

## NURSES



Nurses in the UK are regulated by the Nursing and Midwifery Council. Any criminal conviction must be reported to the council and an investigation will take place. The investigation will be centred on the individual and will assess their fitness to practice as a Nurse or Midwife.

### The Investigation

When a report is made to the Nursing and Midwifery Council, an investigation will then proceed. The first stage is that the council will request all of the information relating to the offence committed and the conviction laid against the Nurse or Midwife in question.

Following this the Nurse in question will be asked to respond to the council putting forward their response to the issue raised. Additionally, the Nursing and Midwifery Council will take steps to liaise with third parties such as witnesses or solicitors who acted in the matter to determine the circumstances that led to the conviction.

Following this the council will make a decision on how best to move forward following the conviction. Dependant on the seriousness of the offence, committed it may be appropriate to issue an advice or warning to a Nurse rather than referring the matter to a Fitness to Practice Committee.

### Fitness to Practice Committee

Issues relating to fitness to practice are decided by a committee consensually with the Nurse whose fitness to practice is being called into question. Should the Nurse accept that his/her conduct, namely the criminal conviction, has called their fitness to practice into question the Panel and the Nurse will look to determine the most suitable sanction. However the Panel has the final decision. The Nurse must, however, sign confirming that she has chosen to deal with the matter by consent. Should a Nurse not wish to deal with the matter by consent then the Panel will make the decision alone regarding the fitness to practice of the Nurse and in turn the sanction to be imposed. This process will see a hearing

or meeting taking place with witnesses and other parties being called to attend and give evidence.

### Sanctions

Where a Nurse is convicted of a criminal offence and it reaches the point of sanctions on his/her ability to practice this decision is made by the fitness to practice committee. The Nursing and Midwifery Council will always try to be proportionate in the sanctions imposed to ensure that the Nurse's rights are protected along with keeping with their overarching objective of public protection.

Before making a decision on the fitness to practice of a Nurse the Nursing and Midwifery Council will consider a host of factors including;

1. Aggravating features;
2. Mitigating features;
3. Previous sanctions imposed; and
4. Previous regulatory action taken.

These factors will aid the Panel in making a decision on how the sanction on a Nurse's ability to practice should be imposed and its length.

### What do I do next?

We are always happy to discuss your case with you, we are specialists in defending drivers nationwide for all types of motoring offences. Call our team on **0800 1389 123** for some free initial advice.

**CALL US NOW ON FREEPHONE**  
**0800 1389 123**



**Call Geoffrey Miller Solicitors**  
**24 hours 7 days a week**

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