

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

**Substantive Order Review Meeting
Thursday, 10 September 2026**

Virtual Meeting

Name of Registrant:	Sabitha Joseph	
NMC PIN	05K0389O	
Part(s) of the register:	Registered Nurse – Adult Nursing RNA – (17 November 2005)	
Relevant Location:	Bolton	
Type of case:	Lack of competence	
Panel members:	Anica Alvarez Nishio Ivan McGlen Olan Jenkins	(Chair, Lay member) (Registrant member) (Lay member)
Legal Assessor:	Jayne Salt	
Hearings Coordinator:	Nicola Nicolaou	
Order being reviewed:	Suspension order (12 months)	
Fitness to practise:	Impaired	
Outcome:	Striking off order to come into effect immediately in accordance with Article 30(2)	

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 Joseph's registered email address by secure email on 3 August 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 31 August 2026 and inviting Miss Joseph to provide any written evidence seven days before this date.

The panel accepted the advice of the legal assessor.

In the light of all of the information available, the panel was satisfied that Miss Joseph has been served with notice of this meeting in accordance with the requirements of Rules 11A and 34 of the Nursing and Midwifery Council (Fitness to Practise) Rules 2004 (as amended) (the Rules).

Decision and reasons on review of the current order

The panel decided to replace the current suspension order with a striking off order.

This order will come into effect immediately in accordance with Article 30(2) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This is the third review of a substantive suspension order imposed for a period of 12 months by a Fitness to Practise Committee panel on 15 September 2023. This suspension order was reviewed on 12 September 2024, and 29 August 2025, and, on each occasion, the panel imposed a further 12 month period of suspension.

The current order is due to expire at the end of 16 October 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, between June 2017 and November 2019 failed to demonstrate the standards of knowledge, skill and judgement required to practise without supervision as a band 5 nurse in that you:

- 1) Inappropriately sent a patient for a scan without being accompanied after they had suffered a hypoglycaemic attack.*
- 2) Incorrectly administered 1g of paracetamol to a patient when they were prescribed 500mg.*
- 3) Failed to administer intravenous Frusemide to a patient.*
- 4) On 20 April 2018 whilst looking after a diabetic patient on an insulin variable rate sliding scale:*
 - a) Used the incorrect monitoring form*
 - b) Failed to carry out blood sugar level checks with sufficient regularity.*
- 5) On 20 April 2018 failed to provide assistance to a patient who was then at risk of choking.*
- 6) On 04 May 2018:*
 - a) Incorrectly documented a patient had eaten a full meal when the patient had eaten only a small part of the meal.*
 - b) ...*
 - c) Inappropriately continued to feed Patient B when Patient B was not alert and was suffering delayed and reduced swallowing ability.*
 - d) ...*
- 7) On 18 June 2018 failed to provide safe and effective patient care in that you failed to monitor and act upon a patient’s absence of fluid output.*

8) ...

9) *On a date or dates (unknown) in December 2018:*

a) Failed to administer Fentanyl pain relief to a patient who required it.

b) Pre-completed documentation relating to a patient up to 12 noon before 9.30am.

c) Whilst dealing with the controlled drugs, failed to check the drugs were correct before signing the controlled drug book.

10) *On a date (unknown) between 28 December 2018 and 11 February 2019, in relation to a patient:*

a) Incorrectly calculated the risk assessment for nutrition

b) Incorrectly calculated the Waterlow (risk of pressure sores) score.

11) ...

a)...

b)...

12) ...

a)...

b)...

13) *On 15 January 2019 failed to carry out GCS neuro observations on a patient who had suffered an unwitnessed fall.*

14) *On 01 March 2019 failed to accurately complete a falls management plan for a patient in that you:*

a) Incorrectly recorded a patient fall.

b) Failed to document a risk of climbing over bed rails

- c) *Incorrectly recorded the patient as having adequate eyesight*
- d)...
- e) *Failed to record an issue with balance.*

15) *On 19 March 2019:*

- a) *Failed to provide safe and effective care in that, when asked by a colleague to confirm a patient's fluid intake, you ripped up the fluid balance sheet and told the colleague to 'write another one out' or words to that effect without confirming the patient's fluid intake.*
- b) ...
- c)...
- d) *Refused to stop feeding a patient who had independent feeding ability when required to do so by a senior colleague.*
- e) *Handled a patient roughly and without care thereby causing the patient to sustain a skin tear.*

16) *On 04 May 2018 took Patient A's capillary blood sugar reading without first cleaning the patient's finger.*

17) ...

- a)...
- b)...

18) *On 27 September 2019 failed to work professionally in that you completed patient observations independently having not been assessed as competent to do so.*

19) *Between 24 September and 11 October 2019:*

- a) *Failed to communicate appropriately or at all with a patient*
- b) *Used inappropriate language in that you referred to a patient suffering with dementia as being 'demented'*
- c)...

20)...

21) *Failed to work collaboratively and as part of a team in that you failed, without notifying anyone, to attend for duty on the following dates:*

- a) 29 July to 16 August 2019
- b) 09 September to 23 September 2019
- c) 12 October to 15 October 2019.

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

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

'The panel considered whether Miss Joseph's fitness to practise remains impaired.

The panel noted that the original panel found that Miss Joseph had a lack of insight. At this meeting it considered it has seen no information as to Ms Joseph's current insight as she has not made any contact with NMC since the last review.

In its consideration of whether Miss Joseph has taken steps to strengthen her practice, the panel did not have any evidence of additional training or steps taken by Miss Joseph. The panel considered that Miss Joseph's lack of engagement with her regulator raises concerns of her professionalism.

The last reviewing panel determined that Miss Joseph was liable to repeat matters of the kind found proved. Today's panel has received no new information to suggest this is no longer the case. In light of this the panel determined that Miss Joseph 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.

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

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

'The panel considered the imposition of a further period of suspension. It was of the view that, given this is the second review, a suspension order would allow Miss Joseph further time to fully reflect on her previous failings and re-engage with her regulator. The panel concluded that a further 12-month suspension order would be the appropriate and proportionate response and would afford Miss Joseph adequate time to further develop her insight and take steps to strengthen her practice. It would also give Miss Joseph opportunity to approach past and current health professionals to attest to her good practice.

The previous reviewing panel on 15 September 2023 suggested that today's panel would have a striking-off sanction available to it. Today's panel noted that as it has not yet been two years since the substantive order was imposed, a striking-off order is not available today. However, the next reviewing panel will have all options available to it including a striking-off order.

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 12 months would provide Miss Joseph with a further opportunity to re-engage with the NMC. It considered this to be the most appropriate and proportionate sanction available.

[...]

Any future panel reviewing this case would be assisted by:

- *Miss Joseph's attendance, virtually or in-person, at any future hearing.*
- *An indication of Miss Joseph's intention to continue to be a registered nurse.*
- *Evidence of any completed training/courses.*
- *Information on any current employment or voluntary work.*
- *References from Miss Joseph's current employer (if applicable).*
- *A reflective statement which addresses the impact of Miss Joseph's actions from her lack of competence and its effects on colleagues, public and nursing profession.'*

Decision and reasons on current impairment

The panel has considered carefully whether Miss Joseph's fitness to practise remains impaired. There is no statutory definition of fitness to practise. However, the NMC has recently redefined fitness to practise as a registrant's ability to practise safely and effectively without restriction. (Reference: DMA–1 updated 28 January 2026). 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 panel 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 Joseph's fitness to practise remains impaired.

The panel noted that the last reviewing panel found that Miss Joseph had a lack of insight. At this meeting, there is no evidence before the panel to undermine the findings of the last reviewing panel. Miss Joseph has not made any contact with the NMC in relation to these proceedings. Today's panel considered that Miss Joseph has not demonstrated an understanding of how her actions put patients at a risk of harm, nor has she demonstrated an understanding of why what she did was wrong or how this impacted negatively on the reputation of the nursing profession.

In its consideration of whether Miss Joseph has taken steps to strengthen her practice, the panel considered that there was no evidence before it to suggest that Miss Joseph has undertaken any relevant training or reflection, nor is there any evidence of steps taken by Miss Joseph to strengthen her practice. The panel considered that Miss Joseph's continued lack of engagement with her regulator raises concerns about her professionalism.

The last reviewing panel determined that Miss Joseph was liable to repeat matters of the kind found proved. Today's panel has received no new information to suggest that this is no longer the case. In light of this the panel determined that Miss Joseph remains liable to repeat matters of the kind found proved. The panel therefore decided that a finding of continuing impairment is necessary on the ground 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 noted the seriousness of the charges found proved at the original substantive hearing. It noted that the original substantive panel was mindful of the fact that, during Miss Joseph's employment at Bolton NHS Foundation Trust ('the Trust'), she was offered the benefit of numerous forms of support to help her improve her practice, but that there had been negligible improvement. There was no evidence before today's reviewing panel to indicate a change in circumstance, and thus determined that an informed member of the public might well lose confidence in the nursing profession and thus be reluctant to access services if Miss Joseph were allowed to continue to practise. Therefore, 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 Miss Joseph's fitness to practise remains impaired.

Decision and reasons on sanction

Having found Miss Joseph 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) (last updated: 28 January 2026), 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 would it protect the public or be in the public interest to impose a caution order.

The panel next considered a caution order and had regard to the NMC Guidance on '*Caution order*' (Reference: SAN-2b Last Updated: 28/01/2026) in which the following is stated:

'A caution is only appropriate if the Committee has decided there's no risk to the public or to people using services that requires the professional's practice to be restricted. This means 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 Miss Joseph's lack of competence was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate, nor would it protect the public or be in the public interest to impose a caution order.

The panel next considered whether a conditions of practice order on Miss Joseph's registration would be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable. The panel bore in

mind the seriousness of the facts found proved at the original substantive hearing and concluded that a conditions of practice order would not adequately protect the public or satisfy the public interest. The panel also took into account that Miss Joseph has not engaged with the NMC for a considerable amount of time, namely since 19 October 2023. It further noted that there is no evidence before it to indicate that Miss Joseph is currently working in any role which would allow conditions of practice to be imposed. The panel therefore considered that a conditions of practice order would not be workable and would serve no useful purpose. The panel noted that the Trust made efforts to support Miss Joseph whilst she was employed, but that there were no improvements made regarding her clinical practice.

The panel next considered imposing a further suspension order. The panel noted that Miss Joseph has not demonstrated any insight, reflection, or steps taken to strengthen her practice.

The panel took into account the SG which states that the sanction of suspension may be appropriate when:

‘despite the seriousness of what happened, the professional has engaged in the proceedings and has shown at least some meaningful insight which evidences a realistic possibility that they will continue to develop this insight, address their concerns and return to practice.’

The panel noted that Miss Joseph has not engaged with the NMC since 19 October 2023, she has not provided any indication of her intention to remain a registered nurse, nor has she provided any evidence of training courses, reflections, or testimonials. Therefore, in this particular case, the panel determined that a suspension order would not be a sufficient, appropriate, or proportionate sanction. It was of the view that considerable evidence would be required to show that Miss Joseph no longer posed a risk to the public. The panel therefore determined that a further period of suspension would not serve any useful purpose in these circumstances.

The panel considered imposing a striking off order and had particular regard to SAN-3 *Deciding between suspension and strike off* in the recently revised SG and, in particular, the last two bullet points:

- *Consider the professional's insight and attitude to addressing the concerns, and whether it is realistically possible that these will change positively during the suspension period. If it is unlikely the professional will try to address the concerns, there may not be appropriate for them to be suspended in the hopes that they will eventually return to practice.*
- *Professionals are under an obligation to cooperate with their regulator. Where professionals have failed to engage with the fitness to practise process, it won't usually be appropriate to use a suspension order as a means of giving them a 'last chance' to engage, reflect or show insight.*

The panel also had careful regard to that part of the SG relating to striking off orders and noted that it had to consider the following:

- *Do the charges found proved raise fundamental questions about their professionalism?*
- *Can public confidence in the profession be maintained if the professional is not removed from the Register?*
- *Is there any amount of insight and reflection which could keep people receiving care and members of the public safe, maintain public confidence in the profession, and uphold professional standards?*
- *Is there a realistic prospect that, after suspension, the professional will have gained insight and strengthened their practice such that the risk they pose will have reduced?*

The panel determined that as Miss Joseph has not engaged with the NMC in relation to these proceedings, and has not demonstrated any insight or steps taken to strengthen her practice, it was necessary to take action to prevent her from practising in the future. The panel considered that Miss Joseph's lack of engagement with the NMC is an aggravating factor and increases the risk in this case. It considered that there was no realistic prospect that Miss Joseph would attempt to remedy the concerns, such that she no longer poses a risk to the public. The panel reminded itself that at the original substantive hearing, the

panel went to great lengths to probe Miss Joseph's insight and attitude to addressing the concerns. From the evidence before today's panel, it considered that Miss Joseph had an entirely unrealistic understanding of what was required of her, or what action she would be willing to take. The panel therefore concluded that the only sanction that would adequately protect the public and serve the public interest was a striking-off order.

The panel noted that although it is reviewing this order under Article 30(1), it has the ability to replace the current suspension order with a striking off order with immediate effect, in accordance with Article 30(2). The panel took into account that it has been almost three years since the original substantive suspension order was imposed. It further considered the lack of engagement and remediation demonstrated by Miss Joseph. The panel thus considered that allowing the striking off order to replace the suspension order upon its expiry would be of no useful purpose.

This striking-off order will therefore replace the current suspension order with immediate effect in accordance with Article 30(2).

This decision will be confirmed to Miss Joseph in writing.

That concludes this determination.