

**Nursing and Midwifery Council
Investigating Committee**

**New Interim Order Hearing
Tuesday 2 April 2024**

Virtual Hearing

Name of Registrant:	Shanell Birch
NMC PIN	21K05250
Part(s) of the register:	Registered Nurse – Mental health nursing
Relevant Location:	Bedford
Panel members:	Ingrid Lee (Chair – Lay member) Siobhan Ebden (Registrant member) Linda Hawkins (Lay member)
Legal Assessor:	Ben Stephenson
Hearings Coordinator:	Vicky Green
Nursing and Midwifery Council:	Represented by Teri Howell, Case Presenter
Shanell Birch:	Present and represented by Dr Francis Graydon, instructed by the Royal College of Nursing
Interim order directed:	Interim conditions of practice order (18 months)

The panel determined that the following conditions are proportionate and appropriate:

'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 limit your nursing practice to East London NHS Foundation Trust, Luton and Bedfordshire Trust.
2. You must not be the only registered nurse on duty on the ward.
3. You must complete a training course in the Management of Actual or Potential Aggression. You must provide your case officer with a copy of the training certificate within 7 days of its completion.
4. You must provide an updated reflective statement after you have completed the training set out at condition 3. This updated reflective statement must be sent to your case officer before the next review hearing.
5. You must meet with your line manager or supervisor every month to discuss how you have:
 - a) Implemented your MAPA training.
 - b) Managed challenging situations.
 - c) Dealt with violent and/or aggressive service users.
6. You must obtain a report from your line manager or supervisor before the next review hearing. Each report must contain details of how you have:
 - a) Implemented your MAPA training.
 - b) Managed challenging situations.
 - c) Dealt with violent and/or aggressive service users.

7. 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.

8. 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.

9. You must immediately give a copy of these conditions to:
 - a) Any organisation or person you work for.
 - b) Any employers you apply to for work (at the time of application).
 - c) Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.

10. 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.

11. 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) Your current employer.
- b) Any educational establishment.
- c) Any other person(s) involved in your retraining and/or supervision required by these conditions.

The panel decided to make this interim order for a period of 18 months.

Unless your 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, you 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 order, or vary any condition of it, or it may replace the interim conditions of practice order with an interim suspension order.

The NMC Case Examiners are yet to decide whether there is a case to answer in relation to the allegations made against you. The NMC will write to you when the case is ready for the next stage of the fitness to practise process.

This will be confirmed to you in writing.

That concludes this determination.