

# Virtual Fitness to Practise hearings: A guide for witnesses

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# Virtual Fitness to Practise Hearings:

## A guide for witnesses

Our guide introduces you to virtual hearings and how we run them. Before attending your first virtual hearing we'd like to invite you to read this guide carefully. At the end of our guide you'll find information about how to contact us if you have any questions.

This guide contains useful information for you. Among other things, you'll learn:

- how we can support you.
- basic information about virtual hearings;
- how we'll notify you of a virtual hearing;
- how to set up or join a virtual hearing;
- how to send and share information electronically;
- tips for preparing for a virtual hearing; and
- what will happen during a virtual hearing.

# Introduction

## What are virtual fitness to practise hearings?

They're a type of hearing that take place by using video conference software rather than in person.

When we hold a virtual hearing, everyone taking part will do so from a location outside of our hearings venues. Most people will attend the hearing from their home or a private office.

To hold virtual hearings, we use a video conference software called 'GoToMeeting'. This allows everyone to see and hear each other. This is similar to Zoom or Microsoft Teams.

## How do they work?

When we hold a virtual hearing the people attending do this by video and/or telephone. To attend a virtual hearing you'll need access to a telephone or an internet enabled computer, tablet or smartphone. We'll send you a unique internet link or telephone number to call to join the hearing.

If you're joining a virtual hearing with an internet enabled device, once you've joined you'll be able to see and hear everyone else. They'll also be able to see and hear you. If you're joining a virtual hearing by telephone you'll be able to hear everyone else and they'll be able to hear you.

If we need to send you paper work, such as your witness statement, we'll send these to you by 'Egress Switch.' This is our secure email system, it allows us to send confidential information to you in a secure way.

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## Supporting you

We know that attending any type of hearing can be an upsetting and difficult experience. Whether you're attending a face to face hearing or a virtual hearing we expect everyone involved to **treat each other kindly, with dignity and respect.**

We expect our panel secretary to support you by answering any questions you have and by providing you with clear information about the way in which the virtual hearing will run. During the hearing day, our panel secretary will be your first point of contact. If you do have any questions, please speak to them.

We expect our case presenter to prepare you for giving your evidence. This means we expect them to tell you what will happen during the hearing, to make sure you have the documents you need like your witness statement and to answer any questions you might have.

We expect the Chair to make sure that everyone is able to fully participate and to create an inclusive environment. If you need a break for any reason, the Chair will make sure this happens. We also expect the Chair to manage the questioning of anyone giving evidence. If the questioning is inappropriate, we expect the Chair to stop it and explain why it was inappropriate. The Chair may also intervene if the questioning is vague or misleading. Again, the Chair will explain why they're interrupting and their reasons do this.

The panel also has the power to remove anyone from the virtual hearing who is being disruptive. This power is only used when absolutely necessary.

We'll also try to meet your needs if you need further assistance from us. If you have any specific needs please let us know so that we can prepare before the virtual hearing.

### I'm nervous about attending

We understand that you might be nervous about attending a virtual hearing. Hopefully our guide will answer some of your questions. But we understand you might have more questions.

Our witness liaison service can provide you with support before, during and after a fitness to practise hearing. Our witness liaison officers are available to answer your questions, explain our processes and support you while you give your evidence.

If you would like to discuss attending a virtual hearing with one of our witness liaison officers please email:

[witness.liaison@nmc-uk.org](mailto:witness.liaison@nmc-uk.org).

You can find out more information [here](#).

We're fair  
We're kind  
We're ambitious  
We're collaborative

We also have an independent support line if you want to talk to someone. You can contact Victim Support on the number below, 24 hours a day, 365 days a year.

**Call 0300 303 3731**

### What if I get upset during the virtual hearing?

It's ok to be upset.

We all display our emotions in different ways. You might find yourself crying, feeling angry, frustrated or any other type of way. If you feel upset during a virtual hearing it might be more obvious to the Chair, for example if you're crying. But we also know that you might be upset and not showing your emotions.

Where someone is visibly upset we expect the Chair to take a break until that person is ready to continue. If you're not visibly upset it might be harder for the Chair to know you're upset. Whether you're visibly upset or not, if you need a break for any reason please tell the Chair.

## Setting up a virtual hearing

### Notifying witnesses

If we invite you to give evidence we'll send you a letter or an email telling you that the hearing is taking place virtually. We'll most likely send you an email.

We'll provide you with details of the virtual hearing. We'll tell you what day the hearing is taking place and what time we'll need you to be available.

#### **We recommend:**

- Checking that we have your correct email address;
- Checking your email account 'junk' folder to make sure you've not missed any emails from us; and
- Contacting us if you need to update your details. You can find our contact details on previous emails or letters we've sent you.

# Conducting a GoToMeeting test for a virtual hearing

## Using GoToMeeting

We will contact you to conduct a test at least 2 weeks before the hearing.

We will arrange a day and time with you to test your GoToMeeting. This test will check that we can see and hear you when using your device.

We will send you an invite by email to the GoToMeeting test. This invite will include the details you need for the test.

Please join the test using a computer, laptop, tablet or smartphone. If you are using a computer, tablet or smartphone please download the free GoToMeeting app from the App store or Google play. If you are using a computer, you will be able to do the test via your internet browser.

You can find more information on using GoToMeeting in our guide: Virtual Fitness to Practise events: [A guide to Egress Switch and GoToMeeting](#).

# Receiving paperwork for a virtual hearing

## Sending you the documents you need: Using Egress Switch to send and receive documents and private emails

For every hearing there's going to be documents you'll need, such as your witness statement and exhibits.

Data protection of our hearings documents is important to us. We want to make sure you have all the documents you need while protecting the private and sensitive information that might be in those documents or emails. If you're sending and receiving documents or emails we'll need you to use Egress Switch to ensure they're protected.

For more information on using Egress Switch, please see our guide: Virtual Fitness to Practise events: [A guide to Egress Switch and GoToMeeting](#).

You can find further information about Egress Switch by visiting our website [here](#).

# Preparing to join a virtual hearing

## Before you join the virtual hearing

We know that attending any type of hearing can be daunting and difficult for some witnesses, especially if this is your first time. There are things that everyone can do to prepare in advance of a virtual hearing.

It's important that you're ready to join the virtual hearing and that you're prepared for the hearing to start once you've joined. To ensure a smooth virtual hearing and to reduce delays,

### We recommend:

- Checking the date and start time;
- That you have access to the documents you need, this might be your witness statement and any exhibits;
- Using two devices if you have them available to you, one for joining the virtual hearing and one for accessing hearings document;
- That the device you're going to use to access the virtual hearing is connected to the internet or mobile phone network, is fully charged or connected to a power outlet;
- Having access to a headset with a microphone. This can make the audio clearer. Many smartphones come with earphones that have a built in microphone that can be plugged in to your computer or tablet; and
- You're in a location that's comfortable, private and free from interruptions.

We understand that giving evidence from your own home can be challenging. If you have a space which is separate such as an office or study we'd suggest using this. If you don't have this available, consider asking your employer if you can give evidence from a private room at work.

Whilst we ask you not talk about your evidence to anyone else, it can be helpful to discuss your experience of the hearing. We'd suggest letting a family member, friend or colleague know that you're giving evidence and arranging a time afterwards to chat about your experience.



If you're nervous, upset or worried about attending a virtual hearing, we've provided more information about the support we can give you later in this guide.

## Joining a virtual hearing

### Using GoToMeeting

When you attend a virtual hearing, we'll ask you to use GoToMeeting. This will allow you to see and hear the other attendees. They'll also be able to see and hear you. You can access GoToMeeting by using a telephone, computer, tablet or smartphone. If you're using a telephone you'll only be able to hear what's happening and speak. If you're using a computer, tablet or smartphone you'll be able to see and hear what's happening if your device has a camera. We'll talk to you about how you attend and what options are available to best meet your needs.

You can find more information on using GoToMeeting in our guide: [Virtual Fitness to Practise events: A guide to Egress Switch and GoToMeeting](#).

## The virtual hearing

In this section we'll look at what happens during a virtual hearing.

### The morning of the hearing: Joining and pre virtual hearing conversations

Our panel secretary will coordinate the hearing that you're joining and they'll be your first point of contact throughout it. Please make sure you follow their instructions on when to join or leave a hearing.

When our panel secretary needs to contact you, on the morning of the hearing, they'll do this via telephone or email. We recommend that you have access to your telephone and your email account for the whole day of the hearing.

We aim to start our hearings at the time we told you'd they start. But we know delays can occur. If you're delayed please tell our panel secretary so they can let everyone else know.

Before we start a hearing, we know it can be helpful for the attendees to have a conversation. Doing this allows our attendees to talk about any issues they may have or to explain things to each other. We know this is important and it can help reduce delays.. Our panel secretary will coordinate any pre-hearings conversations as well as check that everyone can access the hearing through their chosen means.

When our panel secretary contacts you they'll let you know what time they'd like you to join the virtual hearing. The time you join will depend on who you are. Please do not join the virtual hearing until the time our panel secretary asks you to.

### Joining the hearing

Our panel secretary will contact you on the morning of the virtual hearing. They'll answer any questions you might have and talk to you about giving evidence under affirmation.

Our panel secretary will also facilitate any pre-hearing conversations between you and our case presenter. Our case presenter will talk to you about the hearing, giving your evidence and will provide you with a provisional time they expect you to give evidence.

When it's time to give your evidence, our panel secretary will invite to join the virtual hearing.

### We recommend:

- Telling our panel secretary the best way to get in contact with you when it's time to give your evidence; and
- Having access to your telephone and email account for the whole day that you've been called to give your evidence.

### Giving your evidence

When our panel secretary calls you to give your evidence, they'll invite you to join the hearing by your chosen means. They'll let the Chair know when you've joined.

Our panel secretary will administer the affirmation and then handover to the Chair of the committee.

The Chair will remind everyone that the hearing is taking place virtually. They'll make sure that you can see and hear everyone and that they can see and hear you if you're using a computer, tablet or smartphone with a camera. If you're attending via the telephone, they'll make sure you can hear everyone and that they can hear you.

The Chair will then do some introductions. This means everyone will say their name and what their role is.

Before you give your evidence, the Chair will:

- Ask you if you have your witness statement and any other documents you need; and
- Ask you if you have any questions before beginning.

The Chair will then ask our case presenter to take you through your evidence.

When you've finished giving your evidence, our case presenter may ask you some questions. If the nurse, midwife or nursing, associate under investigation has attend the virtual hearing, or they are represented, they may ask you questions.

The panel may also ask you questions. Sometimes the panel will want a few minutes to consider and discuss any questions they may have for you. If they do this, they'll do it in private. If the panel decides to do this, please follow the instructions of the Chair and the panel secretary.

Once you've finished giving your evidence, the Chair will ask our case presenter if you can be released. The Chair will then thank you for your attendance and you will then be free to leave the virtual hearing.

You can leave the virtual hearing by closing GoToMeeting or hanging up your telephone.

## The decision

During the hearing, the panel will make a written copy of their decision and reasons. We call this a determination. When the hearing has completed, we'll write to you to tell you what the panel decided. You'll also be able to find the panel decision on our website, [here](#).

# Virtual hearing tips

## Tips for witnesses

- Giving evidence can be challenging and we would recommend that you give your evidence from somewhere which isn't your home (such as your employer or friend's house). However, we do understand that this may not always be possible.
- We would recommend choosing a room that is quiet, ventilated, comfortable and private.
- Whilst the hearing is formal and we would expect you to dress appropriately, we also want you to feel comfortable in giving your evidence.
- If you're likely to be giving evidence for some time, make sure to have water to drink, and a box of tissues can sometimes be handy.
- Decide on the device you will use to access the virtual hearing such as a telephone, computer, tablet or smartphone.
- Please follow the instructions that our panel secretary gives; they're there to ensure that the virtual hearing runs smoothly.
- If you're not talking please mute yourself and remember to unmute yourself when you're ready to talk or invited to talk.
- Speak clearly and slowly so that everyone can understand everything you're saying.
- If you're referencing a document, please say the page number of the document that you're talking about.
- If your connection drops out this will be noticed by our panel secretary and everyone will be asked to pause until you return. If you do lose connection just re-join the using the same link;
- We know technical problems can be frustrating, we'll do our best to resolve your issues.

- If you're relying on a mobile phone connection, moving from one place to another can help improve your reception.
- We know it can be tiring to sit at a computer or on the phone for long periods of time. We want you to be as comfortable as possible. If you need a break, just let the Chair or our panel secretary know;
- Please don't record the hearing or take any photographs of it.
- If you have access to two devices, we recommend using one to join the virtual hearing and one for accessing hearings documents.

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## Observers

We exist to protect the public and to make sure the public have confidence in nurses, midwives and nursing associates and us as their regulator. An important part of our role is transparency. This means allowing members of the public and the press to observe our hearings and read the decisions panel members make.

We may allow members of the public and press to observe the virtual hearing you're giving evidence at.

### Observers at a virtual hearings

When we allow a member of the public or the press to observe a virtual hearing, we give them access to the audio. This means they'll be able to listen to the virtual hearing as it takes place. They won't be able to see the hearing or you as we won't give them access and you won't be able to see them.

When someone is observing, the Chair will let everyone know.

## Contacting us

If you have any questions, please contact us. You'll be able to find contact details in emails or letters we've sent you.

You can also find general contact details on our website [here](#).



## Version log

If we make changes to our guide we'll put them here. We'll let you know what section or sections of the guide changed and what date we made that change. This will help you find any new information.

Just so you know, we first published this guide on 4 May 2020

What's changed?	What pages is that on?	What date did we make that change?
We removed references to meetings as witnesses aren't invited to attend meetings.	Various.	16 June 2020.
We've added information about observers	Page 8.	3 August 2020
Restructured and simplified language.	Various	11 December 2020
We've corrected some typographical errors.	Various	29 January 2021