

**Nursing and Midwifery Council
Investigating Committee**

**New Interim Order Hearing
Monday 11 November 2024**

Virtual Hearing

Name of Registrant: Elizer Javier

NMC PIN: 02Y03740

Part(s) of the register: Registered Nurse - RN1
Adult Nursing - Level 1 (23 April 2002)

Relevant Location: Essex

Panel members: Rama Krishnan (Chair, Lay member)
Kathryn Evans (Registrant member)
Hazel Wilford (Lay member)

Legal Assessor: Nigel Pascoe KC

Hearings Coordinator: Rene Aktar

Nursing and Midwifery Council: Represented by Tom Hoskins, Case Presenter

Mr Javier: Present and represented by Gerard McGettigan, instructed by the Royal College of Nursing (RCN)

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 limit your nursing practice to Barking, Havering and Redbridge University Hospitals NHS Trust.
2. You must comply with the Trust's working conditions set out by Barking, Havering and Redbridge University Hospitals NHS Trust which includes:
 - Working from home in a non-clinical and non-patient facing role
3. You must not undertake any agency or bank work.
4. You must limit your nursing practice to:
 - Working from home and only in a non-clinical and non-patient facing role
5. You must obtain a report from your line manager to the NMC confirming that you have complied with these conditions.
6. You must fund and attend a course on addressing inappropriate behaviour and maintaining professional boundaries. You must provide the NMC with evidence of successful completion of this course.

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 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.

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 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 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.