

# Care Home Manager criminal conviction and NMC strike off

You may have seen the case of Carleen Wilkins hit the headlines at the end of August. Ms Wilkins was the Care Home Manager at the Robert Harvey House Care Home in Birmingham.

After forming a close personal bond with a resident at the care home, Ms Wilkins took control of the resident's finances and, over a period of approximately 40 months, stole over £98,000. Following a criminal investigation, she was convicted of theft and sentenced to 31 months' imprisonment in October 2017.

Following her criminal conviction, the Nursing and Midwifery Council (NMC) commenced a fitness to practise investigation into Ms Wilkins, with a hearing held in August 2018. The panel concluded that Ms Wilkins' conviction and the facts upon which it was based constituted a serious departure from the standards of conduct set out in the NMC Code and breached the fundamental tenets of the nursing profession. It therefore held that Ms Wilkins' fitness to practise was impaired. In reaching its decision, the panel specifically took into consideration the issue of patient safety, commenting that the fraud involved firstly the abuse of a position of trust as a Care Home Manager and secondly involved practising

a deceit against a vulnerable elderly patient in her care. The panel concluded that there were a number of aggravating factors in the case, including that Ms Wilkins' actions were premeditated and were systematic actions of fraud carried out over a number of years, and that she secured personal financial gain from a position of trust. As a result, the panel concluded that the only option available to it was to strike Ms Wilkins off the NMC register.

This case is an example of the more serious end of the spectrum of misconduct which may come arise during employment. However, whenever allegations of misconduct arise during employment, it is important to ensure that they are investigated properly, in line with both ACAS guidance and your organisation's policy. Capsticks' HR Advisory service regularly assists employers with internal investigations, particularly in cases where the investigation is likely to be particularly complicated or deals with sensitive issues. Please feel free to contact us if you wish to discuss further how Capsticks can assist with internal investigations.

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