

Jargon buster

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One of our key statutory functions is to investigate allegations about the fitness to practise of nurses, midwives and nursing associates, or their entry in the register. Fitness to practise allegations involve us alleging that the nurse, midwife or nursing associate's fitness to practise is 'impaired'.

For this reason, when we first assess, investigate, and when our case examiners consider 'allegations', we define 'allegation' as meaning simply an allegation to the effect that the nurse, midwife or nursing associate's fitness to practise is impaired.

Regulatory concerns

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During the early stages of a case we draft [regulatory concerns](#) to summarise what appears to have happened in a particular case, that raises questions about whether the professional's practice poses a risk to either of the following so that we need to take regulatory action:

- public safety
- the public's confidence in the professions generally or to professional standards.

Charges

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A charge only comes into existence when we send the nurse, midwife or nursing associate notice of their final hearing or meeting before the Fitness to Practise Committee.

Before then, if we any refer to a charge, we mean a 'draft charge'.

The notice of a substantive hearing will contain a charge 'particularising' (or setting out) the alleged facts on which the allegation of impaired fitness to practise is based.

The charge is the public statement of the basis on which we are saying the nurse, midwife or nursing associate's fitness to practise is impaired.

It will allege that the nurse, midwife or nursing associate's fitness to practise is impaired because of one or more of the following (as set out in our legislation):

- [misconduct](#)
- [lack of competence](#)
- a [conviction or caution](#)
- [health](#)

- [not having the necessary knowledge of English](#)
- a [determination by another health or social care organisation](#).

So, the meaning of 'charge' within our rules is:

- an assertion that a nurse, midwife or nursing associate's fitness to practise is impaired, making particular reference to one of the kinds of impairment from our Order (for example, 'your fitness to practise is impaired by reason of your lack of competence'); and
- the schedule of alleged facts which we send together with a notice of hearing, which 'particularises' the allegation of impaired fitness to practise.

Additionally, in everyday language, people taking part in Fitness to Practise Committee hearings will often refer to one or more of the individual 'alleged facts' within a schedule of charge as 'charge 1', 'charge 6(a)(ii)', and so on.