

**Nursing and Midwifery Council
Investigating Committee**

**Interim Order Review Hearing
Monday, 22 April 2024**

Virtual Hearing

Name of Registrant:	Malik Spencer
NMC PIN	20K0350E
Part(s) of the register:	Registered Nurse Adult RNA – June 2021
Relevant Location:	Birmingham
Panel members:	Jill Wells (Chair, lay member) Yvonne Wilkinson (Registrant member) Gillian Murgatroyed (Lay member)
Legal Assessor:	Fiona Barnett
Hearings Coordinator:	Leigham Malcolm
Nursing and Midwifery Council:	Represented by Ms Laura Holgate, NMC Case Presenter
Mr Spencer:	Present and unrepresented
Interim order to be reviewed:	Interim Suspension Order (18 months)
Outcome of review:	Interim Suspension Order replaced with Interim Conditions of Practice Order

Decision and reasons on interim order

The panel decided to replace the current interim suspension order with an interim conditions of practice order.

The panel determined that the following conditions were 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 only be employed by Sandwell & West Birmingham Hospitals NHS Trust.*
2. *[PRIVATE]*
3. *You must not be the sole nurse in charge on any shift.*
4. *[PRIVATE]*
5. *[PRIVATE]*
6. *[PRIVATE]*
7. *[PRIVATE]*

8. *You must ensure that you are supervised any time you are working. Your supervision must consist of working at all times on the same shift as, but not always directly observed by, a registered nurse.*

9. *[PRIVATE]*

10. *[PRIVATE]*

11. *[PRIVATE]*

12. *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.*

13. *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.*

14. *You must immediately give a copy of these conditions to:*

- a) *Your current employer*
- b) *Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.*

15. *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.*

16. *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*

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, a 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 panel at an administrative meeting. Your case officer will write to you about this in due course.

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.