

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

**Substantive Order Review Meeting  
Wednesday 20 May 2026**

Virtual Meeting

**Name of Registrant:** Amanda Hewitt

**NMC PIN:** 12I0896S

**Part(s) of the register:** Nurse Sub Part 1  
RNA Adult Nurse level 1  
24 April 2015

**Relevant Location:** Scotland

**Type of case:** Misconduct/Health

**Panel members:** Angela Kell (Chair, lay member)  
Karen Gardiner (Registrant member)  
Saiqa Shaffi (Lay member)

**Legal Assessor:** Trevor Jones

**Hearings Coordinator:** Ifeoma Okere

**Order being reviewed:** Suspension order (12 months)

**Fitness to practise:** Impaired

**Outcome:** **Suspension order (12 months) to come into effect on  
8 July 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 Hewitt's registered email address by secure email on 14 April 2026.

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 18 May 2026 and inviting Miss Hewitt to provide any written evidence seven days before this date.

The panel noted that the email address to which the Notice of Meeting was sent differed from the email address recorded on the register. However, the panel also noted the case officer's evidence that the Notice of Meeting had been sent to an email address in which Miss Hewitt had last used to communicate with the NMC in the past.

The panel took into account the legal assessor's advice that it is the responsibility of a registrant to keep their contact details up to date and that the relevant question for the panel was whether the Notice of Meeting had been properly sent, rather than whether it had been received.

The panel accepted the advice of the legal assessor.

In light of the case officer's statement, and notwithstanding the discrepancy between the email address on the register and the email address used to send the Notice of Meeting, the panel was satisfied that the NMC had taken reasonable steps to bring this review to Miss Hewitt's attention.

Accordingly, the panel was satisfied that Miss Hewitt have 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 suspension order for a further period of 12 months. This order will come into effect at the end of 8 July 2026 in accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This is the first review of a substantive suspension order originally imposed by a panel of the Fitness to Practise Committee on 6 June 2025 for a period of 12 months.

The current order is due to expire at the end of 8 July 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:

*‘1a) Between January 2021 and 18 September 2021, you were unfit for work whilst on duty on 20 March 2021.*

*1b) Between January 2021 and 18 September 2021, you were unfit for work whilst on duty on 3 April 2021.*

*1c) Between January 2021 and 18 September 2021, you were unfit for work whilst on duty on 7 April 2021.*

*1f) Between January 2021 and 18 September 2021, you were unfit for work whilst on duty on 18 September 2021.*

*2b) You fell asleep during your shift on 18 September 2021.*

*2c) You fell asleep during your shift on 30 September 2021.*

*3) On 3 April 2021, you touched and/or poked and/or prodded Resident A’s arm without obtaining their consent for examination.*

4) *On 7 April 2021, you left a bag of medication unattended on a desk.*

5a) *On or around 18 September 2021, you asked Resident B if she had ever had sex, or words to that effect.*

5b) *On one or more occasions, when Colleague 1 was present, you stated that you were not having sex with your boyfriend, or words to that effect.*

5c) *When Colleague 2 was present, you stated that you were not having sex with your boyfriend, or words to that effect.*

6) *On 18 September 2021, whilst feeding Residents C and/or D with a spoon, you missed their mouth and pushed a spoon into their cheek on one or more occasions.*

7) *Between 31 August 2021 and 30 November 2021, you failed to complete all training which was required by your employers.*

8) *You have or have had a health condition as set out in Schedule 1, namely fibromyalgia and codeine dependency.'*

The original panel determined the following with regard to impairment:

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

*The panel bore in mind the overarching objective to protect the public and the wider public interest. This included the need to declare and maintain proper standards and maintain public confidence in the profession and in the NMC as a regulatory body. The panel has referred to the cases of Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant [2011] EWHC 927 (Admin) and R (on application of Cohen) v General Medical Council [2008] EWHC 581 (Admin).*

*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 and to maintain professional boundaries. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. To justify that trust, nurses must be honest and open and act with integrity. 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/their fitness to practise is impaired in the sense that S/He/They:*

- 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 finds limbs a – c above engaged as to the past. Patients were put at risk of physical and emotional harm as a result of Miss Hewitt's misconduct. Miss Hewitt's misconduct brought the nursing profession into disrepute. She breached all the fundamental tenets of the nursing profession.*

*The panel considered the case of Cohen v GMC in which the court addressed the issue of impairment with regard to the following three considerations:*

- a. 'Is the conduct that led to the charge easily remediable?*
- b. Has it in fact been remedied?*
- c. Is it highly unlikely to be repeated?'*

*The panel considered that Miss Hewitt's misconduct is remediable and capable of being addressed although this would require significant effort on Miss Hewitt's part.*

*The panel had no evidence that Miss Hewitt has any insight on the potential impact of her failings on patients, the nursing profession and the wider public. Miss Hewitt has not provided any reflective pieces, medical reports or references to demonstrate insight into her failings.*

*The panel noted in its findings that Miss Hewitt has not followed up with the NMC for any independent medical assessment and has not meaningfully engaged/collaborated with the NMC since the issues arose. The panel also found that there was no evidence to demonstrate that Miss Hewitt has strengthened her practice.*

*The panel concluded that there is a risk of repetition based on the evidence before it and the lack of insight, engagement and remorse from Miss Hewitt. The panel finds that it is highly likely for the matters found proved to be repeated and therefore, decided that a finding of impairment is necessary on the grounds of public protection.*

*The panel determined that a finding of impairment on public interest grounds is required because the public would be concerned if someone who had acted as unsafely as Miss Hewitt did was allowed to practice unrestricted. In addition, the panel concluded that public confidence in the profession would be undermined if a finding of impairment were not made in this case and therefore also finds Hewitt's fitness to practise impaired on the grounds of public interest.*

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

The original panel determined the following with regard to sanction:

*'Having found Miss Hewitt's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose in this case. The panel bore 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 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:*

- a) Ms Hewitt placed vulnerable patients in her care at risk of harm;*
- b) There was a pattern of misconduct in two different settings and length of time;*
- c) Ms Hewitt has not demonstrated insight.*

*The panel also took into account the following mitigating feature:*

- a) Ms Hewitt had an underlying health condition which may have contributed to her misconduct.*

*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 Hewitt'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 Hewitt'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 placing conditions of practice on Miss Hewitt's registration would be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable. However, the panel is of the view that due to Miss Hewitt's lack of meaningful engagement with the NMC and her lack of insight, there is no evidence to suggest Miss Hewitt would be willing to comply with any conditions set.*

*Furthermore, the panel concluded that the placing of conditions on Miss Hewitt's registration would not adequately address the seriousness of this case and would not protect the public.*

*The panel then went on to consider whether a suspension order would be an appropriate sanction. The SG sets out key factors to weigh up before imposing a suspension order:*

- Whether the seriousness of the case requires temporary removal from the register;*
- Will a period of suspension be sufficient to protect patients, public confidence in nurses, midwives or nursing associates, or professional standards.*

*The panel determined that the misconduct in this case was so serious that it requires temporary removal of Miss Hewitt from the register. Furthermore, a temporary removal from the register would protect the public and uphold public confidence in the profession.*

*Balancing all of these factors the panel concluded that a suspension order would be the appropriate and proportionate sanction. The panel decided that 12 months would be the appropriate length of time to allow Miss Hewitt to reflect on her misconduct, address her health issues and engage with the NMC, complying with any medical testing required.*

*The panel noted the possible hardship such an order may cause Miss Hewitt. However, this is outweighed by the need to protect the public and the public interest in this case.*

*The panel considered that this order is necessary to mark the importance of maintaining public confidence in the profession, and to send to the public and the profession a clear message about the standards of behaviour required of a registered nurse.*

*At 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.'*

## **Decision and reasons on current impairment**

The panel has considered carefully whether Miss Hewitt's fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as the ability of a professional on our register to practise as a nurse, midwife or nursing associate safely and effectively 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. The panel noted that no information had been provided by Miss Hewitt for this review.

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 nursing profession and uphold proper standards of conduct and performance.

The panel considered whether Miss Hewitt's fitness to practise remains impaired. It noted that the substantive panel found her fitness to practise impaired by reason of misconduct and health.

The panel noted that there has been no engagement from Miss Hewitt since the substantive order was imposed. It had before it evidence that the NMC wrote to her in September 2025, December 2025, January 2026 and March 2026. In particular, the NMC requested Miss Hewitt's consent to obtain medical information and invited her to provide information that would assist this reviewing panel. No response was received.

The panel noted that Miss Hewitt have not provided a reflective statement, evidence of any relevant training, references or testimonials, or any up-to-date health assessments.

The panel acknowledged that Miss Hewitt's health condition impacted her fitness to practise and equally may affect her ability to engage in the process. The panel was aware that the NMC had specifically highlighted the option for adjustments to support Miss Hewitt to engage in the fitness to practise process.

However, the panel is mindful of its duty to protect the public and maintain the public interest and there is a persuasive burden on Miss Hewitt to demonstrate that her fitness to practise is not impaired but she has not done so.

In the absence of any information from Miss Hewitt, the panel had no evidence that she had developed insight into the concerns found proved, taken steps to strengthen Miss Hewitt's practice, or addressed the health concerns identified by the substantive panel. The panel also had no evidence that the risk of repetition has reduced.

The panel therefore determined that there remains a risk of repetition of the misconduct found proved. The panel concluded 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. The panel determined that, in the absence of any evidence of insight, remediation or improvement in Miss Hewitt's health, a finding of continuing impairment is

also necessary on public interest grounds. This is necessary to maintain public confidence in the nursing profession and to uphold proper standards of conduct and performance.

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

### **Decision and reasons on sanction**

Having found Miss Hewitt 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.

The panel then considered a caution order. It determined that, due to the seriousness of the case and the public protection issues identified, an order which does not restrict Miss Hewitt's practice would not be appropriate.

The panel next considered whether a conditions of practice order would be a sufficient and appropriate response. The panel was mindful that any conditions imposed must be proportionate, measurable and workable.

The panel concluded that a conditions of practice order would not be appropriate. It noted that your misconduct was linked to Miss Hewitt's health and that, in the absence of any up-to-date medical evidence, there was insufficient information before the panel to formulate workable conditions. The panel also noted that she has not engaged with the NMC and there is therefore no indication that Miss Hewitt would comply with any conditions imposed.

The panel then considered the imposition of a further period of suspension. It determined that a suspension order would provide Miss Hewitt with a further opportunity to engage with the NMC and provide information to demonstrate that Miss Hewitt's fitness to practise is no longer impaired.

The panel noted that there has been no engagement from Miss Hewitt since the substantive order was imposed in June 2025. It also noted that she has not provided any reflective statement, evidence of relevant training, references or testimonials, or any up-to-date health assessments.

The panel determined that a further suspension order would continue to protect the public and would satisfy the wider public interest.

Accordingly, the panel determined to impose a suspension order for a further period of 12 months. It considered this to be the appropriate and proportionate sanction in all the circumstances.

This suspension order will take effect upon the expiry of the current suspension order, namely at the end of 11 July 2026, in accordance with Article 30(1) of the Nursing and Midwifery Order 2001.

Before the end of the period of suspension, another panel will review the order. At the review, the reviewing 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:

- A reflective statement demonstrating insight into Miss Hewitt's health concerns and the misconduct found proved.
- Evidence of any relevant training undertaken.
- References or testimonials from colleagues and medical professionals.
- Evidence of up-to-date health assessments.
- Miss Hewitt's engagement with the NMC fitness to practise process and attendance at any future review.

This will be confirmed to Miss Hewitt in writing.