

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

**Substantive Order Review Meeting
Thursday, 29 January 2026**

Virtual Meeting

Name of Registrant: Lisa Kavanagh

NMC PIN: 14A1443E

Part(s) of the register: Registered Nurse – Mental Health

Relevant Location: Level 1 – 19 March 2014

Type of case: Bexhill-on-Sea

Panel members: Judith Webb (Chair, lay member)
Rosalyn Mloyi (Registrant member)
Margaret Jolley (Lay member)

Legal Assessor: Paul Housego

Hearings Coordinator: Catherine Acevedo

Order being reviewed: Suspension order (12 months)

Fitness to practise: Impaired

Outcome: **Order to lapse with impairment upon expiry in accordance with Article 30 (1), namely at the end of 12 March 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 Mrs Kavanagh's registered email address by secure email on 18 December 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 26 January 2026 and invited Mrs Kavanagh 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 Mrs Kavanagh 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 allow the order to lapse with impairment upon its expiry. This will come into effect at the end of 12 March 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 12 February 2024. This was reviewed on 27 January 2025 when a suspension order was imposed for a period of 12 months.

The current order is due to expire at the end of 12 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:

'That you, a registered nurse

On 15 April 2022 after Resident A's Omnipod Dash Insulin Pump had stopped working;

1) Did not check Resident A's blood glucose levels.

2) Did not call the out of hours GP service to escalate that Resident A required an insulin emergency insulin pen/prescription.

3) Did not escalate that Resident A required emergency insulin to senior members of staff/the Home Manager

4) Incorrectly dispensed/drew up 700 units of insulin instead of 7 units in a non-insulin syringe for Resident A.

5) Inaccurately recorded the incident in Resident A's medical records under Colleague Z's name.

6) Inaccurately recorded that that Resident A drew 700 units of insulin in the syringe.

On 2 May 2022;

7) During you shift incorrectly threw away/misplaced 4 Longtec tablet.

8) Did not conduct a controlled drug medication check with Colleague Y before handing over to the night shift.

9) Did not follow the destroyed medication procedure in that you did not;

a) Ask a second nurse/clinical lead/manager to see the destroyed medication.

b) Did not place the destroyed medication into the 'Doom Box'

c) Did not write that the medication had been destroyed on the back of Resident A's MAR Chart.

d) Did not request a replacement prescription for destroyed medication from the GP.

e) Did not record an entry into the 'Destroyed Medication Book'

10) Inaccurately informed Colleague Y that you had;

a) Crushed the tablets with a medication trolley.

b) Trod on the medication.

11) Inaccurately recorded in the Controlled Drug Book that you had;

a) Accidentally dropped 4 tablets.

b) Trod on them.

12) Asked Colleague X to inaccurately countersign your entry that the medication was dropped/trod on in the Controlled Drug Book.

13) Your actions in one or more of charge 10) a), 10) b), 11) a), 11) b) & 12) above were dishonest in that you;

a) Sought to conceal that you had failed to dispose of controlled drugs properly and/or;

b) Sought to conceal that you had lost/misplaced controlled drugs.

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

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

'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 Kavanagh's fitness to practise remains impaired.

The panel noted that Mrs Kavanagh has not provided any evidence of strengthening her practice and has not engaged with any of the recommendations made by the substantive hearing panel. The panel also noted that Mrs Kavanagh has not engaged with the NMC since the substantive hearing last year.

The substantive hearing panel determined that Mrs Kavanagh was liable to repeat the matters found. Today's panel had no information before it to suggest a material change in the circumstances. In light of this, it determined, in the absence of any evidence of strengthening of practice, there remains a risk of repetition of the 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 also required.

For these reasons, the panel finds that Mrs Kavanagh's fitness to practise remains impaired.'

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

'The panel next considered whether a conditions of practice on Mrs Kavanagh'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 substantive hearing and concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest. The panel noted that due to Mrs Kavanagh's lack of engagement with the NMC a conditions of practice order would not currently be appropriate or workable.

The panel considered the imposition of a further period of suspension. It was of the view that a suspension order would allow Mrs Kavanagh further time to fully reflect on her previous dishonesty and failings. It considered that Mrs Kavanagh needs to gain a full understanding of how her misconduct can impact upon the nursing profession as a whole.

The panel determined therefore that a suspension order is the appropriate sanction which would continue to both protect the public and satisfy the wider public interest. Accordingly, the panel determined to impose a suspension order for the period of 12 months would provide Mrs Kavanagh with an opportunity to engage with the NMC and provide evidence of strengthening of practice. It considered this to be the most appropriate and proportionate sanction available.

This suspension order will take effect upon the expiry of the current suspension order, namely the end of 12 March 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 Kavanagh's engagement with the next review.*
- *A detailed reflective statement*

- *Testimonials from any current employer or any other work undertaken.*
- *Evidence of further training or strengthening of practice’.*

Decision and reasons on current impairment

The panel has considered carefully whether Mrs Kavanagh’s fitness to practise remains impaired. There is no statutory definition of fitness to practise. The panel however took account of the NMC guidance on impairment (DMA-1, 27 February 2024), which suggests the question the panel should ask itself is:

‘Can the nurse, midwife or nursing associate practise kindly, safely and professionally?’.

The panel has had regard to all of the documentation before it.

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 Mrs Kavanagh’s fitness to practise remains impaired.

The panel noted that Mrs Kavanagh has not provided any evidence of strengthening her practice and has not engaged with any of the recommendations made by the substantive hearing panel. The panel also noted that Mrs Kavanagh has not engaged with the NMC since the substantive order was made on 12 February 2024.

The last reviewing panel determined that Mrs Kavanagh was liable to repeat the matters found proved. Today’s panel had no information before it to suggest a material change in the circumstances. In light of this, it determined, in the absence of any evidence of strengthening of practice, there remains a risk of repetition of the 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 also required.

For these reasons, the panel finds that Ms Kavanagh's fitness to practise remains impaired.

Decision and reasons on sanction

Having found Miss Kavanagh'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 'Removal from the register when there is a substantive order in place' guidance (REV-2h) which reads:

'This guidance is intended to help substantive order review panels decide what action to take where

- *a professional hasn't addressed outstanding fitness to practise concerns, and*
- *continuing/imposing a conditions of practice order or suspension order is unlikely to mean the professional will return to safe unrestricted practice within a reasonable period of time.'*

The panel noted that Miss Kavanagh's has not addressed the outstanding fitness to practise concerns. The panel had no evidence of any progress since the last review.

The panel was of the view that given Mrs Kavanagh's lack of engagement and lack of evidence of insight or steps taken to address the concerns, it is unlikely that she will return to safe unrestricted practice within a reasonable period of time.

The panel then considered whether to allow Miss Kavanagh's registration to lapse with a finding of impairment. It noted that guidance states:

'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.*

The panel noted Mrs Kavanagh is only on the register as a result of the substantive order and she has not engaged with the NMC since that hearing. Her registration fee expired in 2023. It also had no evidence that she has a desire to return to nursing.

In accordance with the guidance, the panel considered whether a striking-off order would be appropriate. The panel bore in mind the guidance which reads:

'The panel can impose a striking off order, removing the professional from the register. At a substantive order review, the panel will take into account both the concerns themselves and the professional's conduct since they were sanctioned. The panel will ask:

- *Are there now fundamental questions about the nurse, midwife or nursing associate's professionalism?*
- *Can public confidence in nurses, midwives and nursing associates now be maintained if the nurse, midwife or nursing associate is not struck off from the register?*
- *Is striking-off now the only sanction which will be sufficient to protect patients, members of the public, or maintain professional standards?*

The panel noted that Mrs Kavanagh has not provided any information to the panel for this hearing about progress she has made in addressing the issues with her fitness to practise. The panel determined that a striking-off order would not be appropriate now as it was not at the time the suspension was first imposed, and nothing has changed.

The panel determined that allowing the order to lapse with impairment would both protect the public and satisfy the wider public interest. It considered this to be the most appropriate and proportionate course of action. The panel determined to allow the order to lapse with a finding of impairment at its expiry, namely the end of 12 March 2026, in accordance with Article 30(1).

This decision will be confirmed to Mrs Kavanagh in writing.

That concludes this determination.