

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

**Substantive Order Review Hearing
Wednesday, 21 January 2026**

Virtual Hearing

Name of Registrant: Lisa Warttig

NMC PIN: 13E1629E

Part(s) of the register: Registered Nurse – Sub Part 1
Adult Nurse (Level 1) – 16 September 2013

Relevant Location: Barnsley

Type of case: Misconduct

Panel members: Charlie Tye (Chair, Lay member)
Sally Shearer (Registrant member)
Norah Christie (Lay member)

Legal Assessor: Paul Hester

Hearings Coordinator: Emma Hotston

Nursing and Midwifery Council: Represented by Zainab Mohamed, Case Presenter

Miss Warttig: Not present and unrepresented

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

Fitness to practise: Impaired

Outcome: **Striking-Off order to come into effect on 26 February 2026 in accordance with Article 30(1)**

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Miss Warttig was not in attendance and that the Notice of Hearing had been sent to Miss Warttig's registered email address by secure email on 22 December 2025.

Ms Mohamed, 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 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 Miss Warttig's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

In the light of all of the information available, the panel was satisfied that Miss Warttig 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 Miss Warttig

The panel next considered whether it should proceed in the absence of Miss Warttig. The panel had regard to Rule 21 and heard the submissions of Ms Mohamed who invited the panel to continue in the absence of Miss Warttig.

Ms Mohamed referred the panel to an email sent by Miss Warttig to the NMC on 20 January 2026 where she stated that she has received the notice of hearing but is unable to attend due to work commitments. As a result, Ms Mohamed submitted Miss Warttig had voluntarily absented herself.

The panel accepted the advice of the legal assessor.

The panel has decided to proceed in the absence of Miss Warttig. In reaching this decision, the panel has considered the submissions of Ms Mohamed, and the advice of the legal assessor. It has had 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 Miss Warttig. Therefore, adjourning will not necessarily secure her attendance at a future date.
- Miss Warttig has informed the NMC that she has received the Notice of Hearing and was aware it was going ahead but was not going to attend due to work commitments.
- Whilst there may be some prejudice to Miss Warttig from proceeding in her absence, this is limited, as Miss Warttig has provided information to the panel about her current position and any prejudice is as a result of her decision not to attend.
- There is a strong public interest in the expeditious review of the order as it will expire on 26 February 2026.

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

Decision and reasons on review of the substantive order

The panel decided to replace the current conditions of practice order with a striking-off order.

This order will come into effect at the end of 26 February 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the third review of a substantive conditions of practice order originally imposed for a period of 6 months by a Fitness to Practise Committee panel on 27 January 2023. This was reviewed on 18 July 2023 and the panel extended the order for 18 months and varied

the conditions. This was further reviewed on 23 January 2025 and the panel extended the order for 12 months.

The current order is due to expire at the end of 26 February 2026.

The panel is reviewing the order pursuant to Article 30(1) of the Order.

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

'That you, a registered nurse:

1) Breached an interim conditions of practice order imposed by a panel of the Nursing & Midwifery Council's Investigating Committee on 12 June 2019 stating "You must not at any time be involved in the management or administration of medication unless under the direct supervision of another registered nurse";

a) On 7 December 2019 by:

*i) Requesting a student nurse to countersign for Oramorph without direct supervision of another registered nurse. **[Proved by admission]***

*ii) Administering Oramorph to unknown patient without direct supervision of another registered nurse. **[Proved by admission]***

b) On 10 December 2019 by:

*i) Requesting a student nurse to countersign for Morphine Sulphate and/or Oramorph without direct supervision of another registered nurse. **[Proved by admission]***

*ii) Administering Morphine Sulphate and/or Oramorph to unknown patient without direct supervision of another registered nurse. **[Proved by admission]***

2) ...

3) On 7 December 2019, failed to have controlled drug, 10mg of Oramorph, second checked when it was administered and/or the controlled drug book signed by the second checker. **[Proved]**

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 noted that the last reviewing panel found that Miss Warttig had limited insight. At this hearing, the panel have nothing to suggest her insight has improved. The panel referred to the previous reviewing's panel recommendation of providing up to date reflections. However, it has nothing before it to show Miss Warttig has reflected on her failings and in particular, insight to why complying with the conditions of practice order is important.

In its consideration of whether Miss Warttig has taken steps to strengthen her practice, the panel took into account the attendance note. The panel noted she has not practiced clinically for four years therefore, there is no evidence that she has strengthened her practice.

In the circumstances, given the seriousness of the findings, the lack of insight and the lack of evidence of strengthening of practice, the panel determined that there remained a risk of repetition and that a finding of impairment under public protection grounds is necessary.

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 were aware that Miss Warttig had found it difficult to find clinical work to enable her to demonstrate compliance with the conditions of practice. However, the panel noted that she had not provided evidence of

her reflection regarding the importance of complying with the order and evidence of training and learning, as recommended by the previous reviewing panel.

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

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

'The panel next considered whether imposing a further conditions of practice order on Miss Warttig's 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 failings highlighted in this case. The panel accepted she had been unable to comply with conditions of practice due to her current employment status but is engaging with the NMC. When asked, she did not request any changes to the conditions.

The panel was of the view that a further conditions of practice order is sufficient to protect patients and the wider public interest, noting as the original panel did that there was no deep seated attitudinal problems. In this case, there are conditions could be formulated which would protect patients during the period they are in force.

The panel was of the view that to impose a suspension order or a striking-off order would be disproportionate at this stage and would not be a reasonable response in the circumstances of Miss Warttig's case.

The panel noted that the NMC had proposed an extension of 18 months. The panel decided that a shorter extension of 12 months would sufficiently protect the public while giving Miss Warttig an opportunity to find

employment and explore opportunities for training (such as a Return To Practice Course).

The panel is satisfied that whilst a conditions of practice order is appropriate for the protection of the public and to give the registrant the opportunity to strengthen her practice for the next 12 months, such orders were not meant to be indefinite. A reviewing panel considering this matter at a subsequent review may reflect on whether such an order remains appropriate without some demonstration of further insight and strengthening practice.

Accordingly, the panel determined, pursuant to Article 30(1)(c) to make a conditions of practice order for a period of 12 months, which will come into effect on the expiry of the current order, namely at the end of 26 February 2025. 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 not at any time be involved in the management or administration of controlled drug medication unless under the direct supervision of another registered nurse.*

- 2. You must work with your line manager, mentor or supervisor to create a Personal Development Plan (PDP). Your PDP must address the concerns about controlled drug medication administration and management. You must:*
 - Send your case officer a copy of your PDP before the next review hearing.*
 - Engage with your line manager, mentor or supervisor monthly to ensure that you are making progress towards aims set in your PDP*

- *Send the NMC a report seven days in advance on the next NMC hearing or meeting from either your line manager, mentor or supervisor.*
3. *You must keep us 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 us 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*

The period of this order is 12 months.'

Decision and reasons on current impairment

The panel has considered carefully whether Miss Warttig'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 practice 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 has had regard to all of the documentation before it, including the NMC bundle, the on-table papers including Miss Warttig's email to the NMC dated 20 January 2026 and the submissions made by Ms Mohamed on behalf of the NMC.

Ms Mohamed outlined the charges and background of the case and referred the panel to the relevant parts of the bundle. She submitted that the last reviewing panel noted that Miss Warttig had been unable to comply with the conditions of practice order, as she had been unable to find employment as a nurse. The last reviewing panel formulated conditions that would enable Miss Warttig to sufficiently address the concerns, if complied with.

Addressing the panel first on impairment, Ms Mohamed submitted that there is no new evidence today that Miss Warttig's insight has improved since the previous review hearing. This includes no evidence of written reflections to demonstrate developed insight and no evidence of steps taken to address the concerns or evidence of how Miss Warttig has kept her nursing skills up to date, as recommended by the previous reviewing panel.

Ms Mohamed submitted that Miss Warttig has not practiced clinically for over five years and given the lack of evidence of developed insight and strengthening of practice, the NMC finds Miss Warttig still impaired. Therefore, a high risk of repetition remains. Ms Mohamed submitted that public confidence in the nursing profession would be damaged if Miss Warttig were able to practice without restriction.

Turning to sanction, Ms Mohamed submitted that this is a matter for the panel's judgment and it will have all sanctions available to it. She submitted that in Miss Warttig's email to the NMC dated 20 January 2026, she stated:

'I have been unable to get nursing employment (presumably due to my DBS check and time out of practice), therefore I don't have any new papers to bring to the table. I imagine I am now going to be removed from the register. It's with a heavy heart that I have lost my career through all this and I still find it upsetting and difficult to accept.'

Ms Mohamed submitted that this email from Miss Warttig demonstrates that she is aware that an order cannot continue indefinitely. Ms Mohamed submitted that the panel may want to impose a further conditions of practice order or a more restrictive order, such as a striking-off order, as a suspension order would not have any useful purpose. She submitted that there is no requirement to allow the order to lapse on expiry, as a formal statement has not been received from Miss Warttig that she wants to be removed from the register.

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 Miss Warttig's fitness to practise remains impaired.

The panel noted that the persuasive burden is on Miss Warttig to demonstrate that she is no longer impaired and were of the view that she has not discharged this burden.

The panel noted that past panels have found Miss Warttig's fitness to practise was impaired on the grounds of public protection and public interest. The panel today found that Miss Warttig's fitness to practise remains impaired on the same grounds and for the same reasons, since nothing has changed.

The panel noted that due to a lack of engagement by Miss Warttig, it did not have any new information before it to suggest that she has demonstrated any further insight into the ongoing regulatory concerns. The panel referred to the previous reviewing panel's recommendation of providing up to date reflections to demonstrate insight as to why complying with the conditions of practice order is important. The panel also has no evidence of testimonials from employers or colleagues, as recommended by the previous reviewing panel.

Further, there is no information before the panel to show that Miss Warttig has taken any steps to strengthen her practice and remediate the concerns found proved, despite being provided with ample time to do so. Whilst the panel was sympathetic that Miss Warttig has found it difficult to find clinical work to enable her to demonstrate compliance with the conditions of practice, it noted that she has not provided evidence of continued professional development and training, as recommended by the previous reviewing panel, nor is there any evidence that Miss Warttig has taken any steps to access a return to practice course, given that it appears that it has been five years since she has completed any clinical practice.

In light of this and the absence of any new information, the panel determined that Miss Warttig has not remediated her misconduct and has not developed her insight any further, and consequently, currently remains liable to repeat matters of regulatory concern of the kind found proved. The panel therefore determined that the finding of impairment was necessary on the grounds of public protection, since if she were to repeat her misconduct, it would put patients at risk of harm.

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, Miss Warttig's misconduct has breached the fundamental tenets of the NMC Code, namely, prioritising people, practicing effectively, preserving safety and promoting professionalism and trust; Therefore, a finding of continuing impairment on public interest grounds is also required. This is because members of the public would have their confidence and trust in the profession and the NMC as a regulator undermined in circumstances whereby a nurse who represented a risk of harm to the public were permitted to return to practice without restriction.

For these reasons, the panel finds that Miss Warttig's fitness to practise remains impaired on the grounds of both public protection and the wider public interest.

Decision and reasons on sanction

Having found Miss Warttig'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 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 and simply allow the order to lapse.

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 Warttig's practice would not be appropriate in the circumstances. The NMC Sanctions Guidance (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 Warttig's misconduct was not at the lower end of the spectrum, and the SG indicates that a caution order is inappropriate when the panel has found a continuing risk to the public. 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 Warttig's 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 agreed with the last reviewing panel that the concerns identified in this case could be remedied and that conditions could be formulated to address them. However, to be effective, the panel would have to be satisfied that Miss Warttig was genuinely committed to complying with any conditions and would be motivated to do so. The panel noted that Miss Warttig has not demonstrated any compliance with the previous conditions of practice orders and there is no public interest in extending the conditions of practice order indefinitely. Whilst the panel accepted that Miss Warttig has been unable to comply with the previous conditions of practice order due to her current employment status, it has determined that as a result of her lack of insight and strengthening of practice, which has now persisted over a period of three years, a conditions of practice order is now no longer workable and would not mitigate the concerns.

The panel next considered imposing a suspension order. The panel noted that Miss Warttig has not demonstrated any further insight into her previous failings or provided information on how she has attempted to remediate her situation or strengthen her practice. The panel also observed that Miss Warttig did not respond to the previous panel's suggestions:

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

- *Any updated testimonials or references from your current employer and/or colleagues about your conduct and performance (in a healthcare or non-healthcare role);*
- *An updated reflective piece which demonstrates insight as to why complying with the conditions of practice order is important; and*
- *Evidence of professional development, such as any updated training you have undertaken.*

The panel recognised that this order has been in place since January 2023. Furthermore, the panel noted that it appears that Miss Warttig has not practised as a nurse for over five years since the incident and there is no evidence of a period of safe and effective practice or steps taken to access a return to practice course.

In these circumstances the panel determined that a period of suspension would not serve any useful purpose in all of the circumstances, given Miss Warttig's limited engagement with proceedings since the substantive order was originally imposed, and that a decision has to be made to conclude this case.

The panel determined that it was necessary to take action to prevent Miss Warttig from practising in the future due to the risk of harm posed to the public. Moreover, the panel identified that there were fundamental questions about Miss Warttig's professionalism, as she has been unable to remedy these concerns over a period of three years. Whilst the circumstances inhibiting her from practicing may be unfortunate, nurses are required to maintain the knowledge and skills needed for safe and effective practice. That Miss Warttig has been aware of the concerns for three years, and still has not developed her insight, or been able to remediate, calls her ability to practice as a registered nurse into question. Therefore, the panel concluded that the only sanction that would adequately protect the public and serve the public interest by upholding proper standards and confidence in the profession and the NMC as a regulator, was a striking-off order. The panel therefore directs the registrar to strike Miss Warttig's name off the register.

In coming to the conclusion that the appropriate order is a striking-off order, the panel gave careful consideration to the NMC guidance 'Removal from the register when there is a substantive order in place' (ref: REV-2h). The panel noted that as an alternative to a striking-off order it has the power to allow the present order to expire with a finding of current impairment. The panel noted that there is no information before it to satisfy the panel that such a course should be taken. Whilst Miss Warttig has made insufficient progress whilst on a conditions of practice order, this lack of progress does not appear to be attributable wholly or in significant part to matters which are outside of her control. The panel therefore decided that this was not an option which it could take.

This striking-off order will take effect upon the expiry of the current suspension order, namely the end of 15 February 2026 in accordance with Article 30(1).

This decision will be confirmed to Miss Warttig in writing.

That concludes this determination.