

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

**Interim Order Review Hearing
Tuesday, 16 April 2024**

10 George Street, Edinburgh, EH2 2PF

Name of Registrant:	Michael Battenbough
NMC PIN	09H0121W
Part(s) of the register:	Registered Nurse – sub part 1 Mental Health Nurse – 30 November 2009
Relevant Location:	Swansea
Panel members:	Darren Shelton (Chair, lay member) Carole McCann (Registrant member) David Anderson (Lay member)
Legal Assessor:	Marian Gillmore KC
Hearings Coordinator:	Catherine Blake
Nursing and Midwifery Council:	Represented by Alastair Kennedy, Case Presenter
Mr Battenbough:	Not present and not represented at the hearing.
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.

The panel was of the view that the public would remain suitably protected by the continuation of 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 restrict your practice as a registered nurse to Swansea Bay University Health Board (the Trust). You must not practise for an agency or the Nursing Bank.*
- 2. You must not be a mentor for student nurses.*
- 3. You must have fortnightly meetings with your line manager/mentor or allocated supervisor to discuss the following:*
 - Your professional boundaries with colleagues*
 - Your communication with colleagues*
- 4. You must provide a report from your line manager/mentor or allocated supervisor to the next panel reporting on:*
 - Your professional boundaries with colleagues*
 - Your communication with colleagues*
- 5. You must keep us informed about anywhere you are working by:*
 - Telling your case officer within seven days of accepting or leaving any employment.*
 - Giving your case officer your employer's contact details.*

6. *You must keep us informed about anywhere you are studying by:*
 - *Telling your case officer within seven days of accepting any course of study.*
 - *Giving your case officer the name and contact details of the organisation offering that course of study.*

7. *You must immediately give a copy of these conditions to:*
 - *Swansea Bay University Health Board (the Trust)*
 - *Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.*

8. *You must tell your NMC case officer, within seven days of your becoming aware of:*
 - *Any incident you are involved in.*
 - *Any investigation started against you.*
 - *Any disciplinary proceedings taken against you.*

9. *You must allow your NMC case officer to share, as necessary, details about your performance, your compliance with and / or progress under these conditions with:*
 - *Any current or future employer.*
 - *Any educational establishment.*
 - *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 Battenbough'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 Battenbough 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 Battenbough's case officer will write to him about this in due course.

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

This will be confirmed to Mr Battenbough in writing.

That concludes this determination.