

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

**Substantive Order Review Hearing
Thursday, 19 February 2026**

Name of Registrant: Christopher Hinch

NMC PIN: 01E0438E

Part(s) of the register: Registered Nurse – Sub part 1
Adult Nursing – 8 May 2004

Relevant Location: Derbyshire

Type of case: Misconduct

Panel members: Dale Simon (Chair, Lay member)
Samuel Herbert (Registrant member)
Farrah Pradhan (Lay member)

Legal Assessor: Paul Hester

Hearings Coordinator: Daisy Sims

Nursing and Midwifery Council: Represented by Alex Radley, Case Presenter

Christopher Hinch: Present and represented by Jim Olphert, instructed
by Royal College of Nursing (RCN)

Order being reviewed: Conditions of practice order (9 Months)

Fitness to practise: Impaired

Outcome: **Conditions of practice order imposed for 6 months to come into effect upon the expiry of the current conditions of practice order, namely the end of 24 March 2026 in accordance with Article 30(1).**

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

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

Mr Radley, on behalf of the Nursing and Midwifery Council ('NMC'), supported the application [PRIAVTE].

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 [PRIVATE] as and when such issues are raised [PRIVATE].

Decision and reasons on review of the substantive order

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

This order will come into effect at the end of 24 March 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the second review of a substantive suspension order originally imposed for a period of 9 months by a Fitness to Practise Committee panel on 10 October 2024. This was reviewed on 25 June 2025 where the suspension order was changed to a conditions of practice order for 9 months.

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

' 1. ...

2. On the nightshift 07 - 08 June 2022, whilst working at '[PRIVATE]' you were abusive and/or rude and/or uncaring and/or dismissive towards one of more residents under your care in that you

a. Closed or threatened to close Resident B's bedroom door

b. Called Resident B 'a baby' or words to that effect

c. Told Resident B that Resident B was 'wasting your time' or words to that effect

d. Removed Resident B's call bell/buzzer from them and /or placed Resident B's call bell/buzzer such as it was not accessible to them

e. Pushed medication in to Resident B's mouth

f. Threatened to unplug one or more resident's call bell/buzzer(s)

3. On the nightshift 08-09 June 2022, whilst working at '[PRIVATE]', after Resident D had suffered a fall, you 'drag lifted' them from the floor

4.[By admission] On 09 June 2022 whilst working at '[PRIVATE]', recorded in medical notes in relation to Resident E 'seattled well. all care needs met' (sic) but Resident E had passed away on 08 June 2022

5. ...

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

'The panel noted that the original panel found that you had insufficient insight. The panel reviewed the evidence before it and considered your insight to be strengthening. As a result of this, the panel considered there to be a decreasing risk of repetition. The panel was mindful, however, that there remains scope to further strengthen insight in relation to the impact of your previous actions and the impact this had on patients, to further minimise the risk of repetition.'

In its consideration of whether you have taken steps to strengthen your practice, the panel took into account that there has been appropriate mandatory training taken relevant to the past issues. The panel also noted that you are about to start training to further develop your insight over the 12 months. The panel also referred to the voluntary work you have been doing and the testimonials that you have received in connection with that. The panel also noted your work in supporting veterans, older and vulnerable populations. The panel also highlighted that you told them about you informing your new employer of your current suspension. Whilst the panel did not receive any evidence to suggest that had been any concerns with your practice as a HCA, the panel was mindful that this period of employment had only been ongoing for a short period of time, and that there was no documentary evidence or testimonials provided to the panel from your employer in support of your practice to date.

In light of this, this panel determined that a finding of continued impairment would be of public interest and public protection and that even though there is continued strengthening of practice you are still impaired.

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 required.

For these reasons, the panel finds that your fitness to practise remains impaired.'

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

'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 considered substituting the current suspension order with a conditions of practice order. Despite the seriousness of your misconduct, there has been evidence produced to show that you have developing insight and of the steps taken to strengthen your practice. You have strongly indicated that you wish to return to nursing.

The panel considered the balance and found that the conditions of practice order to be most proportionate. The panel referred to the previous hearing and your previous employment and noted that you worked in relative isolation. In order to test your remediation under the new conditions you will be restricted to working under supervision and working under one substantive employer or agency to enable you to strengthen your practice in a supportive manner. The panel is aware that you have made significant progress and that you have learned from your experience. The panel determined that a suspension would be disproportionate, and that the current suspension has been effective in your improvement and insight and strengthening practice. The panel noted that your concerns are remediable and can be addressed and that it would not be proportionate to give this sanction and under a condition of practice you can safely return to nursing practice.

The suspension has further served a useful purpose as it has upheld confidence in the profession and purpose of the NMC as a regulator.

In light of the evidence received by the panel it would be disproportionate to consider a strike off.

The panel has acknowledged that you have a willingness to respond positively to further training, self-reflection and development.

The panel was satisfied that it would be possible to formulate practicable and workable conditions that, if complied with, may lead to your unrestricted return to practice and would serve to protect the public and the reputation of the profession in the meantime.

The panel decided that the public would be suitably protected as would the reputation of the profession by the implementation of the following conditions of practice:

'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 limit your nursing practice to one substantive employer.
 - a) If the substantive employer is an agency you must work in each clinical placement in a continuous period for no longer than three months**

- 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 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.

4. 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.

5. 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

6. *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.*

7. *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.*

8. *You must keep a Self-reflective practice profile*

a) *The profile must include a reflection on the care you have provided to patient against the nature of the charges found proved. This should focus on the elements related to the code of practice in the previous panel's determination.*

b) *Your ongoing training and development in supporting you in clinical practice.*

c) *You must work with your line manager or supervisor to create a personal development plan (PDP). Your PDP must address your previous concerns about your behaviour and communication with patients.*

d) You must send it to the panel before the next review.

9. You must ensure that you are supervised when you are working.

a) Your supervision must consist of:

A registered nurse working at all times on the same shift , but not always directly observed by, a registered nurse.

10. You will send your case officer evidence of progress of the RCN safeguarding by the Skills Network Course

11. You must meet with your line manager/supervisor/mentor on a monthly basis to ensure that you are making progress towards aims set in your personal development plan (PDP), which include:

a) Meeting with your line manager/supervisor/mentor at least every month to discuss your progress towards achieving the aims set out in your PDP.

b) You must send a report from your line manager/supervisor/mentor setting out your progress towards achieving the aims set out in your PDP prior to any NMC review hearing or meeting.

The period of this order is for 9 months.

This conditions of practice order will replace the current suspension order with immediate effect in accordance with Article 30(2).

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 professional development, including documentary evidence of progress of the RCN safeguarding by the skills network course, and testimonials from a line manager or supervisor that detail your current work practices*
- *Continued engagement with the NMC'*

Decision and reasons on current 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 defined fitness to practise as the ability of a professional on our register to practise as a nurse midwife or nursing associate safely and effectively without restriction. 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 your bundle of evidence. It has taken account of the submissions made by Mr Radley on behalf of the NMC and the submissions of Mr Olphert.

Mr Radley informed the panel that when necessary, you have made contact with the NMC and updated it on areas that you are required to do so. He submitted that it is a matter for the panel to consider whether a finding of impairment is still required.

So far as an order is concerned, Mr Radley submitted that the NMC is '*neutral*' today.

Mr Olphert's primary submission was that after 9 months of a suspension order and nearly 9 months of a conditions of practice order, the current order can properly be revoked following a finding of no impairment.

Mr Olphert took the panel to the bullet points that would assist a future reviewing panel listed by the previous reviewing panel. He submitted that the NMC have confirmed that you have continued to engage with it when required. He submitted that you were required to demonstrate progress in professional development which you have done through the completion of a Level 2 course in Safeguarding, Prevent and British Values. He submitted that this also satisfies the requirement of you outlined at condition 10 of the current conditions of practice order. Mr Olphert referred the panel to the communication between you and the RCN where it is confirmed that this course was to be provided by the RCN but this was actually conducted by an external provider.

Mr Olphert referred the panel to your reflective documents, the personal development plan with your comments, the references and the confirmation that you are undertaking a course in palliative and end of life care. He submitted that this shows that you have taken all the steps available to you to develop your practice. He informed the panel that you have struggled to gain employment in a nursing capacity. He informed the panel that you have applied to over 200 roles and you have not been successful. You would like to continue to work in care or nursing homes and it is difficult to secure this employment with a condition of direct supervision by another nurse being imposed on your practise.

Mr Olphert informed the panel that you have undertaken some Health Care Assistant work and voluntary work in the care sector since the imposition of the substantive order.

Mr Olphert therefore submitted that you have demonstrated compliance with the points listed by the previous reviewing panel and you have shown deep insight and that you are a safe and effective practitioner.

Mr Olphert submitted that a member of the public, aware of all of the facts and history of this case together with the work you have put in, would not be shocked that you were no longer considered to be impaired and would expect you to practice without restriction. Mr

Olphert submitted that you previously had a 20 year long unblemished career and it would be wasteful to not allow you to work as a registered nurse with this experience.

Mr Olphert informed the panel of the impact of the current conditions of practice order. He explained that you have not had the opportunity to work in the role you love [PRIVATE].

Mr Olphert submitted that if the panel is not with him and determines that there remains current impairment, he would invite the panel to continue a conditions of practice order but to vary some conditions. He submitted that the current conditions 2 and 3 are duplicative so one can be removed. He submitted that you have completed the course outlined in condition 10 and so this should be removed. Additionally, Mr Olphert invited the panel to remove condition 9 to allow you to return to work. He submitted that any safeguarding concerns can be met through the mentorship and feedback requirements set out in condition 11.

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.

In its consideration of whether you have taken steps to strengthen your practice, the panel took into account that you have complied with the recommendations suggested by the last panel. It noted that you have not been able to comply with the conditions of practice as you have been unable to secure a post as a registered nurse in the care home sector which you have worked in as a nurse for the last 20 years. The panel noted that you have made numerous applications to care homes without result. In this regard, the panel considered that it is not your fault that you have been unable to comply with the conditions of practice order. It also noted that you have kept in contact with the NMC.

The panel noted the positive testimonials from your colleagues and the certificate showing that you have completed a course relevant to your nursing practice and that you are in the

process of completing another course. The panel noted that you have worked as a Health Care Assistant and you have undertaken other roles in the healthcare environment since the imposition of the substantive order. The panel considered that you have provided persuasive evidence that you have strengthened your practice in the limits of your current conditions of practice order.

The panel therefore determined that you have taken significant steps to strengthen your practice.

The panel then considered your insight. It noted that the last reviewing panel found that you had developing insight. At this hearing the panel noted the full and detailed reflection you have provided which details the previous roles you have undertaken since the imposition of the substantive order and what you have learnt from these roles. It also noted the steps you have shown through your personal development plan. The panel therefore concluded that you have now shown sufficient insight into your actions.

The panel considered that despite the insight and steps to strengthen your practice being sufficient, you have unfortunately not been able to demonstrate your ability to work safely and effectively as a registered nurse. Therefore, the panel was not satisfied that the risk of repetition has been sufficiently reduced.

In light of this, the panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection.

The panel determined that, in this case, a finding of continuing impairment on the ground of the wider public interest is not required because of the sanctions already imposed and the significant steps you have taken to strengthen your practice together with the insight you have shown. A well informed member of the public would consider that after 18 months of being subject to a substantive order in respect of your misconduct is sufficient to meet the wider public interest.

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 but concluded that this would be inappropriate in view of the public protection concerns identified.

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 your practice would not be appropriate in the circumstances.

The panel next considered whether imposing a varied 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 public protection concern highlighted in this case. The panel accepted that you have been complying with current substantive conditions of practice order to the extent possible and you have been engaging with the NMC.

The panel was of the view that a varied conditions of practice order is sufficient to protect patients.

The panel agreed with the first reviewing panel 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 six months, which will come into effect on the expiry of the current order, namely at the end of 24 March 2026. The panel considered that six months

would be sufficient for you to secure a nursing post and provide evidence of your compliance with these conditions.

The panel agreed with the submissions of Mr Olphert that conditions 2 and 3 are an exact duplication and so removed condition 3. The panel then considered that condition 9 has made it unworkable for you to find employment as a registered nurse in a care home setting. The panel is satisfied that a condition requiring direct or indirect supervision is not proportionate or workable in this case.

The panel was of the view that condition 11 imposing a requirement to meet with your line manager or supervisor on a monthly basis would afford you adequate clinical supervision to ensure that you are practising safely and effectively in a nursing capacity. However, the panel considered that a mentor would not be sufficient because of the removal of any direct or indirect supervision requirements, and so it would be necessary for these meetings to be conducted by your line manager or supervisor.

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 limit your nursing practice to one substantive employer.
 - a) If the substantive employer is an agency you must work in each clinical placement in a continuous period for no longer than three months

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 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
4. 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.
5. 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.
6. You must keep a Self-reflective practice profile
- a) The profile must include a reflection on the nursing care you have provided to patient against

the nature of the charges found proved. This should focus on the elements related to the code of practice in the panel's determination at the substantive hearing.

b) Your ongoing training and development in supporting you in clinical practice.

c) You must work with your line manager or supervisor to update your personal development plan (PDP). Your PDP must address your previous concerns about your behaviour and communication with patients.

d) You must send it to the panel before the next review.

7. You must meet with your line manager or supervisor on a monthly basis to ensure that you are making progress towards aims set in your personal development plan (PDP), which include:

a) Meeting with your line manager or supervisor at least every month to discuss your progress towards achieving the aims set out in your PDP.

b) You must send a report from your line manager or supervisor setting out any examples of good practice directly observed by your manager or supervisor prior to and NMC review hearing or meeting.

The period of this order is for six months.

This conditions of practice order will take effect upon the expiry of the current conditions of practice order, namely the end of 24 March 2026 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.

This will be confirmed to you in writing.

That concludes this determination.