

Agreed removal at hearings

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Nurses, midwives or nursing associates can apply for agreed removal during a hearing before the Fitness to Practise Committee. In considering the application, the Assistant Registrar will take into account the panel's views.

When will we consider a removal application during a hearing?

Nurses, midwives or nursing associates who are subject to fitness to practise proceedings can apply for removal from the register at any stage of the process.

When a nurse, midwife, or nursing associate applies for agreed removal during a substantive hearing, the panel will decide when the application for agreed removal should be considered. The panel will consider how best to minimise the disruption caused to the hearing. This will usually mean waiting until the end of the finding of facts or impairment stage of the hearing, unless there is an urgent reason for the application to be considered earlier. In making this decision, panels should balance the need for the application to be considered against the public interest in the regulator being able to operate effective hearings. In particular, inconvenience to witnesses should be avoided where possible.

When the panel considers that it is appropriate for the application for agreed removal to be considered, they will be invited to make any recommendation on whether or not the application for removal should be agreed. The application will then be considered by the Assistant Registrar, who will take any recommendation given by the panel into consideration as one of the factors relevant to their decision. If the Assistant Registrar agrees the application for removal, there will be no need for the panel hearing to resume (unless there is an interim order in place) and the professional will be removed from the register. If the Assistant Registrar does not agree the application, the panel hearing will resume at the point where it was adjourned.