Striking-off order

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A striking-off order is the most serious sanction. It means removing the professional's name from the Register, which prevents them from working as a registered nurse, midwife or nursing associate.

This sanction is likely to be appropriate if the professional's actions are fundamentally incompatible with being a registered professional. Before imposing this sanction, the Committee should consider:

- Do the charges found proved raise fundamental questions about their professionalism?
- Can public confidence in the profession be maintained if the professional is not removed from the Register?
- Is there any amount of insight and reflection which could keep people receiving care and members of the public safe, maintain public confidence in the profession, and uphold professional standards?
- Is there a realistic prospect that, after suspension, the professional will have gained insight and strengthened their practice such that the risk they pose will have reduced?

The Committee should refer to our guidance on sanctions for the highest risk cases. This highlights how the Committee should approach some types of cases where strike-off is most likely to be appropriate. This is because it may not be possible for the professional to put things right, or they will most seriously affect the public's trust and confidence in the professions.

The types of case that are most likely to result in a striking-off order are:

- Cases involving dishonesty or a breach of the professional duty of candour
- Sexual misconduct
- Abuse of children or vulnerable adults
- Deliberately causing harm to people receiving care, or putting them at serious risk of harm
- Failing to engage with the fitness to practise process.

This is not an exhaustive list.

These cases may arise under a number of grounds of impairment, for example misconduct, conviction or caution, or a finding of another regulator.

When a striking-off order cannot be used

A striking-off order can't be used if the professional's fitness to practise is impaired due to:

- their health
- lack of competence
- not having the necessary knowledge of English

until they have been on either a suspension order or a conditions of practice order for a continuous period of two years.

The two-year period can be made up of a combination of suspensions and conditions. However there must have been a continuous period during which the professional's practice has been subject to restriction under a final order. If there is a gap in which their practice was unrestricted then a striking-off order cannot be used.

Example:

> A registered nurse was previously subject to a suspension order for a year, but returned to unrestricted practice following a review. Six months later, as a result of an unrelated Fitness to Practise process, the nurse is then subject to conditions of practice for a year on the basis that their fitness to practise is impaired on the basis of their health. At a review hearing, the nurse cannot be removed from the Register because there has not been a continuous two-year period of sanction.

Restoration

A professional who has been struck-off may not apply for restoration for five years after the order. Our guidance on restoration explains how the Committee approaches these applications.