

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

**Interim Order Review Meeting
Monday 08 January 2024**

Virtual Hearing

Name of Registrant:	Marlene Pontes
NMC PIN	11D0660E
Part(s) of the register:	Nursing, Sub part 1 RNA, Registered Nurse – Adult (17 February 2012)
Relevant Location:	England
Panel members:	David Evans (Chair, Lay member) David Newsham (Lay member) Susan Ball (Registrant member)
Hearings Coordinator:	Hazel Ahmet
Interim order to be reviewed:	Interim conditions of practice order (18 months)
Outcome of review:	Interim conditions of practice order confirmed

Decision and reasons on interim order

The panel decided to confirm the interim conditions of practice order.

The panel determined the following conditions would protect the public and meet the wider public interest:

'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 not work as a manager in any clinical or care environment.*
2. *You must not be the nurse in charge of any shift.*
3. *You must ensure that you are supervised by another registered nurse at any time you are working. Your supervision must consist of:*
 - a) *Working at all times on the same shift as, but not always directly supervised by another registered nurse.*
 - b) *Monthly meetings with your supervisor, mentor or line manager to discuss your conduct and performance.*
 - c) *Prior to NMC review hearing or meeting you must send your NMC case officer a copy of a report from you supervisor, mentor or line manager commenting on your conduct and performance.*
4. *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.*
5. *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.*
6. *You must immediately give a copy of these conditions to:*
- a) *Any organisation or person you work for.*
 - *b) Any agency you apply to or are registered with for work.*
 - c) *Any employers you apply to for work (at the time of application).*
 - d) *Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.*
 - e) *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.*
7. *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.*
8. *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 there has been a material change of circumstances, a panel will review the interim conditions of practice order at an administrative meeting within the next six months. The reviewing panel will be invited by the NMC to confirm the order at this meeting and Ms Pontes will be notified of that panel's decision in writing following that meeting.

Alternatively, Ms Pontes is entitled to have the interim conditions of practice order reviewed at a hearing. This means that Ms Pontes will be able to attend and make representations, send a representative on her behalf or submit written representations about whether the order continues to be necessary. Ms Pontes must inform her case officer if she would like the interim conditions of practice order to be reviewed at a hearing.

Even if Ms Pontes does not request a hearing, where there has been a material change of circumstances that might mean that the order should be revoked or replaced, a panel will review the order at a hearing to which Ms Pontes and her representative will be invited to attend.

This decision will be confirmed to Ms Pontes in writing.

That concludes this determination.