1a(ii) and 1a(iv), the panel determined that these appear to be isolated events that occurred during the course of work. Therefore, it did not consider that these actions were intended to harass, abuse or intimidate Colleague B.

In respect of charge 6d, the panel took into account all of the evidence in respect of your conduct towards Colleague B. The panel was not satisfied that your conduct was sexually motivated in that you intended to pursue a sexual relationship with Colleague B. Whilst the panel acknowledged that several of the comments you made towards Colleague B were sexual in nature, the panel did not think this was evidence of a prolonged pattern of behaviour from which it could safely draw an inference that your conduct was sexually motivated in that you intended to pursue a sexual relationship with Colleague B.

Charge 1b – allegations relation to Colleague C

The panel noted that it has found the following allegations proved: charges 1b(i) Schedule 2 (i), (v), (vi) and (vii), 1b(ii)(a), 1b(ii)(b), 1b(ii)(c), 1b(ii)(d), 1b(ii)(e), 1b(iii), 1b(v), 1b(vi), 1b(vii) and 1b(viii).

In relation to charge 6a, the panel determined that charges 1b(i) Schedule 2 (i), (vii), 1b(ii)(a), 1b(ii)(b), 1b(ii)(c), 1b(ii)(e), 1b(iii), 1b(v) and 1b(viii) were not sexual in nature. The comments in Schedule 2 do not appear to have any sexual connotations, and the other actions either happened within your role as a manager, or could be interpreted as you offering her support at work. The panel determined that charge 1b(i) Schedule 2 (v) was sexual in nature in that asking Colleague C about her intimate life is inherently sexual. Charge 1b(i) Schedule 2 (vi) is also sexual in nature as you pointed out her breasts during the ordinary course of her role which was inappropriate and unnecessary. Charge 1b(ii)(d) again relates to Colleague C's breasts which is sexual in nature. Charge 1b(vi) is sexual in nature in that it was sexual touching and the panel could not identify any other reason for you

trying to touch Colleague C's bra strap. For the same reasons, charge 1b(vii) is sexual in nature in that you touched Colleague C between her thighs and made a thrusting motion to demonstrate a sexual position.

The panel considered your conduct as a whole in respect of Colleague C. Taking into account the disparity in age and seniority, your relationship with Colleague C breached professional boundaries. The panel considered the evidence of Mr Warren Irving, in particular in his witness statement:

“During the hearing, Mr Bartlette admitted that it was not appropriate for him to have had a friendship with a junior colleague outside of work, but repeated that it was just a friendship and was not a sexualised relationship. I reviewed the entirety of the WhatsApp messages, and found Mr Bartlette’s assertion to be untrue.”

The panel considered that a number of your actions towards Colleague C were sexual in nature and therefore breached professional boundaries. The panel also reviewed the WhatsApp messages between the two of you, wherein the details of Colleague C's relationship and sex life are well documented. In this regard, the panel determined that your relationship with Colleague C breached professional boundaries.

In respect of charge 6c, the panel has not seen any evidence from which it could properly infer that you intended to harass, abuse or intimidate Colleague C. The panel noted that you appear to have had a relationship outside of work and were friends. Therefore, the panel could not be satisfied that you intended to harass, abuse or intimidate Colleague C.

In relation to charge 6d, the panel took into account the volume and subject matter of messages between you and Colleague C. In the messages you asked intimate questions, talked about her sex life and many of the messages were flirtatious. The other charges found proved relate to looking and talking about Colleague C's breasts, sexual touching under her top and between her thighs. The panel noted Colleague C's evidence that she felt she had been groomed, and that she did not

think you both had a romantic relationship, but she felt on a few occasions that you wanted something romantic. [PRIVATE]. The panel was therefore satisfied that your conduct was sexually motivated in that you intended to pursue a sexual relationship with Colleague C.

Charge 1c – allegations in relation to Colleague D

The panel considered that it has found charge 1c proved.

In relation to charge 6a, the panel determined that this conduct was sexual in nature, as it could not identify any other logical reason for touching a colleague's ankle and saying "*oh someone's shaved.*"

In relation to charge 6b, the panel determined that this was a breach of professional boundaries as it considered that there was never any need to have physical contact such as this between the Head of Nursing and a junior female colleague.

In relation to charge 6c, the panel considered that a senior member of staff touching a junior member of staff in breach of professional boundaries and in a way that is sexual in nature would be intimidating. The panel therefore determined that you must have intended to intimidate and harass Colleague D.

In relation to charge 6d, the panel considered that there is no evidence on which it could properly infer that you intended to pursue a sexual relationship with Colleague D. Therefore, it finds charge 6d not proved in respect of charge 1c.

Charge 1d – allegations in relation to Colleague E

The panel noted that it has found the following charges proved: charge 1d(i) Schedule 3 (i), (ii), (iii), (iv) and 1d(ii).

In relation to charge 6a, the panel considered that whilst these comments and actions were inappropriate and appear to be your attempt to relieve tension between you and Colleague E, they are not sexual in nature.

In relation to charge 6b, the panel did not consider that charge 1d(i) Schedule 3 (ii), (iii) (iv) or charge 1d(ii) breached professional boundaries. The panel did consider that saying that you were going to scratch her car would be a breach of professional boundaries as it was inappropriate for a senior manager to make such comments to a junior member of staff.

In relation to charge 6c, the panel determined that charge 1d(i) Schedule 3 (ii), (iii) (iv) and charge 1d(ii) were not intended to harass, abuse or intimidate Colleague E. However, the panel determined that charge 1d(i) Schedule 3 (i) was intended to intimidate Colleague E because she was a car enthusiast and you knew how much her car meant to her.

In relation to charge 6d, the panel had no evidence from which it could properly infer that your conduct was sexually motivated in that you intended to pursue a sexual relationship with Colleague E.

Charge 1e – allegations relating to Colleague F

The panel noted that it found the following charges proved: charge 1e(i) Schedule 4 (i), (ii), (iii), (iv), (vi), (viii), (ix), (x), (xi) and charge 1e(ii), 1e(iv), 1e(v)(b), 1e(vi) and 1e(vii).

In relation to charge 6a, the panel determined that charge 1e(i) Schedule 4 (i), (ii), (iii) and (iv) were sexual in nature. The panel also considered that charge 1e(i) Schedule 4 (viii) and (ix) are sexual in nature as they comment on the sexual relationship between Colleague F and her partner. The panel was of the view that charge 1e(i) Schedule 4 (vi), (x) and (xi) were not sexual in nature as the comments had no sexual connotations. The panel considered that charges 1e(ii), 1e(iv), 1e(v)(b), 1e(vi) and 1e(vii) were not sexual as they did not have any sexual connotations.

In relation to charge 6b, the panel was of the view that charges 1e(i) Schedule 4 (ii), (iii), (iv), (vi), (viii) and (ix) were a breach of professional boundaries in that they were

sexual in nature, or in the case of 1e(i) Schedule 3 (vi) was said despite Colleague F making it clear she did not want you to have her address. The panel did not consider that charges 1e(i) Schedule 4 (i), 1e(ii), 1e(iv), 1e(v)(b) or 1e(vii) breached professional boundaries. In relation to charge 1e(vii), the panel took into account Colleague F's evidence, in particular that you told her confidential information about other employees and the reasons they were being investigated, suspended or dismissed. As the Head of Nursing, this was a clear breach of the position of trust in which you were employed and the panel considered your actions breached professional boundaries.

In relation to charge 6c, the panel determined that all the comments in charge 1e(i) Schedule 4 were intended to abuse or intimidate Colleague F. They were mostly sexual in nature and breached professional boundaries. Taking into account the disparity in age and seniority, the panel was of the view that you intended to abuse and intimidate Colleague F.

In relation to charge 6d, the panel did consider that your conduct was sexually motivated in that you intended to pursue a sexual relationship. The panel noted that in Colleague F's handwritten notes, she states that you asked to call and text her when she was in South Africa in order to catch up. When Colleague F returned to work from her holiday, she wrote that you went to speak to her about it. She also wrote that you wanted to speak to her about things unrelated to work on a number of occasions. In particular. In her witness statement she stated:

"When Mr Bartlette would come into my office, he would sit in front of me, between the space where I would exit my desk, and the door. I felt that he did this on purpose so I could not leave or move. Whenever he attended my office, he would not talk to me about work-related issues, he would just check in with me in general terms. He would stay for a long time and try to talk, telling me about confidential information of other workers in the hospital, the plans spoken about in leadership meetings in hope that I would confide in him too as we shared this 'secret'.

It was when I got my own office that Mr Bartlette would touch me more – I think he touched my legs, brushed arms or waist on up to five occasions.”

The panel also considered that Colleague F stated that:

“On one occasion, on 27 June 2022 at 17:24, Mr Bartlette telephoned me on my personal mobile number from the work landline. I was not on shift when he called me, and I did not know who it was. As I thought it could be a work emergency, I answered it. However it was Mr Bartlette, who must have obtained my personal number from the system as I had not provided it to him. Mr Bartlette proceeded to tell me that he had a really stressful day and he knew I was also stressed and he wanted to check on me. He proposed that a walk would be good but that he had no one to go with. He asked me to send him a picture of my pet to his cell phone and I refused stating I do not have his number. I told Mr Bartlette I was fine and he did not need to call me. After this happened, I messaged Amber on WhatsApp and told her.”[sic]

The panel considered that the above demonstrated that you, on multiple occasions, tried to pursue a personal relationship with Colleague F, which the panel understood from her evidence was unwelcome. In light of the above, the panel was satisfied that you intended to pursue a sexual relationship with Colleague F.

Charge 1f – allegations relating to Colleague G

The panel noted that it has found the following charges proved: charge 1f(i) Schedule 5 (i), (ii), (iii), (iv), (v), (vi), 1f(ii) and 1f(iii).

In relation to charge 6a, the panel considered that all of the comments found proved in Schedule 5 are sexual in nature. In relation to charge 1f(ii), whilst the act of touching Colleague G’s hair in of itself may not be considered to be inherently sexual, the panel considered that it occurred within a course of your conduct towards Colleague G which was sexual in nature. Therefore, the panel was satisfied that charge 1f(ii) was also sexual in nature. The panel considered that charge 1f(iii) was sexual in that you indicated to her bottom.

In relation to charge 6b, the panel considered that all charges found proved in relation to Colleague G were a breach of professional boundaries, especially in light of the disparity of age and seniority.

In relation to charge 6c, the panel was satisfied that you intended to harass and intimidate Colleague G. The panel noted that your conduct which was sexual in nature, included sneaking up behind Colleague G, making sexualised comments and touching her hair. Given the disparity in ages and seniority, the panel was satisfied that you intended to harass and intimidate Colleague G.

In relation to charge 6d, the panel was not satisfied that it could properly infer that your conduct was sexually motivated in that you intended to pursue a sexual relationship with Colleague G. Colleague G stated that your presence “*made her jump.*” Colleague G also said you would say “*you didn’t hear me?*” after creeping up behind her.

The panel noted that several witnesses have given evidence that during their interactions with you, you “*giggled*” or “*laughed.*” The panel considered that you appear to have enjoyed making junior female colleagues uncomfortable and therefore it could not exclude this as your motivation.

The panel was of the view that this relationship differed from the one you had with Colleague C in that the comments made to Colleague G were done so over a shorter period of time and there is no indication that you were trying to pursue a sexual relationship with Colleague G. In contrast to your relationship with Colleague C, you did not message or telephone Colleague G outside of work. The panel also noted that the relationship between you and Colleague C appears to have been mutual. The panel saw evidence of WhatsApp messages from both of you at all times of the day and night and instigated by both of you over a long period of time.

Charge 2 – allegations relating to Person 1

The panel noted that it has found the following charges proved: charge 2 Schedule 6 (i), (ii), (iii) and (iv).

In relation to charge 6a, the panel was of the view that all of the comments in Schedule 6 are sexual in nature, in that they relate to prostitution, pictures of Person 1's breasts and Person 1's partner.

In relation to charge 6b, the panel was of the view that your conduct breached professional boundaries. It noted that this was the first time you had met Person 1 and you were undertaking an inspection for the CQC. Such comments are highly inappropriate in a professional setting. Therefore, it was satisfied that you breached professional boundaries.

In relation to charge 6c, the panel was of the view that these comments were very inappropriate, especially given the context in which you said them. However, the panel considered that this appears to have been your attempt at trying to be funny and was an isolated incident with Person 1. Therefore, it determined that you did not intend to harass, intimidate or abuse Person 1.

In relation to charge 6d, the panel had no evidence before it on which it could properly infer that you intended to pursue a sexual relationship with Person 1. Therefore, it determined that your conduct was not sexually motivated in respect of Person 1.

Charge 9)

That you, a registered nurse:

9. Your actions at charges 3a and/or 3b above were dishonest in that you were deliberately trying to conceal from the CQC that you had been dismissed from the Hospital.

This charge is found proved.

In reaching this decision, the panel took into account your admissions to charges 3a and 3b, your interview with the CQC dated 4 July 2023, your dismissal letter from the Hospital dated 3 August 2022, your email to the CQC dated 20 October 2022, Ms Khan's evidence, your contract and terms of engagement with the CQC dated 19 September 2016, your email confirming the continuance of the terms dated 3 June 2020 and your evidence.

The panel also bore in mind the two-stage test for dishonesty in the case of *Ivey*. It first considered the subjective element; what was your state of knowledge or belief at the time? The panel then considered whether this conduct was dishonest by the standards of ordinary decent people.

The panel noted that you made admissions to charge 3a and 3b. In respect of charge 3a, this admission was made with the caveat that you admit to having failed to inform the CQC that you were under investigation, but that you did not fail to inform the CQC that you had been dismissed.

The panel considered that in your interview with the CQC dated 4 July 2023, you informed the CQC that:

“RB explained, he has worked adhoc for CQC alongside as well as his regular jobs in the past. RB left his fulltime job to care for his spouse in August 2022, since then he has done more inspections, on average 2 to 3 a month.”

The panel noted that in your dismissal letter dated 3 August 2022, you were informed that:

“For the avoidance of doubt ACG has not accepted your resignation (submitted 3rd August 2022) and your reason for leaving will be recorded as dismissal.”

The panel also noted that in October 2022, you confirmed to the CQC that you were available to undertake an urgent CQC inspection.

The panel took into account your contract and terms of engagement with the CQC, which you reconfirmed you accepted in your email dated 3 June 2020. These terms include the following:

“14.2. CQC may terminate this Agreement summarily (i.e. with immediate effect without prejudice to any rights or claims that it may have against you) if it considers you have committed any serious or repeated breach of the terms of this Agreement or that you have committed an act of gross misconduct. Set out below is a non-exhaustive list of circumstances in which the CQC is entitled to terminate this Agreement with immediate effect:

...

14.2.12. You are dismissed from your substantive employment.”

In considering what your state of knowledge or belief was at the relevant time, the panel considered that the dismissal letter from the Hospital was clear that you had been dismissed, and your resignation had not been accepted.

The panel also considered that in your interview, you told the CQC that your reason for leaving employment at the Hospital was to [PRIVATE]. The panel considered that this was misleading, as you had been dismissed from this employment for gross misconduct.

The panel determined that you knew you had been investigated and subsequently dismissed from the Hospital. As per the terms in your contract with the CQC, you should have been forthcoming with this information.

The panel concluded that you deliberately attempted to conceal that you had been dismissed from the Hospital, given that you were aware of your obligation to report that you had been dismissed. The panel did not accept your evidence that you consulted your UNISON representative, and they advised you did not need to declare this. You also told the panel that it had been so long since you reviewed the terms, you did not know you needed to report that you had been dismissed.

The panel determined that your conduct would be considered dishonest by the standards of ordinary decent people. The panel was therefore satisfied that it was more likely than not that you acted dishonestly and tried to conceal your dismissal due to the risk of losing your work with the CQC.

Charge 10)

That you, a registered nurse:

10. Your actions at charges 3c and/or 3d above were dishonest in that you were trying to conceal from the NMC that your CQC role required NMC registration and/or that you were under investigation by them.

This charge is found proved in respect of charge 3d only.

In reaching this decision, the panel took into account your Personal Contact and Employment Details (PCED) form dated 21 August 2023, the transcripts from your interim order hearing dated 22 August 2023 and your CV.

In particular, the panel noted that on the PCED form, you have listed two previous employers, ACG and Croner Management Ltd. These dates of employment span from August 2016 to November 2020, and then March 2021 to August 2022. You did not list CQC as one of your previous employers, despite the overlap in dates.

During the interim order hearing, your representative told the reviewing panel that you did consulting for the CQC on an ad hoc basis. Your representative was asked whether this was a non-registered role that you do through self-employment, and the representative confirmed this. You did not correct your representative. The panel was of the view that this created a misleading impression that your role as SpA was a non-registered role.

The panel took into account Ms Herbert's closing submissions, specifically that you provided your CV to the NMC before submitting your PCED. Your CV does contain details of your role as a SpA for the CQC. The panel was therefore satisfied that your

conduct was not dishonest in respect of charge 3c, as it accepted your evidence that you thought you had informed the NMC that you were employed at the CQC effectively.

In respect of charge 3d, the panel determined that you knew that your representative had told the panel that your role with the CQC was a non-registered role. The panel also determined that you knew that this was untrue, and that you needed an NMC PIN to undertake this work. The panel was of the view that you should have at this point corrected your representative, to ensure that the panel was not misled. The panel considered that at this time, you knew you had a duty of candour to make the panel aware that your role with the CQC required a PIN. The panel considered that your conduct would be considered dishonest by the standards of ordinary decent people. It therefore determined that this charge is proved in respect of charge 3d.

Charge 11)

That you, a registered nurse:

11. Your actions at charge 3e were dishonest in that you knew you were under a duty to inform employers about your conditions.

This charge is found proved.

In reaching this decision, the panel took into account the decision letter for your interim order hearing dated 23 August 2023, your admissions, Geraldine Wilkinson's evidence, the Investigation Meeting Notes dated 3 August 2023 and the Investigation Report from Ms Wilkinson.

The panel noted that in condition 8a of your interim conditions of practice order, you were instructed to immediately give a copy of the conditions to any organisation or person you worked for.

Ms Wilkinson interviewed you on 3 August 2023 and you asked whether after the interview you would receive a dismissal or a warning given that you were a flexible worker. You were told by Ms Khan, who was also at the meeting, that if there was a case to answer, then an independent Hearing Manager would hear and review the case.

Following your interim order hearing on 22 August 2023, as per the interim conditions of practice order, you should have informed the CQC that you were subject to an interim order.

On 19 September 2023, you were sent the Investigation Report authored by Ms Wilkinson and were told that a Disciplinary Hearing had been scheduled for 26 September 2023. On 24 September 2023, you resigned from your role with the CQC.

The panel was satisfied as an experienced registered nurse who attended an interim order hearing and was subject to an interim order, you knew that you needed to inform your employer that you were subject to such an order. The panel noted that there is a gap between 22 August 2023 when the interim order was made, and 19 September 2023 when you were informed that a Disciplinary Hearing had been scheduled. During this time, you had not informed the CQC that you were subject to an interim order. The panel concluded that it is likely you were waiting to hear about the outcome of Ms Wilkinson's investigation, and if she had determined to take no further action, it is unlikely you would have informed her of the interim order.

The panel concluded that your conduct was dishonest by the standards of ordinary decent people. Therefore, it determined that charge 11 is proved.

Charge 12)

That you, a registered nurse:

12. Your actions at charge 5 were dishonest in that you knew that you had not informed the CQC.

This charge is found NOT proved.

The panel has not found that charge 5 is proved. Therefore, charge 12 falls away and is found not 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 your fitness to practise is currently impaired. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's ability to practise safely and effectively without restriction.

The panel, in reaching its decision, has recognised its statutory duty to protect the public and maintain public confidence in the profession. Further, it bore in mind that there is no burden or standard of proof at this stage, and it has therefore exercised its own professional judgement.

The panel adopted a two-stage process in its consideration. First, the panel must determine whether the facts found proved amount to misconduct. Secondly, only if the facts found proved amount to misconduct, the panel must decide whether, in all the circumstances, your fitness to practise is currently impaired as a result of that misconduct.

Submissions on misconduct

Mr Kennedy invited the panel to take the view that the facts found proved amount to misconduct. The panel had regard to the terms of 'The Code: Professional standards of practice and behaviour for nurses and midwives 2015' (the Code) in making its decision.

Mr Kennedy identified the specific, relevant standards where your actions amounted to misconduct as: sections 1.1, 8.2, 8.7, 20.1, 20.2, 20.3, 20.5, 20.8. He accepted that not all breaches of the Code automatically lead to a finding of misconduct.

Mr Kennedy submitted that you were a highly experienced nurse and manager, you acted in an unprofessional manner in communication with junior members of staff where the balance of power was tipped in your favour. He further submitted that you breached confidentiality, were subject to an interim conditions of practice order and failed to inform the CQC that you were subject to that interim order. He submitted that this behaviour falls far short of the standards expected of registered nurses, and therefore is sufficient to amount to serious professional misconduct.

Ms Herbert submitted that you recognise the findings that have been made by this panel, and accept that they likely amount to serious professional misconduct.

Submissions on impairment

Mr Kennedy moved on to the issue of impairment and addressed the panel on the need to have regard to protecting the public and the wider public interest. This included the need to declare and maintain proper standards and maintain public confidence in the profession and in the NMC as a regulatory body. This included reference to the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) and Grant* [2011] EWHC 927 (Admin).

Mr Kennedy submitted that limbs b, c and d of the *Grant* test were engaged. He submitted that you breached fundamental tenets of the nursing profession. He submitted that you brought not only your own reputation into disrepute, but it also had the potential to impact the wider nursing profession. He submitted that dishonesty is never acceptable and it was not the kind of behaviour which the public or nursing colleagues would expect.

Mr Kennedy submitted that this case does not concern your clinical practice, but rather your interpersonal skills, honesty and the effect your proven behaviour has had on the nursing profession, colleagues and the wider public.

Mr Kennedy submitted that you should be given credit for admitting a number of charges at the outset of the hearing. He submitted that you gave evidence, but you

have not sufficiently demonstrated the impact of your behaviour on others. He submitted that you have not demonstrated insight into your dishonesty, or how your actions impacted others. He submitted that without evidence of insight, there remains a risk of repetition.

Mr Kennedy submitted that the charges found proved are attitudinal in nature, and are difficult to remediate, He submitted that the charges arose between three and six years ago. He submitted that the panel does not have before it information regarding your current employment, and whether it involves managing junior female colleagues. He submitted that you have not provided references or testimonials that speak to your interpersonal skills. In these circumstances, he submitted that there is no information before this panel to reassure it that you will not act similarly in future.

Mr Kennedy submitted that public protection is engaged in this case. He submitted that colleagues are entitled to be treated with dignity and respect, particularly by a senior member of staff. He submitted that this does not include being subjected to sexualised comments or inappropriate, unwanted touching. He submitted that your behaviour exposed colleagues and Person 1 to the risk of psychological harm. He submitted that in the absence of insight and remediation, the risk of harm to the public remains.

Mr Kennedy submitted that a finding of impairment is also necessary on the public interest ground. He submitted that the public would be appalled to learn that the Head of Nursing, who was responsible for running a team of staff, had treated his colleagues in the way in which has been found proved. He submitted that a member of the public would also be concerned about your breach of confidentiality. He submitted that the public would be outraged by your behaviour towards Person 1 when you were representing the CQC. He submitted that the public would find it deplorable that you were dishonest in your dealings with the CQC in that you failed to inform them you were subject to an interim order. He submitted that the public would expect the NMC as regulator to take action to ensure that you do not repeat that behaviour.

Ms Herbert submitted that given the NMC guidance on these matters, you accept that a finding of impairment may be necessary. She submitted that allegations of a sexual nature are serious, and you recognise that you were in a senior position. She submitted that whilst many of the comments you made were sexual, a number of them were not. She submitted that sexual motivation was found in relation to two individuals, not to all that were alleged.

In relation to Colleague C, she submitted that this panel has found that there was a friendship between you, and therefore you did not intend to harass, abuse or intimidate her. Although there was an allegation of grooming made by Colleague C, this panel did not make a finding of fact about this. She submitted that this was not a case of grooming, but rather you believed there to be a genuine friendship between you and Colleague C.

Ms Herbert submitted that there are a number of contextual features to consider in this case. She submitted that you were working at a failing hospital, with staffing issues and with a closed culture. It was your role to reprimand people, to bring the Hospital in line with CQC standards and to manage staffing. She submitted that this was a high-pressure position and it was difficult for you.

Ms Herbert submitted that you had never been Head of Nursing prior to this role, and you did not have ward managers to assist you or to add a layer between you and the junior staff. She submitted that the Hospital had a toxic environment, and it closed shortly after you had been dismissed.

Ms Herbert submitted that you have been a nurse for a significant period, and that you have no previous regulatory findings against you. She submitted that this demonstrates that the environment was a contributing factor to your actions.

Ms Herbert submitted that this is not a case where there was a risk of harm to patients or service users, and there was no allegation of misconduct towards those being cared for.

[PRIVATE].

In relation to dishonesty, Ms Herbert submitted that you admitted to the conduct that led to the allegations. She submitted that given [PRIVATE], you made the decision not to correct your representative at the interim order hearing which was dishonest. She submitted that in light of the context you have provided in evidence, this is not at the higher end of the spectrum of seriousness.

In relation to the sharing of confidential information, she submitted that again the context is relevant. She submitted that the role you were in was pressurised, there was a lack of layers between people you could speak to about this, and this provides some mitigation.

Ms Herbert submitted that you made some admissions, and you recognise this panel's findings. She submitted that you accept that you could do more training and have more awareness around the behaviours that led to these allegations. She submitted that this has been a long process for you, and you have engaged throughout. She submitted that you are currently subject to an interim suspension order, and this has impacted on your life, self-esteem and has been mentally draining. She submitted that you are not currently working.

Ms Herbert submitted that the combination of these features identifies that you do not have a deep-seated attitudinal issue, and this is not a case where there is an ingrained mindset or belief system that is incompatible with nursing or someone who is resistant to change. She submitted that the combination of the workplace environment and [PRIVATE] contributed to your actions, and therefore the risk of repetition is low.

Ms Herbert submitted that you recognise the serious nature of these allegations, and understand that it is likely that the public interest would require a finding of impairment.

The panel accepted the advice of the legal assessor which included reference to a number of relevant judgments. These included: *Roylance v General Medical Council* (No 2) [2000] 1 A.C. 311, *Nandi v General Medical Council* [2004] EWHC 2317

(Admin), and *General Medical Council v Meadow* [2007] QB 462 (Admin), *Mallon v GMC* [2007] CSIH 17, *Remedy UK Ltd v GMC* [2010] EWHC 1245 (Admin) and *Cohen v GMC* [2008] EWHC 581 (Admin).

Decision and reasons on misconduct

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

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

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

‘1 Treat people as individuals and uphold their dignity

To achieve this, you must:

1.1 treat people with kindness, respect and compassion

5 Respect people’s right to privacy and confidentiality

...

5.4 share necessary information with other health and care professionals and agencies only when the interests of patient safety and public protection override the need for confidentiality

8 Work cooperatively

To achieve this, you must:

...

8.2 maintain effective communications with colleagues

...

8.7 be supportive of colleagues who are encountering health or performance problems. However, this support must never compromise or be at the expense of patient or public safety

20 Uphold the reputation of your profession at all times

To achieve this, you must:

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

20.2 act with honesty and integrity at all times, treating people fairly and without discrimination, bullying or harassment

20.3 be aware at all times of how your behaviour can affect and influence the behaviour of other people

...

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

...

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

...

20.10 use all forms of spoken, written and digital communication (including social media and networking sites) responsibly, respecting the right to privacy of others at all times

23 Cooperate with all investigations and audits

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. However, the panel was of the view that your conduct found proved fell seriously short of the standards expected of a registered nurse.

Charges 1a –1f, 2 and 6a – d relating to sexual misconduct and/or sexual motivation and/or breach of professional boundaries

The panel has found a number of charges proved relating to sexual misconduct. It has found that you used inappropriate language towards members of staff and intended to pursue a sexual relationship with two colleagues. The panel considered that you held a position of power, in which you were permitted to terminate employment. All of the complainants in this case were junior, female colleagues who were young and inexperienced nurses and care staff. This panel has found that you made these colleagues feel intimidated and harassed. You breached these colleagues' dignity, abused your position of trust and went beyond the boundaries of professional conduct repeatedly.

The panel considered that in their very nature, these charges amount to serious professional conduct, breached professional standards and undermined confidence in the nursing profession.

Charges 1b(ii)(b), 1e(vii), 1g, 3 – 4, 7 – 11 relating to dishonesty and/or lack of integrity and/or breach of confidentiality

The panel noted that charges relating to dishonesty are inherently serious and breach the fundamental tenets of honesty and integrity in the nursing profession. The panel considered that the dishonesty and lack of integrity in this case was for personal gain, in that you wanted to preserve your employment with the CQC by not informing them that you were subject to an interim order. The panel considered that you failed in your duty of candour and misled your regulator by failing to correct your representative when they informed the investigating committee panel that your role at the CQC did not require an NMC PIN.

In relation to Colleagues C, F and H, you divulged information that you knew, or should have known, to be confidential without a professional purpose or reason.

In light of the above, the panel found that your actions did fall seriously short of the conduct and standards expected of a nurse and amounted to serious professional misconduct.

Decision and reasons on impairment

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

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

The panel noted the test requires it to consider both your past conduct and what you are liable to do in the future.

The panel finds that patients were not put at risk and were not caused harm as a result of your misconduct. It therefore does not find that limb (a) of the test in *Grant* is engaged in this case.

However, the panel considered that your past conduct engaged limbs *b*, *c*, and *d* of the *Grant* test. It has found that you breached the fundamental tenets of the nursing profession and therefore brought its reputation into disrepute. The panel considered that sexual misconduct, breaching professional boundaries, dishonesty, breaching confidentiality, harassment and intimidation are very serious charges.

The panel next considered what you are liable to do in the future. In so doing, the panel considered the three questions posed in the case of *Cohen* and the NMC guidance contained in FTP 16a, 16b and 16c. The three questions are summarised as follows: 1. Whether the concern is easily remediable, 2. Whether it has in fact been remedied 3. Whether it is highly unlikely to be repeated.

The panel noted that it has no evidence before it of insight, remediation or strengthened practice to decrease the risk of repetition in the future. The panel considered that you have not provided any reflections, references or testimonials that would satisfy it that your misconduct will not be repeated.

It was satisfied that confidence in the nursing profession would be undermined if its regulator did not find charges relating to dishonesty extremely serious.

The panel considered whether the misconduct in this case is capable of being addressed. It had regard to the NMC Guidance FTP-16a *Can the concern be addressed?* (last updated: 27 February 2024). In particular the panel considered the following guidance relevant to your case:

- *‘inappropriate personal or sexual relationships with people receiving care or other vulnerable people or abusing their position as a registered nurse, midwife or nursing associate or other position of power to exploit, coerce or obtain a benefit*
- *incidents of harassment, including sexual harassment, and other forms of sexual misconduct, whether it occurs inside or outside professional practice*
- *dishonesty, particularly if it was serious and sustained over a period of time, or is directly linked to the nurse, midwife or nursing associate’s professional practice’*

The panel considered that these concerns are attitudinal in nature and therefore are more difficult to remediate. The panel noted that you had, or pursued, inappropriate personal relationships with colleagues and you abused your position of power and trust in relation to a number of junior female colleagues. The panel noted that you

intended to intimidate, abuse and harass members of staff within a professional environment. It also considered that your dishonesty was serious in that you did not inform the CQC of your interim order for personal gain, and you were dishonest and misleading towards your regulator at the interim order hearing.

The panel next had regard to the guidance in FTP-16b to assess whether you have remedied the misconduct.

The panel noted that FTP-16b suggests the following steps for a registrant to take in order to remedy the concerns raised:

- *Step back from the situation and look at it objectively;*
- *Recognise what went wrong;*
- *Accept their role and responsibilities and how they are relevant to what happened;*
- *Appreciate what could and should have been done differently;*
- *Understand how to act differently in the future to avoid similar problems happening.*

The panel bore in mind Ms Herbert's submissions, that you understand that your misconduct was unacceptable. The panel considered that when you gave evidence, you identified that the Hospital had a toxic culture, and that you were influenced by it. The panel also noted that the CQC subsequently closed the Hospital which appears to support your version of events. The panel was of the view that this demonstrates some limited insight into the circumstances that led to the allegations arising.

However, the panel considered that you have not provided any evidence of further reflection or insight. The panel considered that whilst you made some admissions to the charges at an early stage, you have not fully demonstrated that you understand how your actions harmed your colleagues, or what the wider implications of your misconduct on the reputation of the profession are. Despite giving evidence at this hearing, you have not sufficiently demonstrated how you would act differently in future.

The panel was not satisfied that you have adequately addressed the concerns or provided evidence of references, reflections, testimonials or any relevant training.

The panel considered whether you are likely to repeat the conduct found proved.

The panel had regard to guidance NMC Guidance FTP-16c *Is it highly unlikely that the conduct will be repeated?* (last updated: 14 April 2021) which states:

“Decision makers can also take into account the full circumstances of the case. The likelihood of the conduct being repeated in the future may be reduced where:

- The nurse, midwife or nursing associate has demonstrated sufficient insight and has taken appropriate steps to address any concerns arising from the allegations.*
- The behaviour in question arose in unique circumstances. While this may not excuse the nurse, midwife or nursing associate’s behaviour, this may suggest that the risk of repetition in the future is reduced.*
- The nurse, midwife or nursing associate has an otherwise positive professional record, including an absence of any other concerns from past or current employers and of any previous action by us or another regulatory body.*
- The nurse, midwife or nursing associate has engaged with us throughout our processes.”*

The panel noted that you are of previous good character, and you have engaged with the NMC throughout this process.

The panel considered that the behaviour does appear to have arisen in a unique circumstance. The panel considered the context you have provided, in particular the environment at the Hospital and [PRIVATE]. However, the panel had no evidence before it regarding the impact your circumstances had on your behaviour at work. There is no [PRIVATE] evidence before this panel that could justify your treatment of your colleagues, or your dishonesty and lack of integrity.

Despite having [PRIVATE], previous good character and engagement with the NMC, the panel was not satisfied that it was highly unlikely that the behaviour would be repeated in the future.

In light of the above, the panel determined that limbs *b*, *c* and *d* of the test in *Grant* are engaged in respect of what you are liable to do in the future.

Whilst the panel acknowledged that patients were not put at risk of harm, the panel had regard to NMC Guidance DMA-1 *Impairment* (last updated: 28 January 2026) which includes the following:

“A professional’s fitness to practise will only be impaired on public safety grounds if they pose an ongoing risk of harm to those receiving care from the professional (and/or their families) and/or to colleagues.”

The panel considered that your misconduct was towards junior female colleagues over a period of time where you have disregarded their dignity and breached your position of trust. The panel has concluded that you have not yet addressed the concerns adequately and therefore the risk of harm remains. The panel was satisfied that a finding of impairment is necessary on the ground of public protection.

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

The panel considered that the public, which includes other nursing professionals, would be appalled by your conduct towards your colleagues. The panel considered that the public would consider that the sexual misconduct and dishonesty charges found proved are deplorable. The panel also considered that a member of the public, knowing all the facts of this case, would expect the NMC as a regulator to take action to prevent the misconduct from occurring in future. The panel determined that the reputation of the profession would be seriously damaged if it did not find the charges

relating to sexual misconduct and dishonesty extremely serious. The panel determined that a finding of impairment on the public interest ground is required to mark the seriousness of your misconduct, the uphold proper professional standards and to maintain public confidence in the profession.

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

Sanction

The panel has considered this case very carefully and has decided to make a striking-off order. It directs the registrar to strike you off the register. The effect of this order is that the NMC register will show that you have 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 careful regard to the Sanctions Guidance (SG) published by the NMC. The panel accepted the advice of the legal assessor.

Submissions on sanction

Mr Kennedy submitted that the only appropriate sanction in this case is a striking off order.

Mr Kennedy submitting that your case involves a number of aggravating factors, including: sexualised behaviour towards junior staff, abuse of power, sustained dishonesty, lack of integrity, lack of full insight or remorse and remediation. He further submitted that you deliberately breached the interim conditions of practice order imposed by the Investigating Committee.

Mr Kennedy identified the following mitigation factors: you have engaged with the NMC process, you have a lengthy and unblemished career, you made some early admissions, there is some personal mitigation in relation to [PRIVATE], though this must be given limited weight.

Mr Kennedy submitted that taking no further action or imposing a caution order would be inappropriate in this case given the seriousness of the misconduct and the public protection concerns identified. He submitted that a conditions of practice order would not be appropriate given that this case does not relate to your clinical practice. He submitted that a condition of practice order would be insufficient to address the dishonesty concerns, which he submitted arises out of an attitudinal issue. He submitted that there are no relevant, workable or measurable conditions that could be imposed to protect the public.

Mr Kennedy submitted that a suspension order is not appropriate in this case. He submitted that this is not a single instance of misconduct, you have limited insight, there is evidence of deep-seated attitudinal issues and there is no evidence of remediation. In relation to dishonesty, he submitted that honesty is of central importance to the nursing profession, and therefore the panel must determine whether your misconduct falls at the most serious end of the spectrum of dishonesty.

Mr Kennedy submitted that you have engaged with the NMC process, and you have provided a new document including further reflections. However, he submitted that this was not a one-off incident, it was for personal gain, and it was repeated. He submitted that you intended to cover up the investigation against you, your dismissal and the restrictions on your practise. He submitted that in all the circumstances, and in particular the sexualised comments made to junior colleagues, your actions raise fundamental questions about your professionalism. He submitted that your conduct is incompatible with remaining on the NMC register.

The panel also bore in mind Ms Herbert's submissions. She submitted that you recognise the seriousness of your misconduct, and you understand that an order restricting your practice is required to address the public protection and public interest concerns. She submitted that a suspension order for a period of 12 months is the proportionate sanction in this case.

Ms Herbert submitted that your conduct is serious and attitudinal in nature. However, she submitted that a striking-off order would be disproportionate and is not necessary to maintain public confidence. She submitted that the NMC Guidance

means that cases involving dishonesty for personal gain does require the panel to consider a striking-off order, but it is not bound to strike a registrant off the register in these cases.

Ms Herbert submitted that you have insight, and there is a realistic prospect that you can return to safe and effective practice after a period of suspension. She submitted that you have learnt the importance of interim orders, and your engagement in these proceedings demonstrates that you do not disregard the NMC and its decision making.

Ms Herbert submitted that your sexualised conduct towards female colleagues from a position of power is serious. However, she submitted that your misconduct was not directed towards patients and there has been no criminal conviction. She told the panel that you have worked as a nurse since 1989, you have a previously unblemished career, and you made early admissions to the facts of this case.

Ms Herbert submitted that you have completed training courses of professional boundaries and the duty of candour. She submitted that you are willing to undertake more training and learning. She noted that there were relevant contextual factors though they do not negate the seriousness of your misconduct. She submitted that this was your first role as the Head of Nursing, the workplace environment was not positive with a lack of support, and [PRIVATE]. She submitted that you have provided a reference from someone you worked with for 14 years. She drew the panel's attention to an email from your referee confirming that she knows what the allegations against you are, and she is willing to support you by providing a reference for this hearing. She sets out that you were a positive nurse, that you were not afraid of making difficult decisions and you were cognisant of the protection of patients.

Ms Herbert submitted that you have been subject to an interim suspension order for two years already. She submitted that you have been restricted from practice, and this satisfies the public protection and public interest concerns in this case. She submitted that imposing a suspension order now permits a future reviewing panel to

impose a striking-off order if you fail to demonstrate further insight, reflection or remediation. She submitted that this maintains public confidence in the profession.

Ms Herbert submitted that the panel has found that you have demonstrated some limited insight, and there is some evidence of an attitudinal issues, though the panel has not found that this is deep-seated. She submitted that it is clear from the reflective statement you have provided today that there is developing insight in this case. She told the panel that you have taken time to consider your conduct and have recognised that the lack of respect had an impact on others. She submitted that you accept that although you may have felt that your misconduct was “*banter*,” this may have been experienced differently by others, and they should not be subjected to unwanted attention.

Ms Herbert submitted that you understand that you should have done more to support staff, and to alter the power imbalance. She submitted that you have reflected on the relationship you had with Colleague C, and how that breached professional boundaries. She submitted that you have recognised the wider impact of sexually inappropriate behaviour on the nursing profession and the expectations of the public. She stated that you recognised the seriousness of the dishonesty, you have no excuse for it, and you take responsibility for it. She submitted that you understand that honesty is a fundamental part of nursing, and that dishonesty undermines trust in the profession.

Ms Herbert submitted that you have reflected on what you would do differently in the future. She stated that you have completed two relevant training courses and have identified what you learnt from these. She submitted that you have learnt from your behaviour, and you are willing to learn and develop further. She submitted that you wish to return to nursing and work with elderly patients with dementia. She submitted that you have engaged and cooperated with the NMC, its investigation and this hearing.

Ms Herbert submitted that your impairment is serious, but not fundamentally incompatible with remaining on the NMC register. She submitted that a period of suspension would satisfy the public protection concerns identified and the public

interest. She submitted that a striking-off order is disproportionate and punitive. She submitted that you have shown insight, and whilst this is a serious case, you have been suspended for two years, and a further suspension would mark the seriousness of the case.

The panel accepted the advice of the legal assessor.

Decision and reasons on sanction

Having found your 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 SG. 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
- Deliberate breaches of the Code in relation to the dishonesty
- A pattern of misconduct over a period of time
- Limited insight
- Vulnerability of the junior colleagues targeted by your sexualised behaviour
- Predatory behaviour
- Failure to work collaboratively with colleagues

The panel also took into account the following mitigating features:

- Early admissions to some of the facts
- Previous good character and previous unblemished 34-year career
- Some relevant training courses completed in 2023
- Personal mitigation regarding the Hospital work environment and [PRIVATE].

Whilst the panel took note of the mitigating factors in this case, it considered that the sexual motivation, intimidating and harassing behaviour, dishonesty, breaching professional boundaries and confidentiality it has found proved is very serious.

The panel had regard to the NMC Guidance SAN-4 *Sanctions for the highest risk cases* (last updated: 31 July 2026) and noted the guidance in relation to cases involving dishonesty and sexual misconduct.

The panel noted that in relation to dishonesty, you deliberately breached your professional duty of candour by concealing that you had been dismissed from the Hospital from the CQC. The panel also considered that you failed to inform the CQC that you were subject to an interim order, which was a breach of trust for personal gain in that you intended to preserve your employment with them.

The panel also considered that your reflective statement dated 20 October 2026 does demonstrate some understanding of your dishonesty, and you do recognise that you acted in a dishonest way.

In relation to sexual misconduct towards colleagues, the panel considered that this was repeated misconduct where you abused your position of power over junior female colleagues. The panel considered this predatory behaviour as it was repeated over a sustained period and related to several colleagues. The panel was of the view that this conduct resulted in an unsafe work environment and violated the dignity of your colleagues. The panel noted that its finding in regard to your sexual misconduct could impact the reputation of the nursing profession, undermine public confidence and impact on your ability to uphold standards and values and consequently could impact public safety.

In light of the above, the panel was of the view that the concerns found proved, in particular around dishonesty and sexual misconduct, as well as confidentiality breaches does make this a serious case. It bore this in mind when determining the appropriate and proportionate sanction.

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case and the public protection concerns identified. 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 your 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 your misconduct was not at the lower end of the spectrum and that a caution order 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 impose a caution order.

The panel next considered whether placing conditions of practice on your registration would be a sufficient and appropriate response. The panel is of the view that there are 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 and does not relate to your clinical practice. The panel noted that it has determined that there are some attitudinal issues in your case, that are difficult to address with conditions. Additionally, the panel noted that one of the charges found proved was that you breached your interim conditions of practice order deliberately. The panel therefore concluded that it would be inappropriate to impose conditions on your registration as they would not adequately address the seriousness of this case and would not protect the public.

The panel had regard to the NMC Guidance SAN-3 *Deciding between suspension and strike off* (last updated: 28 January 2026). It noted that it could direct a review of the suspension order before its expiry, although the panel is aware that it cannot direct the reviewing committee to suspend you for a further period. The panel considered that if it determined that a suspension order is the appropriate and

proportionate order, it could provide recommendations of actions you could take during a period of suspension in order to assist a future reviewing panel.

The panel noted that you have been suspended for a period of two years already, and you have engaged with this process notwithstanding this hearing has been ongoing for 13 months. The panel noted that you have demonstrated some level of insight at this hearing, and the panel considered that a period of suspension would provide you time to reflect on your misconduct and to take steps to remediate.

The panel went on to consider whether a suspension order would be an appropriate sanction in the circumstances of this case. 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 also had regard to NMC Guidance SAN-2d *Suspension order* (last updated: 28 January 2026). In particular:

“The professional will not be able to practise while the suspension order is in place. It may be appropriate in cases where:

- *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 considered that your impairment is very serious, specifically the charges relating to dishonesty and sexual misconduct. It noted that this was not a single

instance of misconduct, and there is evidence of attitudinal problems. The panel accepted that there is no evidence to suggest repetition of the misconduct since the incidents, but it was not satisfied that your insight is sufficient to mitigate the risk of repetition. The panel was of the view that a member of the public, with knowledge of the misconduct that this panel has found proved, would consider it to be fundamentally incompatible with remaining on the NMC register.

The panel had regard to NMC Guidance SAN-2e *Striking-off order* (last updated: 28 January 2026). It noted that the types of cases most likely to result in a striking off order are those involving dishonesty or a breach of the professional duty of candour and sexual misconduct.

The panel also noted that the guidance indicates:

“This sanction is likely to be appropriate if the professional’s actions are fundamentally incompatible with being a registered professional. Before imposing this sanction, the Committee should consider:

- Do the charges found proved raise fundamental questions about their professionalism?*
- Can public confidence in the profession be maintained if the professional is not removed from the Register?*
- Is there any amount of insight and reflection which could keep people receiving care and members of the public safe, maintain public confidence in the profession, and uphold professional standards?*
- Is there a realistic prospect that, after suspension, the professional will have gained insight and strengthened their practice such that the risk they pose will have reduced?”*

The panel considered that you were an experienced nurse and manager, and not inexperienced or naïve to the risks of your behaviour on your colleagues. The panel acknowledged that you were under significant stress at the time, including working in a toxic work environment and with no support from middle management. However, it was of the view that this does not excuse the impact your conduct had on others, in particular the sexual misconduct, harassing and intimidating behaviour and the

breach of confidentiality. The panel considered that given your experience, you should have identified when you crossed the line at work. The panel considered that despite being dismissed from the Hospital your misconduct extended outside the Hospital in your interactions with Person 1. The panel considered this particularly serious given that you knew, but had failed to inform, the CQC that you had been dismissed from your previous employment. Had the CQC been aware of your dismissal you may not have been employed on the CQC inspection where Person 1 became a victim of your continuing behaviour. Had you been honest with the CQC, in line with the terms and conditions of your employment with them, Person 1 would, in all likelihood, have been spared that inappropriate interaction with you.

In light of the above, the panel considered that your misconduct raises fundamental questions about your professionalism. It was of the view that confidence in the nursing profession cannot be maintained if you are not removed from the NMC register. The panel considered that there is no amount of insight or remediation that could uphold professional standards or maintain public confidence in the profession.

The conduct, as highlighted by the facts found proved, was a significant departure from the standards expected of a registered nurse. The panel noted that the serious breach of the fundamental tenets of the profession evidenced by your actions is fundamentally incompatible with you remaining on the register.

In this particular case, the panel determined that a suspension order would not be a sufficient, appropriate or proportionate sanction.

The panel was of the view that the findings in this particular case demonstrate your actions were serious and to allow you to continue practising would undermine public confidence in the profession and in the NMC as a regulatory body.

Balancing all of these factors and after taking into account all the evidence before it during this case, the panel determined that the appropriate and proportionate sanction is that of a striking-off order. Having regard to the effect of your actions in bringing the profession into disrepute by adversely affecting the public's view of how

a registered nurse should conduct himself, the panel has concluded that nothing short of this would be sufficient in this case.

The panel acknowledged the hardship this order may have on you, but it 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 you 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 your 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 Mr Kennedy. He submitted that an interim suspension order is necessary for a period of 18 months. He submitted that in light of the panel's findings, an interim order is necessary to protect the public and meet the public interest during any potential appeal period.

Ms Herbert did not oppose this application.

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 was of the view that not imposing an interim order would be incompatible with its earlier findings. The panel therefore imposed an interim suspension order for a period of 18 months in order to protect the public, and to meet the public interest during any potential appeal period.

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

That concludes this determination.