

**Nursing and Midwifery Council  
Investigating Committee**

**New Interim Order Hearing  
Tuesday, 2 July 2024**

Virtual Hearing

<b>Name of Registrant:</b>	Mr Cocks Mgutshini
<b>NMC PIN</b>	99I4340E
<b>Part(s) of the register:</b>	Registered Nurse - Mental Health RNMH October 2002
<b>Relevant Location:</b>	Birmingham
<b>Panel members:</b>	Sarah Tozzi (Chair, Lay member) Godfried Attafua (Registrant member) Linda Hawkins (Lay member)
<b>Legal Assessor:</b>	Paul Hester
<b>Hearings Coordinator:</b>	John Kennedy
<b>Nursing and Midwifery Council:</b>	Represented by Elin Morgan, Case Presenter
<b>Mr Mgutshini:</b>	Not present and unrepresented at hearing
<b>Interim order directed:</b>	<b>Interim conditions of practice order (18 months)</b>

## **Decision and reasons on interim order**

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

As such it 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 your employment to Bromford Lane Care Home.  
You must not work for an agency.
2. You must not be the sole nurse in charge.
3. You must ensure at all times you are working you are supervised on the same shift as, but not directly observed, by another registered nurse.
4. You must meet fortnightly with your line manager, mentor, or supervisor to discuss:
  - a) Manual handling
  - b) De-Escalation management
5. You must send your NMC Case officer a report on the meetings mentioned in condition 4 prior to any future reviews of the order.
6. You must attend and complete suitable training courses which cover:

- a) De-escalation
- b) Appropriate restraint techniques
- c) Management of violence and aggression

You must send evidence of attendance and completion of these courses to your NMC case officer within 7 days of obtaining them.

7. 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.
  
8. 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.
  
9. 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.
  
10. 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.

11. 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 employer.
  - b) Any educational establishment.
  - c) Any other person(s) involved in your retraining and/or supervision required by these conditions

The panel decided to make this interim order for a period of 18 months as the investigation is at an early stage.

Unless Mr Mgutshini'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, Mr Mgutshini 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 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 Mr Mgutshini. The NMC will write to Mr Mgutshini when the case is ready for the next stage of the fitness to practise process.

This will be confirmed to Mr Mgutshini in writing.

That concludes this determination.