

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

**Substantive Order Review Meeting
Friday 12 December 2025**

Nursing and Midwifery Council
10 George Street, Edinburgh, EH2 2PF

Name of Registrant: Mary Frances Jamieson

NMC PIN: 99C0143S

Part(s) of the register: Registered Nurse – Sub Part 1
Adult Nursing – 13 September 2010

Relevant Location: North Lanarkshire

Type of case: Misconduct

Panel members: Anne Ng (Chair, lay member)
Karen Gardiner (Registrant member)
Cerys Jones (Lay member)

Legal Assessor: Charles Parsley

Hearings Coordinator: Fionnuala Contier-Lawrie

Order being reviewed: Suspension order (12 months)

Fitness to practise: Impaired

Outcome: **Order to lapse upon expiry in accordance with Article 30 (1), on 21 January 2026**

Decision and reasons on service of Notice of Meeting

The panel noted at the start of this meeting that the Notice of Meeting had been sent to Ms Jamieson's registered email address by secure email on 06 November 2025.

The panel took into account that the Notice of Meeting provided details of the review that the review meeting would be held no sooner than 08 December 2025 and inviting Ms Jamieson to provide any written evidence seven days before this date.

The panel accepted the advice of the legal assessor.

In the light of all of the information available, the panel was satisfied that Ms Jamieson 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

In accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order) the panel decided to allow the current suspension order to lapse on expiry on 21 January 2026.

This is the third review of a substantive suspension order originally imposed for a period of 4 months by a Fitness to Practise Committee panel on 22 February 2024. This was reviewed on 12 June 2024 whereby the panel extended the suspension order for a further 6 months. This was reviewed again on 12 December 2024 whereby the panel imposed a suspension order of 12 months.

The current order is due to expire at the end of 21 January 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. In respect of Patient A:

b. Between 25 February 2020 and 26 February 2020 recorded on Patient A's Pressure Care Chart Colleague B's initials to indicate that Colleague B had been present during a Pressure Care Check when she had not.

5. Your conduct at Charge 1(b) was dishonest in that you deliberately recorded on Patient A's Pressure Area Care Chart Colleague B's initials to indicate that Colleague B had been present during a Pressure Care Check when you knew Colleague B had not been present.

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

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

'The panel considered whether Mrs Jamieson'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 carried out a comprehensive review of the current suspension order. Whilst it noted the decision of the last panel, this panel exercised its own judgement as to current impairment.

The panel had regard to all of the documentation before it, including the NMC bundle and the correspondence from Mrs Jamieson. It has taken account of the submissions from by Ms Boesche on behalf of the NMC. The panel also had regard to the recommendations of the previous panel which set out the type of information that Mrs Jamieson may consider providing to assist this panel in its deliberations as follows:

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

- Mrs Jamieson's attendance at any review of this order.*

- *A written reflective piece showing Mrs Jamieson's understanding and insight into the impact of her misconduct on patients, colleagues and the nursing profession.*
- *Evidence of any steps Mrs Jamieson has taken to strengthen her practice to ensure that the misconduct would not be repeated.*
- *Relevant training addressing the concerns raised in relation to record keeping and honesty.*
- *Any relevant up to date testimonials from any work undertaken, paid or voluntary.*
- *Evidence of where Mrs Jamieson has demonstrated good record keeping practice and honest behaviour.'*

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 noted that at the last review hearing, it was found that Mrs Jamieson's insight remained insufficient to address the concerns identified at the substantive hearing. In the absence of any new information to undermine the substantive hearing panel's finding of impairment, the review panel concluded that Mrs Jamieson's fitness to practice remained impaired. At this hearing, the panel also had no new information about the steps Mrs Jamieson had taken to develop her insight and/or meet the recommendations of the previous review panel.

The panel also took into account the lack of information has made the panel unclear about her current situation from a professional and health perspective. It is unclear to the panel the nature of Mrs Jamieson's current employment status and although Mrs Jamieson has given brief details about being unwell the panel do not have any independent information on how this impacts upon Mrs Jamieson. This panel therefore determined Mrs Jamieson's fitness to practice remains impaired.

The panel noted that at the substantive hearing, the test for impairment set out in the Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery

Council and (2) Grant [2011] EWHC 927 (Admin), [2011] ACD 72 was found to be engaged in limbs b,c and d relating to the reputation of the nursing profession, breach of fundamental tenants of the profession and acting dishonestly. This was considered and confirmed by the first review hearing.

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 a well-informed member of the public would be extremely concerned if the NMC did not make a finding of impairment in these circumstances. 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 Mrs Jamieson's fitness to practise remains impaired.'

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

'Having found Mrs Jamieson's fitness to practise currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel noted its powers set out in Article 30 of the Order. The panel also took into account the 'NMC's Sanctions Guidance' (SG) and 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 again determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mrs Jamieson's 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 Mrs Jamieson's 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 next considered whether a conditions of practice order on Mrs Jamieson'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 bore in mind the seriousness of the facts found proved at the original hearing and concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest. The panel was not able to formulate conditions of practice that would adequately address the concerns relating to her dishonesty and misconduct.

The panel considered the imposition of a further period of suspension. The panel concluded that a further 12 month suspension order would be the appropriate and proportionate response and would afford Mrs Jamieson adequate time to further develop her insight and take steps to strengthen their practice.

The panel determined therefore that a suspension order is the appropriate sanction which would continue to satisfy the wider public interest. Accordingly, the panel determined to impose a suspension order for the period of 12 months would provide Mrs Jamieson with an opportunity to engage with the NMC and address the concerns.

This suspension order will take effect upon the expiry of the current suspension order, namely the end of 21 January 2025 in accordance with Article 30(1)

Before the end of the period of suspension, another panel will review the order. At the review hearing the panel may revoke the order, or it may confirm the order, or it may replace the order with another order.

Any future panel reviewing this case would be assisted by:

- *Mrs Jamieson's attendance at any review of this order.*
- *A written reflective piece showing Mrs Jamieson's understanding and insight into the impact of her misconduct on patients, colleagues and the nursing profession.*
- *Evidence of any steps Mrs Jamieson has taken to strengthen her practice to ensure that the misconduct would not be repeated.*
- *Relevant training addressing the concerns raised in relation to record keeping and honesty.*
- *Any relevant up to date testimonials from any work undertaken, paid or voluntary.*
- *Evidence of where Mrs Jamieson has demonstrated good record keeping practice and honest behaviour.*
- *An indication from Mrs Jamieson as to her intentions in relation to her return to practice with supporting evidence. '*

Decision and reasons on current impairment

The panel has considered carefully whether Ms Jamieson'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 has had regard to all of the documentation before it, including the NMC bundle.

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 Jamieson's fitness to practise remains impaired.

The panel took into consideration that it had no new information before it today to show any steps Ms Jamieson had taken to develop her insight and/or meet the recommendations of the previous panel. While the panel was not bound by the decisions of the previous panel, Ms Jamieson has not engaged with the NMC and therefore there is nothing to undermine the findings of the previous panel. In light of this, the panel determined that a finding of impairment remains 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 Jamieson's fitness to practise remains impaired.

Decision and reasons on sanction

Having found Ms Jamieson'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' (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 has also borne in mind the principle of proportionality when considering sanction.

The panel had regard to previous findings on impairment in coming to this decision. It bore in mind that its primary purpose is to protect the public and maintain public confidence in the nursing profession and the NMC as its regulator.

The panel had regard to the NMC guidance titled '*Removal from the register when there is a substantive order in place*' reference '*REV-3h*', last updated 30 August 2024. The panel bore in mind the NMC values of '*Fairness and Kindness*'.

The panel determined that the public is suitably protected, and the public interest concerns are adequately addressed in allowing the current order to lapse and Ms Jamieson will

consequently *'fall'* off the register and therefore will not be able to practise as a Registered Nurse. In reaching this decision the panel took into account that it has made a finding of impairment which will be viewed by the NMC Registrar if Ms Jamieson ever seeks to rejoin the register.

The panel determined that allowing the order to lapse with a finding of current impairment is the appropriate and proportionate sanction to sufficiently protect the public, maintain the public's trust and confidence in the profession and uphold professional standards.

In reaching this decision the panel determined that a further suspension order would not be appropriate or proportionate.

The panel considered that a striking off order would be disproportionate in that Ms Jamieson's misconduct is not fundamentally incompatible with remaining of the register.

Ms Jamieson has not engaged with the NMC despite the opportunities offered by the previous panels. Were it not for the continuation for these proceedings, Ms Jamieson's name would have automatically come off the register as her registration fee expired on 31 October 2021. The panel noted that if Ms Jamieson wished to resume practice, she would need to satisfy the registrar that she should be readmitted to the register when there is a finding of impairment against her name.

The panel therefore determined that allowing the current suspension order to lapse was the appropriate and proportionate order in the circumstances.

In accordance with Article 30(1), the suspension order will lapse upon expiry, namely the end of 21 January 2026.

This will be confirmed to Ms Jamieson in writing

That concludes this determination.