

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

**Substantive Order Review Meeting  
Wednesday 14 August 2024**

**Virtual Meeting**

**Name of Registrant:** Georgina A Twumasi-Ankrah

**NMC PIN** 03J06250

**Part(s) of the register:** Nurses part of the register, sub part 1 RN1: Adult nurse, level 1 (14 October 2003)

**Relevant Location:** Leeds

**Type of case:** Misconduct

**Panel members:** Susan Thomas (Chair – Lay member)  
Patience McNay (Registrant member)  
Jennifer Portway (Lay member)

**Legal Assessor:** Fiona Barnett

**Hearings Coordinator:** Vicky Green

**Order being reviewed:** Conditions of practice order (9 months)

**Fitness to practise:** Impaired

**Outcome:** **Conditions of practice order extended (for 4 months) to come into effect at the end of 22 September 2024 in accordance with Article 30(1)(a)**

## **Decision and reasons on service of Notice of Meeting**

The panel noted at the start of this meeting that the Notice of Meeting had been sent to Ms Twumasi-Ankrah's registered email address and to her representative at the Royal College of Nursing (RCN) on 21 June 2024.

The panel took into account that the Notice of Meeting provided details of the review that the review meeting would be held no sooner than 5 August 2024 and inviting Ms Twumasi-Ankrah to provide any written evidence seven days before this date.

The panel accepted the advice of the legal assessor.

In the light of all of the information available, the panel was satisfied that Ms Twumasi-Ankrah has been served with notice of this meeting in accordance with the requirements of Rules 11A and 34 of the Nursing and Midwifery Council (Fitness to Practise) Rules 2004 (as amended) (the Rules).

## **Decision and reasons on review of the current order**

The panel decided to extend the conditions of practice order for a period of four months. This order will come into effect at the end of 22 September 2024 in accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This is the fifth review of a substantive conditions of practice order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 22 August 2019. This was reviewed on 21 August 2020 where the panel extended the substantive conditions of practice order for a period of 12 months. On 16 August 2021 the panel again extended the substantive conditions of practice order for a period of 9 months, and 16 May 2022 the panel extended the substantive conditions of practice order for a period of 12 months. On 9 May 2023, the last reviewing panel decided to extend the conditions of practice order for a period of 9 months.

The current order is due to expire at the end of 22 September 2024.

The panel is reviewing the order pursuant to Article 30(1) of the Order.

The charges found proved by way of admission which resulted in the imposition of the substantive order were as follows:

*'That you, a registered nurse:*

*1. [...]*

*2. Did not check the contents and sterility of the GLE tray before Patient A's procedure started.*

*3. Exposed Patient A to risk of infection by bringing a GLE tray already opened for Patient C's procedure into the sterile field for patient A.*

*4. Incorrectly stated to colleagues that equipment sterility had been confirmed prior to Patient A's surgical procedure commencing.*

*5. [...]*

*AND in light of the above, your fitness to practise is impaired by reason of your misconduct.'*

The last reviewing panel determined the following with regard to impairment:

*'The panel has had regard to all of the documentation before it, including the NMC bundle, submissions from Ms Twumasi-Ankrah's representative, Ms Twumasi-Ankrah's reflective piece and her mandatory training certificate dated 15 March 2023.*

*The panel heard and accepted the advice of the legal assessor.*

*In reaching its decision, the panel was mindful of the need to protect the public, maintain public confidence in the profession and to declare and uphold proper standards of conduct and performance.*

*The panel considered whether Ms Twumasi-Ankrah's fitness to practise remains impaired.*

*Today's panel has not received any information that suggest that Ms Twumasi-Ankrah is no longer impaired. The panel determined that there is no evidence to conclude that Ms Twumasi-Ankrah is unlikely to repeat matters of the kind found proved at the substantive hearing.*

*The panel considered that the charges found proved related to serious infection control incidents and that there remains a real risk of significant harm to patients if the misconduct was repeated. It noted that Ms Twumasi-Ankrah has not worked clinically since the last review and was therefore not satisfied that she had appropriately addressed the concerns.*

*In its consideration of whether Ms Twumasi-Ankrah has taken steps to strengthen her practice, the panel took into account the training Ms Twumasi-Ankrah has undertaken dated 15 March 2023 and the reflective piece written by Ms Twumasi-Ankrah dated 6 August 2021 where she addressed the incident and explained what she would do differently.*

*The panel determined that the reflective piece dated August 2021 appeared to be resubmitted from an earlier review and did not provide up to date reflection or demonstrate any learning gained from her training. The panel also concluded that the training does not address the concerns raised against Ms Twumasi-Ankrah's practice in so far as the content on infection control appears to be limited and is not specific to working in a theatre setting. The panel also noted the submissions on behalf of Ms Twumasi-Ankrah that:*

*'Although Georgina Twumasi-Ankrah has undertaken training in Infection Prevention and Control, this does not entirely cover the requirement for working in a theatre setting. This condition can only be fulfilled in its entirety if she secures a position working in a theatre.*

*As Georgina Twumasi-Ankrah has fulfilled Condition 1 as close as she can, it is considered that this condition has been satisfied and therefore can be removed.'*

*However, the panel was of the view that the requirement of condition 1 could be better met than it currently has by Ms Twumasi-Ankrah undertaking more comprehensive and specific training in Infection Prevention and Control.*

*The panel notes that the misconduct found proved in this case dates back to 6 June 2016 and that the substantive order of conditions of practice was made in August 2019. It was of the view that since the imposition of the order, there has been limited engagement or evidence of progress shown towards addressing the concerns identified, which would enable Ms Twumasi-Ankrah to return to unrestricted practice.*

*The panel noted that Ms Twumasi-Ankrah has been unable to secure employment in a nursing role. It therefore considered that Ms Twumasi-Ankrah has not had the opportunity to fully comply with her conditions of practice order. Consequently, the panel was not satisfied that Ms Twumasi-Ankrah is capable of safe and effective unrestricted practice as she has not had the opportunity to remediate the failings in her practice since the imposition of the order.*

*In light of this, the panel determined that Ms Twumasi-Ankrah remains liable to repeat matters of the kind found proved. The panel therefore decided that a finding of continuing impairment is necessary on the grounds of public protection.*

*The panel has borne in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing*

*profession and upholding proper standards of conduct and performance. The panel determined that, in this case, a finding of continuing impairment on public interest grounds is also required.*

*For these reasons, the panel finds that Ms Twumasi-Ankrah's fitness to practise remains impaired.'*

The last reviewing panel determined the following with regard to sanction:

*'The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to take no further action.*

*It then considered the imposition of a caution order but again determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Ms Twumasi-Ankrah's practice would not be appropriate in the circumstances. The SG states that a caution order may be appropriate where 'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour was unacceptable and must not happen again.'* The panel considered that Ms Twumasi-Ankrah's misconduct was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the issues identified. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

*The panel next considered whether imposing a further conditions of practice order on Ms Twumasi-Ankrah's registration would still be a sufficient and appropriate response. The panel is mindful that any conditions imposed must be proportionate, measurable and workable.*

*The panel determined that it would be possible to formulate appropriate and practical conditions which would address the failings highlighted in this case.*

*The panel was of the view that a further conditions of practice order is sufficient to protect patients and the wider public interest. In this case, there are conditions could be formulated which would protect patients during the period they are in force.*

*It was of the view that to impose a suspension order or a striking-off order would be disproportionate at this stage and would not be a reasonable response in the current circumstances of Ms Twumasi-Ankrah's case.*

*Accordingly, the panel determined, pursuant to Article 30(1)(c) to make a conditions of practice order for a period of 9 months, which will come into effect on the expiry of the current order, namely at the end of 22 June 2023. It decided to continue the following conditions which it considered are appropriate and proportionate in this case:*

*'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 undertake a face-to-face infection control training programme which is relevant to working in a theatre setting and provide evidence of successful completion of the training to the NMC prior to the next NMC review hearing or meeting.*

*2. At any time that you are employed or otherwise providing nursing services in a theatre setting, you must place yourself and remain under the supervision of a workplace line manager, mentor or supervisor nominated by your employer, such supervision to consist of: working at all times under the direct observation of a registered nurse of Band 6 or above, until being formally assessed as competent to practise unsupervised.*

*3. You must send a report from your line manager, mentor, or supervisor (or their nominated deputy) setting out the standard of your performance in relation to condition 2 to the NMC prior to any NMC review hearing or meeting.*

*4. You must tell the NMC within 7 days of any nursing appointment (whether paid or unpaid) you accept within the UK or elsewhere and provide the NMC with contact details of your employer.*

*5. You must tell the NMC about any professional investigation started against you and/or any professional disciplinary proceedings taken against you within 7 days of you receiving notice of them.*

*6.*

*a) You must within 7 days of accepting any post of employment requiring registration with the NMC, or any course of study connected with nursing or midwifery, provide the NMC with the name/contact details of the individual or organisation offering the post, employment, or course of study.*

*b) You must within 7 days of entering into any arrangements required by these conditions of practice provide the NMC with the name and contact details of the individual/organisation with whom you have entered into the arrangement.*

*7. You must immediately tell the following parties that you are subject to a conditions of practice order under the NMC's fitness to practise procedures and disclose the conditions listed at (1) to (6) above, to them*

*a) Any organisation or person employing, contracting with, or using you to undertake nursing work.*

*b) Any agency you are registered with or apply to be registered with (at the time of application) to provide nursing services.*



*c) Any prospective employer (at the time of application) where you are applying for any nursing appointment.*

*d) Any educational establishment at which you are undertaking a course of study connected with nursing or midwifery, or any such establishment to which you apply to take a course (at the time of application).*

*This conditions of practice order will take effect upon the expiry of the current conditions of practice order, namely the end of 22 June 2023 in accordance with Article 30(1).*

*Before the end of the period of the order, a panel will hold a review hearing to see how well Ms Twumasi-Ankrah has complied with the order. At the review hearing the panel may revoke the order or any condition of it, it may confirm the order or vary any condition of it, or it may replace the order for another order.*

*Any future panel reviewing this case would be assisted by:*

- Ms Twumasi-Ankrah's continued engagement with the NMC and her participation at a future hearing*
- Up to date professional references from any clinical work Ms Twumasi-Ankrah has undertaken*
- Detailed update of Ms Twumasi-Ankrah's current reflection and learning gained from any skills or training*
- Evidence of attempts to secure employment in any healthcare setting or as a registered nurse*
- Specific information as to Ms Twumasi-Ankrah's intentions in relation to nursing or otherwise.'*

## **Decision and reasons on current impairment**

The panel accepted the advice of the legal assessor.

The panel has considered carefully whether Ms Twumasi-Ankrah's fitness to practise remains impaired. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's ability to practise kindly, safely and professionally. In considering this case, the panel has carried out a comprehensive review of the order in light of the current circumstances. Whilst it has noted the decision of the last panel, this panel has exercised its own judgement as to current impairment.

The panel has had regard to all of the documentation before it, including the NMC bundle and the written submissions sent by the RCN on behalf of Ms Twumasi-Ankrah dated 1 August 2024 in which the following is stated:

*'Enclosures:*

- 1. Copy training certificates for July 2024.*
- 2. Copy annual update to mandatory training, including Infection Prevention and Control, Levels 1 and 2, dated 15 March 2023.*

*We set out below our member's representations and ask that this letter be placed before the panel at the meeting.*

*Our member's Conditions of Practice Order was last reviewed on 5 February 2024.*

*Unfortunately, we remain unable to invite the panel to lapse this Order and, therefore, request that the Order is continued.*

*However, we are pleased to be able to confirm that, following an interview on 16 July 2024, our member has been able to inform us that she has secured*

*employment in a Care Home. Our member has undertaken training in readiness for taking up this position, pending reference and DBS checks.*

*Due to the manager of the Home being extremely busy, our member has, to date, been unable to obtain either an email or letter of confirmation of this employment, together with confirmation that our member will be supported whilst working in line with the current order. Furthermore, our member has today learnt that the manager is off work with Covid. If this is received in time before the review meeting, it will be forwarded onto the panel.*

*The panel will note the certificates enclosed which include one covering infection prevention and control dated 17 July 2024. Our member also undertook mandatory training on 15 March 2023 which also included this area of her practice.*

*However, it is not our member's intention to return to employment as a Theatre Nurse.*

*Our member remains keen to prove to a panel, at a future review, that she is safe to practise without conditions.*

*In light of the above, we invite the panel to extend the current order for a further period of 9 months.*

*If you are not minded agreeing with our submission, please adjourn this review to the earliest available date to allow our member to attend and be represented.'*

In reaching its decision, the panel was mindful of the need to protect the public, maintain public confidence in the profession and to declare and uphold proper standards of conduct and performance.

The panel had regard to the following recommendations of the last reviewing panel:

- *Ms Twumasi-Ankrah's continued engagement with the NMC and her participation at a future hearing*
- *Up to date professional references from any clinical work Ms Twumasi-Ankrah has undertaken*
- *Detailed update of Ms Twumasi-Ankrah's current reflection and learning gained from any skills or training*
- *Evidence of attempts to secure employment in any healthcare setting or as a registered nurse*
- *Specific information as to Ms Twumasi-Ankrah's intentions in relation to nursing or otherwise.'*

The panel noted that the last panel recommended that a review hearing be held, and that Ms Twumasi-Ankrah should attend the hearing. However, as this review is being considered by way of a meeting with the agreement of parties, Ms Twumasi-Ankrah is not in attendance. From the RCN written submissions, the panel noted that Ms Twumasi-Ankrah is not currently practising as a registered nurse and therefore no professional references have been provided. The panel also noted that although Ms Twumasi-Ankrah has provided some evidence of learning through training certificates, she has not provided any current reflection as recommended by the last panel. Whilst there is information that Ms Twumasi-Ankrah intends on returning to practice and that she has secured employment in a care home, there is no supporting evidence from the prospective employer about the role or a start date. The panel also noted that Ms Twumasi-Ankrah has indicated that she does not intend on returning to employment as a theatre nurse.

The panel had regard to the charges found proved at the substantive hearing and determined that, whilst serious and related to fundamental nursing skills, they are clinical and are therefore, in principle, capable of remediation. In the absence of any current insight or strengthened practice through practising under the conditions of practice order, the panel determined that there remains a risk of repetition of the conduct and a consequent risk of harm to patients. The panel therefore decided that a finding of continued impairment is necessary on the grounds of public protection.

The panel has borne in mind that its primary function is to protect patients and the wider public interest which includes maintaining confidence in the nursing profession and upholding proper standards of conduct and performance. The panel determined that, in this case, a finding of continued impairment on public interest grounds is also required.

For these reasons, the panel finds that Ms Twumasi-Ankrah's fitness to practise remains impaired on both public protection and public interest grounds.

### **Decision and reasons on sanction**

Having found Ms Twumasi-Ankrah's fitness to practise currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel noted that its powers are set out in Article 30 of the Order. The panel has also taken into account the 'NMC's Sanctions Guidance' (SG) and has borne in mind that the purpose of a sanction is not to be punitive, though any sanction imposed may have a punitive effect.

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the risk of repetition and consequent risk of harm to patients identified, an order that does not restrict Ms Twumasi-Ankrah's practice would not protect patients. The panel decided that it would be neither proportionate nor in the public interest to take no further action.

It then considered the imposition of a caution order but again determined that, due to the public protection issues identified, an order that does not restrict Ms Twumasi-Ankrah's practice would not be appropriate in the circumstances. The SG states that a caution order may be appropriate where *'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour was unacceptable and must not happen again.'* The panel considered that Ms Twumasi-Ankrah's misconduct was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the issues identified. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether a conditions of practice order would still be a proportionate and appropriate response. The panel noted that any conditions imposed must be proportionate, measurable and workable. The panel was mindful that almost five years have elapsed since the imposition of the substantive order, and it was concerned that Ms Twumasi-Ankrah has not demonstrated safe and strengthened practice whilst the conditions of practice order has been in place during this significant period of time. Whilst the panel acknowledged that there was some information about a potential job offer, there was no independent evidence to support this.

The panel determined that given that the concerns are clinical, it would be possible to formulate appropriate and practical conditions that would protect patients. It was also of the view that conditions of practice would continue to address the public interest in this case and uphold proper professional standards given that there is a potential offer of employment. However, the panel was mindful that there is a strong public interest in dealing with matters expeditiously and given that a long period of time has elapsed without any progression, a conditions of practice order may not serve the public interest in the future if there is no progress made by Ms Twumasi-Ankrah.

The panel was of the view that to impose a suspension order or a striking-off order would be wholly disproportionate at this stage, given that Ms Twumasi-Ankrah intends on returning to practice and she may have secured employment in a clinical setting.

Given that Ms Twumasi-Ankrah has already been subject to a conditions of practice order for five years without demonstrating strengthened practice, the panel concluded that extending the conditions of practice order for a further 9 months, as suggested by the RCN on her behalf, is too long a period at this stage. The panel considered that a short conditions of practice order would allow Ms Twumasi-Ankrah sufficient time to provide evidence of employment and evidence that she is making progress and for her to engage with the NMC and a future panel via a hearing. Accordingly, the panel determined, pursuant to Article 30(1)(a) to extend the conditions of practice order imposed by the previous panel for a period of four months.

The panel decided to extend the following conditions which it considered remained appropriate and proportionate:

*'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 undertake a face-to-face infection control training programme which is relevant to working in a theatre setting and provide evidence of successful completion of the training to the NMC prior to the next NMC review hearing or meeting.*
- 2. At any time that you are employed or otherwise providing nursing services in a theatre setting, you must place yourself and remain under the supervision of a workplace line manager, mentor or supervisor nominated by your employer, such supervision to consist of: working at all times under the direct observation of a registered nurse of Band 6 or above, until being formally assessed as competent to practise unsupervised.*
- 3. You must send a report from your line manager, mentor, or supervisor (or their nominated deputy) setting out the standard of your performance in relation to condition 2 to the NMC prior to any NMC review hearing or meeting.*
- 4. You must tell the NMC within 7 days of any nursing appointment (whether paid or unpaid) you accept within the UK or elsewhere and provide the NMC with contact details of your employer.*
- 5. You must tell the NMC about any professional investigation started against you and/or any professional disciplinary proceedings taken against you within 7 days of you receiving notice of them.*

6.

*a) You must within 7 days of accepting any post of employment requiring registration with the NMC, or any course of study connected with nursing or midwifery, provide the NMC with the name/contact details of the individual or organisation offering the post, employment, or course of study.*

*b) You must within 7 days of entering into any arrangements required by these conditions of practice provide the NMC with the name and contact details of the individual/organisation with whom you have entered into the arrangement.*

*7. You must immediately tell the following parties that you are subject to a conditions of practice order under the NMC's fitness to practise procedures and disclose the conditions listed at (1) to (6) above, to them*

*a) Any organisation or person employing, contracting with, or using you to undertake nursing work.*

*b) Any agency you are registered with or apply to be registered with (at the time of application) to provide nursing services.*

*c) Any prospective employer (at the time of application) where you are applying for any nursing appointment.*

*d) Any educational establishment at which you are undertaking a course of study connected with nursing or midwifery, or any such establishment to which you apply to take a course (at the time of application).*

The period of this order is for four months.

This conditions of practice order will take effect upon the expiry of the current conditions of practice order, namely the end of 22 September 2024 in accordance with Article 30(1).



Before the end of the period of the order, a panel will hold a review hearing to see how well Ms Twumasi-Ankrah has complied with the order. At the review hearing the panel may revoke the order or any condition of it, it may confirm the order or vary any condition of it, or it may replace the order for another order.

Any future panel reviewing this case would be assisted by:

- Ms Twumasi-Ankrah's continued engagement with the NMC and her participation at a future hearing.
- Up to date professional references from any clinical work Ms Twumasi-Ankrah has undertaken.
- Detailed update of Ms Twumasi-Ankrah's current reflection and learning gained from any skills or training.
- If employment has not been secured before the next review hearing, then evidence of attempts to secure employment in any healthcare setting or as a registered nurse should be provided.
- Information about how Ms Twumasi-Ankrah intends to specifically address the misconduct if she is not working as a theatre nurse.

This will be confirmed to Ms Twumasi-Ankrah in writing.

That concludes this determination.