

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

**Interim Order Review Hearing
Thursday 14 March 2024**

Virtual Hearing

Name of Registrant:	Michael David Elphick
NMC PIN	01A0430E
Part(s) of the register:	RNA: Registered Nurse – (sub part 1) Adult – Level 1 24 January 2004
Relevant Location:	Sunderland City
Panel members:	Dale Simon (Chair, lay member) Anna Ferguson (Registrant member) Susan Laycock (Lay member)
Legal Assessor:	Tim Bradbury
Hearings Coordinator:	Brenda Eze
Nursing and Midwifery Council:	Represented by Fred Batstone, Case Presenter
Mr Elphick:	Not present and not represented
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 current interim conditions of practice order.

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, which may be an agency on a single booked placement of not less than three-months duration.
2. You must not be the nurse in charge of any shift.
3. You must ensure that you are supervised by another registered nurse, any time you are working. Supervision must consist of:
 - When completing pre-operative assessments, you must be directly observed by another registered nurse.
 - At all times working on the same shift as, but not always directly observed by another registered nurse.
 - Two-weekly meetings with your line manager/mentor/supervisor to discuss your clinical practise with particular regard to record-keeping, pre-operative assessments, and risk management.
4. You must ensure you provide your NMC case officer, prior to any review hearing, a recent report from your line manager/mentor/supervisor, outlining your progress in relation to the matters outlined in paragraph 3, above.

5. You must undertake training in clinical consultation skills and provide a certificate of completion to your case officer within seven days of completion.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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.

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

Unless Mr Elphick'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, Mr Elphick 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. Mr Elphick's case officer will write to Mr Elphick about this in due course.

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

This will be confirmed to Mr Elphick in writing.

That concludes this determination.