

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

**Interim Order Review Hearing
Friday, 11 April 2025**

Virtual Hearing

Name of Registrant:	Tracy Anne Penny
NMC PIN	19I2270E
Part(s) of the register:	Registered Midwife (RM) – 12 October 2019
Relevant Location:	Wigan
Panel members:	Adrian Ward (Chair, Lay member) Catherine Cooper (Registrant member) Anita Mobberley (Lay member)
Legal Assessor:	Michael Bell
Hearings Coordinator:	Monsur Ali
Nursing and Midwifery Council:	Represented by Nawazish Choudhury, Case Presenter
Mrs Penny:	Not present and not represented at the hearing
Interim order to be reviewed:	Interim conditions of practice order (18 months)
Outcome of review:	Interim conditions of practice order varied

Decision and reasons on interim order

The panel decided to vary 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 limit your midwifery practice to one substantive employer.
This must not be an agency or bank work.
2. You must not be the midwife in charge of any shift.
3. You must ensure that you are supervised and directly observed by a registered midwife of Band 5 or above, any time you are working.
4. You must work with your line manager, supervisor, or mentor, who must be a registered midwife, to create a personal development plan (PDP) and meet monthly with them to discuss your progress. Your PDP must address the following areas:
 - a) Assessment, observations, and management of patients.
 - b) Recordkeeping and documentation of care.
 - c) Escalation of concerns
 - d) Risk assessment and emergency response.
5. Prior to any NMC review hearing or meeting, you must send a report from your line manager, supervisor, or mentor to your NMC case officer, commenting on your clinical practice with particular reference to the following:
 - a) Assessment, observations, and management of patients.
 - b) Recordkeeping and documentation of care.

- c) Escalation of concerns
 - d) Risk assessment and emergency response
6. 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.
7. 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.
8. 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.
9. 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.

10. 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 Mrs Penny'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, Mrs Penny 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 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.

A panel of the Fitness to Practise Committee has still to deal with the allegations made against Mrs Penny. The substantive hearing is scheduled to take place from 15 - 25 September 2025.

This decision will be confirmed to Mrs Penny in writing.

That concludes this determination.