

**Nursing and Midwifery Council
Investigating Committee**

**New Interim Order Hearing
Thursday, 12 September 2024**

Virtual Hearing

Name of Registrant:	Daniel Stuart Smith
NMC PIN	05K0538E
Part(s) of the register:	Registered Nurse – Sub Part 1 Adult Nursing – 03 August 2006 Community Practitioner Nurse Prescriber (V100) – 14 December 2012
Relevant Location:	Essex
Panel members:	Godfried Attafua (Chair, Registrant Member) Lynn Bayes (Registrant Member) Linda Hawkins (Lay Member)
Legal Assessor:	Ashraf Khan
Hearings Coordinator:	Angela Nkansa-Dwamena
Nursing and Midwifery Council:	Represented by Denise Amaning, Case Presenter
Mr Smith:	Present and represented by Lucy Chapman, Counsel 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.

As such, it 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 one substantive employer namely, HCRG Care Group. You must not undertake any agency or bank work.
2. You must continue to engage with the action plan formulated by your employer.
3. You must meet every fortnight with you line manager, mentor or supervisor to have reflective discussions in relation to your professional conduct with reference to:
 - a) Maintaining professional boundaries
 - b) Safeguarding
 - c) Breach of confidentiality
 - d) Recordkeeping
4. You must obtain a report from your line manager, mentor or supervisor outlining your discussions of the above areas as noted in Condition 3, and your compliance with these conditions. A copy of this report should be sent to the NMC prior to any review hearing.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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 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 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.