

**Nursing and Midwifery Council  
Investigating Committee**

**New Interim Order Hearing  
Wednesday, 5 March 2025**

Virtual Hearing

<b>Name of Registrant:</b>	<b>Brian Herbert</b>
<b>NMC PIN</b>	07H0931E
<b>Part(s) of the register:</b>	Registered Nurse Sub Part 1 Adult Nursing - (Level 1) 29 September 2007
<b>Panel members:</b>	Maureen Gunn (Chair, Registrant member) Rajesh Jayadevan (Registrant member) Michaela Higgins (Lay member)
<b>Legal Assessor:</b>	Juliet Gibbon
<b>Hearings Coordinator:</b>	Maya Khan
<b>Nursing and Midwifery Council:</b>	Represented by Sahara Fergus-Simms, Case Presenter
<b>Mr Herbert:</b>	Not present and not represented at this hearing
<b>Interim order directed:</b>	<b>Interim conditions of practice order (15 months)</b>

## Decision and reasons on interim order

The panel decided to make an interim conditions of practice order for a period of 15 months.

As such it 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 restrict your nursing practice to a single substantive employer or with the National Locum Agency. Any placement by the agency must be for a minimum of one month.
2. You must meet with your line manager, mentor or supervisor monthly to discuss your performance [PRIVATE].
3. You must provide a report from your line manager, mentor or supervisor to your NMC case officer prior to any review hearing that includes details of your performance [PRIVATE].
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.
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. [PRIVATE]
9. [PRIVATE]
- 10.[PRIVATE]
- 11.[PRIVATE]
- 12.[PRIVATE]

You must send your case officer the report prior to any review hearing.

The panel decided to impose the interim conditions of practice order for a period of 15 months to allow the NMC's to complete its investigation.

Unless Mr Herbert'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, you 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 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 allegation 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.