

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

**Substantive Order Review Meeting
Friday, 16 January 2026**

Virtual Meeting

Name of Registrant: Hana Musa

NMC PIN: 12K0149E

Part(s) of the register: Registered Nurse – Adult
RNA – 17 May 2013

Relevant Location: Windsor and Maidenhead

Type of case: Misconduct

Panel members: Lucy Watson (Chair, Registrant member)
Jennifer Childs (Registrant member)
Gary Trundell (Lay member)

Legal Assessor: John Bassett

Hearings Coordinator: Hamizah Sukiman

Order being reviewed: Suspension order (9 months)

Fitness to practise: Impaired

Outcome: **Suspension order (9 months) to come into effect on 1 March 2026 in accordance with Article 30 (1)**

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 Miss Musa's registered email address by secure email on 8 December 2025.

The panel took into account that the Notice of Meeting provided details of the substantive order review meeting, that this meeting would be held no sooner than 12 January 2026 and inviting Miss Musa 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 Miss Musa 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 impose a further suspension order for a period of 9 months. This order will come into effect at the end of 1 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 1 August 2024. This was reviewed on 15 April 2025, and the reviewing panel imposed a further 9-month suspension order. The current order is due to expire at the end of 1 March 2026.

The charges found proved which resulted in the imposition of the substantive order were as follows:

'That you, a registered nurse:

During the night shift of 24-25 December 2022

1) Attended work when you were unfit to safely carry out your duties as a nurse in that you:

- a) appeared unbalanced and unaware of your actions
- b) shouted and swore at a colleague
- c) followed a colleague and had to be asked to stop

On 28 December 2022:

2) Attended work when you were unfit to safely carry out your duties as a nurse.

3) Failed to provide an adequate level of care towards Patient A in that you:

- a) ...
- b) allowed your hair to “dangle” over Patient A’s face
- c) Wiped Patient A’s face aggressively with a tissue

4) Failed to communicate effectively with paramedics and/or other colleagues in that you:

- a) Used verbally abusive and/or offensive language towards them and/or in their presence
- b) Used threatening language towards them
- c) Accused the paramedics, without justification, of being racist/acting in a racist manner towards you

5) Failed to act in a professional manner towards paramedics in that you:

- a) ...
- b) Interfered with their equipment
- c) ...

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

The reviewing panel determined the following with regard to impairment:

[...] This panel concluded that Miss Musa’s insight remains unchanged. It considered that Miss Musa has not provided any information regarding her insight

into the misconduct, including any reflective accounts on the nursing profession, her colleagues and other healthcare professionals. Therefore, there was no evidence before the panel to demonstrate that Miss Musa's insight into the seriousness of her misconduct has changed.

Regarding strengthening of practice, Miss Musa has not provided any information to demonstrate the steps she has taken to demonstrate that she can practise kindly, safely or professionally. The panel has no information regarding relevant training undertaken and/or any testimonials from any voluntary or paid work.

[...] This panel considered that there has been findings of serious misconduct relating to Miss Musa's fitness to safely carry out duties while on shift, her offensive language towards fellow healthcare professionals. This panel found it concerning that no new information is before it to carry out an assessment of whether the risks identified by the original panel have been sufficiently mitigated. The panel concluded that in the absence of reflection, remediation and/or remorse, there remains a significant risk of repetition.

The panel noted that it is concerning that Miss Musa has disengaged not only from the proceedings but also from the NMC. It considered that there is no information to demonstrate a change in the attitudinal issues found by the original panel and therefore found that Miss Musa cannot practise kindly, safely or professionally at this time.

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 considered that there have been breaches of fundamental tenets of the NMC Code and that the seriousness of the misconduct found is incompatible with what the public expects of a registered nurse.

The panel determined that, in this case, a finding of continuing impairment on public interest grounds is also required.'

The reviewing panel determined the following with regard to sanction:

'The panel considered the imposition of a further period of suspension. It was of the view that a suspension order would allow Miss Musa further time to fully reflect on her previous failings.'

The panel carefully considered whether a strike-off sanction would be proportionate and appropriate in the circumstances. It noted that the misconduct found is capable of remediation and that a further suspension period would provide Miss Musa with the opportunity to demonstrate sufficient insight, strengthening of practice and that the risk of repetition has reduced.'

The panel concluded that a further 9-month suspension order would be the appropriate and proportionate response and would afford Miss Musa adequate time to further develop her insight and take steps to strengthen her practice.'

Decision and reasons on current impairment

The panel has considered carefully whether Miss Musa'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 ability to practise kindly, safely and professionally. 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 accepted the advice of the legal assessor.

The panel considered whether Miss Musa's fitness to practise remains impaired. 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. It has regard to all the documentation before it. It bore in mind the

decisions in, and principles derived from, the cases of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council and (2) Grant* [2011] EWHC 927 (Admin) and *R (on application of Cohen) v General Medical Council* [2008] EWHC 581 (Admin).

The panel considered that the charges found proved are serious, involving Miss Musa attending work whilst she was unfit to do so, her failure to provide adequate care to a patient as well as her abusive behaviour to staff. The panel endorsed the findings of previous panels, in that Miss Musa placed the patient at a risk of harm through her interference with the paramedics whilst they were attending to the patient. Further, Miss Musa brought the nursing profession into disrepute and breached the fundamental tenets of the profession through her attendance at work whilst being unfit and her subsequent abusive behaviour towards other staff members.

The panel noted that some references were made to Miss Musa suffering from an illness, particularly as these two incidents occurred in close succession, and there were no concerns in relation to Miss Musa's practice prior to this. However, this panel had no evidence substantiating any health concern.

The panel was satisfied that these concerns, whilst serious, are capable of remediation.

Bearing the above in mind, the panel considered whether Miss Musa's fitness to practise remains impaired. The panel reminded itself that the persuasive burden lies with Miss Musa to indicate that she is currently fit to practice, pursuant to the NMC Guidance, '*Standard reviews of substantive orders before they expire*' (Rev-2a).

The panel considered that the last reviewing panel was of the view that Miss Musa's insight was unchanged from August 2024, in that she had not engaged with the NMC process and had not provided any evidence of insight into her misconduct. In addition, there is no new information from Miss Musa before this panel today. The panel considered that Miss Musa has continued to not engage with the process, and has not provided the panel with evidence of her insight or remediation. This panel was therefore not satisfied that Miss Musa has demonstrated any insight into her misconduct.

Further, in its consideration of whether Miss Musa has taken steps to strengthen her practice, the panel considered that there has been no information to suggest that Miss Musa has strengthened her practice. The panel recognised that Miss Musa is currently subject to a suspension order, but it noted that no other information, such as training certificates or testimonials from non-nursing roles, has been received.

The last reviewing panel determined that Miss Musa was liable to repeat matters of the kind found proved. Today's panel has received no new information in respect of Miss Musa's insight, remediation or strengthened practice. The panel bore in mind that Miss Musa has not engaged with the substantive order review process, and has not provided any further evidence for this panel's consideration. In light of this, the panel determined that there has been no change in the level of risk posed to the public, and Miss Musa 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 was of the view that a well-informed member of the public would be concerned if no finding of impairment was made, particularly given Miss Musa's lack of engagement and the lack of insight or remediation. The panel bore in mind that the charges are serious, and it determined that public confidence in the nursing profession and the NMC as its regulator would be undermined should a finding of impairment not be made against a nurse who has demonstrated no insight into her misconduct, which included interfering with other health practitioners as well as abusive behaviour towards staff. Accordingly, the panel concluded that a finding of continuing impairment on public interest grounds is also required.

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

Decision and reasons on sanction

Having found Miss Musa'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 first considered whether to allow the current suspension order to lapse with a finding of impairment. The panel had sight of the NMC Guidance, '*Removal from the register when there is a substantive order in place*' (Rev-2h), which stated:

'There is a persuasive burden on the professional at a substantive order review to demonstrate that they have fully acknowledged why past professional performance was deficient and through insight, application, education, supervision or other achievement sufficiently addressed the past impairments.'

While Suspension Orders and Conditions of Practice Orders can be varied or extended, they are not intended to exist indefinitely. In time the professional must be allowed to practise without restriction or they must leave the register. It is neither in the interests of the public nor the professional's own interests that they are kept in limbo.

Professionals who are not subject to fitness to practise proceedings have to revalidate every three years to stay on the register. In many cases it will be more appropriate for a professional to leave the register if they have been on a substantive order for this period of time and remain impaired.'

The guidance further states, on allowing an order to lapse with a finding of impairment:

'Where the professional would no longer be on the register but for the order in place, a reviewing panel can allow the order to expire or, at an early review, revoke the order. Professionals in these circumstances will automatically be removed from

the register, or lapse, upon expiry or revocation of the order. The panel will record that the professional remains impaired.

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.*

[...]

Circumstances where lapse with impairment is likely to be appropriate include where

- *a professional has shown limited engagement and/or insight, but this is reasonably attributable to a health condition; or*
- *there has been insufficient progress*
 - *in cases involving health or English language; or*
 - *in other cases, where the lack of progress is attributable wholly or in significant part to matters outside the professional's control (e.g. health, immigration status, the ability to find work or other personal circumstances).'*

The panel considered the above guidance. The panel accepted that Miss Musa would no longer be on the register but for the substantive order in place.

The panel noted that there is no evidence before it of Miss Musa's future intentions in respect of her nursing career to no longer conclude that she is likely to return to safe, unrestricted practice within a reasonable period of time. Notwithstanding this, the panel bore in mind that Miss Musa has not engaged with this process since the substantive meeting on 1 August 2024, which was approximately 18 months ago. The panel was of the view that insufficient time has passed for it to conclude that Miss Musa is unlikely to return to safe, unrestricted practice at this stage. The panel determined that Miss Musa may

decide to re-engage with the NMC, and in these circumstances, she may be able to return to safe, unrestricted practice within a reasonable period of time.

The panel next considered the aggravating and mitigating factors, as outlined by previous panels. This panel broadly endorsed the substantive meeting panel's observations of aggravating features. However, whilst it was of the view Miss Musa did attend work whilst unfit to do so, it had no evidence before it to suggest that Miss Musa did so whilst knowing she was on medication that would impact her practice. This panel was further of the view that an additional aggravating factor, namely to interfere with emergency services whilst they were attending to the patient, was present.

Whilst the panel noted the mitigating factor outlined by the previous panel, this panel bore in mind that there is no medical evidence before it of Miss Musa's illness. The panel noted that some references have been made to it.

Bearing the above in mind, the panel then considered what sanction, if any, to impose.

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 Miss Musa'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 Miss Musa'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 on Miss Musa'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 was not able to

formulate conditions of practice that would adequately address the concerns, particularly as there is no information before it suggesting what caused Miss Musa's behaviour. Furthermore, the panel determined that a conditions of practice order would not be appropriate in these circumstances, as Miss Musa has not engaged with the NMC process and there is no guarantee that she would engage and comply with any conditions imposed upon her practice.

The panel considered the imposition of a further period of suspension. The panel bore in mind the SG, which states that suspension order may be appropriate where some of the following factors are present:

- *A single instance of misconduct but where a lesser sanction is not sufficient;*
- *No evidence of harmful deep-seated personality or attitudinal problems;*
- *No evidence of repetition of behaviour since the incident;*
- *The Committee is satisfied that the nurse or midwife has insight and does not pose a significant risk of repeating behaviour;*
- ...
- ...

The panel considered the above factors in turn.

The panel was satisfied that, whilst there were two incidents, they happened in sufficiently quick succession that, in effect, it was one single instance of misconduct. The panel noted that this was a serious incident, and a lesser sanction would not be sufficient. The panel was satisfied that there is no evidence before it of a harmful deep-seated or attitudinal concern, and there has been no evidence of repetition since the incident as Miss Musa is currently subject to a suspension order.

Accordingly, the panel was of the view that a suspension order would allow Miss Musa further time to fully reflect on her previous misconduct. The panel concluded that a further 9-month suspension order would be the appropriate and proportionate response and would afford Miss Musa adequate time to engage with the NMC and develop her insight as well as take steps to strengthen her practice.

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 9 months would provide Miss Musa with an opportunity to engage with the NMC and provide evidence of her insight, remediation and strengthened practice. It considered this to be the most appropriate and proportionate sanction available.

The panel determined that a striking-off order would be disproportionate at this stage. The panel was of the view that Miss Musa's conduct, whilst it was serious, is not fundamentally incompatible with remaining on the register.

The panel was aware that substantive orders are not intended to continue indefinitely, and that Miss Musa cannot be given unlimited opportunities to engage with the process. The time may come when a future reviewing panel may feel that its options are restricted in terms of ongoing registration, even if the underlying matters are remediable, because of a lack of engagement. However, at this stage, the panel was satisfied that a further period of suspension is the appropriate and proportionate sanction to allow Miss Musa the opportunity to develop her insight.

This suspension order will take effect upon the expiry of the current suspension order, namely the end of 1 March 2026 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:

- Miss Musa's meaningful engagement with the NMC and the substantive order review process;
- A written reflective piece relating to the misconduct found, addressing the impact of the misconduct on patients, colleagues, and the wider nursing profession;

- Evidence of strengthened practice from Miss Musa, including documentary evidence of completion of any training courses undertaken;
- Testimonials from any voluntary or paid work that supports Miss Musa's professional development;
- Miss Musa's future intention as to her plans to return to nursing.

This will be confirmed to Miss Musa in writing.

That concludes this determination.