

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

**Substantive Order Review Hearing  
Tuesday, 26 May 2026**

Virtual Hearing

**Name of Registrant:** Dominika Aleksandra Kuehn Stachurska

**NMC PIN:** 20B0014C

**Part(s) of the register:** Midwives Part  
RM Registered Midwife  
5 February 2020

**Relevant Location:** Fife

**Type of case:** Lack of competence

**Panel members:** Oluwasola Falola (Chair, registrant member)  
Saiqa Shaffi (Lay member)  
Helen Radice (Registrant member)

**Legal Assessor:** Paul Hester

**Hearings Coordinator:** Franchessca Nyame

**Nursing and Midwifery Council:** Represented by Alejandra Tascon, Case Presenter

**Mrs Kuehn Stachurska:** Present and represented by Christie Wishart, Thompsons Solicitors Scotland

**Order being reviewed:** Suspension order (6 months)

**Fitness to practise:** Impaired

**Outcome:** **Suspension order (6 months) to come into effect on 2 July 2026 in accordance with Article 30 (1)**

## Decision and reasons on review of the substantive order

The panel decided to extend the current suspension order for a further period of 6 months.

This order will come into effect at the end of 2 July 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the fourth effective review of a substantive suspension order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 1 December 2023. This was reviewed on 28 November 2024 where a further six-month suspension order was imposed. This order was to be reviewed on 23 May 2025, however it was postponed and not heard at that time. The order was then extended on 25 June 2025 and 24 November 2025 for a period of 6 months.

The current order is due to expire at the end of 2 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 reads as follows:

*“That you a registered midwife, between March 2020 and May 2023 failed to demonstrate the standards of knowledge, skill, and judgment required to practise without supervision as a band 5 midwife, in that you;*

- 1) ...
- 2) *Around 28 March 2020 were unable to;*
  - a) *Perform basic Postnatal Examinations.*
  - b) *Use a CTG;*
  - c) *Translate a CTG tracing.*
- 3) *Around 7/8 April 2020;*
  - a) *Were unable to perform a urinalysis;*

- b) Did not understand the significant of a urinalysis;*
  - c) Were unable to palpate a fundus;*
  - d) Were unable to recognise the significance of enquiring about lochia.*
  
- 4) On an unknown date, failed to check a baby's fontanelle.*
  
- 5) Around 10 April 2020 were unable to demonstrate knowledge in areas of;*
  - a) Bladder care;*
  - b) Lochia;*
  - c) Fundus/Uterine Involution;*
  - d) Breastfeeding;*
  - e) Urinalysis;*
  - f) CTG Trace;*
  - g) Maternal/Baby observations.*
  
- 6) Were unable to successfully complete a Supported Improvement/Action Plan implemented on 30 April 2020.*
  
- 7) On 21 May 2020, were unable to print policies for further teaching/learning sessions.*
  
- 8) Around 19 June 2020;*
  - a) Were unable to communicate adequately with mothers when conducting postnatal checks;*
  - b) Would not ask mothers if their body was hurting during postnatal checks;*
  - c) Were unable to respond to/escalate abnormal observations;*
  - d) Were unable to demonstrate sufficient knowledge around medication management/administration.*
  
- 9) On or around 25 June 2020;*
  - a) were unable to demonstrate knowledge of the presenting part after performing an abdominal palpitation;*
  - b) calculated an incorrect infusion rate for a 1000ml bag over 8 hours.*

10) *On or around 17 May 2020;*

- a) *Inaccurately instructed a bottle-feeding mother to express her breasts to relieve discomfort.*
- b) *Failed to adequately examine the legs of an unknown patient;*
- c) *Demonstrated poor communication skills in that you;*
  - i) *Did not introduce yourself to one or more patients;*
  - ii) *Did not enquire if one or more patient's, required medication.*
- d) *Attempted to administer paracetamol to an unknown patient who had already been administered Co-codamol;*
- e) *For an unknown patient failed to identify;*
  - i) *An elevated pulse of 110/122bpm;*
  - ii) *Oxygen saturation of 93%;*
- f) *Failed to adequately escalate a baby suffering a fit, in that you;*
  - i) *Used words to the effect 'the baby is doing that thing again';*
  - ii) *Did not respond to Colleague A's request for information/assistance;*
  - iii) *Walked in the opposite direction.*

11) *On an unknown date were unable to explain how you would escalate a mother/patient with low blood pressure*

12) *Around June/July 2020 failed to demonstrate an understanding of;*

- a) *Palpitations;*
- b) *Hyperemesis;*
- c) *Antenatal checks.*

13) ...

14) ...

15) ...

16) ...

*And in light of the above your fitness to practise is impaired by reason of your lack of competence.'*

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

*'The panel considered whether Ms Stachurska's fitness to practise remains impaired.*

*The panel determined that Ms Stachurska remains impaired as there is a lack of evidence before the panel to demonstrate that she has sufficiently strengthened her practice to the extent that it could be said she is no longer impaired. The panel noted that Ms Stachurska provided a reflective piece dated 23 November 2025, which it found showed that she has some developing insight and remorse into her actions since the last review hearing in that she has recognised her practice was deficient. The panel noted however that Ms Stachurska has not provided any supporting evidence to show that she has taken positive steps to strengthen her practice in terms of relevant training and applying her insight in a clinical setting.*

*The panel found that there was insufficient evidence provided alongside her reflection to show that her remediation is anything more than just her opinion and as a result, there is nothing to show she is no longer a risk to the public.*

*The panel also noted that Ms Stachurska had indicated that she did not wish to return to practice as a midwife and intended to retrain as a nurse. It noted that there was no evidence that Ms Stachurska had done any research into this and referred to the email from the NMC to Ms Stachurska dated 10 July 2025 which included guidance on how she may wish to proceed in retraining to practice as a nurse. The panel noted she had not responded to this email and that there was no evidence to show she had done any further research into the suggestions.*

*With regard to strengthening of practice, the panel determined that there was no evidence before it to show that Ms Stachurska had strengthened her practice relating to the initial regulatory concerns.*

*The panel noted that the previous reviewing panel had indicated that references from Ms Stachurska's current employer on her strengthening of practice, would be helpful to the reviewing panel today and that this was not provided.*

*The panel noted that although Ms Stachurska references in her reflective statement that she continues to undertake online courses and training, there is no supporting evidence of this in the form of certificates or references from her current employer.*

*The panel noted that it is aware that Ms Stachurska is limited in the training courses which she can undertake within the scope of her band 2 practice, however it determined that there are training courses which she could have undertaken within the scope of her current band 2 role. The panel noted that Ms Stachurska does have an opportunity in her band 2 role to provide practical scenarios and examples where she has either contemplated or overcome her deficiencies and provided insight as to how she would further remedy her lack of competence.*

*The panel noted that Ms Stachurska's strengthening of practice could be further evidenced by references from her current employer showing her progress on communication and escalation in her current role.*

*The last reviewing panel determined that Ms Stachurska was liable to repeat matters of the kind found proved. Today's panel has noted that there has been no new information received to evidence Ms Stachurska's strengthened practice. In light of this, this panel determined that Ms Stachurska is 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 determined that, in this case, a finding of continuing impairment on public interest grounds is also required.'*

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

*'The panel considered the conditions of practice proposed by Ms Stachurska's representative, including whether restricting her practice to her current employer along the lines proposed, would adequately protect the public. However, it concluded that without any evidence from the employer about Ms Stachurska (either in her current role or in relation to the proposed conditions), it could not be satisfied that these were workable.*

*The panel bore in mind the seriousness of the facts found proved at the original hearing and the lack of evidence of strengthened practice at this review, 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 workable conditions of practice that would adequately address the concerns relating to Ms Stachurska's lack of competence.*

*The panel heard that Ms Stachurska does not wish to return to practice as a midwife and has advised that she would like to requalify as a nurse. The panel noted that Ms Stachurska has not provided a clear plan on how she plans to proceed and has not assured the panel on how she would adhere to proposed conditions. The panel therefore found that conditions of practice order would not be workable and would serve no useful purpose.*

*The panel considered the imposition of a further period of suspension. It was of the view that a suspension order would allow Ms Stachurska further time to demonstrate how she is addressing her previous failings. The panel concluded that a further 6 month suspension order, with opportunity for Ms*

*Stachurska to call for an early review, would be the appropriate and proportionate response and would afford Ms Stachurska adequate time to demonstrate that she has taken steps to further 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 6 months would provide Ms Stachurska with an opportunity to provide evidence of her strengthening of practice and further insight. It considered this to be the most appropriate and proportionate sanction available.'*

### **Submissions on current impairment**

Ms Tascon submitted that there is insufficient evidence before the panel today to show that you have undertaken further continuing professional development. She noted that the reflective statement you have provided today and submitted that there is little to no change from the reflective piece that was submitted at the previous review. Further, she submitted that you do not appear to have undertaken any Return to Practice courses, nor any courses to address the issues that were identified in terms of your lack of competence. She noted that you are looking into undertaking a nursing course with the Open University. However, she submitted that this does not address the current lack of competence previously identified and the deficits in your clinical practice that led to the imposition to the charges and the original 12-month suspension order.

Ms Tascon noted that, regarding your current employment, you have provided a personal development plan. She went on to submit that, whilst it shows some reflection of the work within your current role, it does not cover any training you have undergone, nor does it include any character references or testimonials from your current employers which address your level of clinical competence in your role.

Ms Tascon submitted that you remain impaired due to a lack of evidence of the continuous professional development and the fact that you have not addressed some of the recommendations from the previous reviewing panel. She further submitted that there is a

continued risk of serious harm to the public if you were to practise without restrictions, and that the public interest is engaged.

It was Ms Tascon's submission that there is no indication from your current employer with regard to the possibility of conditions of practice order being workable if one were to be imposed by the panel today. She submitted that a suspension order remains appropriate and proportionate in all the circumstances. She raised that there have been multiple reviews of this case now and the position has remained somewhat unchanged. She submitted that it is open to the panel appropriate to consider a striking-off order if it deems it necessary. She informed the panel that the NMC takes a neutral position on this point.

Ms Wishart informed the panel that you returned to practice as a Band 2 over a year ago and have continued to work without issue since but have not been able undertake any training relating to midwifery because you currently suspended on the midwifery register. Because of this, she submitted that the continuing personal development (CPD) is halted at this stage because you are not able to address those clinical practice concerns.

Ms Wishart explained that you have outlined that your qualification from university in Poland is probably more akin to that of a nurse, and acknowledged that the limitations of your practice probably stem from that qualification because the concerns raised are specifically to do with a lack of midwifery knowledge.

Ms Wishart submitted that there are now two avenues that are available to you: either you are able to return to practise as a midwife or you are able practise as a nurse. She informed the panel that you do not want to return to practise as a midwife, but have a clear career plan to transition your qualification to that of a nurse:

- *Open University (OU) - 4 year BSc Nursing programme undertaken part time whilst remaining in HCSW role*

- *Endorsed HNC - 1 year HNC healthcare programme that allows direct entry into year 2 of a nursing programme on successful completion'*

In order to allow you to make meaningful progress, Ms Wishart invited the panel to allow the order to lapse with impairment. She submitted that your inability to move forward is not just down to you. You plan to apply to university to convert your midwifery degree to a nursing degree, which would also require a placement at some point. Further, if your plan to return to university did not come to fruition, as you have been out of practice for such a prolonged period, you would have to undertake a Return to Practice course which you are unable to do whilst suspended. She submitted that, in any event, your current suspension order would have to lapse.

Ms Wishart then submitted that, if the panel is not persuaded to allow the order to lapse, it could impose a conditions of practice order. She submitted that you returning to work as a midwife would allow you undertake training which directly address the relevant concerns with your practice. She suggested the following conditions:

- Direct supervision until signed off as competent by a senior member of staff
- To not be the senior member of staff on any ward or shift
- To apply and complete a Return to Practice course once the conditions of practice order expires
- Provide the panel and NMC with evidence of any additional training undertaken, as well as notes from regular supervision

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

The panel heard and accepted the advice of the legal assessor.

The panel considered carefully whether your fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the Nursing and Midwifery Council (NMC) has defined fitness to practise as the ability of a professional on the NMC register to practise as a nurse, midwife or nursing associate safely and effectively without restriction. In considering this case, the panel carried out a comprehensive review of the order in light of the current circumstances. 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, your reflection dated 23 November 2025, your Summary for Nursing Auxiliary, and an email dated 25 May 2026 outlining your plans to become a registered nurse. It has taken account of the submissions made by Ms Tascon and Ms Wishart.

The panel gave careful regard to the NMC guidance 'REV-2a: Standard reviews of substantive orders before they expire'. The panel noted that there are a number of factors set out within this guidance for its consideration of whether your fitness to practise is currently impaired.

The panel noted the first factor which asks the question whether the midwife has complied with any conditions imposed. Whilst conditions of practice have not been imposed and the panel is currently reviewing a suspension order, it noted the recommendations made by the previous reviewing panel which are of assistance in assessing the question of impairment.

The panel noted the previous reviewing panel's list of recommendations to assist your case, namely:

- *Ms Stachurska's attendance at the next review hearing*
- *Evidence of any continuing professional development undertaken.*
- *References and testimonials regarding your clinical abilities and work performance, particularly from your current employer.*
- *Provision of an updated reflective piece that explains how she has taken steps to remedy the initial impairment findings.*
- *Provision of a clear plan on how Ms Stachurska wishes to proceed with her practice.'*

The panel noted your attendance at this review hearing and that the evidential burden is upon you to persuade the panel that your fitness to practise is no longer currently impaired. It noted there was no evidence of professional development, CPD, or retraining, no updated written reflection demonstrating learning or insight, no employer or supervisor evidence indicating improvement. The panel also did not have a clear or structured plan from you regarding how you intend to return to safe and effective unrestricted practice.

The panel noted that it did not have any character references or testimonials from your current employer.

The panel was mindful that your lack of competence centres on core, fundamental midwifery skills. The panel considered your prolonged failure to meet the required standard of a midwife, and the lack of evidence of remediation at the hearing today, in particular evidence of safe practise. As you have not remedied the concerns identified, the panel determined that there remains a real risk of repetition. The panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection.

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 bore in mind that its primary function is to protect patients and the wider public interest. The panel considered that, if your current fitness to practise was not found impaired and you were permitted to practise without restriction, public confidence in the profession and the NMC would be damaged. As such, the panel decided that a finding of continuing impairment on public interest grounds is also required to maintain public confidence and uphold proper standards of conduct and performance.

For these reasons, the panel finds that your fitness to practise remains impaired.

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

Having found your 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.

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 your 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, but the Committee wants to mark that what happened was unacceptable and must not happen again.'* The panel considered that your lack of competence 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 your 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. Further, the panel did not have any evidence before it to indicate that your current employer would be able to provide the level of support needed to make a conditions of practice order workable, as previous supervised practise and undertakings were unsuccessful. The panel concluded that there is no new evidence that a conditions of practice order would now be workable or effective.

The panel received information that you plan to become a registered nurse. The email dated 25 May 2026 set out your options:

- *Open University (OU) - 4 year BSc Nursing programme undertaken part time whilst remaining in HCSW role*
- *Endorsed HNC - 1 year HNC healthcare programme that allows direct entry into year 2 of a nursing programme on successful completion'*

The panel noted that Ms Wishart's primary submission was that your registration should be allowed to lapse with a finding of impairment.

The panel carefully considered the NMC guidance 'REV-2h: Removal from the register when there is a substantive order in place'. The panel gave careful regard to the section of this guidance dealing with lapse with impairment and the factors that have to be present

before taking this course. The panel noted that this course is a relatively narrow course and requires the issues of health or lack of English language to be engaged. In this regard, the panel noted the answers given by Ms Wishart in response to the legal assessor's questions as to whether lapse with impairment is relevant in your case. Ms Wishart stated that neither health nor English language is raised by you in support of your case. In these circumstances, the panel decided that lapse with impairment in accordance with the NMC guidance and *PSA v NMC and Graham* [2025] EWHC 3132 (Admin) is not available in your case.

The panel considered the imposition of a further period of suspension. It took into account that you have engaged with the NMC throughout these proceedings and have indicated that you wish to return to practise whilst also recognising your clinical failures. The panel concluded that a further suspension order would afford you adequate time to further develop your insight and take steps to strengthen your practice. It would also give you an opportunity to formulate a clear and structured plan for your future.

The panel also considered the imposition of a striking-off order. It was mindful of the prolonged nature of your lack of competence concerns. However, the panel concluded that it would be disproportionate at this stage to impose a striking-off order, particularly given that this is a lack of competence case rather than misconduct or attitudinal failing. The panel acknowledged that you have demonstrated some developing insight, engaged with the NMC, and accepted that you are not currently fit to practise as a midwife, but you are also not seeking to return to unrestricted practice. The panel was of the opinion that the concerns in your case could be successfully managed by a period of suspension.

The panel therefore determined that a suspension order is the appropriate and proportionate 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 six months. 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 2 July 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:

- Your attendance at the next review hearing
- Evidence of any continuing professional development undertaken.
- References and testimonials regarding your clinical abilities and work performance, particularly from your current employer.
- Provision of an updated reflective piece that explains how you have taken steps to remedy the initial impairment findings.
- Provision of a clear plan on how you wish to proceed with your practice.

This will be confirmed to you in writing.

That concludes this determination.