

**Nursing and Midwifery Council
Investigating Committee**

**Interim Order Review Hearing
Tuesday, 2 September 2025**

Virtual Hearing

Name of Registrant:	Brian Herbert
NMC PIN:	07H0931E
Part(s) of the register:	Registered Nurse, Sub Part 1 Adult Nursing - (Level 1) 29 September 2007
Relevant Location:	Dorset
Panel members:	Liz Maxey (Chair, Registrant member) Georgia Kontosorou (Registrant member) Reni Aina (Lay member)
Legal Assessor:	Natalie Amey-Smith
Hearings Coordinator:	Bethany Seed
Nursing and Midwifery Council:	Represented by Michael Smalley, Case Presenter
Mr Herbert:	Present and represented by Gerard McGettigan, instructed by the Royal College of Nursing (RCN)
Interim order to be reviewed:	Interim conditions of practice order (15 months)
Outcome of review:	Interim conditions of practice order varied

Decision and reasons on interim order

The panel decided to vary the current interim conditions of practice order.

The panel has determined that the following conditions are proportionate and appropriate:

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. [PRIVATE].
2. [PRIVATE].
3. [PRIVATE].
4. You must restrict your nursing practice to a single substantive employer or with the National Locum Agency. Any placement by the agency must be for a minimum of three months.
5. You must not be the Registered Nurse in Charge, or the sole Registered Nurse on duty at any time when working.
6. You must ensure that you are supervised by another Registered Nurse any time you are working. Your supervision must consist of working at all times on the same shift as, but not always directly observed by, a Registered Nurse.
7. You must meet with your line manager, mentor or supervisor monthly to discuss your performance and [PRIVATE].

8. You must provide a report from your line manager, mentor or supervisor to your NMC case officer a week prior to any review hearing that includes details of your [PRIVATE].
9. 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.
10. 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.
11. 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.
12. You must tell your NMC case officer, within seven days of your becoming aware of:
 - a. Any clinical incident you are involved in.
 - b. Any investigation started against you.
 - c. Any disciplinary proceedings taken against you.
13. [PRIVATE].
14. [PRIVATE].

15.[PRIVATE].

16.[PRIVATE].

Unless your case has already been concluded, this interim order must be reviewed before the end of the next six months and every six months thereafter. Additionally, you or the Nursing and Midwifery Council (NMC) may ask for the interim order to be reviewed if any new evidence becomes available that may be relevant to the interim order.

At any review a panel may revoke the interim order or any condition of it, it may confirm the interim order, or vary any condition of it, or it may replace the interim conditions of practice order with an interim suspension order.

The NMC Case Examiners are yet to decide whether there is a case to answer in relation to the allegations made against you. The NMC will write to you when the case is ready for the next stage of the fitness to practise process.

This will be confirmed to you in writing.

That concludes this determination.