

**Nursing and Midwifery Council
Investigating Committee**

**Interim Order Review Hearing
Wednesday, 10 April 2024**

Virtual Hearing

Name of Registrant:	Kirsty Donaldson
NMC PIN	1712809S
Part(s) of the register:	Registered Midwife Midwifery – (September 2020)
Relevant Location:	Fife
Panel members:	Katriona Crawley (Chair, Lay member) Elizabeth Williamson (Registrant member) Gillian Murgatoyd (Lay member)
Legal Assessor:	Paul Housego
Hearings Coordinator:	John Kennedy
Nursing and Midwifery Council:	Represented by Shabana Fazal, Case Presenter
Miss Donaldson:	Not present and not represented at the hearing
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 was of the view that the public would remain suitably protected by the following varied conditions:

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. Within 21 days of this order coming into effect you must obtain and provide the NMC with a report from your line manager or supervisor on compliance with conditions 3 and 4 and whether any circumstances set out in condition 8 apply.
2. You must restrict your practice to NHS Fife.
3. You must meet with your line manager, supervisor or mentor fortnightly to discuss your performance in relation to the requirements as set out in the Competency Based Action Plan that was provided to the NMC by your employer.
4. You must obtain a report from your line manager, supervisor or mentor reporting on the discussions and current progress in relation to the Competency Based Action Plan.

You must send a copy of this report to the NMC in advance of the next review hearing.

5. You must keep us informed about anywhere you are working by:
 - a) Telling your case officer within seven days of accepting or leaving any employment.

- b) Giving your case officer your employer's contact details.
6. You must keep us 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.
7. You must immediately give a copy of these conditions to the current organisation or person you work for.
8. 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.
9. 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) Any current employer.
 - b) Any educational establishment.
 - c) Any other person(s) involved in your retraining and/or supervision required by these conditions.

The panel decided to vary this interim conditions of practice order and it will run for the remainder of the current interim order.

As the panel have varied the interim order with a requirement for a report within 21 days it also decided to direct an early review hearing. Therefore, an early review hearing will

be listed in or around 30 days from now and at that hearing Miss Donaldson and/or her representative will have the opportunity to make representations on the required report and on the varied order.

If the NMC is satisfied with the report given under condition 1 the early review hearing may be vacated.

Unless Miss Donaldson's 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, Miss Donaldson or the 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, the reviewing panel may revoke the interim order or any condition of it, it may confirm the interim conditions of practice order, or vary any condition of it, or it may replace the interim conditions of practice order with an interim suspension order.

In certain circumstances, it may be possible for the interim conditions of practice order to be reviewed by a reviewing panel at an administrative meeting. Miss Donaldson's case officer will write to her about this in due course.

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

This will be confirmed to Miss Donaldson in writing.

That concludes this determination.