Nursing and Midwifery Council
Fitness to Practise Committee

Substantive Order Review Hearing
Friday, 20 November 2026

Virtual Hearing

Name of Registrant:	Daniel Jibu
NMC PIN:	15I0272C
Part(s) of the register:	Nursing – Sub part 1 RN1: Registered Nurse – Adult (10 September 2015)
Relevant Location:	South Lanarkshire
Type of case:	Misconduct
Panel members:	Richard Youds (Chair, Lay member) Amanda Revill (Registrant member) Mitchell Parker (Lay member)
Legal Assessor:	Megan Ashworth
Hearings Coordinator:	Isabella Payne
Nursing and Midwifery Council:	Represented by Michaela Onuchukwu, Case Presenter
Mr Jibu:	Not present and unrepresented at this hearing
Order being reviewed:	Conditions of practice order (12 months)
Fitness to practise:	Impaired
Outcome:	**Suspension order (9 months) to come into effect on 24 December 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 Mr Jibu was not in attendance and that the Notice of Hearing had been sent to Mr Jibu's registered email address by secure email on 12 October 2026.

Ms Onuchukwu, 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 Mr Jibu's right to attend, be represented and call evidence, as well as the panel's power to proceed in his absence.

In the light of all of the information available, the panel was satisfied that Mr Jibu 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 Mr Jibu

The panel next considered whether it should proceed in the absence of Mr Jibu. The panel had regard to Rule 21 and heard the submissions of Ms Onuchukwu who invited the panel to continue in the absence of Mr Jibu. She submitted that Mr Jibu had voluntarily absented himself.

Ms Onuchukwu submitted that there had been no engagement at all by Mr Jibu with the NMC in relation to these proceedings since an email dated 12 May 2025 and, as a consequence, there was no reason to believe that an adjournment would secure his attendance on some future occasion.

The panel accepted the advice of the legal assessor.

The panel has decided to proceed in the absence of Mr Jibu. In reaching this decision, the panel has considered the submissions of Ms Onuchukwu and the advice of the legal assessor.

It has had particular regard to any 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 Mr Jibu;
- Mr Jibu has not engaged with the NMC and has not responded to any of the letters sent to him about this hearing since May 2025;
- There is no reason to suppose that adjourning would secure his attendance at some future date; and
- There is a strong public interest in the expeditious review of the case.

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

Decision and reasons on review of the substantive order

The panel decided to replace the current conditions of practice order with a suspension order for a period of nine months.

This order will come into effect at the end of 24 December 2026 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

This is the second review of a substantive conditions of practice order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 26 November 2024. A conditions of practice order for a further 12 months was imposed on 12 November 2025.

The current order is due to expire at the end of 24 December 2026.

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

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

> *'That you, a registered nurse:*
>
> *1) On 6 January 2022 administered medication to Resident A when it was not prescribed to them, as set out in schedule 1.* ***[Found Proved]***
>
> *2) On discovering the medication error in charge 1:*
> *(a) Failed to undertake any or sufficient physical observations of Resident A.* ***[Found Proved]***
> *(b) …*
> *(c) Failed to seek medical advice.* ***[Found Proved]***
> *(d) Breached your professional duty of candour by failing to inform the Home Manager and/or Resident A's family of the medication error.*
> ***[Found Proved]***
>
> ***Schedule 1***
> *Diazepam 2mg*
> *Zolpidem 10mg*
> *Quetiapine 100mg*
> *Peptec liquid 10ml*
>
> *AND in light of the above, your fitness to practise is impaired by reason of your misconduct.'*

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

> *'The panel noted that the persuasive burden is on Mr Jibu to demonstrate that he is no longer impaired and were of the view that Mr Jibu has not discharged this burden.*
>
> *The panel had no new information before it from Mr Jibu to suggest that he had developed further insight or shown remorse for his actions. The panel was of*

the view that therefore, nothing has changed since the original order was imposed. The panel noted that although it would take commitment, Mr Jibu's behaviour appears to be remediable but there has been limited engagement from him since the order was imposed. The panel noted there is no new evidence to show that he has developed his practice by undertaking relevant training or sufficiently reflecting on the risks his misconduct caused to the protection of the public and to the public interest. In these circumstances, there is no information before the panel which would undermine the previous finding of impairment.

The panel noted that due to Mr Jibu's lack of engagement since his email to the NMC in May 2025, there is no evidence of development in his insight. The panel also noted that the previous panel found that Mr Jibu had provided insufficient evidence of reflection on his actions. Today's panel has received no new information that has demonstrated that Mr Jibu had taken steps to reflect on his actions or strengthen his practice and remediate the concerns found. The panel noted that although his email from May 2025 stated that he was planning to come back to the UK, it is unclear if he has worked in a nursing role in the UK since the original charges took place and therefore whether he has had the opportunity to demonstrate that he can practise safely, kindly and professionally. In light of this, the panel determined that Mr Jibu 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. This is because members of the public would have their confidence in the profession and the NMC undermined in circumstances whereby a nurse who presented an ongoing risk of harm to the public were permitted to return to practice without restriction.

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

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

'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 Mr Jibu'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 Mr Jibu'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 imposing a further conditions of practice order on Mr Jibu's registration continues to be a sufficient and appropriate response. The panel had regard to the nature of Mr Jibu's misconduct. However, the panel noted that it had not yet received any information to demonstrate that Mr Jibu had complied with the existing conditions of practice order and wanted to provide him with an opportunity to engage with the NMC, demonstrate insight into his actions and undertake relevant training in the areas of concern to strengthen his practice.

The panel is mindful that any conditions imposed must be proportionate, measurable and workable. The panel agreed with the original panel that the concerns identified in this case could be remedied and that conditions could be formulated to address them. The panel was also of the view that to impose a suspension order or a striking-off order would still be disproportionate, too severe and would not be a reasonable response at this stage in the circumstances of Mr Jibu's case, given that this is the first review of this substantive order.

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

The panel was keen to strike a fair balance between allowing sufficient time for Mr Jibu to take the steps he needs to remediate, whilst avoiding imposing potentially onerous conditions for too long a period. It determined that a conditions of practice order for a further period of twelve months would strike a fair balance and would be the appropriate and proportionate outcome in the circumstances. The panel reminds Mr Jibu that if his circumstances change and he is able to take steps earlier than anticipated to demonstrate safe practice, or in the event of any change in his circumstances, it is open to him to contact the NMC to request an early review of this order.

Accordingly, the panel determined, pursuant to Article 30(1)(c) to make a conditions of practice order for a further period of twelve months, which will come into effect on the expiry of the current order, namely at the end of 24 December 2025.

The panel decided that the public would be suitably protected, as would the reputation of the profession, by the implementation of the following conditions of practice:

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 restrict your practice to a single employer which can be an agency.*

If the employer is an agency, your agency placements must be with a single
provider to ensure continuity and support.

2. *You must not be the nurse in charge or the sole nurse on duty on any ward,*
unit or any other working environment.

3. *You must not administer medication until you are assessed and declared*
competent to do so by another registered nurse.

4. *You must ensure that you are supervised by another registered nurse any*
time you are working. Your supervision must consist of working at all times on
the same shift as, but not always directly observed by a registered nurse.

5. You must have regular meetings with your line manager, mentor, or supervisor once a month to discuss your practice in relation to:

- *a) Medication administration and management.*
- *b) Record keeping.*
- *c) Escalation of concerns.*
- *d) Monitoring and observations of patients.*
- *e) Communication with colleagues.*

6. Prior to any review hearing, you must provide a report to the NMC from your
line manager, mentor, or supervisor regarding your practice in relation to:

- *a) Medication administration and management.*
- *b) Record keeping.*
- *c) Escalation of concerns.*
- *d) Monitoring and observations of patients.*

e) Communication with colleagues.

7. You must keep the NMC informed about anywhere you are working by:

a) Telling your case officer within seven days of accepting or leaving any
employment.

b) Giving your NMC case officer your employer's contact details.

8. You must keep the NMC informed about anywhere you are studying by:

a) Telling your NMC case officer within seven days of accepting any course of study.

b) Giving your NMC case officer the name and contact details of the
organisation offering that course of study.

9. 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 employer 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.

10. You must allow your NMC case officer to share, as necessary, details about your performance, your compliance with and / or progress under these conditions
with:

a) Your line manager, mentor or supervisor.

b) Any current or future employer.

c) Any educational establishment.

d) Any other person(s) involved in your retraining and/or supervision

required by these conditions.

11. You must tell your NMC 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.

The duration of this order is for a period of 12 months with review.'

Decision and reasons on current impairment

The panel has considered carefully whether Mr Jibu'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 has had regard to all of the documentation before it, including the NMC bundle. It has taken account of the submissions made by Ms Onuchukwu on behalf of the NMC. She submitted that Mr Jibu remains impaired on both grounds of public protection and public interest. She submitted that the concerns are in relation to medication administration, patient observations and a duty of candour, and that each previous panel has found the misconduct to be remediable. However, Ms Onuchukwu submitted that there is no evidence before the panel today to show any development of insight, any retraining or any clinical practice from Mr Jibu.

Ms Onuchukwu reminded the panel that the reviewing panel in 2025 found there had been no progress made from the previous year when the substantive order was made in 2024. She therefore submitted that the risk of repetition, which was identified in 2024 and 2025, remains and the public confidence would be undermined if there were no finding in relation to that.

Ms Onuchukwu invited the panel to consider that a further conditions of practice order is no longer sufficient. She submitted that conditions made must be proportionate, measurable and workable. Ms Onuchukwu referred the panel to the NMC sanction guidance which states that there are factors that should be relied upon which include conditions that can be created and monitored and assessed. However, Mr Jibu has now had a conditions of practice order imposed for two years and he has provided no evidence of complying with it and has had no engagement with the NMC since May of 2025. Ms Onuchukwu submitted that Mr Jibu has not taken the opportunity to engage with previous conditions imposed and there is no evidence before the panel today to support that Mr Jibu would comply with further conditions of practice order.

Ms Onuchukwu invited the panel to consider that a suspension order would ensure that the public is protected whilst Mr Jibu is not engaging and would keep an opportunity open for his route back to practise for the future. She further submitted that the length of the suspension order would be a matter for the panel to decide.

Ms Onuchukwu submitted that the reasons against striking off Mr Jibu from the register remain the same as the previous panels reasoning. The two previous panels had found that the concerns were remediable and that there were no deep-seated attitudinal problems and therefore a strike-off order would not be proportionate.

Ms Onuchukwu submitted that in regard to letting the order lapse that Mr Jibu's registration is active only because of this order being in place. A lapse with impairment would end the order without any assessment being done as to whether he is safe to return to practice. She submitted that the NMC guidance REV-2H which states in respect of removal from the register that when there is a substantive order in place, there should be a lapse with impairment only where all its factors are met, in this case the factors are not met. Ms Onuchukwu submitted that there is no medical evidence, Mr Jibu is not retired and has not said he does not intend to return to nursing. Therefore, a lapse of impairment is not appropriate.

Ms Onuchukwu invited the panel to consider that if it chooses to further extend the conditions of practice order, the NMC submit that the existing conditions do remain appropriate, proportionate, measurable and workable.

Ms Onuchukwu invited the panel to consider that a suspension order is the most proportionate outcome for this case.

Ms Onuchukwu invited the panel to consider that if it chooses to further extend the conditions of practice order, the NMC submit that the existing conditions do remain appropriate, proportionate, measurable and workable.

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 Mr Jibu's fitness to practise remains impaired.

The panel noted that the last reviewing panel found that Mr Jibu had insufficient insight. At this hearing the panel considered that it had no new information before it to suggest that Mr Jibu had developed further insight since the original order was imposed. The panel was of the view that there had been no material change since the imposition of the original order from 2024 or the last order from 2025.

Furthermore, Mr Jibu's lack of engagement with the NMC or the proceedings has prevented the panel from identifying any evidence that he has developed further insight into his misconduct. In these circumstances, the panel concluded that there was insufficient evidence to demonstrate that Mr Jibu had developed his insight or taken meaningful steps to address the concerns identified.

In its consideration of whether Mr Jibu has taken steps to strengthen his practice, the panel took into account the previous panel had found that Mr Jibu had provided

insufficient evidence of reflection or remediation. It further noted that the previous panel determined that Mr Jibu was liable to repeat matters of the kind found proved.

The panel today has received no further evidence or information to demonstrate that Mr Jibu has taken steps to reflect on his actions or strengthen his practice. The panel noted that, although Mr Jibu's misconduct is remediable, there had been no engagement on his part and no evidence of remediation since the original order was imposed. In particular, there was no evidence to suggest that had adopted any of the recommendations or engaged with any of the conditions previously imposed by securing a nursing role. In light of this, this panel determined that Mr Jibu has not evidenced any strengthened practice and therefore 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 considered that public confidence in both the nursing profession and the NMC would be undermined if a nurse who presented an ongoing risk of harm to the public were permitted to return to unrestricted practice. The panel has borne in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing profession and upholding proper standards of conduct and performance. The panel determined that, in this case, a finding of continuing impairment on public interest grounds is also required.

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

Decision and reasons on sanction

Having found Mr Jibu'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.

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 Mr Jibu'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, but the Committee wants to mark that what happened was unacceptable and must not happen again.*' The panel considered that Mr Jibu'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 extending the conditions of practice order on Mr Jibu'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 found that Mr Jibu has not engaged with the NMC since corresponding by email in May of 2025 and has not shown any evidence of engaging with the conditions of practice orders previously imposed. The panel determined that there is no information before it to conclude that Mr Jibu is willing to comply with any conditions imposed. The panel considered that a conditions of practice order is only workable and measurable if the registrant engages with the NMC and provides evidence of a willingness to comply with the conditions. In these circumstances, the panel determined that a conditions of practice order is no longer an appropriate sanction. It further concluded that the conditions of practice order was no longer workable, given the Mr Jibu's non engagement with the NMC. Therefore, the panel concluded that a conditions of practice order is no longer sufficient to protect the public or satisfy the wider public interest.

The panel bore in mind that it should find the most proportionate but least restrictive sanction possible. The panel determined therefore that a suspension order is the appropriate sanction which would both protect the public and satisfy the wider public interest. Accordingly, the panel determined to impose a suspension order for the period of nine months would provide Mr Jibu with an opportunity, should he choose to take it, to engage with the NMC. It would also allow him a period away from practice in which to strengthen and demonstrate his insight and reflection, and to undertake relevant training and learning directly related to the misconduct in this case. It considered this to be the most appropriate and proportionate sanction available.

The panel considered that a suspension order would provide appropriate public protection in circumstances where the impairment is serious but not fundamentally incompatible with Mr Jibu continuing to be a registered professional in the future. The panel was satisfied that a suspension order, being a less severe sanction than a striking-off order, would adequately reflect the seriousness of the concerns identified and satisfy the wider public interest. The panel further considered that a suspension order would also provide Mr Jibu with an opportunity to re-engage with the NMC proceedings and demonstrate that he has taken steps to address the concerns identified, whilst maintaining public protection.

The panel further noted Mr Jibu would have the opportunity to request an early review of the order should he wish to re-engage and provide evidence of his progress, enabling a future panel to consider whether a different order may be appropriate.

This suspension order will take effect upon the expiry of the current conditions of practice order, namely the end of 24 December 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 may be assisted by:

- Evidence of engagement with the NMC;
- Participation in any future review hearing;
- Evidence of any training, learning, or keeping his knowledge up to date; and
- Reflective piece showing insight into his failings and what he would do differently in the future.

This will be confirmed to Mr Jibu in writing.

That concludes this determination.