

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

**Substantive Order Review Hearing  
Wednesday 20 September 2023**

Virtual Hearing

**Name of Registrant:** Carly Falconer

**NMC PIN** 14I0653S

**Part(s) of the register:** Registered Nurse, Sub part 1-  
Adult Nursing, RNA, (4 September 2017)

**Relevant Location:** Falkirk

**Type of case:** Misconduct

**Panel members:** Bryan Hume (Chair, Registrant member)  
Jim Blair (Registrant member)  
Ashwinder Gill (Lay member)

**Legal Assessor:** Charles Parsley

**Hearings Coordinator:** Hazel Ahmet

**Nursing and Midwifery Council:** Represented by Ms Dixon, Case Presenter

**Miss Falconer:** Present and unrepresented at the hearing

**Order being reviewed:** Conditions of practice order (18 months)

**Fitness to practise:** Impaired

**Outcome:** **Conditions of practice order (18 months)**

**An application under Rule 19 of the Nursing and Midwifery Council (Fitness to Practise) Rules 2004 to hear all matters in private was accepted.**

## Decision and reasons on review of the substantive order

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

This order will come into effect at the end of 29 October 2023 in accordance with Article 30(1) of the 'Nursing and Midwifery Order 2001' (the Order).

Accordingly, the panel determined, pursuant to Article 30(1)(c) to make a conditions of practice order for a period of 18 months which will come into effect on the expiry of the current order, namely at the end of 28 October 2023. It decided to impose the following conditions:

*'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 ensure that you are supervised by a band 6 nurse or equivalent 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 observed by a registered nurse of band 6 or above or equivalent.
  - b) Weekly meetings to discuss your clinical caseload.
  
2. You must work with your line manager to create a personal development plan (PDP). Your PDP must address the concerns about drug administration, record keeping and stress management. You must:
  - a) Send your case officer a copy of your PDP within three months of taking on a nursing role.
  - b) Meet with your line manager at least every month to discuss your progress towards achieving the aims set out in your PDP.
  - c) Send your case officer a report from your line manager

every three months. This report must show your progress towards achieving the aims set out in your PDP'.

3. [PRIVATE]

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.

The period of this order is for 18 months.

This conditions of practice order will take effect upon the expiry of the current conditions of practice order, namely the end of 29 October 2023 in accordance with Article 30(1).

Before the end of the period of the order, a panel will hold a review hearing to see how well you have complied with the order. At the review hearing the panel may revoke the order or any condition of it, it may confirm the order or vary any condition of it, or it may replace the order for another order. The panel also highlighted that if the current conditions which are imposed on your practice cause difficulty in gaining employment, you can request an early review from the NMC.

Any future panel reviewing this case would be assisted by:

- Your future engagement with this NMC process
- An additional reflective piece concerning how you have progressed in an employment setting
- Testimonials from an employer and/or character references from people who are aware of your circumstances

This will be confirmed to you in writing.

That concludes this determination.