

**Nursing and Midwifery Council
Investigating Committee**

**Interim Order Review Hearing
Monday, 8 April 2024**

Virtual Hearing

Name of Registrant:	Elaina June Moynihan
NMC PIN:	0211206S
Part(s) of the register:	RNA: Registered Adult Nurse (16 August 2006)
Relevant Location:	Aberdeenshire
Panel members:	Sarah Lowe (Chair member) Anna Ferguson (Registrant member) Paul Leighton (Lay member)
Legal Assessor:	Lucia Whittle-Martin
Hearings Coordinator:	Monowara Begum
Nursing and Midwifery Council:	Represented by Teri Howell, Case Presenter
Mrs Moynihan:	Not present and not represented at the hearing
Interim order to be reviewed:	Interim conditions of practice order (12 months)
Outcome of review:	Interim conditions of practice order confirmed

Decision and reasons on interim order

The panel decided to confirm and continue 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 limit your nursing practice to one substantive employer and not undertake any agency or bank employment.
2. You must ensure that you are supervised 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.
3. You must not administer medications until you are deemed fit to do so by a nurse in charge or a clinical supervisor.
4. You must work with your line manager, mentor or supervisor to create a personal development plan (PDP). Your PDP must address the concerns about your practice and specifically:
 - Conflict management;
 - Your management and administration of medication;
 - The standard of your record keeping and documentation;
 - Recognition of a deteriorating patient and escalation of clinical concerns; and
 - Managing your workload.

You must:

- Send your NMC case officer a copy of your PDP;

- Meet with your line manager, mentor or supervisor at least every 2 weeks to discuss your progress towards achieving the aims set out in your PDP; and
 - Send your NMC case officer a report from your line manager, mentor or supervisor before any NMC review hearing or meeting. This report must set out the standard of your performance and your progress towards achieving the aims set out in your PDP.
5. 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 case officer your employer's contact details.
 6. 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.
 7. You must immediately give a copy of these conditions to:
 - a) Any organisation or person you work for.
 - b) Any employers you apply to for work (at the time of application).
 - c) Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.
 - d) Any current or prospective patients or clients you intend to see or care for on a private basis when you are working in a self-employed capacity.
 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 or future employer.
 - b) Any educational establishment.
 - c) Any other person(s) involved in your retraining and/or supervision required by these conditions.

Unless Mrs Moynihan'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, Mrs Moynihan 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.

A panel of the Fitness to Practise Committee has still to deal with the allegations made against Mrs Moynihan. The NMC will keep Mrs Moynihan informed of developments in relation to that issue.

This will be confirmed to Mrs Moynihan in writing.

That concludes this determination.