

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

**Interim Order Review Hearing  
Wednesday, 27 November 2024**

Virtual Hearing

<b>Name of Registrant:</b>	<b>Brandon Ernest</b>
<b>NMC PIN</b>	06I0883E
<b>Part(s) of the register:</b>	Registered Nurse – Sub Part 1 Mental Health Nurse (Level 1) – 12 September 2007
<b>Relevant Location:</b>	North Wiltshire
<b>Panel members:</b>	Derek McFaull (Chair, Lay member) Melanie Lumbers (Registrant member) Susan Ellerby (Lay member)
<b>Legal Assessor:</b>	Hala Helmi
<b>Hearings Coordinator:</b>	Eidvile Banionyte
<b>Nursing and Midwifery Council:</b>	Represented by Shaun McPhee, Case Presenter
<b>Mr Ernest:</b>	Not present and not represented at this hearing
<b>Interim order to be reviewed:</b>	Interim conditions of practice order (18 months)
<b>Outcome of review:</b>	<b>Interim conditions of practice order confirmed</b>

## Decision and reasons on interim order

The panel decided to confirm the current interim conditions of practice order.

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 not be the nurse in charge of the care setting you are working in.
2. You must ensure that you are supervised by a registered nurse or health professional any time you are working. Your supervision must consist of:
  - a) Working at all times on the same shift as, but not always directly observed by, a registered nurse.
  - b) If working in a community setting you must always ensure you are accompanied on home visits by a healthcare professional.
3. You must work with your line manager or supervisor to create a personal development plan (PDP). Your PDP must address the regulatory concerns raised against you, in relation to the need to maintain patient record confidentiality and the need to maintain professional boundaries. You must:
  - a) Send your case officer a copy of your PDP within 4 weeks of starting any post.
  - b) Meet with your line manager or supervisor at least every 4 weeks to discuss your progress towards achieving the aims set out in your PDP.

- c) Send your case officer a report from your line manager or supervisor before the next review hearing. This report must show your progress towards achieving the aims set out in your PDP.
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 agency you apply to or are registered with for work.
  - c) Any employers you apply to for work (at the time of application).
  - d) Any establishment you apply to (at the time of application), or with which you are already enrolled, for a course of study.
  - e) Any current or prospective patients or clients you intend to see or care for on a private basis when you are working in a self-employed capacity.
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 Mr Ernest'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 Ernest 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 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 reviewing panel at an administrative meeting. Mr Ernest's case officer will write to him about this in due course.

A panel of the Fitness to Practise Committee has still to deal with the allegations made against Mr Ernest. The NMC will keep Mr Ernest informed of developments in relation to that issue.

This will be confirmed to Mr Ernest in writing.

That concludes this determination.