

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

**Substantive Hearing
08-18 November 2022**

2 Stratford Place, Montfichet Road, London, E20 1EJ

Name of registrant: Simon Ian Blemings

NMC PIN: 92A0247E

Part(s) of the register: RN3: Registered Nurse – (sub part 1)
Mental Health – Level 1
20 March 1995

Relevant Location: Wiltshire

Type of case: Misconduct

Panel members: Michelle McBreeze (Chair, Lay member)
David Anderson (Lay member)
Michael Duque (Registrant member)

Legal Assessor: Justin Gau

Hearings Coordinator: Roshani Wanigasinghe

Nursing and Midwifery Council: Represented by Beverley Da Costa, Case
Presenter

Mr Blemings: Not present and unrepresented

Facts proved: Charges 1, 2, 3, 4a, 4b, 4c, 4d and 4e in their
entirety, 5, 6, 7, 8, 9, 10, 11, 13 in their entirety,
14a and 14c.

Facts not proved: Charges 4f, 12 and 14b

Fitness to practise: Impaired

Sanction: Striking-off order

Interim order: Interim suspension order- 18 months

Details of charge

That you a registered nurse;

1. Between March 2020 and December 2020 breached professional boundaries with Service User A by making inappropriate comments as set out in Schedule A.
[Charge found proved]
2. Between March 2020 and December 2020 breached professional boundaries with Service User A by making inappropriate comments as set out in Schedule B.
[Charge found proved]
3. On one or more occasions between March 2020 and August 2020 breached professional boundaries with Service User A by disclosing personal information;
 - (a) About your children. **[Charge found proved]**
 - (b) About your struggles as a parent. **[Charge found proved]**
 - (c) About your father being an alcoholic. **[Charge found proved]**
 - (d) About never being felt loved and/or cared for by your mother whilst growing up.
[Charge found proved]
 - (e) About suffering from anxiety. **[Charge found proved]**
 - (f) About not being happy in your marriage. **[Charge found proved]**
4. Between August 2020 and December 2020 breached professional boundaries with Service User A by;
 - (a) Meeting outside of a professional setting on or around the 14 August 2020.
[Charge found proved]
 - (b) Meeting outside of a professional setting on or around the 31 August 2020.
[Charge found proved]
 - (c) Meeting outside of a professional setting on a weekly basis on various unknown dates. **[Charge found proved]**

- (d) Remaining in contact outside of a professional setting via;
 - (i) Text messages. **[Charge found proved]**
 - (ii) Zoom calls. **[Charge found proved]**
 - (iii) Email. **[Charge found proved]**
 - (e) Hugging;
 - (i) On or around the 14 August 2020. **[Charge found proved]**
 - (ii) On or around the 31 August 2020. **[Charge found proved]**
 - (iii) On an unknown date in September 2020. **[Charge found proved]**
 - (iv) On various dates unknown. **[Charge found proved]**
 - (f) Kissing on various dates unknown, other than that in charge 5.
[Charge found NOT proved]
5. On an unknown date between October 2020 and December 2020 breached professional boundaries with Service User A by;
- (a) Grabbing Service User A's Collar. **[Charge found proved]**
 - (b) Pulling her close. **[Charge found proved]**
 - (c) Wrapping your arms around their waist. **[Charge found proved]**
 - (d) Kissing them a few times on the cheek. **[Charge found proved]**
6. Your actions in charges 1 and/or 2 and/or 4 and/or 5 were sexually motivated for the purposes of pursuing a future sexual relationship with Service User and/or your actions in charges 2 and/or 4(e) and/or 4(f) and/or 5 were sexually motivated for the purposes of sexual gratification. **[Charge found proved]**
7. Having been instructed on or after 1 December 2020 to cease contact with Service User A, you disregarded this by contacting them;
- (a) On or after 1 December 2020. **[Charge found proved]**
 - (b) On an unknown date in January 2021. **[Charge found proved]**
 - (c) On 5 and/or 9 January 2021. **[Charge found proved]**
 - (d) On or around the 7 January 2021. **[Charge found proved]**
 - (e) On 21 May 2021. **[Charge found proved]**

- (f) On 23 May 2021. **[Charge found proved]**
8. On one or more occasions between 1 December 2020 and 31 January 2021 encouraged Service User A not to disclose the extent of your relationship to the Primary Care Liaison Services by;
- (a) Instructing Service User A on or after 1 December 2020 that, “*we needed to get our stories straight*” or words to that effect. **[Charge found proved]**
 - (b) Suggesting to Service User A that, “*he had only bumped into me few times because we lived locally to one another and that there had only been a handful of messages*” or words to that effect. **[Charge found proved]**
 - (c) Instructing Service User A on an unknown date in January 2021 to “*delete all messages*”. **[Charge found proved]**
 - (d) Instructing Service User A on an unknown date in January 2021, “*not to tell anyone about the contact*” or words to that effect. **[Charge found proved]**
9. Between the 1 January and the 23 May 2021 intimidated and/or manipulated and/or coerced Service User A not to disclose the extent of the personal relationship by;
- (a) Stating on or around the 7 January 2021 that, “*If the full nature of the contact was found out, I would lose everything, including my job, career, income, home and family*” or words to that effect. **[Charge found proved]**
 - (b) Stating on an unknown date in January 2021 that, “*If they found out about the relationship it would destroy you too*” or words to that effect. **[Charge found proved]**
 - (c) By sending an email on 21 May 2021. **[Charge found proved]**
 - (d) By sending a text message on 23 May 2021. **[Charge found proved]**
10. Your actions in charges 8 and/or 9 above lacked integrity in that you put your own interests above those of Service User A by trying to prevent the disclosure of your relationship with Service User A. **[Charge found proved]**

11. On an unknown date in January 2021 incorrectly stated to Service User A that, *“the managers at the Trust had informed me to delete the messages and that Service User A should do the same”* or words to that effect. **[Charge found proved]**
12. On or before August 2021 incorrectly stated to the Primary Care Liaison Services that, *“Service User A was unstable and harassing you”* or words to that effect. **[Charge found NOT proved]**
13. On or around the 1 December 2020 in a meeting with Colleague 1 made the following declarations;
- (a) That contact with Service User A was, *“purely clinical in nature”* or words to that effect. **[Charge found proved]**
 - (b) That because Service User A lived close to you, *“I would bump into them in public, but such encounters were not planned”* or words to that effect. **[Charge found proved]**
14. Your declarations in charges 11 and/or 12 and/or 13 were dishonest in that you were;
- (a) Attempting to mislead and/or manipulate Service User A into believing that deleting the messages was authorised by the Trust. **[Charge found proved]**
 - (b) Attempting to deflect and/or mislead Primary Care Liaison Services that Service User A was to blame. **[Charge found NOT proved]**
 - (c) Attempting to mislead Colleague 1 into believing that contact with Service User A was accidental and/or purely clinical when you knew that it was not. **[Charge found proved]**

In light of the above your fitness to practise is impaired by reason of your misconduct.

Schedule A

1. On one or more occasions on dates unknown stated, *"We like [Service User A]"* or words to that effect.
2. On a date unknown stated, *"I am here for you until you don't need me anymore"* or words to that effect.
3. On a date unknown stated when referring to eating and drinking whilst on a call with Service User A, *"that I did not feel comfortable doing this with any other patients"* or words to that effect.
4. On a date unknown stated, *"I would love you (me) to be more impulsive"* or words to that effect.
5. On a date unknown stated, *"We are like an old married couple chattering away"* or words to that effect.
6. On a date unknown in July 2020 stated, *"We can still chat you know. There is no law against it"* or words to that effect.
7. On an unknown date in October 2020 stated, *"That we should meet more often"* or words to that effect.
8. On an unknown date in November 2020 stated, *"I'm off to watch Netflix now, see ya later you amazing beautiful human being person woman, you"* and *"Don't stalk me tho just cos I's fucking awesome too. That would be inappropriate (love emoji)"* or words to that effect.

Schedule B

1. On a date unknown said words to the effect of, *"Ring me whilst running and heavy breathe down the phone! It'll make my day"*.
2. On a date unknown in September 2020 text words to the effect of, *"You were looking good. For a sweaty bitch"*.
3. On one or more occasions on dates unknown referred to Service User A as a *"hottie."*
4. On one or more occasion on dates unknown referred to Service User A as a *"babe"*.

5. On an unknown date in November 2020 text words to the effect of, *“we’re just playing a game”* when referring to the sexual content of the text messages.
6. On one or more occasions on dates unknown sent text messages with words to the effect of, *“that you was aroused”*.
7. On one or more occasions on dates unknown sent text messages words to the effect of, *“that you was thinking of Service User A in a sexual manner”*.
8. On a date unknown in December 2020 stated words to the effect of, *“Well we were talking about your breasts, and besides it was only an erection”*.
9. On a date unknown sent text messages with words to the effect of, *“Yeah, love you too!”*
10. On one or more occasions on dates unknown sent text messages referring to *“all areas of Service User A’s body, in particular her breasts”*.
11. On one of more occasions on dates unknown sent text messages which referred to *“having sex”* with Service User A.
12. On one or more occasions on dates unknown described what sex would be like between you and Service User A.
13. On one or more occasions on dates unknown would send an emoji which you said was your, *“cum face”* or words to that effect.
14. On one or more occasions on dates unknown said in relation to being selfish in bed, *“it doesn’t matter to me as long as I cum”* or words to that effect.
15. On a date unknown stated, *“You bring the tinsel and I’ll bring the lube (lubricant)”* or words to that effect.
16. On a date unknown stated, *“Now I am thinking about you! Damn it woman, are you deliberately trying to give me an erection. What am I supposed to do now”* or words to that effect.
17. On a date unknown stated, *“Wow! Looks good. Looks rather pervy to me”* or words to that effect.
18. On a date unknown and in response to a question posed by Service User A about being turned on by sexy women in reindeer outfits stated, *“Yes, it would appear I am!”* or words to that effect.

19. On one or more occasions on dates unknown stated that you would like to see Service User A in “pigtails”.
20. On a date unknown stated in relation to a picture sent with Service User A’s hair in pigtails, “*that you had an erection*” or words to that effect.

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

At the outset of the hearing, Ms Da Costa made an application that this case be held in private on the basis that this case is inextricably linked to the health of Service User A. The application was made pursuant to Rule 19 of ‘Nursing and Midwifery Council (Fitness to Practise) Rules 2004’, as amended (the Rules).

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

Having heard that this case is inextricably linked to the health of Service User A, the panel determined to hold the entirety of the hearing in private in order to protect Service User A’s privacy.