

## How does the voluntary removal process work?

Reference: CMT-5a    Last Updated: 26/06/2020

If a nurse, midwife or nursing associate applies for voluntary removal (VR) they can be removed from the register without the need for full consideration by the Fitness to Practise Committee. This will only be appropriate if the case isn't one where the Fitness to Practise Committee needs to take action to protect the public's trust in nurses, midwives and nursing associates, or uphold professional standards, and is actually a case where patients and the public will be best protected by their immediate removal from the register. We describe the kinds of serious cases in which the Fitness to Practise Committee will need to take action to protect trust and uphold standards in our [principles for fitness to practise](#) and our [guidance on seriousness](#). There's also specific guidance on [when VR won't be appropriate](#).

The only circumstances in which we'll accept applications for VR are:

- the nurse, midwife or nursing associate accepts the regulatory concern(s);
- the regulatory concerns are not so serious that they are fundamentally incompatible with being a registered professional; and
- the nurse, midwife or nursing associate provides evidence that they do not intend to continue practising.

A nurse, midwife, or nursing associate can submit a VR application to us at any time during the Fitness to Practise process, including during a substantive (final) hearing.

However, our Registrar (or one of our Assistant Registrars, who also make VR decisions on the Registrar's behalf) won't consider applications for VR before our investigation is complete, and our case examiners have considered the case and decided there's a case to answer. This is because we think the Registrar should only make VR decisions once we've fully explored and investigated the regulatory concerns and are satisfied we understand the full extent and seriousness of these. If someone sends us an application to be removed from the register before the case examiners have considered their case, we may invite them to send us another application if the case examiners do decide there's a case to answer.

There's no limit on the number of times that a nurse, midwife or nursing associate can apply for VR, but if refused it's unlikely that a new application for VR will be granted unless there's been an obvious and relevant change in circumstances. Nurses, midwives and nursing associates who send in a new applications because they're disappointed with the original outcome will need to explain what that change is.

When a nurse, midwife, or nursing associate makes an application for VR, we ask them to sign a 'voluntary removal declaration form', in which they confirm they won't apply to be readmitted to the register within five years of being removed.

If the application is successful, we'll amend our register so that 'voluntarily removed' is displayed against the nurse, midwife, or nursing associate's name. We'll publish the reasons for our decision for one year from the date of removal<sup>1</sup>. When VR is granted during a hearing, we publish the VR decision as part of the panel's reasons.

We may share the details of the regulatory concerns with potential employers and other enquirers on request where it is in the public interest for us to do so. We won't usually share information relating solely to a nurse, midwife or nursing associate's health.

1 Publishing fitness to practise information