

What happens at an interim order review?

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We will normally list interim order review hearings for a virtual hearing, but we will always consider requests from the nurse, midwife or nursing associate for the hearing to be held physically at a hearings centre. We'll expect such requests to be supported by clear reasons for the request. We'll be guided by the principle of fairness and will do what we can to ensure that people can engage effectively in the hearing. Before we hold a case virtually, we'll check to find out if participants have the right technology to participate effectively and are able to use it.

How does a panel make a decision?

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The panel must make sure that it thoroughly considers the initial interim order in the light of all the circumstances that are now before the review hearing.

Some of the factors the panel will consider include:

- the circumstances at the time the interim order was made, summarised in the decision of the panel
- any other relevant documentation, and
- any change of circumstances since then.

If the panel wishes, it can see the transcript of the first full interim order hearing where the nurse, midwife or nursing associate made representations. Previous transcripts can be made available to panels sitting on later interim order review hearings if necessary, but they are not provided as standard.

If the nurse, midwife or nursing associate has never attended in person or via a representative and made representations, future panels will not need a transcript and the previous decision notice will suffice.

A panel's powers

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A panel can review the interim order at either a private meeting or a public hearing. The panel then may:

- revoke the interim order or revoke any condition imposed by the interim order
- confirm the interim order
- vary any condition imposed by the interim order
- replace an interim conditions of practice order with an interim suspension order for the remainder of the duration of the interim order

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Reviewing interim suspension orders

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Interim suspension orders will usually be reviewed at meetings unless there has been a material change of circumstances, or unless the nurse, midwife or nursing associate requests a review hearing.

Reviewing interim conditions of practice orders

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Interim conditions of practice orders will usually be reviewed at hearings unless a full consideration of all the information before us suggests that the order can be confirmed at a review meeting.

Breaching interim orders

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If a nurse, midwife or nursing associate deliberately breaches an interim order imposed on them, whether it is an interim conditions of practice order or interim suspension order, this may in itself require regulatory action. Such matters are likely to be taken very seriously as they show a disregard for the steps the NMC has put in place to keep the public safe or uphold confidence in the professions.

A deliberate breach of an interim order will be taken into account by a panel when reviewing that order. We are also likely to consider bringing a separate regulatory concern against the nurse, midwife or nursing associate based on the deliberate breach.