

Cases that may involve incorrect or fraudulent entry

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When we receive an allegation, we will consider whether the facts alleged are capable of amounting to an allegation of an incorrect or fraudulent entry relating to a named nurse, midwife or nursing associate on our register.

If, following initial investigation, the facts are capable of amounting to an allegation of incorrect or fraudulent entry, we will refer the allegation for consideration by the Investigating Committee.

Sometimes, we receive allegations that could either be described as:

- allegations about a nurse, midwife or nursing associate's fitness to practise, or
- allegations about whether their entry on the register is fraudulent or incorrect.

For example, we may receive an allegation that a nurse, midwife or nursing associate gave us incorrect information as part of revalidation. This could amount to misconduct affecting their fitness to practise or give us grounds to investigate if their entry on our register is incorrect or fraudulent.

When this situation arises we usually prioritise the [possible allegation of incorrect or fraudulent entry](#).

This is because we should investigate if someone is entitled to practise as a nurse, midwife or nursing associate **before** we consider if their fitness to practise may be impaired.

It's important for public protection that members of the public can trust the information about who is listed as a nurse, midwife or nursing associate on our register. When there are issues relating to an applicant's health, in most cases, it will be more appropriate for the matter to be dealt with as a fitness to practise issue, not as an allegation of an incorrect or fraudulently procured entry on our Register.

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If we conclude that an allegation can amount to an allegation of fraudulently procured or incorrect entry, we'll refer the case to the Investigating Committee.

The Investigating Committee makes a final decision on whether or not the entry on the Register is incorrect or fraudulently procured.

In making this decision, the Investigating Committee will consider whether any of the information submitted, or information that the Registrar took account of during the application process, appears to be:

- wrong or inaccurate
- submitted with the deliberate intention to mislead the NMC
- obtained or created fraudulently.

The Investigating Committee will also assess whether it appears that the entry on the register was made in error by the NMC.

We won't refer the allegation to the Investigating Committee if, after an investigation, we consider the allegation isn't capable of amounting to an allegation of incorrect or fraudulent entry.

This means that we are unlikely to refer to the Investigating Committee:

- cases where the evidence doesn't support a finding of fraudulent or incorrect entry.
- incorrect entry cases where the error was not material (meaning that it either wouldn't have made any difference to the entry in the Register or it has since been remedied).
- cases where, if we did make a referral to the Investigating Committee, our recommendation would be that no regulatory action was required.

Voluntary Removal

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Where a nurse, midwife or nursing associate is being investigated for an alleged fraudulent or incorrect entry, it won't be appropriate for them to be granted Voluntary Removal from the Register.