

**Nursing and Midwifery Council  
Investigating Committee**

**New Interim Order Hearing  
Friday 25 March 2022**

Virtual Hearing

<b>Name of registrant:</b>	Derek Rogers
<b>NMC PIN:</b>	99I8119E
<b>Part(s) of the register:</b>	Registered Nurse Adult Nursing – September 2008
<b>Area of registered address:</b>	Devon
<b>Panel members:</b>	Maria Delauney (Chair, Registrant member) Hayley Ball (Registrant member) Denise Rogers (Lay member)
<b>Legal Assessor:</b>	Paul Hester
<b>Hearings Coordinator:</b>	Opeyemi Lawal
<b>Nursing and Midwifery Council:</b>	Represented by Simeon Wallis, Case Presenter
<b>Mr Rogers:</b>	Not present and unrepresented at the hearing
<b>Interim order directed:</b>	<b>Interim conditions of practice order (18 months)</b>

## Decision and reasons on interim order

The panel decided to make an interim conditions of practice order for a period of 18 months.

As such it has determined that the following conditions are proportionate and appropriate:

For the purposes of these conditions, 'employment' and 'work' mean any paid or unpaid post in a nursing, midwifery or nursing associate role. Also, 'course of study' and 'course' mean any course of educational study connected to nursing, midwifery or nursing associates.

1. You must limit your nursing practice to Torbay & South Devon NHS Foundation Trust.
2. [PRIVATE]
3. You must ensure that you are supervised anytime you are working. Your supervision must consist of working at all times while being directly observed by another registered nurse of band 6 or above.
4. You must keep the NMC informed about anywhere you are studying by:
  - a. Telling your case officer within seven days of accepting any course of study.
  - b. Giving your case officer the name and contact details of the organisation offering that course of study.
5. You must immediately give a copy of these conditions to:
  - a. Torbay & South Devon NHS Foundation Trust.
  - b. Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.

6. You must tell your case officer, within seven days of your becoming aware of:
  - c. Any clinical incident you are involved in.
  - d. Any investigation started against you.
  - e. Any disciplinary proceedings taken against you.
  
7. You must allow your case officer to share, as necessary, details about your performance, your compliance with and / or progress under these conditions with:
  - a. Torbay & South Devon NHS Foundation Trust.
  - b. Any educational establishment.
  - c. Any other person(s) involved in your retraining and/or supervision required by these conditions.

Unless Mr Rogers' case has already been concluded, this interim order must be reviewed before the end of the next six months and every six months thereafter. Additionally, Mr Rogers or the NMC may ask for the interim order to be reviewed if any new evidence becomes available that may be relevant to the interim order.

At any review the reviewing panel may revoke the interim order or any condition of it, it may confirm the interim order, or vary any condition of it, or it may replace the interim conditions of practice order with an interim suspension order.

The NMC Case Examiners are yet to decide whether there is a case to answer in relation to the allegations made against Mr Rogers. The NMC will write to Mr Rogers when the case is ready for the next stage of the fitness to practise process.

This will be confirmed to Mr Rogers in writing.

That concludes this determination.