

**Nursing and Midwifery Council
Investigating Committee**

**Interim Order Review Hearing
Tuesday 11 October 2022**

Virtual Hearing

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| Name of registrant: | Penny Hayes |
| NMC PIN: | 8114156E |
| Part(s) of the register: | Registered Nurse – Sub Part 1 Adult Nursing (Level 1) – 16 March 1987 |
| Panel members: | Heather Moulder (Chair, registrant member) Helen Hughes (Registrant member) Carol Jackson (Lay member) |
| Legal Assessor: | Graeme Dalgleish |
| Hearings Coordinator: | Pasha Ramphal |
| Nursing and Midwifery Council: | Represented by Ben Edwards, Case Presenter |
| Penny Hayes: | Not present and unrepresented |
| Interim order to be reviewed: | Interim conditions of practice order (18 months) |
| Outcome of review: | Interim conditions of practice order varied |

Decision and reasons on interim order

The panel decided to vary the current interim conditions of practice order.

The panel has determined that the following conditions are proportionate and appropriate:

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 only work for one substantive employer which must not be a bank or an agency.
2. [PRIVATE].
3. You must not be the nurse in charge of a shift.
4. [PRIVATE].
5. You must ensure that you are indirectly 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 another registered nurse.
6. [PRIVATE].
7. [PRIVATE].
8. [PRIVATE].
9. [PRIVATE].

10. You must immediately give a copy of these conditions to:
 - a) To your employer.
 - b) Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.

11. You must keep the NMC informed about anywhere you are working by:
 - a) Telling your case officer within seven days of leaving your employment
 - b) Giving your case officer your employer's contact details.

12. You must keep the NMC informed about anywhere you are studying by:
 - a) Telling your case officer within seven days of accepting any course of study.
 - b) Giving your case officer the name and contact details of the organisation offering that course of study.

13. You must tell your 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.

14. You must allow your case officer to share, as necessary, details about your performance, your compliance with and / or progress under these conditions with:
- a) Your current employer.
 - b) Any educational establishment.
 - c) Any other person(s) involved in your supervision as required by these conditions.

Unless Mrs Hayes case has already been concluded, this interim order must be reviewed before the end of the next six months and every six months thereafter. Additionally, Mrs Hayes or the Nursing and Midwifery Council (NMC) may ask for the interim order to be reviewed if any new evidence becomes available that may be relevant to the interim order.

At any review a panel may revoke the interim order or any condition of it, it may confirm the interim order, or vary any condition of it, or it may replace the interim conditions of practice order with an interim suspension order.

The NMC Case Examiners are yet to decide whether there is a case to answer in relation to the allegations made against Mrs Hayes. The NMC will write to Mrs Hayes when the case is ready for the next stage of the fitness to practise process.

This will be confirmed to Mrs Hayes in writing.

That concludes this determination.