

**Nursing and Midwifery Council
Investigating Committee**

**Interim Order Review Hearing
Monday, 22 April 2024**

Virtual Hearing

Name of Registrant:	Rafael Gerona
NMC PIN	19L0044O
Part of the register:	Registered Nurse – Sub Part 1 Adult Nursing (Level 1)- 2 December 2019
Relevant Location:	Hertfordshire
Panel members:	Jill Wells (Chair, lay member) Yvonne Wilkinson (Registrant member) Gillian Murgatroyd (Lay member)
Legal Assessor:	Fiona Barnett
Hearings Coordinator:	Leigham Malcolm
Nursing and Midwifery Council:	Represented by Laura Holgate, NMC Case Presenter
Mr Gerona:	Present and represented by Ms Wafa Shah, Counsel of 33 Bedford Row
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, which would enable you to return to patient facing clinical work:

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 only work for East and North Hertfordshire NHS Trust.*
- 2. You must be directly observed by another health professional when providing personal care or intimate clinical procedures.*
- 3. You must meet monthly with your line manager or supervisor to discuss your general conduct and observance of professional boundaries.*
- 4. You must obtain a report from your line manager or supervisor that comments on your general conduct and observance of professional boundaries before each review of this order and send this report to the NMC before each review hearing.*
- 5. You must keep the NMC 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.**
- 6. 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.*
7. *You must immediately give a copy of these conditions to:*
- a) *Any organisation or person you work for.*
 - 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 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 case officer to share, as necessary, details about your performance, your compliance with and / or progress under these conditions with:*
- a) *Your employer.*
 - b) *Any educational establishment.*
 - c) *Any other person(s) involved in your retraining and/or supervision required by these conditions.*

The panel decided to vary the interim conditions of practice order and it will run for the remainder of the current interim order.

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.