

**Nursing and Midwifery Council  
Fitness to Practise Committee**

**Restoration Hearing  
Tuesday, 16 May 2023**

Virtual Hearing

**Name of Applicant:** **Shadreck Chawira**

**NMC PIN** 05C0013E

**Part(s) of the register:** Registered Nurse – Sub-part 1  
Adult Nursing (February 2005)

**Relevant Location:** London

**Panel members:** Elliott Kenton (Chair, Lay member)  
Amanda Revill (Registrant member)  
Christopher Reeves (Lay member)

**Legal Assessor:** David Swinstead

**Hearings Coordinator:** Philip Austin

**Nursing and Midwifery Council:** Represented by Lucy Chapman, Case Presenter

**Mr Chawira:** Present and represented by Catherine Collins,  
instructed by the Royal College of Nursing

**Outcome:** Application granted with a requirement for  
successful completion of a Return to Practice  
course; with a conditions of practice order for 12  
months

## **Decision and reasons on application under Rule 19**

At the outset of the hearing, Ms Chapman, instructed by the Nursing and Midwifery Council (“NMC”), made an application under Rule 19 of The Nursing and Midwifery Council (Fitness to Practise) Rules 2004 (“the Rules”). She invited the panel to hear parts of this matter in private, given that the majority of the information raised relates to your health and other personal matters.

Ms Collins, instructed by the Royal College of Nursing (“RCN”), on your behalf, confirmed to the panel that this was a joint application. She submitted that any public interest in having your health and other personal matters aired in public is outweighed by the need to protect your privacy and confidentiality in this respect.

The legal assessor reminded the panel that while Rule 19 (1) of the Rules 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.

The panel noted that Rule 19 states:

19. (1) Subject to paragraphs (2) and (3) below, hearings shall be conducted in public.
- (2) Subject to paragraph (2A), a hearing before the Fitness to Practise Committee which relates solely to an allegation concerning the registrant’s physical or mental health must be conducted in private.
- (2A) All or part of the hearing referred to in paragraph (2) may be held in public where the Fitness to Practise Committee—
  - (a) having given the parties, and any third party whom the Committee considers it appropriate to hear, an opportunity to make representations; and

(b) having obtained the advice of the legal assessor, is satisfied that the public interest or the interests of any third party outweigh the need to protect the privacy or confidentiality of the registrant.

(3) Hearings other than those referred to in paragraph (2) above may be held, wholly or partly, in private if the Committee is satisfied—

(a) having given the parties, and any third party from whom the Committee considers it appropriate to hear, an opportunity to make representations; and

(b) having obtained the advice of the legal assessor, that this is justified (and outweighs any prejudice) by the interests of any party or of any third party (including a complainant, witness or patient) or by the public interest.

(4) In this rule, “in private” means conducted in the presence of every party and any person representing a party, but otherwise excluding the public.

Having heard that there will be reference to your health and other personal matters, the panel determined to hold those parts of the hearing in private for the purposes of the transcript. It decided that it would be able to distinguish between public and private sessions in the particular circumstances of this case, particularly as the previous striking-off decision and your convictions are a matter for public record.

#### **Determination of application for Restoration to the Register:**

This is a hearing of your first application for restoration to the Nursing and Midwifery Council (“NMC”) Register. A panel of the Conduct and Competence Committee (“CCC”) directed on 30 September 2014 that your name be removed from the NMC register based on its findings with regard to the facts of your case and your impairment. This application is made by you in accordance with Article 33 of the Nursing and Midwifery

Order 2001 (“the Order”), as at least five years have now elapsed since the date of the striking-off order.

At this hearing, the panel may reject your application or it may grant your application unconditionally. It may grant your application subject to your satisfying the requirements of Article 19(3) and it may make a conditions of practice order.

The panel has considered your application for restoration to the NMC’s register.

## **Background**

The background to the case was as follows:

*“On 7 July 2011 you made a self-referral to the NMC informing it of the following convictions:*

- *On 7 July 2011 at Norwich Magistrates Court you pleaded guilty to driving with excess alcohol contrary to section 5(1) (a) of the Road Traffic Act 1988, for which you were fined £100, ordered to pay £15 victim surcharge and £100 costs and were disqualified from holding or obtaining a driver’s license for three years;*
- *On 7 July 2011 at Norwich Magistrates Court you pleaded guilty to driving a vehicle without insurance or such security in respect of third party risks, contrary to section 143 of the Road Traffic Act 1988, for which you were fined £75.*

*Following your self-referral, the NMC requested a Police National Computer (PNC) report. The PNC report confirmed driving convictions which took place in 2002 and 2004. You were not registered as a nurse at this time.*

*On 7 December 2011 a referral to the NMC was made by Ms 4, Ward Sister at Kennet and Loddon Ward (‘the Ward’) of the Royal Berkshire Hospital. The referral concerned two complaints which were made during the course of your*

*employment. These complaints related to your nursing practice and care of patients.*

*Charges 4 and 5 arose during the course of the NMC's investigation when a further referral was received from Ms 3. Ms 3 was a Clinical Lead at the Arrows Group Health Care ('Arrows Group') and her role required her to investigate complaints regarding temporary clinical staff. It is alleged that you emailed her requesting a reference and asked her to omit the two recorded complaints that had been made against you.*

*Whilst the NMC was conducting its investigations into the allegations it discovered further convictions. These convictions included the following:*

- *On 26 November 2013 at Uxbridge Magistrates Court you pleaded guilty to driving with excess alcohol contrary to section 5 (1) (a) of the Road Traffic Act 1988, for which you were sentenced to a community order with an unpaid work requirement of 140 hours, a fine of £145 and disqualification from driving for 5 years (concurrent).*
- *On 26 November 2013 at Uxbridge Magistrates Court you pleaded guilty to driving a vehicle without insurance or such security in respect of third party risks, contrary to section 143 of the Road Traffic Act 1988, for which you were sentenced to a community order with an unpaid work requirement of 140 hours, a fine of £145 and disqualification from driving for 5 years (concurrent).*
- *On 26 November 2013 at Uxbridge Magistrates Court you pleaded guilty to driving a vehicle otherwise than in accordance with a drivers license, contrary to section 87 of the Road Traffic Act 1988 (as amended), for which you were sentenced to a community order with an unpaid work requirement of 140 hours, a fine of £145 and disqualification from driving for 5 years (concurrent)".*

The panel, at the CCC substantive hearing between 24 – 30 September 2014, considered the following charges:

*“That you:*

1. *On 21 December 2001 at Arborfield, Berkshire, without having the consent of the owner or other lawful authority did take a motor car, Toyota Carina Index Number M19 VWB, for your own use;*

*AND that you, whilst employed as a registered nurse by Arrows Group Healthcare and whilst working as an agency nurse at the Royal Berkshire Hospital:*

2. *On or around 18 November 2009:*
  - a. *Provided a misleading and / or inaccurate handover to your colleague Ms 1 in that you said only that the patients were ‘fine’ or words to that effect;*
  - b. *Failed to carry out a bladder scan on Patient A, having been instructed to do so by your colleague Ms 1;*
  - c. *Between approximately 18.20 to 21.00 failed to undertake and / or record any observations of Patient A;*
  - d. *Failed to complete Patient A’s fluid balance chart;*
  - e. *Left a nursing evaluation sheet blank;*

*AND that you, whilst employed as a registered nurse by Arrows Group Healthcare and whilst working as an agency nurse at the Norfolk and Norwich University Hospital:*

3. *On or around 01 July 2011:*

- a. *Failed to make any entry in an unknown patient's notes for 8 hours;*
- b. *Refused to write an unknown patient's admission form and left your colleague Ms 2 to complete the form instead;*
- c. *Displayed a 'flippant' attitude to your colleagues;*
- d. *When asked by asked by your colleague Ms 2 to provide the status of a patients whose condition had deteriorated replied that it was your patient, not hers, or words to that effect;*
- e. *Took your lunch break when one of your patients was being prepared to go the intensive care unit;*

*AND that you a registered nurse, employed as a registered nurse by Arrows Group Healthcare:*

4. *On 30 June 2012, sent an email to your employer Ms 3 of Arrows Group Healthcare in which you wrote, "may I ask that you send another reference leaving out the bit about the two (2) complaints recorded against me but reiterate the other details that work in my best interests if possible."*
5. *Were dishonest in your actions at Charge 4 above, in that you knew that your request could result in the omission of material information which you sought to have concealed so that the reference would appear more positive.*

*AND in light of any or all of charges 1 - 5 above, your fitness to practise is impaired by reason of your misconduct.*

*AND that you;*

6. *On 21 January 2002 at East Berkshire Magistrates Court pleaded guilty to using a vehicle without insurance or such security in respect of third party risks, contrary to section 143(2) of the Road Traffic Act 1988, for which you were fined £75, ordered to pay £70 costs and your driver's license was endorsed with 6 penalty points;*
7. *On 21 January 2002 at East Berkshire Magistrates Court pleaded guilty to driving a vehicle otherwise than in accordance with a drivers license, contrary to section 87 of the Road Traffic Act 1988 (as amended) for which your driver's license was endorsed;*
8. *On 5 May 2004 at Wycombe Magistrates Court were convicted of driving with excess alcohol contrary to section 5(1) (a) of the Road Traffic Act 1988, for which you were fined £66, ordered to pay £34 costs and disqualified from holding or obtaining a driver's license for 12 months;*

*AND, that you a registered nurse:*

9. *On 7 July 2011 at Norwich Magistrates Court pleaded guilty to driving with excess alcohol contrary to section 5(1) (a) of the Road Traffic Act 1988, for which you were fined £100, ordered to pay £15 victim surcharge and £100 costs and were disqualified from holding or obtaining a driver's license for three years;*
10. *On 7 July 2011 at Norwich Magistrates Court pleaded guilty to driving a vehicle without insurance or such security in respect of third party risks, contrary to section 143 of the Road Traffic Act 1988, for which you were fined £75.*
11. *On 26 November 2013 at Uxbridge Magistrates Court pleaded guilty to driving with excess alcohol contrary to section 5 (1) (a) of the Road Traffic Act 1988, for which you were sentenced to a community order with an unpaid work*



*requirement of 140 hours, a fine of £145 and disqualification from driving for 5 years (concurrent).*

*12. On 26 November 2013 at Uxbridge Magistrates Court pleaded guilty to driving a vehicle without insurance or such security in respect of third party risks, contrary to section 143 of the Road Traffic Act 1988, for which you were sentenced to a community order with an unpaid work requirement of 140 hours, a fine of £145 and disqualification from driving for 5 years (concurrent).*

*13. On 26 November 2013 at Uxbridge Magistrates Court pleaded guilty to driving a vehicle otherwise than in accordance with a drivers license, contrary to section 87 of the Road Traffic Act 1988 (as amended), for which you were sentenced to a community order with an unpaid work requirement of 140 hours, a fine of £145 and disqualification from driving for 5 years (concurrent).*

*AND in light of any or all of charges 6-13 above, your fitness to practise is impaired by reason of your convictions.”*

You attended the CCC substantive hearing between 24 – 30 September 2014 and you admitted to charges 1, 2c, 2d, 2e, 4, 6, 7, 8, 9, 10, 11, 12 and 13. The panel at the substantive hearing found charges 1, 2c, 2d, 2e, 3d, 3e, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 proved. The panel found that you had no case to answer for charges 2a and 3a, and it found charges 2b, 3b and 3c not proved at the facts stage.

The panel at the CCC substantive hearing determined the following with regard to impairment:

*“The panel first considered the issue of past impairment. It had careful regard to its findings of fact noting that it had found that your serious misconduct had breached fundamental tenets of the nursing profession as set out in the preamble to the code, involved dishonesty and put patients at a risk of harm.*

*For these reasons, the panel had no doubt that at the time of the matters found proved your fitness to practise had been impaired by reason of your misconduct.*

*The panel next considered whether you are liable, now and in the future, to repeat misconduct of the kind found proved. The panel had careful regard to the issues of insight, remediation and your past history.*

*The panel considered current impairment in relation to the charges concerning attitudinal issues. The panel had regard to your reflective piece. It took the view that you provided limited insight into your misconduct and it was concerned that you did not realise the potential impact of your behaviour on your patients.*

*The panel recognised that clinical errors such as failures in record keeping can often be remedied, whilst attitudinal problems may not be so easily remedied. However, despite its reservations, the panel took a balanced view when considering the agency references and letter dated 26 July 2013 offering you employment at the Princess Grace Hospital. It had regard to a reference provided by Ms 7, in which she stated that she offered you more shifts as she felt that 'you are a good team player and have the skills needed on the unit'. It also took into account more recent references from the Frimley Park Hospital dated 18 September 2014 and 19 September 2014, which provided a positive feedback on your most recent work. The panel noted that there was a time when you put patients at unwarranted risk of harm and breached fundamental tenants of the professions. However, after having regard to the documents presented, particularly given that you were offered a substantive post, the panel concluded that you are not currently impaired in relation to charges 3.d and 3.e.*

*The panel next considered current impairment in relation to charges 4 and 5 concerning dishonesty. It took into account your change in circumstances. It also took into account the references you provided in which a number employers assessed you as '3- satisfactory or 4- exceeds expectation' in terms of trustworthiness. The panel recognised that dishonesty is difficult to remediate. However, despite the positive references, the panel was not satisfied that you*

*demonstrated real insight into the dishonesty. It was not assured that you acknowledged the seriousness of your behaviour on how it impacted on the profession, thus the panel found that you are currently impaired.*

*The panel then went on to consider current impairment in relation to charges 1, 6, 7, 8, 9, 10, 11, 12 and 13 concerning your convictions. The panel took the view that you had a rising tide of recurrent offending and this was not properly addressed in your reflective piece or your evidence. It noted that you often qualified your answers in a manner which appeared to minimise your responsibility and distance yourself from the events. You deflected blame from yourself and did not take personal accountability for your actions. Further, the panel was not persuaded by your explanation as to the circumstances in which these convictions arose. It noted that there were a number of distinct differences between what you said at the time of your arrests as recorded in the case statements which were inconsistent with your reflective piece. Given that these were not isolated incidents, with a common theme of events, the panel was satisfied that there is a real risk of repetition. Whilst the panel recognised that these convictions were not so serious as to require to be dealt with in the Crown Court or to justify a custodial sentence, it nevertheless found that the repetition of these offences would be deprecated by the public.*

*Weighing such information as was available to it in respect of the issues of insight, remediation and history, the panel concluded that you are liable to repeat misconduct of the kind found proved.*

*The panel then went on to ask itself whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment of fitness to practise was not made in the circumstances of this case. Given the seriousness of its findings on misconduct, and especially your dishonesty, the panel had no doubt that it would.*

*Accordingly, the panel has determined that your fitness to practise is currently impaired by reason of your misconduct and your convictions.* [SIC]

The panel at the CCC substantive hearing went on to determine the following with regard to sanction:

*“The panel had no doubt that the seriousness of the case requires removal from the register. The panel reminded itself of its findings that your misconduct represented a serious departure from the standards to be expected of a registered nurse, and that you are liable to repeat misconduct of the kind found proved. The panel reminded itself that your misconduct concerning convictions involved a series of incidents, and the most recent incident took place in November 2013. Whilst the panel took into account your change in personal circumstances; it did not consider that you demonstrated real insight into your misconduct. It concluded that there was a significant risk of you repeating this type of misconduct, and was not satisfied that your change in circumstances would prevent this. The panel fully considered para 71 of the ISG and found that five of the factors listed there fell to be considered. The panel found that three of these were resolved in a way which was incompatible with suspension:*

- *71.1 This was not a single incident of misconduct.*
- *71.4 There has been significant repetition.*
- *71.5 The panel is not satisfied that you have insight and found that you do pose a risk of repetition.*

*The panel was therefore of the view that a suspension order would not be an appropriate or proportionate response in these circumstances.*

*In considering the imposition of a striking off order, the panel considered your convictions and dishonesty collectively. In the panel’s view, you failed to demonstrate any clear acceptance of the seriousness of your actions or the potential effects they could have had on patients or the reputation of the nursing profession. Further, you did not reassure the panel that you would not repeat this type of misconduct, particularly in relation to your convictions.*

*In all of these circumstances, having balanced your interests with the interests of the profession, the panel concluded that your misconduct and convictions were fundamentally incompatible with you continuing to be a registered nurse.*

*The panel concluded that a striking-off order is the only sanction which is sufficient to protect the public and satisfy the wider public interest in the longer term, and that public confidence in the profession and the NMC as a regulator can only be sustained if you are removed from the register.*

*The panel recognised the impact, financial or otherwise, such an order might have on you, but concluded that your interests were outweighed by the public interest in this matter. It concluded that a striking-off order was the only appropriate and proportionate sanction.*

*Accordingly, the panel determined to direct the Registrar to strike you off the register.*

*Anyone who enquires about your registration will be advised of this.*

*You will be informed of this decision in writing and will have 28 days from the date when written notice of the result of this hearing is deemed to have been served upon you in which to exercise your right of appeal. Unless you exercise your right of appeal, the direction imposing the striking off order will take effect 28 days from when written notice of the decision is served upon you.*

*You may not apply for restoration until five years after the date that this decision takes effect.”*

## **Submissions and evidence**

This panel had regard to the submissions of Ms Chapman and Ms Collins, alongside your oral evidence. It took account of the documentary evidence before it, consisting of your Curriculum Vitae (“CV”), reflective piece, testimonials, training evidence, reading

log, [PRIVATE], a copy of your driving licence, car insurance documents and [PRIVATE].

Ms Chapman outlined the background of the case and the facts that led to your striking-off order on 30 September 2014. She referred the panel to the substantive hearing panel's decision which resulted in your removal from the NMC's register.

Ms Chapman submitted that there were a series of previous incidents so your behaviour was not a single instance of misconduct; there was significant repetition.

In considering this matter today, Ms Chapman referred the panel to the test set out in Article 33(5) of the Order. She invited the panel to have regard to the comprehensive documents that you have submitted for the purposes of today's hearing.

Ms Chapman submitted that it is a matter for the panel as to whether you are now a fit and proper person so as to return to the NMC Register. She submitted that the panel should consider whether you have demonstrated sufficient insight into your conduct and consider whether you have remediated the concerns which led to your striking-off order.

Ms Chapman concluded that the public protection and public interest considerations should be at the forefront of the panel's mind in making this decision, in that it should assess whether confidence in the nursing profession would be undermined should you be permitted to return to the NMC register. It should also consider the period of time since you were struck off the NMC register, your employment history and the efforts you have made to keep your professional practice up to date.

You gave oral evidence to the panel.

[PRIVATE].

Ms Collins submitted that you have deeply reflected on your previous misconduct; the man before the panel today is a different person to the one who appeared before the

previous panel. She submitted that you have managed to turn your life around for the sake of your family.

Ms Collins submitted that you have recognised where you went wrong and have put measures in place to improve your life and the life of your family. She accepted that dishonesty is a significant finding made in respect of a professional person, however, your dishonesty was an isolated incident and there has been no repetition of it in the eight and a half years since you were struck off the NMC register.

Ms Collins submitted that the evidence provided today is that you continue to address your previous dishonesty and you put yourself forward as someone who is demonstrably honest in the way you interact and react with colleagues and for those you care for. She submitted that the honesty you now demonstrate is something you should be commended for.

[PRIVATE].

Ms Collins submitted that you have shown that dishonesty is no part of your character moving forward. She submitted that the public can have confidence that you will maintain an honest character in light of all you have achieved in eight and a half years.

Ms Collins submitted that there is a lamentable history of you having driven a vehicle with excess alcohol so the previous panel were right to have the concerns they had. However, she submitted that to your credit, you have proven that panel wrong in that you have not had any future motoring convictions since that date.

Ms Collins submitted that you have addressed the '*root cause*' of your grief [PRIVATE]. You had previously found yourself in the wrong group of people, making the wrong life choices. [PRIVATE].

Ms Collins submitted that you have excelled in your role as a healthcare support worker and you have the support of your colleagues and management. She referred the panel

to the references provided and said that they appear to suggest that you have put your past behind you and that you would be a valuable asset to the nursing profession.

Ms Collins submitted that you have outlined what you need to do in order to get back on the NMC register; you have made enquiries about a Return to Practise course and have maintained an interest in the nursing profession.

Ms Collins submitted that you have shown insight and remediated your past behaviours. She said that the public do recognise that people can change and learn from past events.

Ms Collins submitted that there are no clinical failures for which you were struck off the NMC register. [PRIVATE].

Ms Collins invited the panel to grant the application to restore you to the NMC register as you are now a '*fit and proper*' person. She submitted that if there are any outstanding concerns involving the possession of cannabis in November 2022, then a conditions of practice order could be imposed on your registration with this in mind.

The panel heard and accepted the advice of the legal assessor.

The legal assessor reminded the panel of the test, as provided in Article 33(5) of the Nursing and Midwifery Order, 2001. Firstly, you must satisfy the panel that you satisfy the requirements of Article 9(2)(a) (approved qualification and prescribed education, training and experience) and Article 9(2)(b) (capable of safe practice). Secondly, you must satisfy the panel whether, having regard in particular to the circumstances which led to the making of the striking-off order in 2014, you are a "*fit and proper person to practise as a registered nurse*". He advised the panel that it is for you to satisfy the panel of these two matters and it is for the panel to use its own independent judgment as to whether it is so satisfied.



## **Decision on the application for restoration**

The panel has considered your application for restoration to the NMC register very carefully. It has decided to grant the application with a conditions of practice order for 12 months.

In reaching its decision, the panel recognised its statutory duty to protect the public as well as maintain public confidence in the reputation of the profession, which includes the declaring and upholding of proper professional standards. The panel bore in mind that the burden was upon you to satisfy it that you are a fit and proper person who is able to practise safely and effectively as a nurse.

The panel noted that the convictions relate solely to your conduct and behaviour. It also noted that the substantive hearing panel had found your convictions to be incompatible with ongoing NMC registration, as they were not at the lower end of the spectrum of severity or fitness to practise.

However, in taking account of all the evidence provided for the purposes of this hearing, the panel considered you to have worked hard to develop your insight and to have demonstrated your efforts of remediation.

In particular, the panel had regard to your oral evidence, in which it had found you to have been an open, honest and compelling witness. You were able to persuade the panel that you were genuinely remorseful and ashamed of the conduct which ultimately led to your striking-off order, and you were able to articulate how the public's perception of registered nurses would have been undermined by you behaving in the way that you did. The panel did not consider you to be evasive in any way during the answering of questions. To the contrary, it considered you to have reflected deeply on your behaviour to the extent that you were able to reassure it that you were not liable to repeat your previous behaviour at some point in the future.

The panel considered you to have demonstrated a significant amount of insight into your behaviour. You were able to identify why your actions were inherently wrong, and how you are committed to behaving in a responsible manner. You said that you have a

family and you want to be a positive role model for your young children. You were able to explain the importance of behaving in an accountable and professional manner, as the public need to be able to trust registered nurses who are providing care to them or their loved ones.

The panel noted that you recognise how your actions fell significantly below the standards expected of a registered nurse. You recognise that you needed to change yourself as a person and you have removed yourself from negative influences in this respect so as not to distract you from the things that matter to you.

The panel noted that it has been four years since you had your driving licence restored. [PRIVATE].

The panel was of the view that you had worked hard to develop your insight and demonstrated this to the panel at this hearing today. Whilst it accepted that your convictions were serious, the panel was satisfied from your oral and documentary evidence that your insight and understanding has grown significantly since the incidents.

The panel considered you to have demonstrated a passion for nursing and for helping people in general. It noted that you have continued to work in the healthcare sector since being struck off the NMC register, and that you put forward a number of positive references attesting to your all-round performance and your general good character. Whilst there was a notable absence of a reference from a senior manager, you appear to be a well-respected and valued member of your current team, who will go on to be a credit to the nursing profession if restored. There do not appear to have been any concerns raised about your performance in your roles since being struck off the NMC register.

The panel was also aware that you have undertaken training in an attempt to keep aspects of your clinical practice up to date and have also looked at the possibility of returning to university to complete a Return to Practice course. You have done

mandatory training relevant to your current role, you have also read nursing journals and maintained an ongoing development log.

Today, the panel was of the view that you had not sought to minimise your actions, which assured it that you had learnt a salutary lesson. Whilst you have been convicted of multiple driving offences and have been banned from driving on two occasions, you appear to have reflected deeply on your previous conduct. You had some difficulty speaking about aspects of your past, but you demonstrated a high degree of insight and genuine remorse for your actions. You now take responsibility, having addressed your underlying issues, and you have demonstrated your commitment to working in healthcare. The panel considered you to have demonstrated significant growth since being struck off the NMC register.

In taking account of all the above, the panel determined that you had demonstrated that you are now a "*fit and proper person*", so as to be permitted to return to the NMC Register. The panel did not consider there to be a real risk of repetition of the concerns identified in the particular circumstances of this case.

The panel also had regard to the public interest considerations of this case, and determined that it would now be in the public interest for you to return to the NMC register, with patients being given the benefit of your experience and clinical care. The panel decided that, given the time that has lapsed since your original striking-off order, any negative concern in this regard would have been satisfied. An informed member of the public would consider you to have been appropriately sanctioned in 2014, and that this would have been sufficient to satisfy the public interest.

[PRIVATE]. The panel decided that a form of monitoring would be required in future before you could return to nursing practice without any form of restriction. It was of the view that this would provide the public with reassurance that your nursing practice is subject to scrutiny.

Therefore, the panel accordingly directs the Registrar under Article 33(7) and in accordance with Article 33(6) of the Order, to restore your name to the NMC register

subject to you fulfilling the specific conditions of practice as to additional education, training and experience as the NMC has specified under Article 19(3) of the Order. For this to happen, the panel directs that you must successfully complete and pass a Return to Practice course and pay the prescribed fee.

Upon restoration of your name to the NMC register, your registration will be subject to a conditions of practice order in the following terms:

'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. [PRIVATE].
2. You must keep us informed about anywhere you are working by:
  - a) Telling your case officer within seven days of accepting or leaving any employment.
  - b) Giving your case officer your employer's contact details.
3. You must keep us 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.
4. You must immediately give a copy of these conditions to:
  - a) Any organisation or person you work for.
  - b) Any agency you apply to or are registered with for work.

- c) Any employers you apply to for work (at the time of application).
  - d) Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.
  - e) Any current or prospective patients or clients you intend to see or care for on a private basis when you are working in a self-employed capacity
5. You must tell your case officer, within seven days of your becoming aware of:
- a) Any clinical incident you are involved in.
  - b) Any investigation started against you.
  - c) Any disciplinary proceedings taken against you.
6. 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) Any current or future employer.
  - b) Any educational establishment.
  - c) Any other person(s) involved in your retraining and/or supervision required by these conditions

The period of this conditions of practice order is 12 months. The panel determined that such a period would satisfy the public interest and provide you with sufficient time to show that [PRIVATE].

This order will be reviewed before its expiry. At the review hearing, the panel may revoke the order or any condition of it, it may confirm the order or vary any condition of it, or it may replace the order for another order.

The panel considered that any future reviewing panel may be assisted by:

- [PRIVATE].

- A further reflective piece on the progress you have made since this hearing.

You can apply for the order to be reviewed before the expiration of the order if you consider that it is appropriate in the circumstances.

This decision will be confirmed to you in writing.

That concludes this determination.