

**Nursing and Midwifery Council
Fitness to Practise Committee
Substantive Order Review Hearing**

21 September 2020

Virtual Hearing

Name of registrant:	Scott Allan
NMC PIN:	86E0375S
Part(s) of the register:	Registered Nurse – Learning Disabilities July 1989
Area of Registered Address:	Stirlingshire
Type of Case:	Misconduct
Panel Members:	Anne Asher (Chair, Registrant member) Allison Hume (Registrant member) Colin Sturgeon (Lay member)
Legal Assessor:	Iain Ross
Panel Secretary:	Caroline Pringle
Mr Allan:	Not present and not represented in his absence
Nursing and Midwifery Council:	Represented by Zainab Mohamed, NMC Case Presenter
Order being reviewed:	Suspension order (12 months)
Fitness to Practise:	Impaired
Outcome:	Striking off order to come into effect at the end of 27 October 2020

Application under Rule 19

Ms Mohamed made an application for the entire of Mr Allan's case to be heard in private on the basis that the matters which the panel had to consider were inextricably linked with Mr Allan's health. The application was made pursuant to Rule 19 of The Nursing and Midwifery Council (Fitness to Practise) Rules 2004 (as amended) (the Rules).

The legal assessor reminded the panel that while Rule 19(1) provides, as a starting point, that hearings shall be conducted in public, Rule 19(3) states that the panel may hold hearings partly or wholly in private if it is satisfied that this is justified by the interests of any party or by the public interest.

Having read the papers, the panel was aware that Mr Allan's health is inextricably linked with this case. It was satisfied that Mr Allan's right to privacy and confidentiality in respect of his health outweighed the interest in holding the hearing in public. It therefore determined to hold the entire hearing in private.