

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

**Substantive Order Review Hearing
Monday, 14 April 2025**

Virtual Hearing

Name of Registrant:	Georgina Ruth Parry	
NMC PIN	91Y0616E	
Part(s) of the register:	Registered Nurse Sub Part 1 Adult Nursing July 1994	
Relevant Location:	England	
Type of case:	Misconduct	
Panel members:	Derek McFaull	(Chair, lay member)
	Paula Charlesworth	(Lay member)
	Roisin Ann Toner	(Registrant member)
Legal Assessor:	Paul Hester	
Hearings Coordinator:	Damie Sanni	
Nursing and Midwifery Council:	Represented by Giedrius Kabasinskas, Case Presenter	
Georgina Ruth Parry:	Not present and not represented but written submissions from the Royal College of Nursing (RCN)	
Order being reviewed:	Conditions of practice order (12 months)	
Fitness to practise:	Impaired	
Outcome:	Conditions of practice order (12 months) to come into effect on 17 May 2025 in accordance with Article 30(1)	

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Ms Parry was not in attendance and that the Notice of Hearing had been sent to Ms Parry's registered email address by secure email on 11 March 2025.

Further, the panel noted that the Notice of Hearing was also sent to Ms Parry's representative at the Royal College of Nursing (RCN) on 11 March 2025.

Mr Kabasinkas, on behalf of the Nursing and Midwifery Council (NMC), submitted that it had complied with the requirements of Rules 11 and 34 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Hearing provided details of the substantive order being reviewed, the time, date and that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Ms Parry's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

In the light of all the information available, the panel was satisfied that Ms Parry has been served with notice of this hearing in accordance with the requirements of Rules 11 and 34.

Decision and reasons on proceeding in the absence of Ms Parry

The panel next considered whether it should proceed in the absence of Ms Parry. The panel had regard to Rule 21 and heard the submissions of Mr Kabasinkas who invited the panel to continue in the absence of Ms Parry. He submitted that Ms Parry had voluntarily absented herself.

Mr Kabasinkas referred the panel to the letter from Ms Freeman on behalf of Mrs Parry dated 11 April 2025:

‘Our member will not be attending the hearing, nor will they be represented. No disrespect is intended by their non-attendance. Our member has received the notice of hearing and is happy for the hearing to proceed in their absence. They are keen to engage with the proceedings.’

The panel accepted the advice of the legal assessor.

The panel has decided to proceed in the absence of Ms Parry. In reaching this decision, the panel has considered the submissions of Mr Kabasinkas, the representations made on Ms Parry’s behalf, and the advice of the legal assessor. It has had regard to relevant case law and to the overall interests of justice and fairness to all parties. It noted that:

- No application for an adjournment has been made by Ms Parry;
- Ms Parry has informed the NMC, through her representative, that she has received the Notice of Hearing and confirmed she is content for the hearing to proceed in her absence;
- The Royal College of Nursing (RCN) has provided written submissions;
- There is no reason to suppose that adjourning would secure her attendance at some future date; and
- There is a strong public interest in the expeditious review of the case.

In these circumstances, the panel has decided that it is fair to proceed in the absence of Ms Parry.

Decision and reasons on review of the substantive order

The panel decided to confirm the current conditions of practice order.

This order will come into effect at the end of 17 May 2025 in accordance with Article 30(1) of the ‘Nursing and Midwifery Order 2001’ (the Order).

This is the third review of a substantive conditions of practice order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 14 April 2022. This was reviewed on 6 April 2023 when the panel decided to confirm the substantive conditions of

practice order for another 12 months. The last review of the order was on 3 April 2024 and the condition of practice order was further extended for 12 months.

The current order is due to expire at the end of 17 May 2025.

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

The charge found proved which resulted in the imposition of the substantive order was as follows:

‘That you, a registered nurse, while employed as a Deputy Manager:

- 1. On one or more occasions between approximately May 2020 and 21 August 2020 slept on duty.*

...

And, by reason of the above, your fitness to practise is impaired by reason of your misconduct.’

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

‘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 Parry’s fitness to practise remains impaired.

The panel had regard to NMC guidance (references REV-3 and 3a). The panel was of the view that at present, Mrs Parry cannot practice safely and a restriction on her practice is necessary to protect the public.

The panel noted that the last reviewing panel found that Mrs Parry had developing insight. At this hearing the panel still felt that Mrs Parry’s

insights were developing but not fully formed. In its consideration of whether Mrs Parry has taken steps to strengthen her practice, the panel took into account the mandatory training Mrs Parry has undertaken and her reflective piece received by the NMC on 2 April 2024. The panel considered that it had limited information before it to suggest that Mrs Parry has addressed the initial concerns, which compromised public safety, and/or strengthened her practice. Therefore, it was of the view that Mrs Parry's behaviour could be repeated. 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 as no reasonably informed member of the public would be satisfied that Mrs Parry can currently practice unrestricted given that the concerns about her practice remain largely unaddressed.

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

The second reviewing panel determined the following regarding sanction:

'The panel next considered whether imposing a further conditions of practice order on Mrs Parry's registration would still be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable.

The panel determined that it would be possible to formulate appropriate and practical conditions which would address the identified concerns. The panel took into account that Mrs Parry has not yet been employed as a registered nurse and therefore she has not yet been able to demonstrate compliance

with the conditions of practice. It also took into account Mrs Parry's reflective piece and that she has continued to engage with the NMC.

The panel was therefore of the view that a further conditions of practice order is sufficient and will continue to protect patients and the wider public interest whilst giving Mrs Parry the opportunity to strengthen her practice and assist in her return to nursing.

In light of the above, the panel was of the view that to impose a suspension order or a striking-off order would be disproportionate and would not be a reasonable response in the circumstances of Mrs Parry's case.

Accordingly, the panel determined, pursuant to Article 30(1)(c) to make a conditions of practice order for a period of 12 months, which will come into effect on the expiry of the current order, namely at the end of 17 May 2024. It decided to extend a further period of the existing conditions of practice, which it considered appropriate and proportionate to the identified risks:

'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 a single substantive employer (which should not be an agency).*
- 2. You must not be the registered nurse in charge of any shift.*
- 3. You must ensure that you are supervised any time you are working. Your supervision must consist of working at all times on the same shift as, but not always directly observed by, a registered nurse.*

4. *You must provide quarterly reports to the NMC from your line manager or supervisor setting out the standard of your conduct and your clinical performance with particular regard to sleeping on duty.*
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 employers you apply to for work (at the time of application).*
 - c) *Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.*
 - d) *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.*
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) *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 order is for 12 months.'

Decision and reasons on current impairment

The panel has considered carefully whether Ms Parry's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has 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 considering 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 has had regard to all the documentation before it, including the NMC bundle, and the bundle submitted on behalf of Ms Parry. It has taken account of the submissions made by Mr Kabasinkas on behalf of the NMC, and the submissions made on Ms Parry's behalf.

Mr Kabasinkas made reference to the recommendations of the last panel as regards what today's panel would have been assisted with and submitted that Ms Parry has neither complied with the condition of practice order nor utilised the recommendations. He informed the panel that although Ms Parry has worked in various care sectors and that she currently works as a senior carer, Ms Parry last worked as a registered nurse in October 2020 and had since not been able to get an employment where she could comply with the conditions of practice order. Mr Kabasinkas also referred to the proof of trainings that Ms Parry has undertaken, her reflective piece, as well as the personal circumstances that have not given Ms Parry the chance to comply with the conditions of practice order and demonstrated that she is fit to practise.

Mr Kabasinkas told the panel that there is a burden on Ms Parry to demonstrate that she has addressed the past impairment. He submitted that from the representation provided by Ms Parry, nothing has changed. Although she has taken positive steps to keep up with

training, her insight is still developing and there is no evidence of good practice in a similar role to where the misconduct occurred. There is also nothing before the panel to demonstrate that there is a decrease in the risk of repetition of the misconduct, the kind of which was found proved by the original panel. Therefore, Mr Kabasinkas submitted that a finding of continued impairment on public protection grounds is necessary.

Mr Kabasinkas submitted further that a finding of continued impairment on public interest ground is also necessary to maintain public confidence in the nursing profession and to uphold the overarching professional standard of the NMC.

Mr Kabasinkas invited the panel to confirm the current conditions of practice order. However, he asked the panel to take a careful consideration of the length of the order. He noted that the total period that has been given to Ms Parry to remediate her impairment was about three years, and he argued that although an order cannot continue indefinitely, given the personal circumstances of Ms Parry, the panel should consider a reasonable timeframe wherein Ms Parry can comply with the condition of practice. He referred to the case of *Annon v NMC* [2017] EWHC 1879 (Admin). Mr Kabasinkas proposed an 18-month period as the length of the order.

The panel also had regard to Ms Parry's reflective piece, record of her trainings, the written submissions from her representative, and the other documents contained in her bundle.

Ms Parry's submissions were as follows:

'To provide the panel with an update as to Ms Parry's current circumstances, we confirm that she is not currently working as a registered nurse.'

Since the most recent review hearing in April 2024, Ms Parry has continued to work via Big Ant Agency as a senior carer. Ms Parry reports that work is going well, with no issues arising. She has kept her training up to date, as is evidence by the enclosed training record.'

An updated testimonial from Big Ant is awaited. If received prior to the hearing, a copy will be sent to the NMC for the panel's consideration.

As an update in relation to Ms Parry's circumstances, she has recently undergone a move from Cornwall to Scotland, which has meant that she is now searching for a job in her new area. Ms Parry confirms that it is her intention to secure Senior HCE work in Scotland, and she is currently awaiting the relevant checks in order to be able to start work. In the interim, Ms Parry has continued to work for Big Ant, travelling back from Scotland to undertake shifts.

With regards to Ms Parry's future plans, we confirm that she remains keen to return to nursing practice. As her personal circumstances and living arrangements were uncertain for a period of time, and due to the current restrictions regarding nursing agency work, Ms Parry was unable to secure a suitable nursing role in the time since the last review.

However, now that Ms Parry's circumstances have changed as set out above, she is able to consider her options in Scotland, and is looking to apply for nursing positions at a local NHS Trust, where she hopes to be able to secure employment which meets the supervision requirements of the conditions of practice order. As with any prospective employer, Ms Parry will ensure that they are aware of the NMC matter and the COPO.

The panel will note Ms Parry's enclosed reflection, in which she confirms her current position and future intentions, she demonstrates her continued insight, and her dedication to the nursing profession.

In light of Ms Parry's circumstances, in that she is not currently working as a nurse and has not had opportunity to discharge the conditions of practice, and therefore cannot provide the reviewing panel with evidence of her current fitness to practice, Ms Parry readily concedes that her current fitness to practise remains impaired.'

Ms Parry invited the panel to continue the conditions of practice order for an extended period of 12 months to enable her to secure an employment in her new geographical location where she can comply with the conditions of practice order.

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 Ms Parry's fitness to practise remains impaired.

The panel noted that the last reviewing panel found that Ms Parry had developing insight. At this hearing the panel found that Ms Parry's insight has improved but that it is still developing. Ms Parry has not yet demonstrated an understanding of how her actions put patients at risk of harm, an understanding of why what she did was wrong and how this impacted negatively on the reputation of the nursing profession and how she would handle the situation differently in the future.

In its consideration of whether Ms Parry has taken steps to strengthen her practice, the panel considered the training that Ms Parry has undertaken. The panel determined that although Ms Parry has taken positive and active steps to strengthen her practice, the trainings were not specifically relevant to remediating the previous misconduct. The panel also noted that Ms Parry has not yet had the opportunity to demonstrate strengthened practice relating to the concerns in a clinical environment as a nurse. The panel had regard to Ms Parry's representation that she is actively looking for an employment and that she is keen to practice as a nurse.

The last reviewing panel determined that Ms Parry was liable to repeat matters of the kind found proved. There is no relevant evidence before today's panel to demonstrate that the risk of repetition has been diminished. The panel again noted that Ms Parry has not been working as a registered nurse and is therefore unable to provide evidence of complying with the conditions of practice order. The panel had regard to Ms Parry's personal circumstances. This panel determined that Ms Parry is 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, not restricting Ms Parry's practice would undermine the public interest. Thus, a finding of continuing impairment on public interest grounds is also required.

The panel also acknowledge that Ms Parry has conceded to her continuing impairment.

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

Decision and reasons on sanction

Having found Ms Parry'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 considered 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 Ms Parry'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 Ms Parry's misconduct 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 imposing a further conditions of practice order on Ms Parry's registration would still be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable.

The panel determined that it would be possible to formulate appropriate and practical conditions which would address the failings highlighted in this case. The panel accepted that Ms Parry has been unable to comply with conditions of practice due to their current employment status and personal circumstances but is engaging with the NMC, actively trying to get a suitable employment, the personal circumstances are being resolved and is willing to comply with any conditions imposed.

The panel was of the view that a further conditions of practice order is sufficient to protect patients and the wider public interest, noting as the original panel did that there was no evidence of general incompetence and no deep-seated attitudinal problems. In this case, there are conditions could be formulated which would protect patients during the period they are in force.

The panel was of the view that to impose a suspension order or a striking-off order would be wholly disproportionate and would not be a reasonable response in the circumstances of Ms Parry's case given that she has been engaging with the proceedings and that she has provided reasons as to why she has not remediated the previous misconduct.

In considering the length of time by which to extend the conditions of practice order, the panel noted that this is the third review of an order first imposed on 14 April 2022. Since that time, the order has been twice extended, and Ms Parry has not worked as a registered nurse. The panel took into account the authority of *Annon v NMC* which addressed the question as to whether a conditions of practice order could be continued indefinitely. The panel noted that, in certain circumstance, the wider public interest and the interest of the registrant can be addressed by the imposition of a time limit on an order.

It is the panel's view that, in extending the present condition of practice order, the time may be imminent so that the next reviewing panel may consider a different sanction which includes the powers of suspension and strike-off.

Whilst the panel acknowledged that the process of imposing a conditions of practice order cannot continue indefinitely, the panel had regard to the recent change in circumstances of Ms Parry and her efforts to secure employment within the nursing profession. The panel decided that a period of 12 months will allow Ms Parry sufficient time to obtain employment as a registered nurse and thereafter to take steps to strengthen her practice and to work without further incident.

Accordingly, the panel determined, pursuant to Article 30(1)(c) to make a conditions of practice order for a period of 12 months, which will come into effect on the expiry of the current order, namely at the end of 17 May 2025. It decided to impose the following conditions which it considered are appropriate and proportionate in this case:

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 a single substantive employer (which should not be an agency).
2. You must not be the registered nurse in charge of any shift.
3. You must ensure that you are supervised any time you are working. Your supervision must consist of working at all times on the same shift as, but not always directly observed by, a registered nurse.
4. You must provide quarterly reports to the NMC from your line manager or supervisor setting out the standard of your conduct and your clinical performance with particular regard to sleeping on duty.
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 employers you apply to for work (at the time of application).
 - c) Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.
 - d) 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.
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) 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 order is for 12 months.

This conditions of practice order will take effect upon the expiry of the current conditions of practice order, namely the end of 17 May 2025 in accordance with Article 30(1).

Before the end of the period of the order, a panel will hold a review hearing to see how well Ms Parry has complied with the order. 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.

Any future panel reviewing this case would be assisted by:

- Mrs Parry's attendance at the next review hearing and her continued engagement with the NMC.
- Clear evidence of steps taken to return to clinical practice or what Ms Parry's future plans are.
- Testimonials from a supervisor in a clinical setting.
- Updated reflective piece demonstrating her understanding of how her previous misconducted negatively impacted herself, patients, her colleagues and the reputation of the nursing profession.
- Information on relevant training undertaken in relation to professional standards and evidence of successful completion.

This will be confirmed to Ms Parry in writing.

That concludes this determination.