

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

**Substantive Order Review Hearing
Tuesday, 13 January 2026**

Virtual Hearing

Name of Registrant: **Geraldine Bamford**

NMC PIN: 8711893E

Part(s) of the register: Registered Nurse: Sub Part 1
RN1: Adult nurse, level 1 (5 February 2006)
RN2: Adult nurse, level 2 (6 November 1989)

Relevant Location: Chester

Type of case: Misconduct

Panel members: Anica Alvarez Nishio (Chair, Lay member)
Lauren Harrison (Registrant member)
Paula Charlesworth (Lay member)

Legal Assessor: Christopher McKay

Hearings Coordinator: Aisha Charway

Nursing and Midwifery Council: Represented by Nawazish Choudhury, Case Presenter

Mrs Bamford: Not present and unrepresented

Order being reviewed: Conditions of practice order (12 months)

Fitness to practise: Impaired

Outcome: **Order to lapse upon expiry in accordance with Article 30 (1), namely 11 February 2026**

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Mrs Bamford was not in attendance and that the Notice of Hearing had been sent to Mrs Bamford's registered email address by secure email on 15 December 2025.

Mr Choudhury, 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 had been sent to Mrs Bamford's registered email address, 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 Bamford's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence, and had been sent with an adequate number of days' notice.

In light of all of the information available, the panel was satisfied that Mrs Bamford 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 Bamford

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

Mr Choudhury referred the panel to an email dated 23 December 2025 in which Mrs Bamford stated that she would not be in attendance and no longer wishes to engage in the profession. He submitted that Mrs Bamford had not made any application to adjourn, that should the proceedings adjourn there was no guarantee that Mrs Bamford would attend on

a future occasion and that the current order was due to expire on 11 February 2026. In light of these, and in the interests of justice, he submitted that the hearing should proceed.

The panel accepted the advice of the legal assessor.

The panel has decided to proceed in the absence of Mrs Bamford. In reaching this decision, the panel has considered the submissions of Mr Choudhury, the email from Mrs Bamford sent on the 23 December 2025, 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:

- No application for an adjournment has been made by Mrs Bamford.
- Mrs Bamford has informed the NMC that she has received the Notice of Hearing and confirmed she no longer wishes to engage in the profession.
- The order is due to expire on the 11 February 2026.
- 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.

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

Decision and reasons on review of the substantive order

The panel decided to allow the substantive conditions of practice order to lapse upon expiry on 11 February 2026 with a finding of impairment in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order)

This order will come into effect at the end of 11 February 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the first review of a substantive conditions of practice order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 14 January 2025.

The current order is due to expire at the end of 11 February 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) ...

a) ...

b) ...

c) ...

d) ...

2) ...

3) ...

a) ...

b) ...

4) *On 28 May 2023 in relation to Resident B:*

a) ...

b) ...

c) *Gave 2 x Morphine Sulphate ampoules (10mg each) and 3 x Glycopyrronium vials (200mcg each) medication subcutaneously as a stat dose –*

i. Without a witness being present

ii. Not via a syringe driver as prescribed and instructed on the box.

iii. Not over a 24-hour period.'

The original substantive 14 January 2025 panel determined the following with regard to impairment:

'The panel next went on to decide if, as a result of the misconduct, Mrs Bamford's fitness to practise is currently impaired.'

In coming to its decision, the panel had regard to the Fitness to Practise Library, updated on 27 March 2023, which states:

'The question that will help decide whether a professional's fitness to practise is impaired is:

"Can the nurse, midwife or nursing associate practise kindly, safely and professionally?"

If the answer to this question is yes, then the likelihood is that the professional's fitness to practise is not impaired.'

Nurses occupy a position of privilege and trust in society and are expected at all times to be professional. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. They must make sure that their conduct at all times justifies both their patients' and the public's trust in the profession.

In this regard the panel considered the judgment of Mrs Justice Cox in the case of CHRE v NMC and Grant in reaching its decision. In paragraph 74, she said:

'In determining whether a practitioner's fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.'

In paragraph 76, Mrs Justice Cox referred to Dame Janet Smith's "test" which reads as follows:

'Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her/ fitness to practise is impaired in the sense that S/He:

- a) has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
- b) has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*
- c) has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*
- d) ...'*

The panel determined that limbs a, b and c of Grant are engaged both as to the past and the future. The panel found that Mrs Bamford's actions in charge 4c(i) had the potential to cause patient harm. Although Mrs Bamford administered a prescribed dose of Morphine Sulphate, it was the upper level of the dose prescribed in the Anticipatory Drug Authorisation to Administer form. The panel took the view that having a witness present would have mitigated the unwarranted risk of harm to Resident B. The panel found that Mrs Bamford's misconduct had breached fundamental tenets of the nursing profession in administering a controlled drug without a witness and therefore brought its reputation into disrepute.

The panel considered Mrs Bamford's misconduct to be remediable because it is a drug administration error without a witness present, as required. However, Mrs Bamford has not demonstrated an understanding of why what she did was wrong

and how this impacted negatively on the reputation of the nursing profession. The panel had regard to the local investigation meeting notes dated 31 May 2023 and found no evidence of Mrs Bamford's understanding of the importance of having a witness present when administering controlled drugs.

During the hearing, the panel heard Witness 1 describe Mrs Bamford as "a very caring nurse who lacked confidence but would ask if she was unsure" and Witness 2 describe her as "an amazing lady, very empathetic, very kind, a good nurse who would ask for advice". Both Witness 1 and Witness 2 are practising registered nurses who supervised Mrs Bamford at the relevant time.

Mrs Bamford has not engaged in this hearing, so the panel could not determine her level of insight. The panel had no updated information as to what Mrs Bamford is currently doing. Further, the panel has no evidence of relevant training and no recent reflective statement. Without evidence of remediation, the panel could not be confident that matters of the kind found proved would not be repeated in the future. It therefore decided that a finding of impairment is necessary on the ground of public protection.

The panel bore in mind that the overarching objectives of the NMC are to protect, promote and maintain the health, safety and well-being of the public and patients, and to uphold/protect the wider public interest, which includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions.

The panel determined that a finding of impairment on public interest grounds is required because of Mrs Bamford's misconduct and the risk of repetition. The panel concluded that, given the breach of fundamental tenets of the profession, public confidence in the profession would be undermined if a finding of impairment were not made in this case and therefore finds her fitness to practise impaired on public interest grounds.

Having regard to all of the above, the panel was satisfied that Mrs Bamford's fitness to practise is currently impaired).'

The original substantive panel determined the following with regard to sanction:

'Having found Mrs Bamford's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose in this case. The panel has borne in mind that any sanction imposed must be appropriate and proportionate and, although not intended to be punitive in its effect, may have such consequences. The panel had careful regard to the SG. The decision on sanction is a matter for the panel independently exercising its own judgement.'

The panel took into account the following aggravating features:

- *Lack of insight into failings.*
- *Conduct which put patients at risk of suffering harm.*

The panel also took into account the following mitigating features:

- *Open and honest about the incident at the local investigation.*
- *Witness 1 and Witness 2 speaking highly of Mrs Bamford as a kind and caring nurse.*
- *The context of Mrs Bamford doing her best to make an 'actively dying' resident comfortable, in the presence of their family, despite the Home not having the correct equipment on site; alongside caring for other residents as the only registered nurse on shift.*

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the public protection considerations in this 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 Mrs Bamford's practice would not be appropriate in the circumstances. 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 Mrs Bamford'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 took into account the SG, in particular:

- No evidence of harmful deep-seated personality or attitudinal problems;*
- Identifiable areas of the nurse or midwife's practice in need of assessment and/or retraining;*
- No evidence of general incompetence;*
- Patients will not be put in danger either directly or indirectly as a result of the conditions;*
- The conditions will protect patients during the period they are in force; and*
- Conditions can be created that can be monitored and assessed.*

The panel found that a conditions of practice order would be the most suitable and effective sanction. When considering the misconduct in this case, the panel determined that it would be possible to formulate appropriate and practicable conditions which would address the failings highlighted and protect the public. The panel heard from two witnesses that Mrs Bamford is fundamentally a good nurse. Although the panel did not have evidence of Mrs Bamford's willingness to respond positively to retraining, it took the view that her misconduct is in an area of practice that is easily remediated. It concluded that a conditions of practice order would allow Mrs Bamford the opportunity to demonstrate safe practice.

Balancing all these factors, the panel determined that the appropriate and proportionate sanction is that of a conditions of practice order.

The panel was of the view that to impose a suspension order would be wholly disproportionate and punitive, and would not be a reasonable response in the circumstances of Mrs Bamford's case. The panel took the view that there is a public interest in returning an otherwise competent nurse to the register.

Having regard to the matters it has identified, the panel has concluded that a conditions of practice order will mark the importance of maintaining public confidence in the profession and will send to the public and the profession a clear message about the standards of practice required of a registered nurse.

The panel determined that the following conditions 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 ensure that you are directly supervised by another registered nurse any time you are engaged in the administration of medication until assessed and deemed competent to do so by another registered nurse.*

Thereafter, you must ensure that you are working at all times on the same shift as, but not always directly observed by another registered nurse when administering medication until deemed competent by your mentor or supervisor.

- 2. You must create a Personal Development Plan (PDP) you're your line manager, mentor or supervisor demonstrating your progress during this period, focused on safe medication administration.*
- 3. You must meet monthly with your line manager, mentor or supervisor to discuss your PDP. Prior to any NMC review, you must send your case officer a copy of your PDP.*

4. *You must limit your practice to a single substantive employer, which must not be an agency.*

5. *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.*

6. *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.*

7. *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.*

8. *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.*

9. *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, which the panel considered was sufficient time for Mrs Bamford to secure employment and remediate the concerns highlighted.

Before the order expires, a panel will hold a review hearing to see how well Mrs Bamford has 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.

The panel encourage Mrs Bamford to return to practice. Any future panel reviewing this case would be assisted by:

- Mrs Bamford's attendance at any future review.*
- A reflective piece demonstrating her insight into safe medicines management, including controlled drugs.*
- Evidence of relevant training in medicines management and administration, including controlled drugs.*
- Testimonials).*

Decision and reasons on current impairment

The panel has considered carefully whether Mrs Bamford's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as a registrant's suitability to remain on the register 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 had regard to all of the documentation before it, including the NMC bundle and communications sent by Mrs Bamford.

It has taken account of the submissions made by Mr Choudhury on behalf of the NMC.

He submitted that Mrs Bamford is still impaired and remains on the register only for the purposes of this order. Mr Choudhury noted that Mrs Bamford's registration had expired on 30 November 2023. He further noted that Mrs Bamford did not attend the substantive hearing, has not engaged with the NMC since, and has not complied with the substantive panel's recommendations. She has not provided any evidence of developing insight or improvement to practice. She has not attended this review and has not provided a reflective statement, any evidence of relevant training or testimonials.

Mr Choudhury suggested that the panel take into consideration the NMC guidance Rev-2h Lapse with impairment.

- *'A panel will allow a professional to lapse with impairment where:*
- *the professional would no longer be on the register but for the order in place;*
- *the panel can no longer conclude that the professional is likely to return to safe unrestricted practice within a reasonable period of time;*
- *a striking off order isn't appropriate.'*

He submitted that allowing the order to lapse with a finding of impairment would be appropriate, and he made reference to Mrs Bamford's email dated 23 December 2025 which stated her intention of not wanting to practice as a nurse anymore.

Mr Choudhury further noted that the purpose of any sanction less than striking off order is to give the registrant an opportunity to reflect, have time and most importantly to evidence the remediation of the concerns with evidence to support whether they wish to return to the practise of the nursing profession at some point in the future. He submitted that the purpose of a substantive order review is not to give an indefinite time for the registrant to make up their mind, and that Mrs Bamford has given clear indication that she does not

wish to return to nursing practice. Mr Choudhury submitted that Mrs Bamford has not supplied any reasons at length as to why she no longer wishes to engage in the profession and that it is the panel's discretion if they choose another sanction which will allow Mrs Bamford to engage in the proceedings and evidence her intentions. He noted that as she is not in attendance at today's hearing that the NMC instructs him to submit that the order should lapse with a finding of impairment.

The panel heard and accepted the advice of the legal assessor.

The panel had regard to the NMC bundle.

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 Mrs Bamford's fitness to practise remains impaired.

The panel noted that the original substantive panel found that Mrs Bamford had insufficient insight.

At this hearing the panel was sympathetic to the circumstances that surrounded the original case. However, it noted the previous panel had made a finding of impairment and that the first three limbs of the *Grant* test from the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council and (2) Grant [2011] EWHC 927 (Admin)* were engaged for past and future conduct. The panel further noted that at this hearing Mrs Bamford has not addressed any of the previous panel's recommendations:

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

- *Mrs Bamford's attendance at any future review.*
- *A reflective piece demonstrating her insight into safe medicines management, including controlled drugs.*
- *Evidence of relevant training in medicines management and administration, including controlled drugs.*

- *Testimonials'*

The panel also took into account that Mrs Bamford has not attended this review hearing.

The original substantive panel determined that Mrs Bamford was liable to repeat matters of the kind found proved. Today's panel has determined that, in absence of any evidence of remediation, improving insight or strengthened practice there is a continued risk of repetition of the kind of matters 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 not required.

The panel took into account the context of the single finding of misconduct at the original substantive hearing. It concluded that a previous finding of impairment on public interest grounds was necessary, however it considered that the matters happened over a year ago and noted that Mrs Bamford has stated she no longer wishes to engage with the profession and that an ordinary member of public would not be alarmed if a finding of impairment was not found on public interest grounds.

For these reasons, the panel finds that Mrs Bamford's fitness to practise remains impaired on public protection grounds only.

Decision and reasons on sanction

Having found Mrs Bamford'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(1) of the Order. The panel also took into account the 'NMC's Sanctions Guidance' (SG) and bore in mind that the purpose of a sanction is not to be punitive, though any sanction imposed may have a punitive effect.

In considering whether a caution order would be appropriate in the circumstances, the panel took into account the SG, which 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 noted that Mrs Bamford has not shown developed insight into her conduct. The panel noted that a caution order would not be suitable or appropriate due to nature of the original concerns.

The panel then went on to consider whether it would be proportionate to impose a more restrictive sanction and looked at extending the current conditions of practice order. The panel noted Mrs Bamford had not complied or engaged with the previous conditions of practice order set by the original substantive panel. It concluded that making a new order was not appropriate as Mrs Bamford has not engaged in these proceedings and has clearly stated her intention not to practise as a Registered Nurse.

The panel was of the view that a suspension order would have a punitive effect as it would restrict Mrs Bamford, should she decide to return to nursing in the future, as she would not be able to demonstrate to a future panel that she has remediated the concerns.

The panel was of the view that a striking off order would be a disproportionate consequence of the misconduct found proved.

The panel acknowledged the positive testimonials from the previous substantive hearing and noted that, while Mrs Bamford has stated in an email that she no longer wishes to engage with the profession, allowing the order to lapse with impairment would leave the door open for her should she decide to return to nursing in the future. The panel noted that conditions of practice are not intended to endure in perpetuity. The panel noted the NMC values of respect and fairness, and in line with Mrs Bamford's intentions determined that allowing the order to lapse with a finding of impairment would be the most appropriate outcome.

The panel had regard to NMC guidance 'REV-2h' and noted that the guidance stated:

A panel will allow a professional to lapse with impairment where:

- *the professional would no longer be on the register but for the order in place.*
- *the panel can no longer conclude that the professional is likely to return to safe unrestricted practice within a reasonable period of time.*
- *a striking off order isn't appropriate.*

In relation to the first point the panel acknowledged that Mrs Bamford would no longer be on the register were it not for the conditions of practice order being in place as her registration expired on 30 November 2023. The panel took into consideration that Mrs Bamford had had a year to engage with these proceedings, and she has not attended the hearings nor provided any written evidence.

The panel took into account that Mrs Bamford has been consistent since 8 February 2025 in her emails where she has stated her intention to no longer engage in the profession.

The panel bore in mind the NMC's overarching objective, which is to protect the public, maintain public confidence in the profession and uphold proper standards of conduct. It noted that the persuasive burden to prove fitness to practise rests with Mrs Bamford. Should Mrs Bamford want to rejoin the register, she must clear the high threshold demanded and demonstrate to the Registrar that she has addressed the concerns previously highlighted and remediated to such an extent, that they are persuaded that Mrs Bamford is no longer a risk to the public. The panel noted that this would address public protection concerns.

The panel decided that the appropriate and proportionate action is to allow the substantive conditions of practice order to lapse upon expiry on 11 February 2026 with a finding of impairment in accordance with Article 30(1).

This will be confirmed to Mrs Bamford in writing.

That concludes this determination