

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

**Interim Order Review Hearing
Friday, 12 July 2024**

Virtual Hearing

Name of Registrant:	Bernard Kidiavai
NMC PIN	21B1329E
Part(s) of the register:	Registered Nurse – Sub Part 1 Mental Health Nursing (Level 1) 30 April 2021
Relevant Location:	Lancashire
Panel members:	David Evans (Chair, lay member) Charlotte Cooley (Registrant member) Jude Bayly (Registrant member)
Legal Assessor:	Alice Robertson Rickard
Hearings Coordinator:	Catherine Blake
Nursing and Midwifery Council:	Represented by Rowena Wisniewska, Case Presenter
Mr Kidiavai:	Present and not represented at the hearing
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.

It 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 work in an in-patient clinical environment in a substantive or bank role. You must not work for an agency.
2. You must not be the nurse in charge of any shift.
3. You must have monthly meetings with your line manager/supervisor/mentor to discuss your clinical practice, specifically focussing on professional boundaries. Such meetings must be documented and the notes of these meetings sent to the NMC before the next hearing.
4. You must keep us 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.
5. You must keep us 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.
6. 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.
7. 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.
8. 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 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.

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.