

Nursing and Midwifery Council

Registrations Appeal Hearing Monday 14 March 2022

Virtual Hearing

Name of appellant: Mrs Paschalina Pazou

Type of case: Registrations appeal

Panel members: Dr Howard Freeman (Chair, Lay member)
Elizabeth Maxey (Registrant member)
Gillian Fleming (Lay member)

Legal Assessor: Graeme Henderson

Hearings Coordinator: Monsur Ali

Nursing and Midwifery Council: Represented by Lee Anyene, Case Presenter

Mrs Pazou: Present and unrepresented

Decision: Appeal dismissed

Decision and reasons

The panel decided to dismiss your appeal against the decision of the Assistant Registrar of the Nursing and Midwifery Council (NMC).

This appeal is made under Article 37 of the Nursing and Midwifery Order 2001 (the Order). You appealed the decision of the Assistant Registrar on 19 September 2021. The documents you had submitted were considered by the Assistant Registrar who was unable to determine whether your qualification met the requirements for registration as a Nursing Associate. You were therefore required by the NMC to undergo compensation measures in the form of an Aptitude test to become eligible to apply to be entered on the Nursing Associate Register.

In reaching its decision, the panel considered all of the evidence in this case, as well as your submissions, and those of Mr Anyene on behalf of the NMC.

Background

You first applied to be entered on the Nursing Associate Register on 15 February 2020, having obtained a Nursing Assistant qualification in Greece in 1992.

The Assistant Registrar refused your application. This is because as a tool for assessing whether an applicant's qualification meets the NMC's Nursing Associate standards, it requires education providers to complete a detailed form about their qualification. This is called a 'Nursing Associate Qualification Information Form' (the NAQI Form) but your education provider had closed and its successor did not complete and return the NAQI form. Therefore, this was not available to the NMC when considering whether your qualification met the required standards. Instead, you submitted the following documents in support of your application:

- i. Evidence of qualification (Greek version with English translation).
- ii. Letter from the Hellenic Republic Ministry of Health confirming they cannot complete the qualification information form.
- iii. Extracts from the Government Gazette of The Hellenic Republic.

- iv. Hellenic Republic (competent authority) - Certificate of license to practise as an Assistant Nurse in Greece (with English translation).
- v. Email communication between the Appellant and Head of Secretariat Department.

A letter, dated 23 August 2021 was sent to you advising you of the Assistant Registrar's decision.

On 19 September 2021 you appealed the decision of the Assistant Registrar in a Notice of Appeal (NOA).

Submissions

Mr Anyene outlined the background to the case. He submitted that the documentation you submitted in order to demonstrate that you have the necessary qualification to join the Nursing Associate Register as a Nursing Associate did not verify that this was equivalent to those that are required by the NMC. This is because the NMC could not determine that your qualification that you completed in Greece meets the requirements of a Nursing Associate here in England as your education provider did not complete and return the NAQI Form. Mr Anyene further submitted that your education provider stated that the relevant file which consists of your training and learning record is no longer available.

Mr Anyene invited the panel to carefully review all of the documentation before it, including your oral submission and decide if you have demonstrated that you have met the NMC's requirements to be admitted on to the Nursing Associate Register.

You told the panel that you qualified as an Assistant Nurse in 1992 and as part of your training you had worked in hospitals for two years. You said you administered medication, cared for patients and carried out various duties which are very similar to those that are required of a Nursing Associate. You also told the panel that from 1992 to 1994 you worked in a private company as an Assistant Nurse for those two years following qualification.

You told the panel that from 2015 you have been working as a “*Rapid Responder*” in England. You stated that you cover emergencies, caring for clients, carrying out medicine administration and you move and manually handle patients. You said that this work was not in a registered healthcare role.

You told the panel that part of the reasons why you could not get all the necessary documents requested by the NMC was because during the pandemic you were working continuously, without a day off, for up to 20 weeks, thus you could not go to Greece to get the papers.

You provided a translated certificate from Hellenic Republic region of Central Macedonia Metropolitan unit of Thessaloniki General Directorate of Public Health and Social Welfare department of Public Health, dated 3 July 2020. You submitted that this certificate is the proof that you have completed the relevant degree which satisfies the requirement to be admitted on to the Nursing Associate Register.

You told the panel that in Greece an Assistant Nurse and a Nursing Associate is the same. You informed the panel that you had undertaken a Level 2 NVQ in Health and Social Care and are currently studying for a masters degree in dementia at Hull University. You therefore submitted that you have the necessary qualification and the experience to be a Nursing Associate and invited the panel to allow your appeal.

The panel accepted the advice of the legal assessor.

Panel’s decision

In reaching its decision, the panel considered all of the evidence in this case, as well as your submissions and those of Mr Anyene. The panel gave particular consideration to the documents you provided and upon which you rely to establish you have the necessary qualification to be admitted to the Nursing Associate Register under the EU Directive 2005/36/EC (the Directive) without having to undergo an aptitude test.

The panel had regard to the reasons set out in the Assistant Registrar’s decision and the requirements set down in the Directive.

The panel is not satisfied that the Assistant Nurse qualification you obtained in Greece, is equivalent to the standard and training the NMC requires to admit a person onto the Nursing Associates Register.

The panel therefore determined to dismiss your appeal.

This decision will be confirmed to you in writing.

That concludes this determination.