

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

**Substantive Order Review Meeting  
Wednesday, 11 June 2025**

Virtual Meeting

<b>Name of Registrant:</b>	Nicola Stamper
<b>NMC PIN</b>	14E0655E
<b>Part(s) of the register:</b>	Nurses part of the register Sub part 1 RNA: Adult nurse, level 1 (8 October 2014)
<b>Relevant Location:</b>	Durham
<b>Type of case:</b>	Misconduct
<b>Panel members:</b>	Simon Banton (Chair, Lay member) Asma Boujnah (Registrant member) Julia Cutforth (Lay member)
<b>Legal Assessor:</b>	John Moir
<b>Hearings Coordinator:</b>	Petra Bernard
<b>Order being reviewed:</b>	Suspension order (12 months) with review
<b>Fitness to practise:</b>	Not Impaired
<b>Outcome:</b>	<b>Order to lapse upon expiry in accordance with Article 30(1), namely 25 July 2025</b>

## **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 Ms Stamper's registered email address by secure email on 9 May 2025.

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 9 June 2025 and inviting Ms Stamper to provide any written evidence seven days before this date.

The panel accepted the advice of the legal assessor.

In light of all of the information available, the panel was satisfied that Ms Stamper has been 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 allow the current suspension order to lapse upon its expiry with a finding of no current impairment. This order will come into effect at the end of 25 July 2025 in accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This is the first review of a substantive suspension order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 27 June 2024.

The current order is due to expire at the end of 25 July 2025.

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

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

- 1) *On 14 March 2021 referred to Colleague A as a 'black bastard'.*

2) *Your conduct at charge 1 was racially abusive.*

The original panel determined the following with regard to impairment:

*'The panel was therefore of the view that there was a low risk of repetition of Ms Stamper's conduct based on her reflections and the lack of deep-seated attitudinal concerns. The panel therefore decided that a finding of impairment is not necessary on the grounds of public protection.*

*The panel bore in mind that 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.*

*The panel determined that a finding of impairment on public interest grounds is required in this case due to the seriousness of Ms Stamper's conduct. The panel noted that Ms Stamper's conduct demonstrated that she failed to treat colleagues with respect. Following the incident, a junior colleague used other discriminatory language demonstrating the impact of Ms Stamper's conduct. The panel noted the conduct of Ms Stamper was discriminatory in nature, it reminded itself of the NMC guidance which indicates that no form of discrimination including racism should be tolerated. The panel therefore considered given the severity of the misconduct that a finding of impairment was required to uphold professional standards and conduct.*

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

*Having regard to all of the above, the panel was satisfied that Ms Stamper'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, an order that does not restrict Ms Stamper'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 Stamper'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 placing conditions of practice on Ms Stamper'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 relation to when conditions of practice may be appropriate, in particular:*

- Identifiable areas of the nurses practice in need of assessment and/or retraining;*
- No evidence of general incompetence;*

*The panel is of the view that there are no practical or workable conditions that could be formulated, given the nature of the charges in this case. The panel borne in mind that there was no evidence before it of any concerns relating to Ms Stamper's clinical practice and the panel has determined there is no risk to the public. Instead, the misconduct identified in this case involved Ms Stamper's discriminatory language.*

*Ms Stamper is not currently practising as a nurse and the panel has no information before it which indicates her intention to return to practice. The panel were not*

*therefore satisfied that a conditions of practice order would be complied with or be appropriate in this case.*

*Furthermore, the panel concluded that the placing of conditions on Ms Stamper's registration would not adequately address the seriousness of this case and would not mark the public interest identified by the panel.*

*The panel then went on to consider whether a suspension order would be an appropriate sanction. The SG states that suspension order may be appropriate where some of the following factors are apparent:*

- A single instance of misconduct but where a lesser sanction is not sufficient;*
- No evidence of harmful deep-seated personality or attitudinal problems;*
- No evidence of repetition of behaviour since the incident;*
- The Committee is satisfied that the nurse or midwife has insight and does not pose a significant risk of repeating behaviour;*

*The panel was satisfied that in this case, the misconduct was not fundamentally incompatible with remaining on the register.*

*The panel went on to consider whether a striking-off order would be proportionate but, taking account of all the information before it, and of the mitigation provided, the panel concluded that it would be disproportionate. Whilst the panel acknowledges that a suspension may have a punitive effect, it would be unduly punitive in Ms Stamper's case to impose a striking-off order.*

*Balancing all of these factors the panel has concluded that a suspension order would be the appropriate and proportionate sanction.*

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

The panel has considered carefully whether Ms Stamper's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the Nursing and Midwifery Council (NMC) has defined fitness to practise as a registrant's ability to practise safely, kindly and professionally. 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 the documentation before it, including the NMC bundle.

The panel 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 Stamper's fitness to practise remains impaired.

The panel noted that the original panel found that Ms Stamper had provided a reflective piece demonstrating developing insight into her conduct and the steps she has taken to address the misconduct. That panel noted that Ms Stamper had made early admissions to her actions and apologised to junior colleagues. However, it was of the view that Ms Stamper could have provided the NMC with more evidence to demonstrate steps she has taken to remediate her behaviour such as up to date references.

At this meeting the panel noted that it had not been provided with the following as suggested by the previous panel:

- *Updated reflective piece including evidence to demonstrate the steps Ms Stamper has taken to address her misconduct;*
- *Evidence of further Equality, Diversity and Inclusion training;*
- *Up to date references from Ms Stamper's paid or unpaid employment;*

- *Up to date testimonials from colleagues who are aware of the facts found proved.*

The panel further noted that whilst Ms Stamper has not provided any further information to indicate her strengthening her practice and has not engaged to the level that was suggested, it determined that she has been held to account on her behaviour, accepted it immediately and put measures in place to address the concerns in order to reduce the risk of repetition in the future.

The panel took into account that Ms Stamper has publicly apologised and has shown remorse. The panel determined that the fact that she has decided not to attend the meeting in person is not a sign of her disengagement and that she has already gone a significant way to satisfying the requirements to reach a finding of not being impaired. The panel was of the view that it was a one-off incident, there has been no reported repetition and further, no deep-seated attitudinal issue was found by the original panel.

In its consideration of whether Ms Stamper has taken steps to strengthen her practice, the panel took into account that the existing suspension order was founded on public interest grounds alone, the [PRIVATE] she has undergone, her immediate apology and remorse shown, and the remediation evident in her reflective piece. The panel determined that there was a minimal risk of repetition and her behaviour was unlikely to be repeated. Further, notwithstanding her lack of engagement, the panel determined that there are no impairment matters to raise concerns. It noted that the original panel had previously found that there was a low risk of repetition of matters of the kind found proved. This panel therefore concluded that there is no evidence before it of current impairment.

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. This panel determined that the public interest had been satisfied by the lengthy period of suspension imposed. The panel determined that, in this case, a finding of continuing impairment on public interest grounds is not required.

For these reasons, the panel finds that, although Ms Stamper's practice was impaired at the time of the incidents, given all of the above, her fitness to practise is not currently impaired.

In accordance with Article 30(1), the substantive suspension order will lapse upon expiry, namely the end of 25 July 2025.

This will be confirmed to Ms Stamper in writing.

That concludes this determination.