

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

**Interim Order Review Hearing  
Wednesday, 14 February 2024**

Virtual Hearing

<b>Name of Registrant:</b>	<b>Kerry Jayne Birdsall</b>
<b>NMC PIN:</b>	91F0015E
<b>Part(s) of the register:</b>	Registered Nurse – Sub Part 1 Adult Nursing (Level 1) – 18 August 1994
<b>Relevant Location:</b>	Falkirk
<b>Panel members:</b>	Rachel Ellis (Chair, Lay member) Laura Wallbank (Registrant member) Asmita Naik (Lay member)
<b>Legal Assessor:</b>	Richard Ferry-Swainson
<b>Hearings Coordinator:</b>	Nicola Nicolaou
<b>Nursing and Midwifery Council:</b>	Represented by Modupe Smith, Case Presenter
<b>Ms Birdsall:</b>	Not present and not represented at the hearing
<b>Interim order to be reviewed:</b>	Interim conditions of practice order (18 months)
<b>Outcome of review:</b>	<b>Interim conditions of practice order confirmed</b>

## **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 only work for one substantive employer. If that employer is an agency, you must be on a single placement for a period of at least three months.
2. You must not be the sole nurse in charge of any shift you are working.
3. You must ensure that you are directly supervised by another registered nurse whenever you are involved in the management and administration of medicines until deemed competent to do so independently by another registered nurse.
4. You must undertake medications management and administration training. You must send evidence of successful completion to your Nursing and Midwifery Council (NMC) Case Officer before the next review of this hearing.
5. You must meet monthly with your clinical workplace line manager, mentor, supervisor or their nominated deputy to discuss your progress in regard to medication management and administration. You must send a report of these meetings to your NMC Case Officer prior to any review of your case.
6. 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.
7. 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.
8. 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.
9. 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.
10. 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 Ms Birdsall'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, Ms Birdsall 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. Ms Birdsall's case officer will write to her about this in due course.

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

This will be confirmed to Ms Birdsall in writing.

That concludes this determination.