

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

**Substantive Order Review Meeting  
Wednesday 10 July 2024**

Virtual Meeting

**Name of registrant:** Alison Mary Morris

**NMC PIN:** 9111612E

**Part(s) of the register:** Registered Nurse Adult  
RN1 level 1 (August 1995)

**Relevant location:** West Suffolk

**Type of case:** Misconduct

**Panel members:** Caroline Jones (Chair, registrant member)  
Linda Holloway (Registrant member)  
David Newsham (Lay member)

**Legal Assessor:** Simon Walsh

**Hearings Coordinator:** Sherica Dosunmu

**Order being reviewed:** Conditions of practice order (12 months)

**Fitness to practise:** **Impaired**

**Outcome:** **Suspension order (3 months) to come into effect on 28 August 2024 in accordance with Article 30 (1)**

## **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 Mrs Morris' registered email address by secure email on 6 June 2024.

The Notice of Meeting informed Mrs Morris that her conditions of practice order would be reviewed at a meeting on or after 8 July 2024, unless she asked for the review to take place at a hearing. Mrs Morris was invited to submit any evidence she would like to be considered at this meeting.

The panel accepted the advice of the legal assessor.

In the light of all of the information available, the panel was satisfied that Mrs Morris 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 make a suspension order for a period of three months. This order will come into effect at the end of 28 August 2024 in accordance with Article 30(1) of the Nursing and Midwifery Order 2001 (as amended) (the Order).

This is the second review of a substantive conditions of practice order originally imposed for a period of 12 months by a Fitness to Practise Committee panel on 29 July 2022. This was reviewed on 21 July 2023, when the conditions of practice order was extended for 12 months.

The current order is due to expire at the end of 28 August 2024.

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

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

*‘That you, a registered nurse between March 2019 and 27 November 2019:*

*1) Failed to maintain accurate records in that you failed to:*

- a) Send letters to patients in a timely manner or at all;*
- b) Record clinical notes in patient records;*
- c) Record documents in patient records.*

*2) On or around 2 April 2019 failed to escalate concerns regarding a patient with deteriorating mental health who was indicated as a high risk of suicide.*

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

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

*‘The panel noted that the original panel found that Mrs Morris had insufficient insight. At this meeting the panel determined that Mrs Morris has still not provided evidence of insight, an understanding of how her actions put the patients at a risk of harm, nor an understanding of why what she did was wrong and how this impacted negatively on the reputation of the nursing profession.*

*In its consideration of whether Mrs Morris has taken steps to strengthen her practice, the panel took into account that Mrs Morris has not provided the NMC with any evidence of strengthened practice, noting that there has been no correspondence from Mrs Morris since August 2022 when the original substantive conditions of practice was imposed.*

*The original panel determined that Mrs Morris was liable to repeat matters of the kind found proved. Today’s panel has received no new information to suggest that Mrs Morris is now not liable to repeat matters of the kind found proved at the original substantive hearing. In light of this the panel determined that Mrs Morris remains liable to repeat matters of the kind*

*found proved. The panel therefore decided that a finding of continuing impairment remains 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 Mrs Morris's fitness to practise remains impaired.'*

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

*'The panel next considered whether imposing a further conditions of practice order on Mrs Morris'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 next considered the continuation of the current conditions of practice order. It took into account that Mrs Morris has not engaged with the NMC since the imposition of the conditions of practice order on 29 July 2022 and there is no information before it to conclude that Mrs Morris has complied with any conditions imposed upon her practice.*

*The panel determined however, that based on the charges found proved at the original substantive hearing, the conditions of practice imposed were workable and proportionate. On this basis, the panel concluded that the imposition of the same conditions of practice order for a further 12 months and determined that this additional time would allow Mrs Morris to provide a future panel with evidence of her strengthened practice and compliance with the conditions of practice order.*

*The panel determined therefore that extending the current conditions of practice order is the appropriate sanction which would both protect the public and satisfy the wider public interest. Accordingly, the panel determined to impose a further conditions of practice order for a period of 12 months. It considered this to be the most appropriate and proportionate sanction available.*

*The conditions of practice order will take effect upon the expiry of the current conditions of practice order, namely the end of 28 August 2023, in accordance with Article 30(1).*

*Before the end of the period of conditions of practice order, another panel will review the order. At the review hearing the panel may revoke the order, or it may confirm the order, or it may replace the order with another order.*

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

- *Mrs Morris's engagement with the NMC process and attendance at future review hearings.*
- *A reflective piece demonstrating insight into the failings and steps to be taken to remediate the concerns.'*

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

The panel has considered carefully whether Mrs Morris' fitness to practise remains impaired. Whilst there is no statutory definition of fitness to practise, the NMC has defined fitness to practise as a registrant's suitability to remain on the register without restriction. 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.

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 Mrs Morris' fitness to practise remains impaired.

The panel noted that the last reviewing panel found that Mrs Morris has not provided any evidence to demonstrate any insight. This panel determined that Mrs Morris has still not provided any development of insight, it did not have before it any evidence in which Ms Morris demonstrates an understanding of how her actions put the patients at a risk of harm, why what she did was wrong and how this impacted negatively on the reputation of the nursing profession.

In its consideration of whether Mrs Morris has strengthened her practice, the panel took into account that the last reviewing panel had no information before it regarding any steps Mrs Morris may have taken to address the concerns raised about her practice. This panel was not provided with any evidence of the same from Mrs Morris and had no further information to demonstrate that the concerns about her practice have been addressed and were unlikely to reoccur. Mrs Morris has not engaged with the NMC since August 2022 and has not provided any information such as testimonials/employment references or evidence demonstrating that she has complied with the conditions of practice order imposed. She has not provided any evidence of relevant training addressing the regulatory concerns. The panel therefore determined that there was no evidence before it to demonstrate that Mrs Morris has strengthened her nursing practice since the conditions of practice order was put in place.

The last reviewing panel determined that Mrs Morris was liable to repeat matters of the kind found proved. Today's panel has concluded, given the lack of engagement, lack of evidence of insight, remorse or strengthened practice, that there still remains a risk of harm to the public. 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 Mrs Morris fitness to practise remains impaired.

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

Having found Mrs Morris' 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 the imposition of a caution order but determined that, due to the seriousness of the case, and the public protection issues identified, an order that does not restrict Mrs Morris' 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 Mrs Morris' 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 conditions of practice order on Mrs Morris' registration would still be a sufficient and appropriate response. It was mindful that any conditions imposed must be proportionate, measurable and workable. The panel bore in mind that Mrs Morris' has not engaged with the NMC and has not followed the last panel's recommendations. It also noted that it has no knowledge of Mrs Morris' current circumstances. As a result, the panel could not be satisfied that Mrs Morris' would be willing to comply with a conditions of practice order in the future and therefore concluded that a conditions of practice order is no longer practicable in this case. It determined that a

conditions of practice order was not appropriate to protect the public or satisfy the wider public interest.

The panel considered the imposition of a suspension order. It considered that a suspension order would allow Mrs Morris' a further opportunity to fully reflect on her previous failings. The panel was of the view that a three-month suspension order would afford Mrs Morris adequate time to engage with the NMC, and to demonstrate insight.

The panel therefore determined that a suspension order is the appropriate sanction which would both protect the public and satisfy the wider public interest. Accordingly, the panel decided to impose a suspension order for the period of three months to give Mrs Morris a further opportunity to engage with the NMC. It considered this to be the most appropriate and proportionate sanction available.

The panel gave serious consideration to a strike-off order. However, it determined that it would be disproportionate at this stage. The panel noted that a strike-off order would be available to the next reviewing panel.

This suspension order will take effect upon the expiry of the current conditions of practice order, namely the end of 28 August 2024 in accordance with Article 30(1).

Before the end of the period of suspension, another panel will review the order. At the review hearing the panel may strike Mrs Morris of the register or impose another sanction, revoke the order, or it may confirm the order, or it may replace the order with another order.

Any future panel reviewing this case may be assisted by:

- Engagement with the NMC;
- Mrs Morris providing a written reflective practice piece that shows how she has reflected on the charges that were found proved and how her poor clinical practice could have put patients at risk. This may include evidence about how Mrs Morris will in the future ensure her practice is safe, evidence



based and meets the professional standards expected from a registered nurse.

This will be confirmed to Mrs Morris in writing.