

**Nursing and Midwifery Council
Investigating Committee**

**Interim Order Review Hearing
Monday, 6 November 2023**

Virtual Hearing

Name of Registrant:	David Andrew Gowing
NMC PIN	13A0594E
Part(s) of the register:	Registered Nurse – Sub Part 1 Mental Health Nursing (Level 1) – 22 February 2014
Relevant Location:	Hertfordshire
Panel members:	Heather Moulder (Chair, Registrant member) Yvonne Wilkinson (Registrant member) Louise Geldart (Lay member)
Legal Assessor:	Ben Stephenson
Hearings Coordinator:	Samantha Aguilar
Nursing and Midwifery Council:	Represented by Samantha Forsyth, Case Presenter
Mr Gowing:	Present and represented by counsel, Zoe Wilson, instructed by National Employees Union (NEU)
Interim order to be reviewed:	Interim conditions of practice order (18 months)
Outcome of review:	Interim conditions of practice order varied

Decision and reasons on interim order

The panel decided to vary the current interim conditions of practice order.

The panel was of the view that the public would remain suitably protected by the following varied conditions of practice:

'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 be employed by one single substantive employer which must not be through Bank or an Agency.
2. You must ensure that you are chaperoned any time you have direct patient contact.
3. You must meet monthly with your line manager, mentor or supervisor to discuss:
 - a) Your maintenance of professional boundaries
 - b) Your conduct and performance
 - c) Your compliance with these conditions
4. You must obtain a report from your line manager, mentor or supervisor and send it to the NMC prior to any review hearing outlining:
 - a) Your maintenance of professional boundaries
 - b) Your conduct and performance
 - c) Your compliance with these conditions
5. You must keep the NMC informed about anywhere you are working by:
 - a) Telling your NMC case officer within seven days leaving your employment.
 - b) Giving your NMC case officer your employer's contact details.

6. You must keep the NMC informed about anywhere you are studying by:
 - a) Telling your NMC case officer within seven days of accepting any course of study.
 - b) Giving your NMC case officer the name and contact details of the organisation offering that course of study.

7. You must immediately give a copy of these conditions to:
 - a) Your current employer.
 - b) Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.

8. You must tell your NMC 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.

9. You must allow your NMC case officer to share, as necessary, details about your performance, your compliance with and / or progress under these conditions with:
 - a) Your current employer.
 - b) Any educational establishment.
 - c) Any other person(s) involved in your retraining and/or supervision required by these conditions.

Unless your 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, you 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 conditions of practice order, or vary any condition of it, or it may replace the interim conditions of practice order with an interim suspension order.

In certain circumstances, it may be possible for the interim conditions of practice order to be reviewed by a reviewing panel at an administrative meeting. Your case officer will write to you about this in due course.

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

This will be confirmed to you in writing.

That concludes this determination.