

Nursing and Midwifery Council
Fitness to Practise Committee

Substantive Order Review Meeting

Wednesday, 1 April 2026

Virtual Meeting

Name of Registrant: Gilvana Da Silva Nogueira

NMC PIN: 99I2615E

Part(s) of the register: Nurses part of the register Sub part 1
RNA: Adult nurse, level 1 (30 September 2002)

Relevant Location: Basingstoke

Type of case: Lack of competence

Panel members: Margaret Wolff (Chair, Lay member)
Mary Karasu (Registrant member)
Paula Newton (Lay member)

Legal Assessor: Gerard Coll

Hearings Coordinator: Ifeoma Okere

Order being reviewed: Suspension order (12 months)

Fitness to practise: Impaired

Outcome: **Striking-Off order to come into effect at the end of 1 May 2025 in accordance with Article 30 (1)**

Decision and reasons on service of Notice of Meeting

The panel was informed at the start of this meeting that that the Notice of Meeting had been sent to Ms Nogueira's registered email address by secure email on 9 February 2026.

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Meeting provided details of the allegation, the time, dates and the fact that this meeting was heard virtually.

In the light of all of the information available, the panel was satisfied that Ms Nogueira 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 replace the suspension order with a striking off order . This order will come into effect at the end of 1 May 2026 in accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This is the second review of a substantive suspension order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 3 April 2024.

The order was first reviewed on 24 March 2025, when a panel determined that Ms Nogueira's fitness to practise remained impaired and imposed a further 12-month suspension order. The panel concluded that there was insufficient evidence of remediation, insight or engagement, and that a suspension order remained necessary to protect the public and uphold the public interest.

The current review is therefore a further review of that suspension order, which is due to expire at the end of 1 May 2026.

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:

1. While subject to an informal capability process between 17 September 2019 and 11 October 2019 failed to meet the following objectives:

- a. Communication. **[Proved]***
- b. Patient care. **[Proved]***
- c. Discharge planning. **[Proved]***

2. While subject to a supervision plan between 12 October 2019 and 17 March 2020

failed to meet the following objectives:

- a. Communication. **[Proved]***
- b. Clinical and/or general patient care. **[Proved]***
- c. Medications practice. **[Proved]***

3. While subject to supervised practice between 23 March 2020 and 14 June 2020 failed to meet the following objectives:

- a. Communication. **[Proved]***
- b. Clinical care. **[Proved]***
- c. Discharging. **[Proved]***
- d. General patient care. **[Proved]***
- e. Medication. **[Proved]***

4. While subject to a formal capability process between 15 June 2020 and 11 January 2021 failed to meet the following objectives:

- a. Communication. **[Proved]***
- b. Clinical care. **[Proved]***
- c. Role modelling behaviour. **[Proved]***

d. Medicines management. **[Proved]**

e. Completion of the medicines management booklet by the end of August 2020. **[Proved]**

5. Did not attend for your shift on 28 Oct 2019. **[Proved]**

6. On one or more occasion(s) arrived late for your shift. **[Proved]**

7. On 6 April 2020, spent an unacceptable amount of time writing up a patient's notes. **[Proved]**

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

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

'The panel found that patients were put at risk as a result of Ms Nogueira's lack of competence. The extent of Ms Nogueira's failure to achieve the required standards of competence and her attitude towards attempts to help her do so, including her conduct towards other staff members and patients brought the profession into disrepute. It was satisfied that confidence in the nursing profession would be undermined if its regulator did not find that Ms Nogueira's practice is currently impaired.

The panel were of the view that, if Ms Nogueira were to practise unrestricted, her conduct would be highly likely to be repeated. Consequently, as to the future and having regard to the risk of repetition, the panel determined that the first three limbs of the Grant test are engaged. The panel therefore decided that a finding of impairment is necessary on the grounds of public protection.

The panel determined that, in this case, a finding of impairment on public interest grounds is also required. It concluded that a well-informed member of the public would expect a registered nurse who has presented no

evidence of remorse, insight or improvement, and facing such allegations relating to a lack of competence, to have their practise found to be impaired.

The panel determined that Ms Nogueira is unable at this stage to practice kindly, safely, or professionally. Having regard to all of the above, the panel was satisfied that Ms Nogueira's fitness to practise is currently impaired.'

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

'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 highlighted that Ms Nogueira was under a level of observation and supervision for a long period of time, and yet her practice did not improve. The panel noted that given her attitude over four periods of professional development from May 2019 to January 2021, it would be unlikely that Ms Nogueira would engage and comply with conditions if they were to be placed on her practice. Consequently, the panel concluded that the placing of conditions on Ms Nogueira's registration would not adequately address the seriousness of this case and would not protect the public.

The panel then went on to consider whether a suspension order would be an appropriate sanction. The panel was satisfied that in this case, Ms Nogueira's lack of competence was not fundamentally incompatible with remaining on the register.

Balancing all of these factors the panel has concluded that a suspension order would be the appropriate and proportionate sanction. The panel considered that this order is necessary to mark the importance of maintaining public confidence in the profession, and to send to the public and the profession a clear message about the standard required of a registered nurse.

The panel determined that a suspension order for a period of 12-months was appropriate in this case to mark the scope of Ms Nogueira's lack of competence. The panel was mindful that Ms Nogueira has been on an interim suspension order since 2021 but determined that given the level of her lack of competence, a suspension order for a further period of 12-months remains appropriate so as to afford her time to reflect and begin the necessary remediation.'

Decision and reasons on current impairment

The panel has considered carefully whether Ms Nogueira's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as whether a professional can practise safely and effectively. 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. The panel noted that there has been no engagement from Ms Nogueira and no written representations or evidence have been provided.

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 Nogueira's fitness to practise remains impaired.

The panel noted that the previous panel found that Ms Nogueira had insufficient insight. At this meeting, the panel had no information before it to demonstrate any development in her level of insight. The panel noted that Ms Nogueira has not engaged with the NMC at any stage of these proceedings and has not provided any evidence to demonstrate reflection, remediation or an understanding of her failings.

In its consideration of whether Ms Nogueira has taken steps to strengthen her practice, the panel took into account that there is no information before it to demonstrate that she has undertaken any training, reflection or remediation.

The previous panel determined that Ms Nogueira was liable to repeat matters of the kind found proved. Today's panel has received no new information. In light of this, the panel determined that Ms Nogueira remains 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 Nogueira's fitness to practise remains impaired.

Decision and reasons on sanction

Having found Ms Nogueira'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 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 determined that, due to the seriousness of the case and the ongoing public protection concerns, an order that does not restrict Ms Nogueira's practice would not be appropriate. The panel considered that her case was not at the lower end of the spectrum and that a caution order would be inappropriate.

The panel next considered whether a conditions of practice order would be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be

proportionate, measurable and workable. The panel concluded that conditions of practice would not be workable in this case due to Ms Nogueira's complete lack of engagement and the absence of any evidence that she would comply with conditions. The panel determined that it was not possible to formulate conditions that would adequately address the concerns or protect the public.

The panel next considered imposing a further suspension order. The panel noted that Ms Nogueira has not demonstrated any insight, remorse or remediation. The panel also noted that she has been subject to a suspension order for a significant period and has not engaged at any stage of the process. The panel considered that there is no evidence to suggest that a further period of suspension would lead to any meaningful change or improvement in her practice.

The panel determined that a further suspension order would not serve any useful purpose. It concluded that Ms Nogueira's continued lack of engagement and absence of insight indicate that there is no realistic prospect of her returning to safe and effective practice.

The panel determined that it was necessary to take action to prevent Ms Nogueira from practising in the future and concluded that the only sanction that would adequately protect the public and serve the public interest was a striking-off order.

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

This decision will be confirmed to Ms Nogueira in writing.

That concludes this determination.