

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

**Substantive Order Review Hearing
Thursday, 14 August 2025**

Virtual Hearing

Name of Registrant:	Helen Alexandra Firth
NMC PIN:	90A1627E
Part(s) of the register:	Registered Nurse- Adult Nursing – RN1 – May 1993
Relevant Location:	Sheffield
Type of case:	Misconduct
Panel members:	Peter Fish (Chair, Lay member) Janet Fitzpatrick (Registrant member) Jillian Cunningham (Lay member)
Legal Assessor:	Abigail Stamp
Hearings Coordinator:	Andrew Ormsby
Nursing and Midwifery Council:	Represented by Yaa Dankwa Ampadu-Sackey, Case Presenter
Miss Firth:	Not Present and unrepresented
Order being reviewed:	Conditions of practice order (18 months)
Fitness to practise:	Impaired
Outcome:	Continued conditions of practice order (12 months)

Decision and reasons on service of Notice of Hearing

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

Ms Ampadu-Sackey, 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.

In the light of all of the information available, the panel was satisfied that Miss Firth has been served with notice of this meeting in accordance with the requirements of Rule 11 and 34 of the Rules.

Decision and reasons on proceeding in the absence of Miss Firth

The panel next considered whether it should proceed in the absence of Miss Firth. The panel had regard to Rule 21 and heard the submissions of Ms Ampadu-Sackey who invited the panel to continue in the absence of Miss Firth.

Ms Ampadu-Sackey submitted that the panel should use its discretionary power to continue the hearing, notwithstanding Miss Firth's absence, as there was an overriding public interest to do so.

Further, Ms Ampadu-Sackey stated that Miss Firth had clearly stated in correspondence that she wished for the hearing to proceed and that there was no guarantee that any adjournment to a later date would result in Miss Firth's attendance.

The panel accepted the advice of the legal assessor.

In considering this application the panel took into account Rule 32 of the Rules as well as the NMC's guidance at CMT-11.

The panel bore in mind the cases of *GMC v Adeogba* [2016] EWCA Civ 162 and *R v Jones* [2002] UK HL5 when considering whether to proceed in Miss Firth's absence.

The panel noted correspondence from Miss Firth, dated 26 July 2025, in particular the following:

'I am unable to attend this meeting. However, I am still sourcing a return to practice course. I understand that I have to be Practising Nurse to do a degree top up and am intending to meet the condition of practice in order to meet the requirements.'

Additionally, the panel was cognisant of the correspondence it had received from Miss Firth, dated 29 July 2025. In response to a request for information from the NMC as to whether Miss Firth was content for the hearing to proceed in her absence or whether she sought an adjournment, she stated: *'Yes, please proceed'*.

The panel decided to proceed in the absence of Miss Firth. In reaching this decision it noted that:

- There is a strong public interest in the hearing proceeding in order to resolve this matter;
- It was in the interests of justice and the public interest to consider the case expeditiously;
- No application for an adjournment has been made by Miss Firth in relation to this hearing;
- Miss Firth has informed the NMC that she has received the Notice of Hearing and confirmed she is content for the hearing to proceed in her absence;
- There is no reason to suppose that adjourning would secure her attendance at some future date;
- This was a mandatory review of a substantive order soon to expire; and
- The overarching obligation of public protection.

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

Decision and reasons on review of the substantive order

The panel decided to confirm and extend the current conditions of practice order for a further period of 12 months upon its expiry in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (as amended) (the Order) namely at the end of 26 August 2025.

This is the first review of a substantive conditions of practice order for a period of 18 months by a Fitness to Practise Committee on 25 January 2024.

The current order is due to expire at the end of 26 August 2025.

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:

On a day shift 3 January 2020:

1. Were in attendance at work and unfit for duty.

2. Failed to administer morning medications to around 16 residents of the nursing unit.

AND in light of the above, your fitness to practise is impaired by reason of your misconduct.'

The original panel determined the following with regard to impairment:

'The panel finds that residents were put at risk of harm as a result of Miss Firth's misconduct. It considered that Miss Firth's misconduct had breached the four elements of the Code (namely prioritising people, practising effectively, preserving safety and promoting professionalism) and brought the nursing profession's reputation into disrepute.

The panel was satisfied Miss Firth's misconduct in this case is capable of being remediated, however, having regard to the evidence before it, the panel was not satisfied that she has done so. The panel saw no evidence of additional training or education undertaken by Miss Firth. With regard to her current role, the panel bore in mind that she has not had any opportunity to strengthen her practice in regard to medication administration in her current role. The panel also noted that the only reflective piece they have received from Miss Firth is over three years old and is not comprehensive, and that it has no information relating to Miss Firth's future intentions. It would have been helpful to have had evidence about Miss Firth's current employment, particularly from her employer. There was no [PRIVATE]. The panel could assess matters only on the basis of the evidence from four years ago, and Miss Firth's reflective piece from some three years ago. In light of this, and lack of evidence, the panel is ultimately of the view that there is currently a risk of repetition. The panel therefore decided that a finding of impairment is necessary on the grounds of public protection.

The panel bore in mind the overarching objectives of the NMC; to protect, promote and maintain the health, safety, and well-being of the public and patients, and to uphold and protect the wider public interest. This includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions.

In addition, the panel concluded that public confidence in the profession would be undermined if a finding of impairment were not made in this case and therefore also finds Miss Firth's fitness to practise impaired on the grounds of public interest.

Having regard to all of the above, the panel was satisfied that Miss Firth's fitness to practise is currently impaired.'

The original panel determined the following with regard to sanction:

'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 Miss Firth's practice would not be appropriate in the circumstances. The ['NMC's Sanctions Guidance' (SG)] 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 a caution order would be inappropriate in view of the risks identified. The panel noted that there is no evidence that Miss Firth has developed insight. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether placing conditions of practice on Miss Firth'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 took into account the SG, in particular:

- No evidence of harmful deep-seated personality or attitudinal problems;*
- Identifiable areas of the nurse or midwife's practice in need of assessment and/or retraining;*
- No evidence of general incompetence;*
- Patients will not be put in danger either directly or indirectly as a result of the conditions;*
- The conditions will protect patients during the period they are in force;*
- and*
- Conditions can be created that can be monitored and assessed.*

The panel determined that, as the misconduct was in relation to one shift and there is no other clinical concern in Miss Firth's lengthy career, it would be possible to formulate appropriate and practical conditions which would address the failings highlighted in this case.

The panel had regard to the fact that these incidents happened a long time ago. The panel was of the view that it was in the public interest that, with appropriate safeguards, Miss Firth should be able to return to practise as a nurse.

Balancing all of these factors, the panel determined that that the appropriate and proportionate sanction is that of a conditions of practice order.

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 Miss Firth's case because her misconduct is remediable. The panel considered there were elements of attitudinal issues in that Miss Firth walked out of shift after being asked not to, did not appear for interviews with the Home Manager twice, and has not fully engaged with NMC proceedings except for brief correspondence. However, the panel felt that it did not have sufficient evidence to suggest that these issues are deep-seated.

Having regard to the matters it has identified, the panel has concluded that a conditions of practice order will address the risks identified, mark the importance of maintaining public confidence in the profession and will send to the public and the profession a clear message about the standards of practice required of a registered nurse.

The panel determined that the following conditions 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 work to one substantive employer, which may be an agency, provided that you work at only one place of employment.*
- 2. You must undertake assessed courses in medication administration and management. You must send your NMC case officer evidence of successful completion and indicative content of the courses upon completion.*
- 3. You must be directly supervised by a registered nurse when administering medication until signed off as competent by a more senior nurse.*
- 4. Once employed as a registered nurse, you must work with your manager, mentor or supervisor to create a Personal Development Plan (PDP) about medication administration and management. You must send your case officer a copy of your PDP prior to any review of this order.*
- 5. You must meet once a month with your line manager or supervisor to discuss your progress towards achieving the aims set out in your PDP.*
- 6. Seven days prior to any review of this order, you must send your case officer:*
 - a) A report from your line manager or supervisor showing your progress towards achieving the aims set out in your PDP, and your performance at work.*
 - b) A reflective piece outlining your insight in relation to the charges.*
 - c) [PRIVATE].*
- 7. 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.*

8. *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.*

9. *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.*

10. *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.*

11. *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 panel decided to make this order for a period of 18 months.

The panel considered that it might take some time for Miss Firth to meet the conditions it decided upon and so made the order for 18 months. The panel acknowledged that Miss Firth may be required to complete, and had said she was in the process of researching, a return to practice course and that this may need to be completed before she can return to practice. Miss Firth can, if she has reason to do so, apply for an early review of this order.

[...]

Any future panel reviewing this case would be assisted by the following:

- Miss Firth's full engagement and attendance at any future review hearings.*
- If not employed as a nurse, but employed in the healthcare sector, a report from Miss Firth's line manager as to her performance at work.'*

NMC submissions on current impairment

Ms Ampadu-Sackey invited the panel to continue the conditions of practice currently imposed and stated that Miss Firth had not provided cogent evidence of having complied with the said conditions.

Ms Ampadu-Sackey stated that although Miss Firth had indicated that she would undertake relevant courses to upgrade her skills and knowledge and had also indicated that she was on the verge of finding an employer that would be supportive of her position, this was '*works in the pipeline*'.

Ms Ampadu-Sackey concluded by stating that continuing the current conditions of practice order would maintain proper professional standards and public confidence in the profession. She stated that Miss Firth should return to safe and unrestricted practice once

these conditions have been adhered to. She stated that until Miss Firth has engaged with and complied with the conditions that have been imposed upon her registration there continued to be a public interest in the continuation of the order.

Decision and reasons on current impairment

The panel has considered carefully whether Miss Firth'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 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 has had regard to all of the documentation before it, including the NMC bundle, and material containing intermittent email correspondence between Miss Firth and the NMC during the period since the substantive order in which she sets out her future intentions. In addition, she has supplied a workbook entitled 'Safe handling of medicines - Training for life UK'. It has taken account of the submissions made by Ms Ampadu-Sackey on behalf of the NMC.

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 Miss Firth's fitness to practise remains impaired.

Today's panel noted that the original substantive panel found that Miss Firth had limited insight. It also reminded itself that the original panel had stated that it had not received evidence of additional training or education; had not received evidence in relation to [PRIVATE] or evidence as to how she would strengthen her practice in relation to medication administration, although it did note that she had not had the opportunity to do so in her then current role. The original substantive panel also noted that it had received

no evidence from Miss Firth and it had noted that the reflective piece she had submitted was from, what was then, three years ago.

In its consideration as to whether Miss Firth had taken steps to strengthen her practice, the panel noted that it had received no evidence in relation to Miss Firth's [PRIVATE], no reflective piece, and no evidence of having successfully completed an assessed medication administration course.

The panel did consider that Miss Firth had engaged with the NMC and had provided a copy of her workbook but concluded that this was not evidence of the successful completion of an assessed course, and it was not clear to what extent this tested her medication administration competence.

The panel acknowledged Miss Firth's stated intention to secure employment and to undertake courses, including a top up nursing degree. The panel considered that, whilst these were positive signs of engagement, they did not demonstrate a compliance with the order of conditions of practice currently imposed. Further the panel determined Miss Firth had not actively addressed the concerns of the original panel or demonstrated that she was currently safe to practise unrestricted.

The panel considered that it had not received evidence of insight relating to her previous failings surrounding administration of medication and what steps she would take in future to ensure that it does not happen again.

The panel also took into account the fact that Miss Firth had not secured employment as a registered nurse that would allow her to demonstrate safe practice and work towards a Personal Development Plan and Continuing Professional Development and that she had not provided it with [PRIVATE].

In light of Miss Firth's continued failure to provide evidence that demonstrated compliance with the conditions imposed, this panel determined that it could not find that Miss Firth had full insight and that there was no risk of repetition. The panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection and the public interest.

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 Miss Firth's fitness to practise remains impaired.

Decision and reasons on sanction

Having found Miss Firth's fitness to practise to be 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 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 risk of repetition identified. 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 risk of repetition identified, and the public protection issues identified, an order that does not restrict Miss Firth's practice would not be appropriate in the circumstances. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether continuation of the current conditions of practice order on Miss Firth'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 the current conditions are appropriate and practical which address the failings highlighted in this case. The panel accepted that Miss Firth has been unable to comply with her full conditions of practice due to her current employment status but has had some engagement with the NMC.

The panel was of the view that continuation of the current conditions of practice order is sufficient to protect patients and the wider public interest.

The panel was of the view that to impose a suspension order would not allow Miss Firth the opportunity to remediate in relation to medication administration and further considered that a striking-off order would be disproportionate and would not be a reasonable response in the circumstances of Miss Firth's case at this time.

The panel noted the lack of progress through the conditions over the last 18 months and gave careful consideration to whether extending the conditions of practice order would maintain proper professional standards and public confidence in the profession and mean that Miss Firth was likely to return to safe and unrestricted practice within a reasonable timeframe. The panel noted the information provided by Miss Firth to the effect that she was endeavouring to find work which would enable her to make further progress and did not consider the barriers to progress to be insurmountable at this time.

Therefore, the panel determined that it was appropriate and proportionate to extend the current order of conditions imposed by the original substantive panel, for a period of 12 months.

Accordingly, the panel determined, pursuant to Article 30(1)(c) to continue the conditions of practice order, as stated above, for a period of 12 months, which will come into effect on the expiry of the current order, namely at the end of 26 August 2025. The panel determined that this period of time would be sufficient to allow Miss Firth to develop her insight whilst also demonstrating her compliance with the conditions.

For the avoidance for doubt, the conditions are:

‘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 work to one substantive employer, which may

be an agency, provided that you work at only one place of employment.

2. You must undertake assessed courses in medication administration and management. You must send your NMC case officer evidence of successful completion and indicative content of the courses upon completion.

3. You must be directly supervised by a registered nurse when administering medication until signed off as competent by a more senior nurse.

4. Once employed as a registered nurse, you must work with your manager, mentor or supervisor to create a Personal Development Plan (PDP) about medication administration and management. You must send your case officer a copy of your PDP prior to any review of this order.

5. You must meet once a month with your line manager or supervisor to discuss your progress towards achieving the aims set out in your PDP.

6. Seven days prior to any review of this order, you must send your case officer:

- d) A report from your line manager or supervisor showing your progress towards achieving the aims set out in your PDP, and your performance at work.
- e) A reflective piece outlining your insight in relation to the charges.
- f) [PRIVATE].

7. You must keep the NMC informed about anywhere you are working by:

- c) Telling your case officer within seven days of accepting or leaving any employment.

- d) Giving your case officer your employer's contact details.

8. You must keep the NMC informed about anywhere you are studying by:

- c) Telling your case officer within seven days of accepting any course of study.
- d) Giving your case officer the name and contact details of the organisation offering that course of study.

9. You must immediately give a copy of these conditions to:

- e) Any organisation or person you work for.
- f) Any agency you apply to or are registered with for work.
- g) Any employers you apply to for work (at the time of application).
- h) Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.

10. You must tell your case officer, within seven days of your becoming aware of:

- d) Any clinical incident you are involved in.
- e) Any investigation started against you.
- f) Any disciplinary proceedings taken against you.

11. You must allow your case officer to share, as necessary, details about your performance, your compliance with and / or progress under these conditions with:

- d) Any current or future employer.
- e) Any educational establishment.
- f) Any other person(s) involved in your retraining and/or supervision required by these conditions

This conditions of practice order will take effect upon the expiry of the current conditions of practice order, namely the end of 26 August 2025 in accordance with Article 30(1).

Before the end of the period of the order, a panel will hold a review hearing to assess Miss Firth's progress towards compliance 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.

The panel wished to remind Miss Firth as to the importance of complying with, and providing evidence of, compliance with the above conditions, and that any future panel could consider all sanction options, including striking off, should she fail to do so.

This will be confirmed to Miss Firth in writing.

That concludes this determination.