

PRESS STATEMENT

5 December 2017

Professional Standards Authority appeals NMC panel's decision about learning disability nurse

The Professional Standards Authority yesterday referred the case of learning disability nurse, Mr Maxwell Nyamukapa, to the High Court.

The Nursing and Midwifery Council's Final Fitness to Practise Committee decided there was 'no misconduct'. The Authority considers this is insufficient to protect the public. It has now exercised its power of appeal to the High Court.

Mark Stobbs, Director of Scrutiny and Quality said, 'Our power to review and appeal cases is a vital part of public protection. By scrutinizing decisions, we make sure that professionals who are not fit to practise do not slip through the net. The judge can reject our appeal, quash the decision, substitute a new decision or send the case back to the regulator's final fitness to practise committee to reconsider'.

Whilst the case is ongoing, the Authority is unable to make any further comment.

Professional Standards Authority for Health and Social Care

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Notes to the Editor

1. The Professional Standards Authority for Health and Social Care oversees nine statutory bodies that regulate health and social care professionals in the UK.
2. We assess their performance and report to Parliament. We also conduct audits and investigations and can appeal fitness to practise cases to the courts if we consider that sanctions are insufficient to protect the public and it is in the public interest.
3. The Standards of Good Regulation are designed to ensure that the regulators are protecting the public but also promoting confidence in health and care professionals and themselves. The Standards cover the regulators' four core functions: setting and promoting guidance and standards for the profession; setting standards for and quality assuring the provision of education and

training; maintaining a register of professionals; and taking action where a professional's fitness to practise may be impaired.

4. We also set standards for organisations holding voluntary registers for health and social care occupations and accredit those that meet them.
5. We share good practice and knowledge, conduct research and introduce new ideas to our sector. We monitor policy developments in the UK and internationally and provide advice on issues relating to professional standards in health and social care.
6. We do this to promote the health, safety and wellbeing of users of health and social care services and the public. We are an independent body, accountable to the UK Parliament.
7. Our values are at the heart of who we are and what we do. We are committed to being impartial, fair, accessible and consistent in the application of our values
8. More information about our work and the approach we take is available at www.professionalstandards.org.uk