Deciding between suspension and strike off

Reference: SAN-3 Last Updated: 28/01/2026

Determining the proportionate sanction is often difficult when the Committee is deciding between a suspension or a striking-off order. In such cases, the Committee should:

- consider all of the relevant aggravating and mitigating factors.[1]
- consider that, unless the Committee directs otherwise, a suspension order will be reviewed before its expiry and may be extended.[2] However, the Committee cannot direct that the suspension must be extended on review. As such the Committee should consider whether public confidence in the profession would be protected if the professional returned to practice after one year, or ever.[3]
- Consider the professional's insight and attitude to addressing the concerns, and whether it is realistically possible that these will change positively during the suspension period. If it is unlikely the professional will try to address the concerns, there may not be appropriate for them to be suspended in the hopes that they will eventually return to practice.
- Professionals are under an obligation to cooperate with their regulator.[4] Where professionals have failed to engage with the fitness to practise process, it won't usually be appropriate to use a suspension order as a means of giving them a 'last chance' to engage, reflect or show insight.

Example:

> The Committee has found that a nurse working in a care home has been repeatedly dishonest in their recording of medication given to residents. The nurse has not engaged throughout the proceedings and has since left the UK. The Committee considers that a suspension may have been proportionate if the nurse had shown she wanted to return to practice and showed insight into what had happened. However, because the nurse has not engaged (including by email), not shown any insight into the failures in their practice, and has shown no intention to engage in the future, the Committee decides that the only proportionate sanction is a striking off order.

1 O v Nursing and Midwifery Council [2015] EWHC 2949 (Admin)
2 Article 30(1) of the Nursing and Midwifery Order 2001
3 Khan v General Pharmaceutical Council [2016] UKSC 64
4 Adeogba v General Medical Council [2016] EWCA Civ 162 and paragraph 23 of the Code