

**Nursing and Midwifery Council
Investigating Committee**

**New Interim Order Hearing
Friday, 13 December 2024**

Virtual Hearing

Name of Registrant:	Gary Stephen Penney
NMC PIN	06I0522E
Part(s) of the register:	Nursing – Sub part 1 RMHN – September 2006
Relevant Location:	North Wales
Panel members:	Rama Krishnan (Chair, Lay member) Winfilda Ngoshi (Registrant member) Noreen Quraishi (Lay member)
Legal Assessor:	Megan Ashworth
Hearings Coordinator:	Bethany Seed
Nursing and Midwifery Council:	Represented by Tessa Donovan, Case Presenter
Mr Penney:	Present and represented by Sam Oestreicher, instructed by Unison.
Interim order directed:	Interim conditions of practice order (18 months)

Decision and reasons on interim order

The panel decided to make an interim conditions of practice order for a period of 18 months.

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 restrict and limit your employment to [PRIVATE].
2. If you receive notification from the Health Board that your suspension is to be lifted, you must let the NMC know within 7 days of the notification.
3. 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.
4. You must immediately give a copy of these conditions to:
 - a) Any organisation or person you work for.
 - b) Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.
5. You must tell your NMC 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.
6. You must allow your NMC 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 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.