

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

**Substantive Order Review Hearing  
Wednesday, 26 November 2025**

Virtual Hearing

<b>Name of Registrant:</b>	<b>Lynnda Nicola Webster</b>
<b>NMC PIN</b>	0711873S
<b>Part(s) of the register:</b>	Registered Nurse Children's Nursing – 12 September 2011
<b>Relevant Location:</b>	Aberdeen
<b>Type of case:</b>	Misconduct
<b>Panel members:</b>	Nicholas Rosenfeld (Chair, Lay member) Sally Thomas (Registrant member) Julia Cutforth (Lay member)
<b>Legal Assessor:</b>	Melissa Harrison
<b>Hearings Coordinator:</b>	Dennis Kutyaupipo
<b>Nursing and Midwifery Council:</b>	Represented by Selena Jones, Case Presenter
<b>Miss Webster:</b>	Present and represented by Jane Pothan, instructed by Anderson Strathern
<b>Order being reviewed:</b>	Conditions of practice order (12 months)
<b>Fitness to practise:</b>	Impaired
<b>Outcome:</b>	<b>Conditions of practice order (12 months) to come into effect on 24 December 2025 in accordance with Article 30 (1)</b>

### **Decision and reasons on application for hearing to be held in private**

At the outset of the hearing, Ms Pothan, on your behalf, made a request that parts of this case be held in private on the basis that proper exploration of your case will involve references to [PRIVATE]. The application was made pursuant to Rule 19 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

Ms Jones, on behalf of the Nursing and Midwifery Council (NMC), indicated that she supported the application.

The legal assessor reminded the panel that while Rule 19(1) provides, as a starting point, that hearings shall be conducted in public, Rule 19(3) states that the panel may hold hearings partly or wholly in private if it is satisfied that this is justified by the interests of any party or by the public interest.

The panel determined to go into private session in connection with [PRIVATE] as and when such issues are raised in order to protect your privacy.

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

The panel decided to extend the conditions of practice order for a further period of 12 months

This order will come into effect at the end of 24 December 2025 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the sixth review of a substantive suspension order originally imposed for a period of three months by a Fitness to Practice Committee on 25 November 2020. This order was reviewed on 18 February 2021 and the panel decided to replace the suspension order with a conditions of practice order. This order was reviewed again on 17 November 2021, 10 November 2022, 22 November 2023, and 19 November 2024 where the order was confirmed on all four occasions.

The current order is due to expire at the end of 24 December 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:

*'That you, a registered nurse, whilst working on the High Dependency Unit at the Royal Aberdeen Children's Hospital ("the Hospital"):*

- 1. On 14 February 2018, in relation to Patient A:*
  - a) Administered Levetiracetam as a bolus as opposed to an infusion; and*
  - b) Gave 120 mg of paracetamol as opposed to 90mg.*
- 2. In relation to Patient X:*
  - a) On 1 May 2018, signed the drugs kardex to confirm that Cefotaxime had been given at 6pm when it had not; and*
  - b) On 2 May 2018, countersigned the kardex with a colleague's initials to confirm that Cefotaxime had been given at 6pm on 1 May 2018 when it had not.*
- 3. In breach of the restrictions imposed on you by the Hospital on 8 May 2018:*
  - a) On 17 May 2018 attempted to check medication; and*
  - b) On 5 June 2018 carried out a set of observations and read a Patient Controlled Analgesia pump on a patient without being supervised.*
- 4. Your actions at charge 2a were dishonest in that you knew the drug had not been given.*

*Your actions at charge 2b were dishonest in that you intended to create the impression that the drug had been given and/or that a colleague had acted as the second checker.*

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

*The panel has considered carefully whether your fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has described fitness to practise as a registrant's ability 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, correspondence between the NMC and Ms Pothan, and an additional bundle from you that contains a reflective statement from November 2024, a Drug Dosage training certificate from November 2023, and various training modules and applications from February to November 2023.*

*The panel has taken account of the submissions made by Ms Hartley. She informed the panel that this order has been in place since 2018. Although you are now required to undertake a return to nursing course, the persuasive burden remains on you to demonstrate to the panel that you are no longer impaired. She submitted that the conditions remain necessary to satisfy the grounds of public protection and public interest. Furthermore, she submitted that the conditions of practice order should continue until you can provide evidence of remediation.*

*The panel also had regard to submissions from Ms Pothan. She provided the panel with a brief outline into the history of [PRIVATE]. She explained to the panel that you have been working as a children's practitioner at your Local Authority's social work service and since the previous hearing you have been working there as a family resource officer. Alongside this, you also work as a support worker for an agency, providing personal and other non-clinical care.*

*Ms Pothan submitted to the panel that these roles have allowed you to continue expanding upon your experience working with children and providing support to vulnerable young people which it should consider to be transferable skills that you can use when you return to a paediatric nursing role.*

*Ms Pothan then went on to explain that at the previous hearing, you confirmed that you had applied to two nursing roles, however, you had to withdraw from one due to [PRIVATE], and you were unsuccessful in obtaining the other due to the conditions imposed. In response to this, you proactively approached the clinical manager at the agency you currently work for to explore returning to nursing, leading to discussions regarding them being able to support your return to nursing with conditions in place.*

*Ms Pothan explained to the panel that since January 2024, you have been [PRIVATE] and have felt unable to apply for nursing roles during this time. [PRIVATE]*

*In light of this, Ms Pothan submitted that you have accepted responsibility for your actions and clearly recognise the issues relating to the concerns, which demonstrates a decreased risk of repetition. She pointed the panel to a previous determination where the previous panel explained it was satisfied that your dishonesty has been remediated. She further submitted that you have been engaging with the NMC's process, and that the risk to the public has not increased. She explained that you remain committed to returning to nursing, and the difficulties you have experienced over this year only demonstrate your resilience, strength of character, and progress with your mental health.*

*Ms Pothan asked the panel to extend the conditions of the practice order for an additional 12 months and requested that the conditions remain the same.*

*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 your fitness to practise remains impaired.*

*The panel noted that a previous panel determined the dishonesty concerns had been remediated and therefore saw no reason not to accept that finding by the previous panel, given the lack of any suggestion that there had been any repetition of dishonesty since that determination.*

*The panel noted that you have engaged with the process and have made numerous attempts to secure employment in a nursing role. However, due to [PRIVATE] and the conditions imposed on your practice, you have been unable to obtain a position as a nurse. Despite [PRIVATE], you have secured work in a similar environment, providing care in a social care setting, and continue to work with children in a regulated environment. Furthermore, the panel noted that you have clearly demonstrated your ability to [PRIVATE].*

*In its consideration of whether you have taken steps to strengthen your practice, the panel accepted that you have done as much as you can in [PRIVATE]. It took into consideration that you have been unable to strengthen your clinical practice as a nurse, although noted that you have clearly expanded your knowledge given your current employment. It acknowledged that the agency you currently work for has confirmed they would be able to support you in a return to practice with the current conditions imposed. The panel noted that you would need to undertake a return to practice course in order for this to happen; however, you would need to undertake further training and supervision in medication administration to ensure you have strengthened your practice in relation to those concerns.*

*The last reviewing panel determined that you were liable to repeat matters of the kind found proved. Today's panel has heard no new information that undermines this. In light of this, this panel determined that you remain liable to repeat the clinical failings 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 your fitness to practise remains impaired.*

The fifth 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 or to impose a caution order, but it 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 or make a caution order.*

*The panel next considered whether imposing a further conditions of practice order on your 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 you have been unable to comply with the conditions of practice due to your current employment status, but you remain engaged with the NMC's process and are 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 that your dishonesty has been remediated, and the medication administration concern requires clinical practice*

*and supervision in order to be remediated. In this case, 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 your case.*

*Accordingly, the panel determined, pursuant to Article 30(1)(c), to make a conditions of practice order for a period of 12 months. 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 work with a registered nurse to create a personal development plan (PDP). Your PDP must address the concerns about medication administration. You must:*
  - a. Meet with your line manager at least every six weeks to discuss your progress towards achieving the aims set out in your PDP.*
  - b. Send your case officer a copy of your PDP with a report demonstrating the progress you have made, prior to any future review.*
- 2. 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.*

3. *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.*
4. *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.*
  - e. *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.*
5. *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.*
6. *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.*

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

This panel has considered carefully whether your fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has described fitness to practise as a registrant's ability 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, correspondence between the NMC and Ms Pothan, and an additional bundle from you that contains a reflective statement from November 2025, an emergency first aid at work certificate dated May 2025, and EPD from 2023.

Ms Jones invited the panel to impose a conditions of practise order for a period of 12 months.

Ms Jones submitted that you have provided a reflective statement and training certificates that evidence some progress but noted that you have [PRIVATE] and have been unable to demonstrate sufficient remediation. She submitted that you therefore remain impaired and an order remains necessary on the grounds of public interest and public protection.

Ms Jones submitted that you have not had the opportunity to practise safely as a registered nurse. She added that a previous panel advised that a future panel would be assisted by your continued engagement with the proceedings, evidence of professional development and evidence of completion of a return to practise course. Ms Jones submitted that only some information has been provided and as such your fitness to practise remains impaired.

Ms Jones referred the panel to the found regulatory concerns and their seriousness. She submitted that there is a risk of repetition if you were to return to practise unrestricted and that the conditions currently in place, mitigate the risk. She added that an informed member of the public would be concerned if a nurse with such admitted concerns of this nature were permitted to remain in practise unrestricted. She submitted that a continuing finding of impairment is necessary on the grounds of wider public interest and public protection.

The panel also had regard to submissions from Ms Pothan. She submitted that continuing the current substantive conditions of practice order in its current form, with no changes for a period of 18 months would be appropriate.

She submitted that you have been a qualified nurse since 2011 and held an unblemished record in relation to your practise prior to these proceedings. She added that there have been no further regulatory concerns since the imposition of a substantive order for the current proceedings.

Ms Pothan submitted that you wish to return to nursing and have continued to apply for nursing roles but faced delays due to the COVID pandemic in 2020 and 2021. She explained to the panel that you previously worked as a children's practitioner in the children's social work services, and in 2024 moved to work as a family resource officer within the kinship team at Aberdeen City Council. She explained that within your current role, you work with families who take in children and young people to prevent them from going into the care system. Ms Pothan added that you also work as an agency support worker for GSR Nursing but you have not completed any shifts in a few months. She submitted that these roles have allowed you to expand on your skills and experience which you plan to implement into your nursing practices upon return.

Ms Pothan submitted that in early 2023, you were successful with an application for a paediatric nursing role with NHS Tayside. However, this did not move forward as the training dates conflicted with [PRIVATE]. You applied for another paediatric nursing role in late 2023 with NHS Tayside, however, your application on that occasion was unsuccessful due to the conditions of practise order. She added that in 2024 you had a discussion with the manager at GSR Nursing in relation to obtaining a nursing role, and you were informed that you would be supported with a personal development plan.

Ms Pothan explained to the panel that since 2024, you have been [PRIVATE], leading you to put your job search and completing a return to practise course on hold. She added that you had intended on applying for a return to practise course in 2025 but further [PRIVATE].

Ms Pothan submitted whilst you have been [PRIVATE], you have remained in contact with [PRIVATE]. [PRIVATE]

Ms Pothan submitted that [PRIVATE], you still have a passion for nursing and do wish to return to the profession. She added that you applied for a return to practise course with NHS Grampian and were advised that they only offer the course on a full-time basis, which required you to leave your employment [PRIVATE]. She added that after making an enquiry to undertake the course on a part time basis, you were informed that the course is no longer available this year. You are now waiting until the course is available again and you continue to liaise with the practise educator at NHS Grampian.

Ms Pothan submitted that you are aware that a significant amount of time has passed but you have applied to numerous roles and have undertaken training whilst not in practise. She submitted that this demonstrates your commitment to returning to the nursing profession. She added that you have continued to reflect on the incidents and recognise the importance of this.

Ms Pothan submitted that you previously admitted all charges, took responsibility and accepted that your fitness to practice was impaired. She therefore submitted that you are less likely to repeat the proved concerns and that the previous panel determined that the aspect of dishonesty had been remediated.

Ms Pothan submitted that the risk to members of the public has not increased since the last review, and you continue to fully engage with the process. She added that your commitment to return to the nursing profession has been demonstrated by the various job applications and return to practise courses as well as the training you continue to undertake.

Ms Pothan invited the panel to extend the conditions of practise order in its current form, with no changes for a period of 18 months, to allow you further time to undertake the return to nursing course when a space becomes available.

In response to panel questions in relation to the return to practise course, you said that you communicated with the Royal College of Nursing to obtain more information about the

return to practise course. You were referred to an individual who informed you that they are not running a return to practise course currently. The panel asked how you intend to address the issue of accessing a course, you explained that you will inquire with Tayside NHS if they provide the course on a part-time basis. You added that you are also waiting for a band 5 nursing position to become available with Grampian NHS, for which you would be paid a band 2 rate until you complete the return to practise course.

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 your fitness to practise remains impaired.

The panel noted that a previous panel determined the dishonesty concerns had been remediated, and therefore accepted that finding by the previous panel, given the lack of any suggestion that there had been any repetition of dishonesty since that determination.

The panel acknowledges that you have continued to engage with the NMC, you have made attempts to secure employment in a nursing role, and you have not worked with GSR Nursing in a caring capacity for the last few months. The panel noted that you were accepted for a position, however, due to [PRIVATE], you were not able to move forward with that application. It noted that you were unable to undertake the return to practise course offered to you on a full-time basis because it would have required you to give up your job and are now making efforts to secure a part-time place on the course. The panel acknowledges that you continue to work with Aberdeen City Council and work with children in a regulated environment.

In its consideration of whether you have taken steps to strengthen your practice, the panel accepted that whilst you have made some progress, there is no new evidence before the panel today to suggest that you have sufficiently remediated the conduct which led to these proceedings. The panel noted that you have been unable to secure a role as a registered nurse, have been unable to complete the return to practise course and have not

had the opportunity to implement any strengthened practice in a clinical setting. The panel noted that as the findings relate to medication errors, you would need to undertake further training and supervision in medication administration to ensure you have strengthened your practice in relation to those issues.

The last reviewing panel determined that you were liable to repeat matters of the kind found proved. Today's panel has heard no new information that undermines this. In light of this, this panel determined that you remain liable to repeat the clinical failings 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 the public 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 your fitness to practise remains impaired.

### **Decision and reasons on 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 or to impose a caution order, but it 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 or make a caution order.

The panel next considered whether imposing a further conditions of practice order on your 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 you were unable to comply with the conditions of practice formulated by the previous panels for various reasons. It noted that the availability of a return to practise course is likely to have been affected by Covid as courses were withdrawn by providers, and you have also been impacted by personal circumstances. It also noted that you were offered a place on a return to practise course on a full-time basis, but you could not accept it as it would have required you to give up your employment, [PRIVATE]. However, the panel noted that in your evidence you explained that you have made multiple attempts this year and are actively making efforts to secure a part-time place on a return to practise course outside of your local area. The panel was mindful of the challenges associated with securing a place on a return to nursing practise course on a part-time basis, and it was of the view that in fairness to you, this order would allow you sufficient and reasonable time to do so.

The panel was of the view that a further conditions of practice order is sufficient to protect the public and the wider public interest, noting that your dishonesty has been remediated, and the medication administration concern requires clinical practice and supervision in order to be remediated. In this case, conditions could be formulated which would protect the public 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 your case.

As part of its decision making, the panel had particular regard to the NMC Guidance entitled "Removal from the register when there is a substantive order in place, REV -2H". It noted that there are many features of your case that supported a decision of allowing your registration to lapse upon expiry with a recording of impairment. It carefully considered the evidence you provided in readiness for today's hearing including the information you provided during the course of the hearing regarding your efforts to identify a suitable return to practise course. It noted the difficulties that you have encountered due to your local NHS board ceasing to offer the requisite course at this time and the practical difficulties in

attending a course further afield [PRIVATE]. It was however reassured to note that you have made meaningful enquiries and are awaiting a response. The panel was subsequently satisfied that you are sufficiently engaged in securing and commencing a return to practise course as soon as possible. Accordingly, in the particular circumstances of your case, the panel determined that you have provided sufficient evidence to demonstrate that you are taking steps to ensure that you are likely to return safe unrestricted practice within a reasonable period of time. As such, allowing the existing order to lapse upon expiry with a recording of impairment is not appropriate at this time.

Accordingly, the panel determined, pursuant to Article 30(1)(c), to make a conditions of practice order for a period of 12 months. 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 work with a registered nurse to create a personal development plan (PDP). Your PDP must address the concerns about medication administration. You must:
  - a. Meet with your line manager at least every six weeks to discuss your progress towards achieving the aims set out in your PDP.
  - b. Send your case officer a copy of your PDP with a report demonstrating the progress you have made, prior to any future review.
2. 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.
3. 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.
4. 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.
  - e. 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.
5. 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.
6. 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 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 24 December 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 you have 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:

- Evidence of starting on a return to practise course or a starting date;
- Continued engagement with the process;
- Evidence of professional development including any documentary evidence of PDP's and reports of your progress;
- Evidence of medications assessment in practice;
- Testimonials from a manager or supervisor in a regulated working environment;
- An up-to-date reflection on how you have strengthened your practice, and how you will further continue to do so.

This will be confirmed to you in writing.

That concludes this determination.