

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

**Substantive Order Review Hearing  
Monday, 24 November 2025**

Virtual Hearing

<b>Name of Registrant:</b>	Dominika Aleksandra Kuehn Stachurska
<b>NMC PIN:</b>	20B0014C
<b>Part(s) of the register:</b>	Registered Midwife Midwifery – 5 February 2020
<b>Relevant Location:</b>	Fife
<b>Type of case:</b>	Lack of competence
<b>Panel members:</b>	Des McMorrow (Chair, Registrant member) Helen Susannah Radice (Registrant member) Isobel Leaviss (Lay member)
<b>Legal Assessor:</b>	Paul Hester
<b>Hearings Coordinator:</b>	Fionnuala Contier-Lawrie
<b>Nursing and Midwifery Council:</b>	Represented by Jerome Burch, Case Presenter
<b>Mrs Stachurska:</b>	Not present and not represented at this hearing
<b>Order being reviewed:</b>	Suspension order (6 months)
<b>Fitness to practise:</b>	Impaired
<b>Outcome:</b>	<b>Suspension order (6 months) to come into effect 2 January 2026 in accordance with Article 30 (1)</b>

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

The panel was informed at the start of this hearing that Mrs Stachurska was not in attendance and that the Notice of Hearing had been sent to Mrs Stachurska's registered email address by secure email on 23 October 2025.

Further, the panel noted that the Notice of Hearing was also sent to Mrs Stachurska's representative, Christie Wishart at Thompsons Solicitors on 23 October 2025.

Mr Burch, 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 Mrs Stachurska 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 Mrs Stachurska 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 Mrs Stachurska**

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

The panel has decided to proceed in the absence of Mrs Stachurska. In reaching this decision, the panel has considered the submissions of Mr Burch and the advice of the

legal assessor. It has had particular regard to relevant case law and to the overall interests of justice and fairness to all parties. It noted that:

- Ms Wishart has informed the NMC on behalf of Ms Stachurska that she has received the Notice of Hearing and confirmed she is unable to attend due to childcare commitments and is content for the hearing to proceed in her absence.
- Ms Wishart had taken instructions, provided written submissions and submitted a reflective piece by Ms Stachurska
- No application for an adjournment has been made by Ms Stachurska
- 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 as this is a statutory review of an order due to expire on 2 January 2026.

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

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

The panel decided to confirm the current suspension order for a period of 6 months.

This order will come into effect at the end of 2 January 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the third effective review of a substantive suspension order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 1 December 2023. This was reviewed on 28 November 2024 whereby a further 6-month suspension order was put in place. This order was to be reviewed on 23 May 2025, however it was postponed and not heard at that time. The order was then extended on 25 June 2025 for a period of 6 months.

The current order is due to expire at the end of 2 January 2026.

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:

*'That you a registered midwife, between March 2020 and May 2023 failed to demonstrate the standards of knowledge, skill, and judgment required to practise without supervision as a band 5 midwife, in that you;*

- 1) ...
- 2) *Around 28 March 2020 were unable to;*
  - a) *Perform basic Postnatal Examinations.*
  - b) *Use a CTG;*
  - c) *Translate a CTG tracing.*
- 3) *Around 7/8 April 2020;*
  - a) *Were unable to perform a urinalysis;*
  - b) *Did not understand the significant of a urinalysis;*
  - c) *Were unable to palpate a fundus;*
  - d) *Were unable to recognise the significance of enquiring about lochia.*
- 4) *On an unknown date, failed to check a baby's fontanelle.*
- 5) *Around 10 April 2020 were unable to demonstrate knowledge in areas of;*
  - a) *Bladder care;*
  - b) *Lochia;*
  - c) *Fundus/Uterine Involution;*
  - d) *Breastfeeding;*
  - e) *Urinalysis;*
  - f) *CTG Trace;*
  - g) *Maternal/Baby observations.*

- 6) *Were unable to successfully complete a Supported Improvement/Action Plan implemented on 30 April 2020.*
- 7) *On 21 May 2020, were unable to print policies for further teaching/learning sessions.*
- 8) *Around 19 June 2020;*
  - a) *Were unable to communicate adequately with mothers when conducting postnatal checks;*
  - b) *Would not ask mothers if their body was hurting during postnatal checks;*
  - c) *Were unable to respond to/escalate abnormal observations;*
  - d) *Were unable to demonstrate sufficient knowledge around medication management/administration.*
- 9) *On or around 25 June 2020;*
  - a) *were unable to demonstrate knowledge of the presenting part after performing an abdominal palpitation;*
  - b) *calculated an incorrect infusion rate for a 1000ml bag over 8 hours.*
- 10) *On or around 17 May 2020;*
  - a) *Inaccurately instructed a bottle-feeding mother to express her breasts to relieve discomfort.*
  - b) *Failed to adequately examine the legs of an unknown patient;*
  - c) *Demonstrated poor communication skills in that you;*
    - i) *Did not introduce yourself to one or more patients;*
    - ii) *Did not enquire if one or more patient's, required medication.*
  - d) *Attempted to administer paracetamol to an unknown patient who had already been administered Co-codamol;*
  - e) *For an unknown patient failed to identify;*
    - i) *An elevated pulse of 110/122bpm;*
    - ii) *Oxygen saturation of 93%;*
  - f) *Failed to adequately escalate a baby suffering a fit, in that you;*
    - i) *Used words to the effect 'the baby is doing that thing again';*
    - ii) *Did not respond to Colleague A's request for information/assistance;*

*iii) Walked in the opposite direction.*

*11) On an unknown date were unable to explain how you would escalate a mother/patient with low blood pressure*

*12) Around June/July 2020 failed to demonstrate an understanding of;*

- a) Palpitations;*
- b) Hyperemesis;*
- c) Antenatal checks.*

*13) ...*

*14) ...*

*15) ...*

*16) ...*

*And in light of the above your fitness to practise is impaired by reason of your lack of competence.'*

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

*'The panel determined that you remain impaired as there is a lack of evidence before the panel to demonstrate that you have sufficiently strengthened your practice to the extent that it could be said you are no longer impaired. The panel noted that the only change regarding your strengthening of practice is that you have recently returned to work within the health profession in a Band 2 role. However, despite you having worked for three months as a Band 2 HCA in a maternity service, the panel has not been presented with a reference from your employer or any evidence of continued professional development.*

*It further noted that although you have provided a reflective piece, it did not directly address the deficiencies which led to the charges found proved at the substantive*

*hearing, as recommended by the previous review panel, nor was it supported by evidence of continued professional development undertaken since the last review. The panel noted that there are a range of Continuing Professional Development (CPD) courses which could have been accessed, despite your current suspension. In addition, the reflective piece did not address the potential risk posed to patients by your shortcomings nor the potential impact of your admitted conduct on the reputation of the profession.*

*Due to the lack of evidence of you strengthening your practice, the panel found that there was a risk of repetition of the original wide-ranging failings in your midwifery practice. Such repetition would place the public at significant risk of harm.*

*The panel found that it is positive that you continue to engage with the NMC and considered that your reflective piece demonstrated a developing insight into your previous inability to raise concerns and seek support to develop your midwifery skills and practice. While the panel considered your newfound confidence to speak up and seek support was a positive development, it concluded that there has been very little change to demonstrate that you are no longer impaired. The panel therefore found that you remain impaired on the ground 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 midwifery 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 your fitness to practise remains impaired.'*

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

*'Having found your 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 your 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 your 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 your 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 and wide-ranging nature of the facts found proved at the original hearing and the fact there is no further evidence to show strengthening of practice. The panel noted your desire to undertake a return to practice programme as outlined in the documents you provided and further explained by Ms Wishart during her submissions. However, the panel concluded that the level of supervision and accompanying conditions required in order for you to practice safely, irrespective of whether you attained a place on a return to practice programme, would be unrealistic, unworkable and so restrictive, that in effect, would be tantamount to a suspension order.*

*It concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest. The panel was not able to formulate conditions of practice that would adequately address the concerns relating to your 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 you further time to fully reflect on your previous failings. The panel concluded that a further 6-month suspension order would be the appropriate and proportionate response and would afford you adequate time to further develop your insight and take steps to strengthen your practice. It would also give you an opportunity to approach current health professionals to attest to your continued professional development in the relevant workplace since the substantive hearing.*

*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 6 months.*

*This suspension order will take effect upon the expiry of the current suspension order, namely the end of 2 July 2025 in accordance with Article 30(1)*

*Before the end of the period of suspension, another panel will review the order. At the review hearing the panel may revoke the order, or it may confirm the order, or it may replace the order with another order. You are to be mindful that all sanction options would be open to a reviewing panel should your practice remain impaired. You may also request an early review in accordance with Article 30(2) should there be any significant changes to your fitness to practice.*

*Any future panel reviewing this case would be assisted by:*

- Evidence of any continuing professional development undertaken.*
- References and testimonials regarding your clinical abilities and work performance, particularly from your current employer.*
- Provision of an updated reflective piece which shows insight into the impact on patients, the profession and the public. The reflective piece also to include insight into the areas of skills deficit identified at*

*the substantive hearing and how these can be addressed in your current role and going forward.'*

## **Submissions on impairment and sanction**

Mr Burch, on behalf of the NMC, outlined the background of the case and the findings of the original panel. Mr Burch also explained the findings of the reviewing panels who imposed the current suspension order for a period of 6 months.

Mr Burch submitted that as of today's hearing, there is insufficient evidence before the panel to show that Ms Stachurska has undertaken further continuing professional development. He noted that although Ms Stachurska provided a reflective statement in which there appears to be some level of insight into the issues, it does not take Ms Stachurska's position any further than it was at the last review.

Mr Burch submitted that the only change since the last review hearing is that Ms Stachurska now works as a band 2 Healthcare Support Worker and has worked for more time in this role on a midwifery ward than she did at the last review hearing.

Mr Burch submitted that there does not appear to be any additional inquiries from Ms Stachurska since the review hearing into return to practice courses of which Ms Stachurska had previously inquired about.

Mr Burch submitted that there are no references from Ms Stachurska's current employer and no evidence of any courses which she could have undertaken which would have been very helpful given the clear recommendations of the previous panel.

Mr Burch submitted that Ms Stachurska's practice remains impaired due to the lack of evidence of CPD and that she has not addressed the recommendations of the panel from the previous review accordingly.

Mr Burch submitted that there is a continued risk to the public and that public interest is also engaged if Ms Stachurska was to practice without restrictions.

Mr Burch noted that Ms Stachurska has advised she would prefer a conditions of practice order, however he submitted that conditions of practice would not be workable in this case, especially due to the fact she has not provided any information from her current employer on how she would be supported if she were to return to practice.

Mr Burch submitted that the NMC's position remains as it was at the last review and invited the panel to find that Ms Stachurska's fitness to practice is still impaired on the grounds of public protection and public interest.

Mr Burch therefore submitted that the only appropriate sanction is a suspension order and invited the panel to extend the current suspension order.

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

The panel has considered carefully whether Ms Stachurska's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise by a panel answering the question whether the practitioner is currently able to practise kindly, safely 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 of the documentation before it, including the NMC bundle and submissions together with a supporting reflective piece from Ms Stachurska. It has taken account of the submissions made by Mr Burch 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 Ms Stachurska's fitness to practise remains impaired.

The panel determined that Ms Stachurska remains impaired as there is a lack of evidence before the panel to demonstrate that she has sufficiently strengthened her practice to the extent that it could be said she is no longer impaired. The panel noted that Ms Stachurska provided a reflective piece dated 23 November 2025, which it found showed that she has some developing insight and remorse into her actions since the last review hearing in that she has recognised her practice was deficient. The panel noted however that Ms Stachurska has not provided any supporting evidence to show that she has taken positive steps to strengthen her practice in terms of relevant training and applying her insight in a clinical setting.

The panel found that there was insufficient evidence provided alongside her reflection to show that her remediation is anything more than just her opinion and as a result, there is nothing to show she is no longer a risk to the public.

The panel also noted that Ms Stachurska had indicated that she did not wish to return to practice as a midwife and intended to retrain as a nurse. It noted that there was no evidence that Ms Stachurska had done any research into this and referred to the email from the NMC to Ms Stachurska dated 10 July 2025 which included guidance on how she may wish to proceed in retraining to practice as a nurse. The panel noted she had not responded to this email and that there was no evidence to show she had done any further research into the suggestions.

With regard to strengthening of practice, the panel determined that there was no evidence before it to show that Ms Stachurska had strengthened her practice relating to the initial regulatory concerns.

The panel noted that the previous reviewing panel had indicated that references from Ms Stachurska's current employer on her strengthening of practice, would be helpful to the reviewing panel today and that this was not provided.

The panel noted that although Ms Stachurska references in her reflective statement that she continues to undertake online courses and training, there is no supporting evidence of this in the form of certificates or references from her current employer.

The panel noted that it is aware that Ms Stachurska is limited in the training courses which she can undertake within the scope of her band 2 practice, however it determined that there are training courses which she could have undertaken within the scope of her current band 2 role. The panel noted that Ms Stachurska does have an opportunity in her band 2 role to provide practical scenarios and examples where she has either contemplated or overcome her deficiencies and provided insight as to how she would further remedy her lack of competence.

The panel noted that Ms Stachurska's strengthening of practice could be further evidenced by references from her current employer showing her progress on communication and escalation in her current role.

The last reviewing panel determined that Ms Stachurska was liable to repeat matters of the kind found proved. Today's panel has noted that there has been no new information received to evidence Ms Stachurska's strengthened practice. In light of this, this panel determined that Ms Stachurska 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, a finding of continuing impairment on public interest grounds is also required.

For these reasons, the panel finds that Ms Stachurska fitness to practise remains impaired.

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

Having found Ms Stachurska'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 public protection issues identified, an order that does not restrict Ms Stachurska'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 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 Ms Stachurska'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 considered the conditions of practice proposed by Ms Stachurska's representative, including whether restricting her practice to her current employer along the lines proposed, would adequately protect the public. However, it concluded that without any evidence from the employer about Ms Stachurska (either in her current role or in relation to the proposed conditions), it could not be satisfied that these were workable.

The panel bore in mind the seriousness of the facts found proved at the original hearing and the lack of evidence of strengthened practice at this review, and concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest. The panel was not able to formulate workable conditions of practice that would adequately address the concerns relating to Ms Stachurska's lack of competence.

The panel heard that Ms Stachurska does not wish to return to practice as a midwife and has advised that she would like to requalify as a nurse. The panel noted that Ms Stachurska has not provided a clear plan on how she plans to proceed and has not assured the panel on how she would adhere to proposed conditions. The panel therefore

found that conditions of practice order would not be workable and would serve no useful purpose.

The panel considered the imposition of a further period of suspension. It was of the view that a suspension order would allow Ms Stachurska further time to demonstrate how she is addressing her previous failings. The panel concluded that a further 6 month suspension order, with opportunity for Ms Stachurska to call for an early review, would be the appropriate and proportionate response and would afford Ms Stachurska adequate time to demonstrate that she has taken steps to further 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 6 months would provide Ms Stachurska with an opportunity to provide evidence of her strengthening of practice and further insight. It considered this to be the most appropriate and proportionate sanction available.

This suspension order will take effect upon the expiry of the current suspension order, namely the end of 2 January 2026 in accordance with Article 30(1).

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

Any future panel reviewing this case would be assisted by:

- Ms Stachurska's attendance at the next review hearing
- Evidence of any continuing professional development undertaken.
- References and testimonials regarding your clinical abilities and work performance, particularly from your current employer.
- Provision of an updated reflective piece that explains how she has taken steps to remedy the initial impairment findings.
- Provision of a clear plan on how Ms Stachurska wishes to proceed with her practice.

The next reviewing panel will have all sanction options available to it, including the power to make a striking off order, as more than 2 years will have elapsed at the next review since the making of the original substantive order on 1 December 2023.

This will be confirmed to Ms Stachurska in writing.

That concludes this determination.