

General Pharmaceutical Council

Fitness to Practise Committee

Principal Hearing

Remote videolink hearing

20-23 July 2026

Registrant name:	Lee Andrew Broadbent
Registration number:	2054269
Part of the register:	Pharmacist
Type of Case:	Misconduct
Committee Members:	Neville Sorab (Chair) Cristian Ioanas (Registrant member) Sarah Baalham (Lay member)
Committee Secretary:	Evie Davies/Chelsea Smith
Registrant:	Present and represented by Mr Tim Haines
General Pharmaceutical Council:	Represented by Ms Rebecca Vanstone
Facts proved:	1.5, 4.3
Facts proved by admission:	1.1 (in its entirety); 1.2, 1.3, 1.4 (in its entirety), 2, 3, 4.1, 4.2, 4.4, 4.5, 5 and 6
Facts not proved:	None
Fitness to practise:	Impaired
Outcome:	Suspension – 6 months with review
Interim measures:	Interim suspension

This decision including any finding of facts, impairment and sanction is an appealable decision under *The General Pharmaceutical Council (Fitness to Practise and Disqualification etc. Rules) Order of Council 2010*. Therefore, this decision will not take effect until 20 August 2026 or, if an appeal is lodged, once that appeal has been concluded. However, the interim suspension set out in the decision take/s effect immediately and will lapse when the decision takes effect or once any appeal is concluded.

Particulars of Allegation (as amended)

You, a Registered Pharmacist,

1. Between 14 December 2024 and 4 January 2025, sent Colleague A, a trainee pharmacy advisor whom you were tutoring, private messages via WhatsApp, including making the following comments:

1.1. On or around 14 December 2024:

*1.1.1. That you could not believe how good Colleague A looked that night, or words to that effect; **ADMITTED***

*1.1.2. About the size of Colleague A's breasts, sucking her breasts and what you would do to her sexually or words to that effect; **ADMITTED***

*1.1.3. That you could not believe Colleague A's partner had not had sex with her for two years because she is an attractive girl, or words to that effect; **ADMITTED***

*1.2. On 1 January 2025, "Just saying your asslooks [sic] amazing in leggings now. Can't even dream of what your toned gym ass would look like" or words to that effect; **ADMITTED***

*1.3. On 2 January 2025, "You're one of those rare entities both stunning and intelligent" or words to that effect; **ADMITTED***

1.4. On unknown dates:

*1.4.1. About not being able to get her out of your head or words to that effect; **ADMITTED***

*1.4.2. That if it didn't work out with her current partner she could stay with you with benefits or words to that effect; **ADMITTED***

*1.4.3. About sexual fantasies about a threesome with her and another colleague or words to that effect; **ADMITTED***

*1.4.4. That her body goes in and out in all the right places or words to that effect; **ADMITTED***

*1.4.5. That her buttocks looked amazing in leggings and/or that you could not wait for leggings season or words to that effect; **ADMITTED***

1.4.6. That her hair looked sexy in certain styles or words to that effect; **ADMITTED**

1.4.7. Asking for pictures of what she was wearing to the gym or words to that effect. **ADMITTED**

1.5. On an unknown date, that you were touching yourself or words to that effect and, when Colleague A replied “haha stop”, “no chance I am nearly finished now” or words to that effect. **ADMITTED to replying “no chance I am nearly finished now”. DENIED sending a message to Colleague A that he was touching himself or words to that effect.**

2. You made the comments in paragraph 1 above despite requests from Colleague A for you to stop. **ADMITTED on the basis that Colleague A asked the Registrant to stop sending sexualised messages on 2 occasions.**

3. On 19 December 2024 whilst working at Boots, 116 -118 Station Road, Hadfield, SK13 1AL you tapped or touched Colleague A on her buttocks. **ADMITTED**

4. Your conduct in any or all of paragraphs 1 and/or 3 above was:

4.1. Unwanted; and/or **ADMITTED**

4.2. Sexual in nature; and/or **ADMITTED**

4.3. Sexually motivated in that it was done in pursuit of gratification and/or interaction and/or a relationship with Colleague A; and/or **ADMITTED in relation to done in pursuit of gratification in relation to allegation 1. DENIED otherwise.**

4.4. A breach of professional boundaries; and/or **ADMITTED**

4.5. Had the effect of violating Colleague A’s dignity. **ADMITTED**

5. Your conduct in paragraphs 1, 2 and/or 3 above lacked integrity. **ADMITTED**

6. You knew or ought to have known there was a power imbalance between yourself and Colleague A. **ADMITTED**

By reason of the matters set out above, your fitness to practise is impaired by reason of your misconduct.

Documentation

Document 1- Council hearing bundle

Document 2- Council skeleton

Document 3- Registrant’s skeleton argument

Document 4- Registrant’s bundle

Determination

Introduction

1. This is the written determination of the Fitness to Practise Committee at the General Pharmaceutical Council (“the Council”).
2. The hearing is governed by *The Pharmacy Order 2010* (“the Order”) and *The General Pharmaceutical Council (Fitness to Practise and Disqualification etc. Rules) Order of Council 2010* (“the Rules”).
3. The statutory overarching objectives for these regulatory proceedings are:
 - a. To protect, promote and maintain the health, safety and well-being of the public;
 - b. To promote and maintain public confidence in the professions regulated by the Council; and
 - c. To promote and maintain proper professional standards and conduct for members of those professions.
4. The Committee also has regard to the guidance contained in the Council’s *Good decision making: Fitness to practise hearings and outcomes guidance* as revised March 2024.
5. A Principal Hearing has up to three stages:

Stage 1. Findings of Fact – the Committee determines any disputed facts.

Stage 2. Findings of ground(s) of impairment and impairment – the Committee determines whether, on the facts as proved, a statutory ground for impairment is established and, if so, whether the Registrant’s fitness to practise is currently impaired.

Stage 3. Outcome – the Committee considers what, if any, outcome should be applied if the Registrant’s fitness to practise is found to be impaired.

Service of Notice of Hearing

6. The Committee has seen a letter dated 29 April 2026 from the Council headed “*Notice of Hearing*” sent by email to the Registrant. The Notice of Hearing was sent more than 28-days prior to the commencement of the hearing, stated the date, time and venue of the hearing, and also contained the finalised particulars of the allegation. The Committee was satisfied that there had been good service of the Notice in accordance with Rules 3 and 16.

First Application to amend the particulars of allegation

7. Under Rule 41, on behalf of the Council, Ms Vanstone made an application to amend allegations 1.1 and 4 as follows (additions in underline and removals in strikethrough):

1.1. On or around 14 December 2024:

4. Your conduct in any or all of paragraphs 1,~~2~~ and/or 3 above was:

4.1. Unwanted; and/or

4.2. Sexual in nature; and/or

*4.3. Sexually motivated in that it was done in pursuit of gratification
and/or interaction and/or a relationship with Colleague A; and/or*

4.4. A breach of professional boundaries; and/or

4.5. Had the effect of violating Colleague A’s dignity.

8. Ms Vanstone submitted:
- a. The amendment to allegation 1.1 more accurately reflects the evidence.
 - b. The reference to allegation 2 in the stem of allegation 4 does not materially add anything given that allegation 2 references allegation 1.
 - c. Adding “*and/or*” to each of the particulars in allegation 4 clarifies that not all the sub-particulars in allegation 4 need to be proved in order for allegation 4 to be proved, and that allegation 4 is not a single charge.

- d. There is no risk of prejudice to the Registrant for the reasons set out in paragraphs 8(a)-(c) above.
9. On behalf of the Registrant, Mr Haines did not oppose the amendments.
10. Rule 41 sets out in pertinent part:
- (1) *At a principal hearing, at any stage before making its findings of fact, the Committee may of its own motion or following an application of one of the parties, amend the particulars of the allegation set out in the Notice of Hearing, unless it is of the view that the required amendment would prejudice the fairness of the proceedings.*
- (2) *Before making any amendment under paragraph (1), the Committee must consider—*
- (a) *any representations from the parties (where present); and*
- (b) *in the case of a hearing in relation to a health allegation, the advice of the legal and clinical advisers.”*
11. Concerning the application, the Committee considered:
- a. The application has been made at the Principal Hearing, before the Committee has found on facts.
- b. The Committee has heard from both parties.
- c. The amendment to allegation 1.1 better reflects the evidence.
- d. The reference to allegation 2 in the stem of allegation 4 does not materially add anything given that allegation 2 references allegation 1.
- e. Adding “*and/or*” to each of the particulars in allegation 4 clarifies that not all the sub-particulars in allegation 4 need to be proved in order for allegation 4 to be proved, and that allegation 4 is not a single charge.
- f. There is no risk of prejudice to the Registrant for the reasons set out in paragraphs 11(c)-(e) above. Consequently, the amendments are allowed.

Second Application to amend the particulars of allegation

12. Allegation 5 originally read: *"Your conduct in paragraphs 1, 2 and/or 3 above lacked integrity in that there was a power imbalance between you and Colleague A."*
13. The Registrant admitted to the original allegation 5 on the basis that he was not driven by the power imbalance. The Committee raised concerns that this could result in an equivocal admission.
14. Consequently, under Rule 41, the Committee proposed an amendment to allegation 5 as follows (additions in underline and removals in strikethrough):

*5. Your conduct in paragraphs 1, 2 and/or 3 above lacked integrity ~~in that~~
~~there was a power imbalance between you and Colleague A.~~*

15. The Committee made the proposal on the basis that:
 - a. The amendment would not prejudice the proceedings as the Registrant accepted that his actions, as set out in the allegations, resulted in a lack of integrity.
 - b. The amendment would make the allegation clearer. Any consideration as to why the Registrant lacked integrity could be considered by the Committee in the hearing.
16. On behalf of the Council, Ms Vanstone did not object to the proposed amendment, but asked that, if the amendment is made, that a further allegation 6 is introduced on the basis that the allegations should address that there was a power imbalance between the Registrant and Colleague A. The amendment read:

6. You knew or ought to have known there was a power imbalance between yourself and Colleague A

17. On behalf of the Registrant, Mr Haines did not oppose the amendments.
18. Concerning the application, and the Council's further proposed amendment, the Committee considered:

- a. The application has been made at the Principal Hearing, before the Committee has found on facts.
- b. The Committee has heard from both parties.
- c. The amendments would not prejudice the proceedings as the Registrant accepted that his actions, as set out in the allegations, resulted in a lack of integrity, and that there was a power imbalance between himself and Colleague A.
- d. The amendments would make the allegations clearer. Any consideration as to why the Registrant lacked integrity could be considered by the Committee in the hearing.
- e. The allegations should address that there was a power imbalance between the Registrant and Colleague A.
- f. There is no risk of prejudice to the Registrant for the reasons set out in paragraphs 18(c)-(e) above. Consequently, the amendments are allowed.

Admissions

- 19. Through Mr Haines, when read out, the Registrant admitted to the following allegations: 1.1 (in its entirety); 1.2, 1.3, 1.4 (in its entirety), 2, 3, 4.1, 4.2, 4.4, 4.5, 5 and 6. The Committee accepted that the Registrant has admitted to these allegations. By the application of Rule 31(6), the admitted factual allegations were found proved.
- 20. The Committee proceeded to determine the rest of the allegations, those being:
 - a. Allegation 1.5 in relation to the Registrant sending Colleague A a message that he was touching himself or words to that effect.
 - b. Allegation 2 in relation to whether Colleague A requested the Registrant to stop sending messages on more than two occasions.
 - c. Allegation 4.3 in relation to whether the Registrant's actions, as set out in the allegations, were:

- i. sexually motivated in pursuit of interaction and/or a relationship with Colleague A in relation to allegation 1; and
- ii. sexually motivated in pursuit of gratification and/or interaction and/or a relationship with Colleague A in relation to allegation 3.

Background

- 21. Both the Registrant and Colleague A worked at Boots, 116-118 Station Road, Hadfield, SK13 1AL (the “pharmacy”). Colleague A was a Trainee Pharmacy Advisor. The Registrant worked as a Pharmacist and was Colleague A’s tutor.
- 22. Following the work Christmas Party on 14 December 2024, the Registrant sent Colleague A:
 - a. a WhatsApp text saying *“Thank you for staying classy”*. The Registrant stated this was in relation to how Colleague A handled a drunk colleague. Prior to this, the only text exchanges were work related.
 - b. The Registrant followed this text up asking Colleague A if she had got home. Colleague A replied “yes” and the Registrant then text messaged Colleague A to say he could not believe how good she looked that night. The Registrant then sent Colleague A another text message commenting on the size of her breasts. The Registrant stated this was in response to a message from Colleague A saying words to the effect of *“no as I usually wear a sports bra at work”*.
 - c. [REDACTED].

After the Registrant had sent the messages, he then deleted them. That was all the contact the Registrant made with Colleague A on the night of 14 December 2024 and/or morning of 15 December 2024.
- 23. The Registrant followed these messages with further messages to Colleague A. They were always deleted after they were sent but included:
 - a. The Registrant made comments about not being able to get Colleague A out of his head.

- b. The Registrant made comments about sucking Colleague A's breasts and what he would do to her sexually.
 - c. The Registrant said he loved how intelligent Colleague A was.
 - d. The Registrant said if it did not work out with Colleague A's current partner, she could stay at his with benefits.
 - e. The Registrant inferred to Colleague A that he was touching himself whilst thinking about her. Colleague A told the Registrant to stop the sexual comments, and he said there was *"no chance, I am nearly finished now"*.
 - f. The Registrant said he would be jealous if Colleague A was single as all the guys would be after her.
 - g. The Registrant said he had a fantasy about a threesome with Colleague A and another female colleague.
 - h. The Registrant said he knew it was all one sided, but he wished he could be the right guy for Colleague A.
 - i. The Registrant made comments about Colleague A not needing to go to the gym as her body goes in and out in all the right places.
 - j. The Registrant told Colleague A he was smitten by her.
 - k. During work, the Registrant would text Colleague A and say how good she looked and that her hair looked sexy in certain ways.
 - l. On Tuesdays, the Registrant knew Colleague A was going to the gym so he text messaged her asking for a picture of what she was wearing. The Registrant said that he did so in order to compliment her after she expressed negative comments about herself.
24. Colleague A claims that she told the Registrant on 3-4 occasions to stop sending her sexualised WhatsApp messages because she did not like it. The Registrant would reply *"what's the big deal?"* They would have a normal conversation and then a sexual text would arrive out of the blue.

25. On 19 December 2024, the Registrant touched Colleague A's bottom without her consent. Colleague A was on her lunch break and the Registrant was also on a break. Both were alone in the tea room. Colleague A had finished lunch and was going over to the lockers to put her phone away. The Registrant said he best go and get some work done. Colleague A jokingly replied "*no one would notice as you don't do much work anyway*". At this time, Colleague A had her back towards the Registrant and was facing the lockers. Colleague A alleged that the Registrant then tapped her bottom and said "*shut up you*", after which he laughed and walked out of the room. The Registrant accepted that he made a momentary reactionary tap to a comment made to him by Colleague A. However, the Registrant stated that he immediately realised that Colleague A had not reacted to the tap in the manner that he had intended it to be received and he immediately apologised to her saying "*I shouldn't have done that*".
26. Colleague A described the tap as a sexual touch which is something she might expect her partner to do and not something that she would expect from another person. Colleague A stated that she was in shock, so she stayed looking at the lockers and did not turn around until the Registrant left the room. She went back to work but about 20 minutes later, she had a panic attack because what had happened. The Registrant denies that the tap was sexually motivated. The Registrant said that Colleague A told him that the panic attack was not as a result of what had happened in the staff room.
27. Colleague A sent a message to the Registrant later that night saying "*that never happens again*" and he replied saying it was only a tap. He then deleted the message after Colleague A had read it.

Evidence

28. In its bundles, the Committee received evidence, including the following:
- a. Text messages between the Registrant and Colleague A, some of which were deleted.
 - b. Witness statements.

- c. The original concern from Boots. Including the formal grievance meeting script, investigative meeting script and formal disciplinary meeting script.
 - d. Character and professional references.
29. The Committee received oral evidence from Colleague A who stated the following in relation to the live issues:
- a. There was a good working environment within the team, including with the Registrant. There were laughs and jokes within the team, including with the Registrant.
 - b. The Registrant was a good tutor initially.
 - c. She did not speak to the Registrant directly about her relationship at work. The Registrant spoke to her about his relationships after the Christmas party. There were no conversations or messages between them about personal matters prior to the Christmas party.
 - d. The Registrant told her that he was touching himself whilst thinking about her. She told him to stop the sexual comments, and he said there was *"no chance, I am nearly finished now"*. He told her what he was doing.
 - e. She told the Registrant on 3-4 occasions to stop sending her sexualised WhatsApp messages because she did not like it. The Registrant would reply *"what's the big deal?"* They would have a normal conversation and then a sexual text would arrive out of the blue.
 - f. On 19 December 2024, the Registrant touched her bottom without her consent. She was on her lunch and the Registrant was on some sort of break (possibly lunch or just having a toilet break). They were alone in the tea room. She had finished lunch and was going over to the lockers to put her phone away. The Registrant said he best go and get some work done. She jokingly replied *"no one would notice as you don't do much work anyway"*. At this time, she had her back towards the Registrant and was facing the lockers. The Registrant then tapped her bottom with the back of his hand and said *"shut up you"* in a jokey manner. After he tapped her bottom, he laughed and walked out. There was no rubbing.

- g. She would describe the tap as a sexual touch. It was something you might expect a partner to do and certainly not something that would be expected from another person.
- h. At the time of this incident, Colleague A was wearing a Christmas Jumper and leggings.
- i. She was in shock, so she stayed looking at the lockers and did not turn around until the Registrant left the room. She went back to work but about 20 minutes later, she had a panic attack because what had happened was playing on her mind. She sat with a colleague until she calmed down but she did not tell her what occurred.
- j. She sent a message to the Registrant later that night saying "*that never happens again*" and he replied saying it was only a tap. He then deleted the message after Colleague A had read it (which is what normally happened).
- k. After that incident, she tried to keep contact with the Registrant at work to an absolute minimum. She would stay in rooms with other people, and she was scared about being alone with him. For example, she panicked one day when she thought they might end up on lunch together.
- l. As the Registrant was Colleague A's tutor, she was afraid if she told someone about what was happening, he might fail her. The Registrant had previously said to Colleague A "*Ha ha, I could just fail your course*". Initially she thought the Registrant was joking. However, after she had told him to stop sending the sexual messages, and he ignored her requests, Colleague A started to get concerned that the Registrant did hold some "*power*" over her and he could fail her because he was not getting what he wanted.
- m. She was worried that she might have done something or given him some sort of signal to make him act like this. The Registrant told Colleague A that he could tell she was looking at him differently now. Every day he would comment about Colleague A being sexy and the way she looked so she even started to change her hair or clothes to stop him saying it.

- n. Prior to the Christmas Party her relationship with the Registrant was normal. There was some banter between everyone at work but nothing else. When the Registrant called Colleague A pretty, she would just say thanks. She felt that she had to respond to any normal conversation and didn't want to block the Registrant's phone number as it would have made it difficult at work.
- o. She told the Registrant to stop the sexual contact on more than two occasions. For example, when he made comments about what he would do to her in bed, she would ignore it. When more comments followed, she would ask him to stop and said they should stop texting as she did not want things to be weird at work. He told her they would not be weird and just carried on texting.
- p. These incidents made Colleague A feel unsafe at work and no one should be made to feel that way. She felt that as a pharmacist and her tutor, the Registrant was in a position of power over her. At times she really did not know what to do. Although she now feels safe, she is worried that the Registrant might continue this behaviour towards another female. She feels like the Registrant has abused the position of trust which he holds.

Registrant's evidence

30. The Registrant gave the following evidence pertinent to the live issues:
- a. He had previously been the tutor of between 8-10 people whom he had trained. He has worked predominantly with female colleagues. He quickly became Colleague A's mentor when she arrived at the pharmacy.
 - b. There would be personal conversations in the pharmacy when there were no customers.
 - c. Both he and Colleague A had partners.
 - d. He was never told by Colleague A to completely stop sending messages. He was only told on two occasions by Colleague A to stop sending sexualised messages.

- e. On a date prior to December 2024, he came into the pharmacy on his day off to remove some towels that he had put down to contain a leak. He had been to the gym that day and was wearing shorts. He recalls casually making a comment about his legs but meant absolutely nothing by it. Colleague A replied with words to the effect “*shut up*” which he mimicked back in a jokey way. This evidenced the banter which existed at that time. He cannot recall pushing Colleague A's shoulder whilst mimicking what she had said to him but if he did, this was simply a further reflection of the casual jokey manner in which the exchange between Colleague A and himself arose that day.
- f. Prior to and indeed since the period of time giving rise to the allegations, he considered himself to be a respected pharmacist, colleague, mentor and manager. He provided patient centred care at all times and adhered to the pharmacy standards. He had not been subjected to any other regulatory concerns prior to the allegations giving rise to his current case. He has not been subject to any other concerns since.
- g. He attended the Christmas social/party in 2024 with his then (and current) partner. She had previously met some of the pharmacy team at an earlier wedding although she had not met Colleague A or Colleague B. There had been messages exchanged between his partner and some of the team as to dress code etc. for the party. By prior arrangement, his partner and the Registrant picked up Colleague A and Colleague B to drive them to the venue. It was clear to the Registrant that when Colleague B got into the car, that she had already had quite a lot to drink.
- h. As the evening progressed, Colleague B became heavily intoxicated to the point where both the Registrant's partner, but more significantly, Colleague A, had to take responsibility for Colleague B's wellbeing. He was impressed by Colleague A's maturity in dealing with the situation.
- i. Around this time, the Registrant's partner and the Registrant were experiencing [REDACTED] and with hindsight these difficulties shaped the Registrant's perceptions of Colleague A and influenced both his thought processes and behaviours. At a time of significant personal stress his interactions with Colleague

A served as a form of escapism to disconnect from the issues he was encountering at home and in his relationship with his partner. He had no intention or expectation of developing a relationship with Colleague A.

- j. Having seen Colleague A in this new light, particularly the manner in which she had dealt with Colleague B at the Christmas party which reinforced the professionalism she always showed at work, he proceeded to engage with Colleague A in what he now recognises was a wholly unacceptable, unprofessional and misguided way albeit in some respects he thought this to be reciprocated banter until Colleague A made her position fully clear.
- k. Upon returning home from the Christmas party, he sent a number of messages to Colleague A which then continued over a period of time. Prior to then, his only out of work contact with Colleague A had been completely work related. He disputes that Colleague A repeatedly told him to stop messaging her but does accept a point came where it became clear that Colleague A wanted him to stop sending sexualised messages.
- l. Shortly upon returning home from the Christmas Party, he sent a message to Colleague A complimenting her on how she had looked to which he believes she responded "*thank you*" or words to that effect. He also messaged Colleague A to say that she had dealt with the whole situation involving Colleague B in a classy way and Colleague A responded along the lines of "*I'm not a Chav, even though I drive a chavvy car*". He also messaged Colleague A to say how slim she looked in her dress to which she replied that her boyfriend had made a comment about her dress size and her not wearing a bra that night. The Registrant replied that he had not noticed and she said words to the effect of "*no as I usually wear a sports bra at work*". He then messaged Colleague A again commenting on the size of her breasts. He does not believe Colleague A responded to this latter message.
- m. He had previously been present when Colleague A had discussed issues within her own relationship with the store manager [REDACTED]. Again, he does not believe Colleague A responded to this message. These were the only messages which he sent immediately after the Christmas Party.

- n. He does not accept that he sent a message immediately after the Christmas Party i.e. on 14 December 2024 detailing that he would like to suck Colleague A's breasts and documenting other sexual things he would like to do to her but he does accept that he sent a message to this effect to Colleague A sometime between 15 December and 31 December 2024.
- o. This was the start of an exchange of messages which occurred between Colleague A and the Registrant. He accepts that he was the person who, for the most part, instigated the messaging between them. His behaviour in doing so was completely unacceptable and unprofessional, particularly bearing in mind the subject matter of some of the messages which he sent. He can offer little, if any, explanation as to why he sent the messages he did but feels that he was using the situation as an escape from homelife pressures and that he got completely carried away as a result. It was really like living another life. For the most part, he was looking to compliment Colleague A perhaps in the hope of receiving compliments back bearing in mind his low self-esteem at this time. He recognises, however, that he went way beyond compliments in sending some extremely distasteful and upsetting messages to Colleague A. He would however wish to stress that quite often when he sent non sexualised messages to Colleague A she would happily reply, and a dialogue would be established and it was then that he would "*push the boundaries*" and take his message content to a different level. At no time did Colleague A respond to the sexualised comments save for one occasion when she told him she wanted them to stop.
- p. He sent Colleague A a message one day saying words to the effect that he could not get her out of his head. He is not sure what he was hoping to achieve by sending such a message. It was not the case that he was infatuated with Colleague A; nor did he want a relationship with her.
- q. He was devastated to learn the impact that his various messages had had upon Colleague A and the understandable distress that they caused her.
- r. Colleague A had mentioned either in conversation at work or when they were exchanging messages that she had joined a gym. He accepts sending a

complimentary message indicating to her that she already had a nice body/figure to which she disagreed. She asked him why he thought she had a nice figure and he said that it went in and out in all the right places. His comments at this time were simply complimentary, although he recognises now that he should not have complimented Colleague A upon her body in this way. He also messaged Colleague A with words to the effect of how good her buttocks looked in leggings and that he looked forward to gym day. Likewise, that her hair looked sexy on occasions. He fully understands and acknowledges that he should not have been making comments of this nature but on occasions, they appeared to be well received by Colleague A albeit he recognises that she may have felt obliged to respond in this way. His intention when making these comments was to compliment Colleague A. However, he got carried away and went too far on a number of occasions.

- s. He accepts messaging Colleague A to request a picture of her in her gym attire. Again, this was wholly inappropriate. He accepts that at this time he had developed an attraction to Colleague A which was reflected in the nature of his messaging. He had seen her wearing her gym attire at work. At the time of making the photo request Colleague A had expressed negative feelings about her body image and his intention was to use any photograph sent as an opportunity to compliment her on her appearance. He acknowledges that his request to specifically see Colleague A in her gym attire in a photograph was sexually motivated.
- t. He engaged in a message exchange with Colleague A during which she said that she was going to have to stop messaging as her partner was around and when he jokingly suggested that he did not want her to go as *"I had nearly finished"*. This was a *"double entendre"* on his part to suggest that he was actually masturbating when he actually was not, and to which Colleague A said *"ha ha, stop"*. This exchange occurred whilst he was eating his tea at home watching the television in the evening. He was not performing any form of sexual act upon himself at the time of this message exchange. It was a suggestive comment when he was pushing the boundaries. He recognised the manner in which he used the phrase *"I had nearly finished"* invited inference. Colleague A made clear during this exchange that he should not send her any more messages with any form of sexual

connotation and that he should not message her again that evening. However, she did not tell him to stop messaging her altogether; only to stop the sexualised messages.

- u. He may have sent a couple of inappropriate messages to Colleague A after this particular message exchange, but nothing of the nature of those sent beforehand. This is when Colleague A told him to stop sending the sexualised messages. Thereafter Colleague A also made clear during a subsequent message exchange that further contact should simply be work related. He thinks this was on 2 January 2025 but he cannot be 100% sure. These were the only two occasions when Colleague A told him to stop messaging.
- v. He accepts that on 1 January 2025, he sent a message to Colleague A along the lines of *“just saying your arse looks amazing in leggings now. Can't even dream of what your toned gym arse would look like”*, or words to that effect.
- w. On 2 January 2025, he sent a message to Colleague A saying *“you're one of those rare entities, both stunning and intelligent”*. These were messages which he sent whilst at home feeling under the weather. Again, the contents of these messages were inappropriate and he now recognises they were extremely distressing for Colleague A for which he is truly sorry. He was trying to be complimentary towards Colleague A and these messages should never have been sent. The message sent on 2 January 2025 arose during an exchange of messages between Colleague A and himself and was not sent out of the blue.
- x. He admits that he did momentarily tap Colleague A's buttocks whilst at work on 19 December 2024. This happened in the staff room during the lunch hour. This was a split-second reaction to a jokey comment which Colleague A had made towards him. It was not pre-meditated. He regrets his actions recognising the effect his behaviour had upon Colleague A but wishes to make it perfectly clear that his actions at the time were in no way sexually motivated, although he does recognise that his actions overstepped both a physical and professional boundary and that the touch will be considered one sexual in nature.

- y. On this occasion both Colleague A and the Registrant found themselves in the staff room. He had not deliberately “*manufactured*” the scenario so that Colleague A and he were on the same lunch hour at the same time.
- z. In conversation, he told Colleague A that he was worried about not returning to work on time after lunch to which she said words to the effect of “*well, it wouldn't matter if you were late back as you don't do anything when you are here*”. This was the sort of banter which they were exchanging around this time and had done prior to the Christmas party and as he walked past Colleague A to leave the room, he tapped her backside fleetingly with the back of his hand and said the words “*oi*”. This was in no way pre-planned and was simply a reaction to the cheeky comment which Colleague A had made towards him. However, he immediately realised that Colleague A had not reacted to the tap in the manner that he had intended it to be received and he immediately apologised to her saying “*I shouldn't have done that*”. As he continued to leave the room, Colleague A said the words to him “*no touching*” and he, again, apologised to her. The Registrant then left the room. The Registrant said that he would not have touched another member of staff in the same way.
- aa. Colleague A contacted him a few minutes later to say that she had had a panic attack and he asked her if it had arisen as a result of what had happened in the staff room. She told him “*no*” and that it stemmed from various incidents with irate customers earlier in the day. There had also been some conflict between two other members of staff which she had not enjoyed and which had been reported to the store Manager.
- bb. He accepts that his messages to Colleague A, the photograph request and the touching of her buttocks were unwanted and had the effect of violating her dignity. His conduct in sending the messages, making the request and touching Colleague A’s buttocks in the way that he did also represent a breach of professional boundaries.
- cc. He accepts that many of the messages he sent to Colleague A, the request for the photograph and the buttock touching were sexual in nature. He accepts that he

was the only one sending sexual messages in his text conversations with Colleague A.

- dd. He also accepts that the majority of the messages sent were sexually motivated in that they were sent in a flirtatious way from his perspective. However, he does not accept that they were sent with a view to establishing a relationship or any form of interaction with Colleague A. At no time did he ever message Colleague A to suggest that they meet out of work or that they should seek to develop some form of relationship.
- ee. He does not accept that when he momentarily touched Colleague A's buttocks on 19 December 2024 that his conduct was sexually motivated.
- ff. He acknowledges that he did not receive sexually explicit replies at any time from Colleague A. He accepts that his actions in messaging Colleague A in the manner that he did, requesting the photograph from her, and momentarily touching her buttocks on 19 December 2024 lacked integrity. However, the reasons the messages were sent and the fact that he momentarily touched Colleague A's buttocks in the circumstances he did on 19 December 2024 was not as a result of any power imbalance which existed between them. His conduct lacked integrity.
- gg. He recognises and acknowledges that there was a power imbalance between Colleague A and himself but he denies deliberately exploiting this imbalance in behaving in the way he did. He accepts that there were occasions when he made jokes in the presence of other members of staff that he could fail Colleague A on her course. He did not make these comments with a view to reinforcing any of the contents of the messages which he sent to Colleague A. These were comments he had made to other staff members he had tutored/mentored and which had been received in the humorous way they were intended. Having reflected, he can see how Colleague A may have interpreted these comments but at no time did he ever intimate that he expected or demanded Colleague A to respond positively to any messages/behaviour towards her. It never crossed his mind at the time that potentially this is how his behaviour/actions may be perceived.

- hh. At no time during the period in question did he realise what effect his messages and other conduct was having upon Colleague A. If he had genuinely known the distress being caused then he would have stopped the messages much sooner, he got carried away.
- ii. He is deeply ashamed of his behaviour. It was wholly inappropriate and clearly had the effect of distressing Colleague A for which he is truly sorry. Colleague A was a reliable member of staff and very good at her job. She should not have had to experience and endure what she did as a result of his ill-judged, unprofessional misguided behaviour.
- jj. He cannot recall why he did not stop after the first occasion that Colleague A told him to stop sending sexual messages. His personal situation appeared to cloud his judgement.
- kk. His concern during the sending of these messages was that of the impact on his own relationship and the fear of being found out. It did not register to him that these messages may place his career in jeopardy.
- ll. He said that during his investigation meeting with Boots on 6 January 2025, he was saying “yes” to everything – whether it happened or not – as he was scared about what was going to happen.

Decision on Facts

- 31. The Committee proceeded to determine the non-admitted allegations, those being allegations 1.5, 2 and 4.3.
- 32. When considering each allegation, the Committee bore in mind that the burden of proof rests on the Council and that allegations are found proved based on the balance of probabilities. This means that allegations will be proved if the Committee is satisfied that what is alleged is more likely than not to have happened.

33. In reaching its decisions on facts, the Committee considered the documentation listed at the start of this determination, the live evidence received and the submissions made by Ms Vanstone and Mr Haines.
34. At the outset, the Committee found both Colleague A and the Registrant to be credible witnesses. The Committee noted from the Registrant's evidence that during his investigation meeting with Boots on 6 January 2025, he was saying "yes" to everything – whether it happened or not – as he was scared about what was going to happen. The Committee has reviewed the notes of the investigation meeting with Boots on 6 January 2026 and considered that the Registrant answered questions in a thorough manner, rather than simply saying "yes". The Committee, therefore, considered the answers given were accurate and contemporaneous. The Committee considered these notes, and the contents within them, to be reliable and an accurate reflection of the Registrant's case.

Allegation 1.5: On an unknown date, that you were touching yourself or words to that effect and, when Colleague A replied "*haha stop*", "*no chance I am nearly finished now*" or words to that effect.

35. The Registrant has admitted to sending a message to Colleague A saying "*no chance I am nearly finished*" or words to that effect. The Committee will consider the rest of the allegation.
36. The Committee considered the following evidence:
- The Registrant's evidence that he sent the text to Colleague A "*I had nearly finished*" as a "*double entendre*" on his part to suggest that he was actually masturbating when he actually was not. The Registrant continued that this exchange occurred whilst he was eating his tea at home watching the television in the evening. He was not performing any form of sexual act upon himself at the time of this message exchange. It was a suggestive comment when he was pushing the boundaries. He recognised the manner in which he used the phrase "*I had nearly finished*" invited inference. The Committee considered this message itself,

along with the context provided by the Registrant, to be evidence that the Registrant messaged Colleague A words to the effect that he was touching himself.

- b. The Registrant provided an explanation that Colleague A said that he needed to stop messaging as her partner was around and when he jokingly suggested that he did not want her to go as “[he] had nearly finished”.
 - c. Colleague A provided evidence that the Registrant told her that he was touching himself whilst thinking about her. She told him to stop the sexual comments, and he said there was “no chance, I am nearly finished now”.
 - d. During his investigation meeting with Boots on 6 January 2025, the Registrant confirmed that he “did say that” when asked whether “there has been a text regarding you touching yourself in which [Colleague A] asked you to stop and you responded with no chance I’m nearly finished”. This contemporaneous note aligns more with the account given by Colleague A in paragraph 36(c) above, rather than the account given by the Registrant in paragraph 36(b) above.
 - e. During the formal disciplinary meeting on 16 January 2025, the script sets out that the Registrant was questioned whether he sent a “message to Colleague A you were touching yourself, she asked you to stop and you said you were nearly finished when she asked you to stop, this shows she wasn’t comfortable.” The Registrant replied: “when she asked me to stop, I probably did, I don’t do intimacy under the roof with my kids. I was downstairs eating my tea, I wasn’t clear in the message but the text didn’t state it was my tea. I remember her response being haha stop”. The notes of the formal disciplinary meeting on 16 January 2025 places the “haha stop” text message sent by Colleague A before the “nearly finished” text message sent by the Registrant. Again, this contemporaneous note aligns more with the account given by Colleague A in paragraph 36(c) above, rather than the account given by the Registrant in paragraph 36(b) above.
37. In light of this evidence, the Committee considered that the Registrant sent Colleague A a text message that he was touching himself or words to that effect and, when Colleague A replied “haha stop”, the Registrant responded “no chance I am nearly finished now” or words to that effect. The Committee further considered this sequence

of text messages to be more likely than not given that the Registrant's response of "*no chance I am nearly finished now*" would more likely – in the ordinary course of events – follow a text message that he was touching himself.

38. Consequently, the Committee finds Allegation 1.5 proved on a balance of probabilities.

This particular is found proved.

Allegation 2: You made the comments in paragraph 1 above despite requests from Colleague A for you to stop.

39. The Registrant has admitted that there were two occasions that Colleague A told him to stop sending sexualised text messages. The Committee will consider if there were more than two occasions.

40. The Committee considered the following evidence:

a. The Registrant's evidence that:

- i. He was never told by Colleague A to completely stop sending messages. He was only told on two occasions by Colleague A to stop sending sexualised messages.
- ii. He cannot recall why he did not stop after the first occasion that Colleague A told him to stop sending sexual messages. His personal situation appeared to cloud his judgement.

b. Colleague A's evidence that:

- i. She told the Registrant to stop the sexualised messages on more than two occasions. For example, when he made comments about what he would do to her in bed, she would ignore it. When more comments followed, she would ask him to stop and said they should stop texting as she did not want things to be weird at work. He told her they would not be weird and just carried on texting.

- ii. She told the Registrant on 3-4 occasions to stop sending her sexualised WhatsApp messages because she did not like it. The Registrant would reply *"what's the big deal?"* They would have a normal conversation and then a sexual text would arrive out of the blue.

41. In light of this evidence, the Committee considered:

- a. The Registrant's message to Colleague A *"what's the big deal?"* is indicative to the Committee that the sending of these text messages was not a big deal to the Registrant, and consequently, any requests to stop would be more likely to be ignored. Furthermore, the Committee considered that the Registrant's evidence that he cannot recall why he did not stop after the first occasion that Colleague A told him to stop sending sexual messages to be further evidence that he did not consider Colleague A's request to be a *"big deal"*. As this was not such a *"big deal"* to the Registrant, the Committee considered that the Registrant is less likely to remember how many times Colleague A asked him to stop sending him sexualised messages.
- b. On the other hand, the receiving of sexualised messages was a big deal to Colleague A as she did not like them, she told him to stop, she told him they would make things weird at work, and ignored them.
- c. Colleague A further said that she asked the Registrant on 3-4 occasions to stop sending sexualised messages. The Committee found this to be a realistic number in the circumstances, which was not exaggerated by Colleague A.
- d. The Registrant provided evidence that his personal situation appeared to cloud his judgement. The Committee considered this to cloud the Registrant's ability to accurately set out the number of times that Colleague A told him to stop sending sexualised text messages.

42. Consequently, the Committee finds Allegation 2 proved on a balance of probabilities.

This particular is found proved.

Allegation 4.3: Your conduct in any or all of paragraphs 1 and/or 3 above was sexually motivated in that it was done in pursuit of gratification and/or interaction and/or a relationship with Colleague A.

43. In *Basson v General Medical Council* [2018] EWHC 505 (Admin), the court gave a definition of sexual motive: *“sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a future sexual relationship”*. The Court in Basson went on to say: *“in civil proceedings that fact, the state of the man's mind, is to be proved in the usual way by the necessary body of evidence on the balance of probabilities. However, the state of a person's mind is not something that can be proved by direct observation. It can only be proved by inference or deduction from the surrounding evidence.”*
44. In *GMC v Jagiivan* [2017] EWHC 1247 (Admin), the Court of Appeal held that fact finders must consider whether there was any reasonable alternative explanation for the behaviour of the Registrant, and if there was any justification for it.
45. The Registrant has admitted that his conduct in relation to paragraph 1 of the allegations was in pursuit of gratification. The Committee will consider the rest of the allegation.

Paragraph 1 of the allegations

46. The Committee considered the following evidence:
 - a. The admissions from the Registrant of sending sexualised messages, including sexual acts that the Registrant would like to practice upon Colleague A; commenting on Colleague A's appearance; complimenting Colleague A; offering Colleague A a place to stay where they could have sex; the sexual fantasies of the Registrant with Colleague A and others; and asking for pictures.
 - b. The Registrant's evidence that the majority of the messages sent by him were sexually motivated in that they were sent in a flirtatious way. However, he does not accept that they were sent with a view to establishing a relationship or any form of interaction with Colleague A. At no time did he ever message Colleague A to

suggest that they meet out of work or that they should seek to develop some form of relationship.

c. The Registrant's concern during the sending of these messages was that of the impact on his own relationship and the fear of being found out. It did not register to him that these messages may place his career in jeopardy.

d. [REDACTED]

47. In light of this evidence, the Committee considered the requests from the Registrant in paragraph 1 of the allegations to be in pursuit of, at least, a sexual relationship with Colleague A, because:

a. In relation to paragraph 1 of the allegations, the text messages sent by the Registrant to Colleague A were highly sexualised, which the Registrant has described as sexually motivated in that they were sent in a flirtatious way.

b. Although the Registrant had a partner, the Committee does not consider this to have been an impediment to the Registrant seeking a sexual relationship with Colleague A. Indeed, the Registrant was concerned that the sending of the messages would impact upon his own relationship, demonstrating he knew that these messages were sent to the detriment of his own relationship.

48. The Committee has considered, but has found no other reasonable alternative explanation for the behaviour of the Registrant, or justification for it.

49. Consequently, the Committee finds allegation 4.3 proved, in relation to paragraph 1 of the allegations, on a balance of probabilities.

Paragraph 3

50. Further to the evidence set out in paragraphs 46-49 above, the Committee considered the following evidence:

a. Colleague A's evidence that the tap on her bottom was a sexual touch. It was something she might expect a partner to do and certainly not something that would be expected from another person.

- b. The Registrant's evidence that he would not have touched another member of staff in the same way.
51. In light of this evidence, the Committee considered the Registrant's tap on Colleague A's bottom to be in pursuit of, at least, a sexual relationship with Colleague A, because:
- a. The reasoning in paragraphs 46-49 above provides context to the Registrant's tap on Colleague A's bottom.
 - b. Colleague A's description of the tap on the bottom as something which she would only expect from a partner, and the Registrant's evidence that he would not have touched another member of staff in the same way, is demonstrative to the Committee that he felt his relationship with Colleague A allowed him access to tap Colleague A on her bottom. The Committee considered that the Registrant, by tapping Colleague A's bottom, considered either that the relationship was sexual, or that it could become sexual.
52. The Committee has considered, but has found no other reasonable alternative explanation for the behaviour of the Registrant, or justification for it.
53. Consequently, the Committee finds Allegation 4.3 proved, in relation to paragraph 3 of the allegations, on a balance of probabilities.

This particular is found proved.

Evidence on Grounds and Impairment

54. In addition to his reflective piece dated 10 July 2026, the Registrant gave the following evidence on grounds and impairment:
- a. [REDACTED]
 - b. [REDACTED]
 - c. He appreciates that he caused significant pain and distress to both Colleague A and his partner. He was not initially aware of the impact of his actions on Colleague A

and her “stop” appeared to be light-hearted. It was only when disciplinary action commenced that he realised how distressed Colleague A had become.

- d. His behaviours, as set out in the allegations, were a release from what was happening in his home life.
- e. There has not been one day which has passed that the impact of his actions on Colleague A have not crossed his mind.
- f. A member of the public would not be impressed and he should have been more focused upon their care. A pharmacist is usually the first port of call for a patient with health issues. He can regain the trust of the public by being sanctioned in the appropriate way. He also re-completed courses on professional boundaries and sexual harassment. It is now clear to him how he should conduct himself in a workplace setting. The training reinforced and reinstated lines that should not be crossed. He has worked without issue since the time of the allegations.
- g. He has been working five days per week in Barnsley since February 2025. He has told his employers of the Council’s proceedings and that he was dismissed from Boots. He does not exchange personal details with his colleagues in his new place of work. He does not speak to his colleagues out of a workplace setting or discuss personal matters in a workplace setting. If he hears an inappropriate conversation at work, he will shut it down.
- h. He also worked at 2-3 pharmacies as a locum “*regular fixture*” at the weekends since being dismissed from Boots.
- i. Everyone who provided him with a character reference was aware of the Council’s investigation into him.
- j. There was a power imbalance with Colleague A, which was something that he should have been aware of, but it was not something that he considered.
- k. A number of the Standards for Pharmacy Professionals dated May 2017 (“Standards”) have been breached, including:

- i. Standard 1 — Person-centred care: His erosion of trust and respect made Colleague A feel uncomfortable and distressed, undermining her ability to work safely and increasing risk of errors affecting patients.
 - ii. Standard 2 — Work in partnership: Loss of trust damages team cohesion and communication, reducing effectiveness within the pharmacy and potentially compromising patient safety.
 - iii. Standard 5 — Professional judgement: His very poor judgement in interpersonal conduct affected decision-making and wider professional standards.
 - iv. Standard 6 — Professional behaviour: His failure to treat a colleague with respect and protect dignity risks bringing the profession into disrepute and undermines public trust.
 - v. Standard 9 — Leadership: As a role model, his failure to set and maintain proper standards influences culture negatively and permits unprofessional behaviour.
- l. He offered his sincere apologies to Colleague A. He wants to go back to a time when they had a great working relationship. He never wanted her to feel discomfort at work; this was never his intention.
 - m. His actions have made life for male pharmacists difficult, as it would be harder to trust them.
 - n. He apologised for damaging the reputation of Boots and to the Council for having put everyone through this investigation.
 - o. In the future, should such a situation arise again, he would speak to the people who are affected. If this does not work, he would seek help through mutual means. He has a support network should things get difficult; people whom he can confide in and talk to, in order to mitigate any risk of repetition.

Submissions on Grounds and Impairment

55. Having found particulars of allegation proved, the Committee went on to consider whether the allegations amounted to the grounds of misconduct and, if so, whether the Registrant's fitness to practise is currently impaired.
56. In relation to misconduct, on behalf of the Council, Ms Vanstone submitted that the allegations amounted to misconduct. Furthermore, the Registrant's conduct, as set out in the allegations, constituted a breach of the following Standards:
- a. Standard 1: Pharmacy Professionals must provide person-centred care.
 - b. Standard 2: Pharmacy Professionals must work in partnership with others.
 - c. Standard 6: Pharmacy professionals must behave in a professional manner.
 - d. Standard 9: Pharmacy professionals must demonstrate leadership.
57. In relation to current impairment, on behalf of the Council, Ms Vanstone submitted that:
- a. Misconduct of a sexual nature is harder to remediate.
 - b. The Registrant still has not properly explained why he continued to send sexualised messages to Colleague A after she told him to stop.
 - c. The Registrant explained that he has mitigated any risk posed by stopping any contact with colleagues outside work. The Committee must consider whether this means that there are residual concerns should the Registrant contact colleagues outside a workplace setting.
 - d. A finding of impairment is also in the public interest given the seriousness of the misconduct and that sexual misconduct undermines public trust in the pharmacy profession. The misconduct included a lack of integrity and a power imbalance.
 - e. The Registrant has no previous fitness to practise history and has provided positive testimonials.
58. In relation to misconduct, on behalf of the Registrant, Mr Haines made no submissions, but left it as a matter for the Committee.

59. In relation to current impairment, on behalf of the Registrant, Mr Haines submitted:
- a. There has been no repetition of the conduct since the time of the allegations.
 - b. The Registrant has worked unfettered for a significant period of time in one establishment. Any misconduct was remediable and has been remedied.
 - c. The Registrant has put measures in place to mitigate any repetition, including not engaging with colleagues out of working hours.
 - d. The Registrant has put in place a support network in order to avoid acting the way that he did.
 - e. There is no risk posed by the Registrant so as to engage the public interest element of finding the Registrant impaired.
 - f. The Registrant has received positive testimonials from current colleagues who have varying levels of experience.
 - g. The Registrant's conduct is unlikely to be repeated due to the Registrant's remediation, including relevant training.

Decision on Grounds

60. The Committee took account of the guidance given to the meaning of "*fitness to practise*" in the Council's publication "*Good decision-making*" (Revised March 2024).
61. The Committee accepted and applied the following definition of "*misconduct*":

"...some act or omission which falls short of what would be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinarily required to be followed by a practitioner in the particular circumstances. The misconduct is qualified in two respects. First, it is qualified by the word 'professional' which links the misconduct to the profession. Secondly, the misconduct is qualified by the word 'serious'. It is not any professional misconduct which will qualify. The professional misconduct must be serious."

62. The Committee also took into account the observation of J Collins in *Nandi v GMC [2004] EWHC 2317 (Admin)* that: “*The adjective ‘serious’ must be given its proper weight and in other contexts there has been reference to conduct which would be regarded as deplorable by fellow practitioners.*”
63. The Committee considered that by committing the conduct set out in the allegations, the Registrant fell short of what would be proper in the circumstances, and would be regarded as deplorable by fellow practitioners. The Registrant:
- a. sent sexualised messages, including:
 - i. sexual acts that the Registrant would like to practice upon Colleague A;
 - ii. commenting on Colleague A’s appearance;
 - iii. complimenting Colleague A;
 - iv. offering Colleague A a place to stay where they could have sex;
 - v. the sexual fantasies of the Registrant with Colleague A and others; and
 - vi. asking for pictures;
 - b. continued to send sexualised messages even after he was asked by Colleague A to stop;
 - c. tapped Colleague A on her bottom;
 - d. committed the acts set out in paragraphs 63(a)-(c) above when it was unwanted by Colleague A, sexual in nature, sexually motivated, a breach of professional boundaries and had the effect of violating Colleague A’s dignity;
 - e. did not take into account the power imbalance between himself and Colleague A; and
 - f. lacked integrity when committing the acts set in paragraphs 63(a)-(e) above.
64. Further, such actions damage public confidence in the profession, as it would convey a degree of opprobrium to the ordinary intelligent citizen (*Shaw v General Osteopathic Council [2015] EWHC 2721 (Admin)*).

65. The Committee considered whether the Registrant had breached any of the Council's Standards. The Committee determined that there had been a breach of the following Standards as a result of the misconduct:
- a. Standard 1: Pharmacy Professionals must provide person-centred care. In particular, respect and safeguard the person's dignity. Through the proven/admitted misconduct, the Registrant failed to respect and safeguard Colleague A's dignity.
 - b. Standard 2: Pharmacy Professionals must work in partnership with others. In particular, take action to safeguard people, particularly children and vulnerable adults. Colleague A was the Registrant's junior and he was her tutor. This power imbalance made Colleague A vulnerable in relation to the Registrant. Through the proven/admitted misconduct, the Registrant failed to safeguard Colleague A.
 - c. Standard 6: Pharmacy professionals must behave in a professional manner. In particular, act with integrity and maintain appropriate personal and professional boundaries with the people they provide care to and with others. Through the proven/admitted misconduct, the Registrant failed to act with integrity and maintain proper professional boundaries with Colleague A, who was made to feel unsafe at work by the Registrant's actions.
 - d. Standard 9: Pharmacy professionals must demonstrate leadership. In particular, do not abuse their position. Colleague A was the Registrant's junior and he was her tutor. This power imbalance made Colleague A vulnerable in relation to the Registrant. Through the proven/admitted misconduct, the Registrant abused his position towards Colleague A.
66. The Committee bore in mind that the Standards may be taken into account when considering the issues of grounds and impairment but that a breach of the Standards does not automatically establish that the Registrant's fitness to practise is impaired (Rule 24(11)).
67. Accordingly, the Committee concluded that, in its judgement, the grounds of misconduct are established.

Decision on Impairment

68. Having found that the particulars of allegation amounted to misconduct, the Committee went on to consider whether the Registrant's fitness to practise is currently impaired.
69. At the outset, the Committee considered the Registrant's insight and remediation.
70. The Committee considers that the Registrant has demonstrated some insight given:
 - a. He admitted to most of the allegations. Where allegations have been proved, the Registrant has accepted the findings of the Committee.
 - b. He has provided a reflective piece, demonstrating his understanding of the impact of his actions on Coleague A, the profession and colleagues.
 - c. He has fully participated in the Boots disciplinary proceedings and the Council's fitness to practise proceedings.
71. However, the Committee considered that the Registrant's insight is not sufficient given:
 - a. His reflection does not appear to address the effect of his actions upon female members of staff with whom he works.
 - b. There still appears to be a lack of understanding from the Registrant as to boundaries. Stopping all contact with colleagues outside a workplace setting appears to the Committee to be a draconian step, rather than simply consider what is appropriate and what is inappropriate to discuss with work colleagues, both inside and outside of a workplace setting.
72. The Committee considered that the Registrant has completed some remediation:
 - a. The Registrant has completed training modules concerning professional boundaries and sexual harassment.
 - b. He has worked without incident since February 2025.

- c. He has received positive testimonials from those with whom he works, who have known about the allegations.
- 73. However, the Committee does not consider the Registrant's remediation to be sufficient, given:
 - a. The Committee has seen little reflection provided from the Registrant on what he learned from the training that he undertook. The Registrant said that he previously undertook similar training. This was of concern to the Committee as it appeared that the Registrant had to be re-trained, not only on matters which he had previously been trained on, but matters of general conduct which should have been known to the Registrant.
 - b. The Registrant has not explained, with sufficient understanding, how he would mitigate such an occurrence should something happen in the future. The Registrant explained that he has a support network upon which he could rely, but did not set out in much detail how he could, and how he would, rely upon them to mitigate any risk.
- 74. The Committee considered whether the particulars found proved show that actions of the Registrant:
 - a. present an actual or potential risk to patients or to the public;
 - b. have brought, or might bring, the profession of pharmacy into disrepute;
 - c. have breached one of the fundamental principles of the profession of pharmacy;
or
 - d. mean that the integrity of the Registrant can no longer be relied upon.

Whether the Registrant's conduct or behaviour presents an actual or potential risk to patients or to the public

- 75. The Committee considers that the Registrant's conduct and behaviour, as set out in paragraph 63 above, presented an actual risk of harm to the public. In particular, the Registrant made Colleague A feel unsafe.

76. Given the insufficient insight and remediation completed by the Registrant, as set out in paragraphs 70-73 above, the Committee considered that the Registrant's conduct or behaviour is likely to be repeated. Consequently, the Registrant is likely to present an actual or potential risk to the public in the future.

Whether the Registrant's conduct or behaviour has brought, or might bring, the profession of Pharmacy into disrepute

77. The Committee considered that the Registrant's misconduct, as set out in paragraph 63 above, has brought the profession of pharmacy into disrepute.

78. Given the insufficient insight and remediation completed by the Registrant, as set out in paragraphs 70-73 above, the Committee considered that the Registrant's conduct or behaviour is likely to bring the profession of pharmacy into disrepute in the future.

Whether the Registrant's conduct or behaviour has breached one of the fundamental principles of the profession of Pharmacy

79. The Committee considered that the Registrant's conduct, as set out in paragraphs 70-73 above, has breached more than one of the fundamental principles of the profession of pharmacy, namely the failure to:

- a. act with integrity;
- b. ensure patient-centred care;
- c. work with others, including patients and fellow professionals;
- d. behave in a professional manner; and
- e. demonstrate leadership.

80. Given the insufficient insight and remediation completed by the Registrant, as set out in paragraphs in paragraphs 70-73 above, the Committee considered that the Registrant's conduct or behaviour is likely to breach one of the fundamental principles of the pharmacy profession in the future.

Whether the Registrant's conduct or behaviour shows that the integrity of the Registrant can no longer be relied upon

81. The case of Wingate v Solicitors Regulation Authority [2018] EWCA Civ 366 sets out:

“Integrity connotes adherence to the ethical standards of one’s own profession. That involves more than mere honesty. To take one example, a solicitor conducting negotiations or a barrister making submissions to a judge or arbitrator will take particular care not to mislead. Such a professional person is expected to be even more scrupulous about accuracy than a member of the general public in daily discourse.”

82. Further to the case of Wingate, and the admissions from the Registrant that his conduct in allegations 1, 2, and 3, lacked integrity, the Committee considered that the Registrant’s actions demonstrate a lack of integrity.

83. Given the insufficient insight and remediation completed by the Registrant, as set out in paragraphs 70-73 above, the Committee considers that the Registrant’s conduct or behaviour is likely to show that the integrity of the Registrant can still not be relied upon.

Impairment in the wider public interest

84. Members of the public would be appalled to learn that a pharmacist had conducted the actions set out in the proven allegations. The effect of the misconduct was to make Colleague A feel unsafe in the workplace.

85. Members of the public would further be appalled with the following aggravating factors:

- a. The misconduct was sexually motivated.
- b. The misconduct took place where there was a power imbalance.
- c. The misconduct demonstrated that the Registrant lacked integrity.

86. Consequently, the Committee considered the Registrant’s fitness to practise to be impaired on the wider public interest element, namely maintaining public confidence in the pharmacy profession and upholding professional standards.

Committee’s conclusion on impairment

87. In light of the above, the Committee considered the Registrant's fitness to practise to be currently impaired on the personal element and in the wider public interest.

Outcome

88. Having found current impairment, the Committee has gone on to consider the matter of outcome. The Committee's powers are set out in Article 54(2) of the Pharmacy Order 2010. The Committee should consider the available outcomes in ascending order from least restrictive, take no action, to most restrictive, removal from the register, in order to identify the appropriate and proportionate outcome that meets the circumstances of the case.
89. The purpose of the outcome is not to be punitive, though an outcome may in fact have a punitive effect. The purpose of the outcome is to meet the overarching objectives of regulation, namely the protection of the public, the maintenance of public confidence in the profession and to promote professional standards. The Committee is therefore entitled to give greater weight to the public interest over the Registrant's interests.
90. The Committee had regard to the Council's *"Good decision making: Fitness to practise hearings and outcomes guidance"*, published in March 2024 ("Guidance"), to inform its decision.
91. On behalf of the Council, Ms Vanstone submitted:
- a. Aggravating factors include:
 - i. The proven/admitted allegations are serious.
 - ii. The Registrant's conduct in the allegations was ongoing.
 - iii. The misconduct was found to amount to a lack of integrity and a power imbalance.
 - iv. The Registrant's misconduct had an adverse impact upon Colleague A.
 - b. Mitigating factors include:
 - i. The Registrant has no previous fitness to practise concerns.

- ii. The Registrant has admitted to most of the allegations.
 - c. Taking no further action would frustrate the fitness to practice process as the Committee has found that a member of the public would be appalled with the Registrant's actions, as set out in the admitted/proven allegations.
 - d. A warning would be insufficient to mark the seriousness of the misconduct.
 - e. Conditions would not be appropriate or workable to address the concerns posed by the Registrant. Furthermore, conditions would not mark the seriousness of the misconduct.
 - f. A 12-month suspension would be appropriate and proportionate to mark the seriousness of the Registrant's proven/admitted misconduct.
92. On behalf of the Registrant, Mr Haines submitted:
- a. Mitigating factors include:
 - i. The Registrant has no previous fitness to practise concerns.
 - ii. The Registrant is of previous good character.
 - iii. The Registrant has admitted, at an early stage, to most of the allegations.
 - iv. The Registrant is a pharmacist of significant experience of nearly 25 years.
 - v. The Registrant has cooperated fully with the fitness to practise proceedings.
 - vi. The Registrant has worked unrestricted and without incident since the time of the allegations with employers who know about the allegations.
 - vii. The testimonials speak positively of a competent pharmacist.
 - viii. Although this was not a one-off event, it was a one-off set of events over a three-week period.
 - b. Taking no further action would not be appropriate.
 - c. A warning could be considered by the Committee, which would be public and be able to be seen by members of the public.

- d. Conditions could be appropriate or workable to address the concerns posed by the Registrant, through notification requirements.
 - e. Should a suspension be considered, it would only be appropriate and proportionate to impose the shortest possible meaningful suspension, taking into account the mitigating and aggravating factors.
 - f. Removal is not necessary in this case.
93. The Committee considered the following to be mitigating factors in this case:
- a. The Registrant has no previous fitness to practise concerns.
 - b. The Registrant has admitted, at an early stage, to most of the allegations.
 - c. The Registrant has cooperated fully with the fitness to practise proceedings, and with the Boots internal investigation.
 - d. The Registrant has worked unrestricted and without incident since the time of the allegations with employers who know about the allegations, demonstrating the Registrant's openness of the allegations with relevant people.
 - e. The testimonials speak positively of a competent pharmacist.
 - f. [REDACTED]
94. The Committee considered the following to be aggravating factors in this case:
- a. The matter concerns serious sexual misconduct.
 - b. It was not a single, one-off event, which could have continued if Colleague A did not report the Registrant's behaviour, as indicated by the Registrant's refusal to stop sending sexualised messages even when asked to stop by Colleague A.
 - c. The Registrant's misconduct had an adverse impact upon Colleague A.
95. The Committee considers that the Registrant's proven/admitted misconduct makes taking no action or imposing a warning insufficient to adequately protect the public (given the Registrant's incomplete insight and remediation), and to meet the wider public interest of maintaining public confidence in the profession and declaring and

upholding proper standards of conduct and behaviour. Therefore, the Committee finds that taking no action or issuing a warning to be inappropriate.

96. The Committee next considered the imposition of conditions of registration on the Registrant. The Committee considered that, given the aggravating and mitigating factors, the Registrant's lack of integrity and the power imbalance which occurred during the course of the misconduct, conditions could not be formed, or would not be workable, to address the risk to the public posed by the Registrant. Furthermore, conditions would not be appropriate to mark the seriousness of the proven/admitted misconduct. The Committee considered that conditions would not adequately meet the wider public interest of maintaining public confidence in the profession and declaring and upholding proper standards of conduct and behaviour.
97. The Committee next considered whether suspension would be an appropriate and proportionate outcome. The Committee considered that a suspension would be an appropriate and proportionate outcome, given:
- a. A warning or conditions have been found not to be sufficient to deal with any risk to patient safety or to protect the public, and would undermine public confidence.
 - b. The proven/admitted misconduct of the Registrant is unacceptable and unbefitting a member of the pharmacy profession, especially given the Registrant's lack of integrity and the power imbalance, which occurred during the course of the misconduct.
 - c. The Registrant has demonstrated some insight and some remediation, but this needs to be further developed.
 - d. The Registrant has practiced without concern since the allegations, and has received positive references, demonstrating that his clinical practice is not in question.
 - e. It is in the public interest to keep a competent pharmacist within the industry who has shown he is willing and able to demonstrate insight and remediate his practice, but that he requires more time and direction to do so.

98. Consequently, the Committee considered a suspension of 6 months to be appropriate and proportionate. This would:
- a. Mark the seriousness of the misconduct; and
 - b. Provide sufficient time for the Registrant to complete sufficient remediation and develop sufficient insight.
99. For the reasons set out in paragraph 97, the Committee considered that removal from the register was a disproportionate and inappropriate outcome.

Review Hearing

100. The Committee directs that a review takes place prior to the end of the six-month suspension. Any reviewing committee would be assisted by:
- a. The Registrant undertaking any appropriate training concerning professional boundaries and sexual harassment. Preferably, this training should not be training that the Registrant has already completed. The Registrant should reflect upon this training, setting out what he has learned from it and how he will enact such training in his professional environment.
 - b. Further reflection from the Registrant addressing the impact of his actions upon female members of the profession and female members of staff with whom he works.
 - c. Consideration from the Registrant on what constitutes appropriate boundaries and behaviour in the workplace and with colleagues. The Registrant should reflect on these steps and how he has enacted/will enact them in a professional setting.
 - d. Reflection on how he would cope in the future should stressful circumstances arise. The Registrant should explain how he would act differently to how he acted during the allegations; how any support he has in place is available and robust; and the effect on him of any support that he relies upon.

Decision on Interim Measures

101. On behalf of the Council, Ms Vanstone made an application for an interim measure of suspension to be imposed on the Registrant's registration, to take effect from today's date, pursuant to Article 60 of the Pharmacy Order 2010, pending the coming into force of the Committee's substantive order. She submitted that:
- a. The Committee has found the Registrant to be currently impaired on the wider public interest and for public protection. There is an ongoing risk given that the Registrant's conduct has not been sufficiently remediated. It is for public protection and in the wider public interest that interim measures are put in place.
 - b. Even though the Registrant has not been previously subject to an interim order, matters have now moved on in that the Registrant has had the allegations against him proved/admitted at a Principal Hearing. Not implementing interim measures would be contrary to the Committee's findings.
102. On behalf of the Registrant, Mr Haines opposed the order on the basis that:
- a. The Registrant has not been subject to any form of interim order previously.
 - b. Since the time of the allegations, the Registrant has worked without any further concerns or issue.
 - c. Not imposing an interim measure would allow the Registrant to place his financial matters in order and allow his employers to make alternative arrangements.
103. In considering Ms Vanstone's application, the Committee took account of the fact that its decision to suspend the Registrant from the Council register will not take effect until 28 days after the Registrant is formally notified of the outcome, or until any appeal is concluded.
104. The Committee considered that an interim measure was necessary given:
- a. It has found that there remains a risk that the Registrant might repeat his conduct, as set out in the allegations, if permitted to return to work unrestricted. This risk was not previously assessed prior to the Principal Hearing.

- b. The Registrant's misconduct would have had an impact on public confidence. The Committee was satisfied that it was necessary for an interim measure to be put in place to safeguard the public interest during the appeal period.
105. The Committee is satisfied that it is therefore appropriate for an interim measure to be in place prior to the taking effect of the substantive order.
106. The Committee hereby orders that the entry of the Registrant in the register be suspended forthwith, pending the coming into force of the substantive order.
107. This concludes the determination.