At the end of the investigation

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In this guide

- At the end of the investigation

At the end of the investigation

Back to top

We must provide to the case examiners all the evidence for their decision that we've gathered in our investigation. We must do this for every investigation.

The case examiners cannot reach a decision that there is a case to answer or issue advice or a warning unless we have sent any information or documents obtained during the investigation to the professional.[1] With this information, we must send the professional an invitation to make further representations to us and respond to the information shared.[2] This invitation must give the nurse, midwife or nursing associate 28 days to respond.[3] If the professional is not able to respond in this time, we may be able to give them additional time.[4] Reasons for allowing additional time might include, among others, where the information we have sent is particularly long or complex, the professional has reasonable adjustments so that they need longer with the documents, or there are extenuating personal circumstances, such as serious illness or a family emergency.

If the case examiners have already reached a view that no further action is necessary as a result of their early engagement with the case, it is not necessary for us to invite the professional to consider the information and provide a response. This is because the impact of inviting the professional to submit a response would be to extend unnecessarily the time until the case is concluded.

In this situation, the case examiners should note in their decision that the professional did not have the opportunity to comment on the outcome of the investigation. This is because the case examiners' decision could be relied on by us in the future, so the position of the professional should be captured accurately.

Whatever the case examiners' decision, the professional will be informed of the outcome. For example, if the case examiners decide to close the matter with no further action, we will communicate this to the professional. This would be the case even if the professional had not been asked to make further representations, for the reasons set out above.

1. Rule 6C(1A)(a) of the FtP Rules
2. Rule 6C(1A)(b) of the FtP Rules
3. Rule 6C(1A)(b) of the FtP Rules
4. Rule 6C(1B) of the FtP Rules