

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

**Substantive Order Review Meeting  
Monday, 4 March 2024**

Virtual Meeting

**Name of Registrant:** Parveen Fatima

**NMC PIN** 05F0359O

**Part(s) of the register:** Sub Part 1  
RN1: Adult nurse (10 June 2005)

**Relevant Location:** Lancashire

**Type of case:** Lack of competence

**Panel members:** Rachel Onikosi (Chair, lay member)  
Pauline Esson (Registrant member)  
David Boyd (Lay member)

**Legal Assessor:** William Hoskins

**Hearings Coordinator:** Franchessca Nyame

**Order being reviewed:** Suspension order (12 months)

**Fitness to practise:** Impaired

**Outcome:** **Suspension order (6 months) to come into effect at the end of 25 April 2024 in accordance with Article 30 (1)**

## **Decision and reasons on service of Notice of Meeting**

The panel noted at the start of this meeting that the Notice of Meeting had been sent to Mrs Fatima's registered email address by secure email on 12 January 2024.

The panel took into account that the Notice of Meeting provided details of the review, that the review meeting would be held no sooner than 4 March 2024, and that it invited Mrs Fatima to provide any written evidence seven days before this date.

The panel accepted the advice of the legal assessor.

In the light of all of the information available, the panel was satisfied that Mrs Fatima was served with notice of this meeting in accordance with the requirements of Rules 11A and 34 of the Nursing and Midwifery Council (Fitness to Practise) Rules 2004 (as amended) (the Rules).

## **Decision and reasons on review of the current order**

The panel decided to extend the suspension order for a period of 6 months. This order will come into effect at the end of 25 April 2024 in accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This is the second review of a substantive suspension order initially imposed for a period of 12 months by a Fitness to Practise Committee panel on 25 March 2022. This was reviewed on 21 April 2023 where the order was extended for a further 12 months.

The current order is due to expire at the end of 25 April 2024.

The panel is reviewing the order pursuant to Article 30(1) of the Order.

The charges found proved which resulted in the imposition of the substantive order were as follows:

*'That you, a registered nurse, whilst employed by Northwood Nursing and Residential Care Home ('the Home') between June and July 2020:*

*1. Failed to demonstrate the standards of knowledge, skill and judgment in medication administration and/or management required to practise without supervision as a registered nurse, in that you:*

*a) On 22 June 2020:*

- i. having administered medication to residents, failed to sign the residents' MAR charts.*
- ii. Failed to administer levetiracetam to a resident.*

*b) On 29 June 2020:*

- i. ...*
- ii. ...*
- iii. ...*
- iv. Were unable to correctly calculate the amount of medication required by Resident A.*
- v. Were unable to draw up the correct amount of medication required by Resident A.*
- vi. ...*
- vii. ...*
- viii. ...*
- ix. ...*
- x. ...*
- xi. ...*
- xii. ...*
- xiii. ...*
- xiv. ...*

*c) On 1 July 2020:*

- i. ...*

- ii. Inaccurately signed Resident G's MAR chart to indicate that you had administered the resident's lunchtime medication when you had administered the resident's morning medication.*
- iii. Indicated that you would not administer medication to Resident H on account of their being asleep when this was a clinically inappropriate decision given the nature of the medication prescribed to Resident H.*
- iv. ...*
- v. ...*
- vi. Were unable to correctly calculate the amount of medication required by Resident A.*
- vii. Were unable to draw up the correct amount of medication required by Resident A.*
- viii. ...'*

The first reviewing panel determined the following with regard to impairment:

*'In its consideration of whether Mrs Fatima has taken steps to strengthen her practice, the panel noted that there has been no engagement at all from Mrs Fatima in regard to the concerns raised and therefore no evidence to demonstrate that she has strengthened her practice.*

*The panel noted that it had no evidence before it that Mrs Fatima has undertaken any courses to remedy the failings identified at the substantive hearing, or evidence to show how she has kept up to date with her nursing practice since the substantive hearing. The panel also noted that Mrs Fatima has not worked as a nurse since September 2020 and there was no evidence that she is in any form of employment as a registered nurse. The panel therefore found that, although remediable, Mrs Fatima's had not remedied the failings, and as such there remains a risk of repetition, and a risk of harm.*

*The panel determined that there was no material change in the circumstances of this case since the last hearing and in the level of risk previously identified. In light of this, this panel determined that Mrs Fatima*

*remains liable to repeat matters of the kind found proved. The panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection.*

*The panel has borne in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing profession and upholding proper standards of conduct and performance. The panel determined that, in this case, a finding of continuing impairment on public interest grounds is also required.*

*For these reasons, the panel finds that Mrs Fatima's fitness to practise remains impaired.'*

The first reviewing panel determined the following with regard to sanction:

*'...*

*The panel next considered whether a conditions of practice on Mrs Fatima's registration would be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable. The panel bore in mind the seriousness of the facts found proved at the original meeting and concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest. It noted that given the nature of the concerns workable conditions could be formulated to address them. However, Mrs Fatima has not engaged with the NMC and there is no evidence that she is in employment or suggest that she could successfully engage and comply with conditions of practice. The panel therefore determined that placing of conditions on Mrs Fatima's registration would not protect the public and address the wider public interest. The panel was therefore not able to formulate conditions of practice that would adequately address the concerns relating to Mrs Fatima's lack of competence.*

*The panel considered the imposition of a further period of suspension. It was of the view that a suspension order would allow Mrs Fatima further*

*time to engage with the NMC, to fully reflect on her previous failings and begin to address them. The panel concluded that a further 12-month suspension order would be the appropriate and proportionate response and would afford Mrs Fatima adequate time to further develop her insight and take steps to strengthen her practice.*

*The panel determined therefore that a suspension order is the appropriate sanction which would continue to both protect the public and satisfy the wider public interest. Accordingly, the panel determined to impose a suspension order for the period of 12 months which would provide Mrs Fatima with an opportunity to engage with the NMC, provide evidence of any insight and strengthening of her practice. It considered this to be the most appropriate and proportionate sanction available.'*

### **Decision and reasons on current impairment**

The panel considered carefully whether Mrs Fatima's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC defined fitness to practise as a registrant's suitability to remain on the register without restriction. In considering this case, the panel has carried out a comprehensive review of the order in light of the current circumstances. Whilst it has noted the decision of the last panel, this panel has exercised its own judgement as to current impairment.

The panel had regard to all of the documentation before it.

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

In reaching its decision, the panel was mindful of the need to protect the public, maintain public confidence in the profession and to declare and uphold proper standards of conduct and performance.

The panel considered whether Mrs Fatima's fitness to practise remains impaired.

In its consideration of whether Mrs Fatima has taken steps to strengthen her practice, the panel took into account that there is no new information before it to suggest that she has undertaken any training or work to strengthen her practice. The panel also noted that there is no evidence from Mrs Fatima demonstrating insight or reflection on her actions.

In light of this, the panel determined that Mrs Fatima is still liable to repeat matters of the kind found proved as there has been no material change in circumstances so the risks identified by the original panel remain. The panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection.

The panel bore in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing profession and upholding proper standards of conduct and performance. The panel determined that, in this case, a finding of continuing impairment on public interest grounds is also required.

For these reasons, the panel finds that Mrs Fatima's fitness to practise remains impaired.

### **Decision and reasons on sanction**

Having found Mrs Fatima's fitness to practise currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel noted that its powers are set out in Article 30 of the Order. The panel has also taken into account the 'NMC's Sanctions Guidance' (SG) and has borne in mind that the purpose of a sanction is not to be punitive, though any sanction imposed may have a punitive effect.

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to take no further action.

It then considered the imposition of a caution order but again determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mrs Fatima's practice would not be appropriate in the circumstances. The SG states that a caution order may be appropriate where *'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour*

*was unacceptable and must not happen again.*' The panel considered that Mrs Fatima's lack of competence was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the issues identified. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether a conditions of practice on Mrs Fatima's registration would be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable. The panel bore in mind the seriousness of the facts found proved at the original hearing and concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest. The panel also took into account that the Mrs Fatima has not engaged with the NMC since 16 September 2020 thus it would not be able to formulate conditions of practice that would adequately address the concerns relating to Mrs Fatima's lack of competence without her involvement.

The panel considered the imposition of a further period of suspension. It determined that a suspension order is the appropriate sanction which would continue to both protect the public and satisfy the wider public interest given the seriousness of the competency issues in this case, and that there has been no material change since the last review.

Accordingly, the panel determined to impose a suspension order for the period of six months which would provide Mrs Fatima with an opportunity to engage with the NMC, provide evidence that she has taken steps to address the concerns regarding her lack of competence, and provide work testimonials. It considered this to be the most appropriate and proportionate sanction available. If Mrs Fatima continues not to engage, the next reviewing panel will have a full range of sanctions available to it.

This suspension order will take effect upon the expiry of the current suspension order, namely the end of 25 April 2024 in accordance with Article 30(1).

Before the end of the period of suspension, another panel will review the order. At the review hearing/meeting the panel may revoke, confirm, or replace the order with another order.

Any future panel reviewing this case would be assisted by:



- Mrs Fatima's engagement with the NMC.
- Evidence of work in the care sector.
- Testimonials from a line manager or supervisor that detail her current work practices.
- Any evidence of courses or training undertaken to maintain or improve her nursing knowledge and skills.
- A reflective piece demonstrating her insight into the concerns raised.
- Statement detailing her future intentions about practising as a registered nurse or otherwise.

This will be confirmed to Mrs Fatima in writing.

That concludes this determination.