

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

**Interim Order Review Hearing
Friday, 23 August 2024**

Virtual Hearing

Name of Registrant:	Brendan James Phair
NMC PIN	19E0007C
Part(s) of the register:	Registered Nurse - Mental Health RN3 - Sub Part (2 May 2019)
Relevant Location:	Bury
Panel members:	Nicola Dale (Chair, lay member) Jonathan Coombes (Registrant member) Alyson Young (Lay member)
Legal Assessor:	Fiona Moore
Hearings Coordinator:	Hanifah Choudhury
Nursing and Midwifery Council:	Represented by Selena Jones, Case Presenter
Mr Phair:	Present and represented by Tope Adeyemi, instructed by Thompsons Solicitors
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 has 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 confine your practice as a registered nurse to one substantive employer at any time.

2. You must tell any prospective employer at the time of recruitment that:
 - a. you are subject to conditions imposed by this order;
 - b. that these conditions will continue pending determination of professional regulatory proceedings that are being brought against you; and
 - c. that you give your consent for your employer to seek further details concerning your professional regulatory proceedings from the NMC if the employer is minded to do so.

3. You must not be the sole nurse in charge at any time that you are providing nursing services.

4. You must meet with your line manager or supervisor fortnightly, to discuss:
 - a. Professional conduct
 - b. Record keepingA report on these and your compliance with these conditions must be sent to the NMC prior to any review meeting or hearing.

5. You must keep a reflective practice profile. The profile will:
 - Detail cases where you undertake or assist with challenging patients.

- Set out the nature of the care given and how you responded to the situation.
- Include reflection on all of the regulatory concerns and how you address these concerns in your current practice and ensure against repetition.
- Contain feedback from your line manager or supervisor.

You must send your case officer a copy of the profile every month

This profile must be presented to the panel at any future hearing or meeting reviewing these conditions.

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 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.

8. 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.

9. 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 Nursing and Midwifery Council (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 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.

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

This will be confirmed to you in writing.

That concludes this determination.