Nursing and Midwifery Council
Chair of Council
Candidate Information Pack

Applications should be received no later than 12 noon, Friday 20 October 2017

This information pack is available on request in Welsh or other formats, for example, audio, braille or large print.

Contact details: Belinda Beck, at Saxton Bampfylde on 020 7227 0880, belinda.beck@saxbam.com quoting reference code: TAQZA
A message from Dr Anne Wright CBE, Chair of the Selection Panel

Dear candidate

Thank you for your interest in the Nursing and Midwifery Council.

This is an exciting and challenging time for both the NMC and the professions we regulate.

With over 690,000 nurses and midwives on our register, we are the largest professional regulator in the UK. Our 2015–2020 strategy set out our ambition to be a dynamic, intelligent, leading regulator. The Council, in partnership with the Executive, has achieved much in recent years. We successfully introduced revalidation for nurses and midwives, the biggest ever change to how we regulate and we received our best ever external performance review.

But there is a lot more we want to do. We are embarked on an ambitious programme to reform our education standards to shape the nurses and midwives of the future. We are looking radically at how we take action when standards are not met to ensure we protect the public at the earliest opportunity. And we are preparing to regulate a new profession, nursing associates, from 2019.

We operate in a rapidly changing health care landscape. Our new Chair will need the strategic vision to help shape the future of regulation; the skills to influence at the highest levels; and the enthusiasm to engage with a wide range of external stakeholders, in partnership with the Chief Executive.

If successful, you will join a dedicated and cohesive Council who, along with our committed Executive team and staff, are fully focused on our primary objective of protecting patients and the public.

Dr Anne Wright CBE
Chair, Selection Panel
About the NMC

1 We are the independent regulator for nursing and midwifery in the UK. We are here to protect the public by:

1.1 Protecting, promoting and maintaining the health, safety and well-being of the public.

1.2 Promoting and maintaining public confidence in the nursing and midwifery professions.

1.3 Promoting and maintaining proper professional standards and conduct for members of the nursing and midwifery professions.

2 Our regulatory responsibilities are to:

2.1 Keep a register of all nurses and midwives who meet the requirements for registration.

2.2 Set standards of education, training, conduct and performance so that nurses and midwives are able to deliver high-quality healthcare consistently throughout their careers.

2.3 Take action to deal with individuals whose integrity or ability to provide safe care is questioned, so that the public can have confidence in the quality and standards of care provided by nurses and midwives.

3 We are a statutory body and a registered charity. We are accountable to Parliament through the Privy Council. The Professional Standards Authority for Health and Social Care (PSA) oversees our work and reviews our performance each year. More information can be found in our Corporate Strategy 2015–2020, our Corporate Plan 2017–2018, our Annual Report for 2016–2017 and our Annual Fitness to Practise Report for 2016–2017.

The Council

4 The Council is the governing body of the NMC. It sets the strategic direction and takes the key strategic decisions. The Council is made up of twelve members: six lay people and six registrants, from England, Northern Ireland, Scotland and Wales, all appointed by the Privy Council. The Chair and Council members are expected to uphold the Council's Code of Conduct based on the Seven Principles of Public Life (the ‘Nolan principles’).

5 The Chair and Council members are the Trustees of the charity and are collectively responsible for ensuring that the NMC is solvent, well-run and delivers public benefit. The Council is committed to openness and transparency and seeks to conduct as much of its business as possible in public. More information about how the Council works can be found here.
The Chief Executive and Registrar is accountable to the Council. She is supported by an Executive team which is responsible for managing the NMC’s professional, business and financial affairs.

The role

We are seeking a highly motivated, experienced Chair and outstanding leader to guide the next phase of our strategic journey. The full role description and person specification is set out below.

Role description

The Chair of the Council must be committed to public protection; to the NMC’s statutory purpose and to guarding the NMC’s independence. They must provide strong non-Executive Leadership, demonstrating the highest standards of integrity and probity, setting clear expectations as to culture, values and behaviours, and the style and tone of Council activity. They must have the courage to speak out and challenge; and must work effectively with fellow members.

The Chair may be either lay or registrant and need not necessarily have specialist knowledge of regulation or of the health service.

The role of the Chair is to:

1. **Provide Leadership to the Council and the NMC:**
   - Promoting the public interest and fostering an environment of openness, transparency, and accountability in the activities of the Council and of the NMC more broadly.
   - Leading the conduct of Council business, bringing impartiality and objectivity, ensuring time is available for discussion of strategic issues; that Council and Executive members have appropriate opportunity to contribute; and that clear decisions are taken, as required.
   - Ensuring the Council receives timely, accurate, and clear information to discharge its legal responsibilities and support effective decision-making.
   - Maintaining good relationships with, and between, Council members, fostering unity and cohesion through mutual respect and open communication to ensure views and perspectives are understood. Ensuring the Council works collectively, addressing any conflicts, as necessary.
   - Ensuring that Council members observe the Code of Conduct and other relevant provisions, and that any issues or complaints are resolved in accordance with agreed procedures.
   - Leading the annual evaluation of the effectiveness of the Council collectively and appraisal of Council members individually, and taking appropriate steps to enhance effectiveness and support development, where necessary.
• Holding the Chief Executive and Registrar to account for the management of day-to-day operations, ensuring that resources are used effectively and appropriately to facilitate the delivery of core functions to best effect, and that this is kept under review as circumstances change.
• Maintaining a strong, supportive and constructive working relationship with the Chief Executive and Registrar in which each can speak openly about concerns, worries and challenges.

2. In partnership with the Chief Executive, lead the external relationships of the NMC, to ensure that the confidence of the public and of stakeholders is maintained:
• In agreement with the Chief Executive, leading or supporting activities to promote the interests of the NMC externally, representing the NMC to key stakeholders and influencers across the four constituent nations of the UK.
• Maintaining effective working relationships with counterparts including the Chairs of other healthcare regulatory bodies, in particular the Professional Standards Authority.

3. Ensure the Council sets the strategic direction for the NMC:
• Ensuring the focus of the Council is on taking responsibility for corporate strategy, business plans and budgets and the development of the framework for reviewing policy and operational performance.
• Overseeing the development of policy and taking major policy decisions.

4. Ensure and review the effectiveness of the NMC in fulfilling its statutory purpose:
• Ensuring that the focus of the Council is on the core purpose of public protection.
• Evaluating the effectiveness of the Council in fulfilling its statutory purpose.

5. Fulfil all responsibilities as a charity trustee for the NMC:
• Ensuring that the NMC acts at all times within the framework of charity law, and fulfils its charitable purposes.
• Ensuring the Council exercises effective oversight of all appropriate functions, including property management; the employment of staff; health and safety; and equality and diversity.
• Within the organisation, inspiring confidence of staff and partners, including panel members.

Person specification

• Outstanding leadership record in a substantial, high profile national role, including significant experience of successfully leading major change and business transformation.
• Capable of long term strategic thinking to steer the NMC through the next three/four years, leading the Council in delivering its strategy and responding effectively to future challenges in healthcare regulation.
• Ability to lead the Council in effective decision-making, identifying key issues, handling conflicting views, building consensus were possible and delivering concrete decisions to deliver the organisation’s objectives.
• Outstanding interpersonal and stakeholder management skills with a proven record of building effective and positive strategic relationships, so as to command credibility, confidence and support of a wide and complex range of interested parties at national level and ability to navigate a complex political environment.

In addition, the Chair should be able to show they can meet the core competencies which all Council members are expected to have as follows:
• Understanding of, and commitment to, the protection of the public through professional regulation.
• Clear appreciation of the non-executive role, and how executives should be held to account through constructive challenge.
• Ability to contribute to an organisation at a strategic level, demonstrating analytical skills and sound judgement.
• Capacity to understand and contribute to the organisational and business issues with which the Council deals.
• Ability to work successfully as part of a team, respecting and listening to others, earning the respect of colleagues, and contributing constructively to collective decision making processes.
• Understanding of the role of a charity trustee, and capacity to fulfil this role effectively.
• Personal commitment to good governance, and upholding the recognised principles of public life.

Time commitment
8 The time commitment is three days a week, including preparation for, and attendance at, meetings and other events. Candidates will be expected to confirm that they are able and willing to devote this time to the NMC.

9 The Council meets formally six times a year in public and holds approximately ten full day seminars. Council meetings are usually in London but meetings and events are also held across the four countries. The Council meeting schedule for 2018–2019 is attached at annexe 1. As Chair of the Council, you will be expected to attend a wide range of other meetings and events across the UK.

Tenure
10 The appointment commences on 1 May 2018. The term of office is determined by the Privy Council but is expected to be for an initial term of three years.
11 The Chair of Council may be eligible for reappointment for a further term, subject to satisfactory performance and a review of the Council’s ongoing skill requirements. The Chair and Council members’ performance is appraised each year.

**Remuneration**

12 The annual allowance for the role is £78,000. This is an appointment to an office not a contract of employment. The allowance is subject to applicable deductions for PAYE income tax and national insurance contributions.

13 Reasonable travel and out-of-pocket expenses incurred on NMC business will be reimbursed in accordance with the Council’s travel and expenses policy.

**Selection process**

14 We are committed to selection processes that are fair, transparent, accessible, based on merit and free from bias or unlawful discrimination.

15 The Council has appointed a Selection Panel to conduct the selection process and make a recommendation for appointment to the Privy Council. The Professional Standards Authority for Health and Social Care is responsible for advising the Privy Council as to whether it can have confidence in our selection process.

### Selection Panel

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr Anne Wright CBE</td>
<td>Chair of the Selection Panel</td>
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<tr>
<td></td>
<td>Vice-Chair of the Council (Lay)</td>
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<tr>
<td>Maura Devlin MBE</td>
<td>Vice-Chair of the Council (Registrant, Northern Ireland)</td>
</tr>
<tr>
<td>Stephen Thornton CBE</td>
<td>Lay Council member</td>
</tr>
<tr>
<td>Olivia Grant OBE DL</td>
<td>Independent Selection Panel member</td>
</tr>
<tr>
<td>Dr Ranjit Sondhi CBE</td>
<td>Independent Selection Panel member</td>
</tr>
</tbody>
</table>

**Key selection criteria**

16 The key selection criteria which you will need to meet are set out below. Your application will be assessed at each stage of the process on the basis of the information you provide against these essential and desirable competencies.

17 Your responses in section 2 of the application form should provide specific examples of how you meet each of the competencies.
Essential competencies

- **Outstanding leadership skills**: Proven experience and ability to lead a major national body through significant change in a highly complex, fast-moving environment.

- **An effective, highly skilled Chair**: A strong track record and ability to lead the conduct of Council business ensuring a collective approach, fostering unity and good relations through mutual respect and open communication to ensure all views and perspectives are heard and understood.

- **Proven ability to navigate complex political landscapes**: Ability to operate with authority and credibility to influence and impact at the highest levels of Government and uphold the NMC's independence.

- **Enthusiastic and energetic ambassador**: Outstanding interpersonal and stakeholder management skills, committed to working in partnership with the Chief Executive to ensure the NMC commands the confidence and support of a wide and complex range of interested parties at national level.

- **Excellent anticipation, strategic insight and sound judgement**: Proven ability to lead a high performing Council in reaching well-judged decisions and providing rigorous, constructive challenge and support to the Executive team.

- **Personal integrity and commitment**: To protection of the public, good governance, and upholding the principles of public life.

Desirable competency

- An understanding of regulation or demonstrable ability to quickly grasp the regulatory environment.

Preliminary stages

18 Longlisted candidates will be invited to attend a preliminary interview with Saxton Bampfylde. Interviews will be for approximately one hour and will include questions about your experience based on information you have provided in your application form and CV.

Final stages

19 Shortlisted candidates will be invited to attend an assessed individual scenario-based exercise. No preparatory work will be needed. The exercise will be for no more than one hour and will be held in mid-January 2018 on a date agreed with you in London.
20 Shortlisted candidates will be offered the opportunity to meet with the Chief Executive and Registrar prior to interview, ideally when they attend for the assessment exercise. A standard list of topics will be covered and a short record of discussions retained. These discussions do not form any part of the selection process and there will be no other involvement in the process on the part of the Chief Executive and Registrar.

21 Final interviews will be conducted by the Selection Panel. As part of the interview, candidates will be asked to give a short presentation on a subject which will be provided in advance.

<table>
<thead>
<tr>
<th>Timeline</th>
<th>Stage</th>
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<tbody>
<tr>
<td>Noon, 20 October 2017</td>
<td>Deadline for receipt of applications</td>
</tr>
<tr>
<td>By 14 November 2017</td>
<td>Initial sift undertaken by Saxton Bampfylde Selection Panel decides longlist for preliminary interviews</td>
</tr>
<tr>
<td>15 November to 4 December 2017</td>
<td>Preliminary face to face interviews by Saxton Bampfylde</td>
</tr>
<tr>
<td>15 December 2017</td>
<td>Selection Panel decides short list</td>
</tr>
<tr>
<td>10, 11, 12 or 15 January 2018</td>
<td>Candidate assessment exercise</td>
</tr>
<tr>
<td>10, 11, 12 or 15 January 2018</td>
<td>Opportunity to meet the Chief Executive and Registrar</td>
</tr>
<tr>
<td></td>
<td>This does not form part of the selection process</td>
</tr>
<tr>
<td>25 January 2018 (am) and 26 January 2018 (all day)</td>
<td>Final interviews by the Selection Panel</td>
</tr>
<tr>
<td>Early February 2018</td>
<td>Recommendation to the Privy Council</td>
</tr>
<tr>
<td>February 2018</td>
<td>Professional Standards Authority scrutiny of selection process</td>
</tr>
<tr>
<td>By early April 2018</td>
<td>Appointment decision by the Privy Council</td>
</tr>
<tr>
<td>17, 18, 19 and 25 April 2018</td>
<td>Introductory meetings and initial induction</td>
</tr>
<tr>
<td>1 May 2018</td>
<td>Appointment</td>
</tr>
</tbody>
</table>
Eligibility Criteria

22 Applications are welcome from both registrant and lay candidates. You must live or work wholly or mainly in one of the four UK countries: England; Northern Ireland; Scotland; or Wales.

23 There are additional eligibility criteria that you must meet and continue to meet throughout your term of office depending on whether you are a registrant or lay applicant.

<table>
<thead>
<tr>
<th>If you are a registrant applicant</th>
<th>If you are a lay applicant (non-registrant)</th>
</tr>
</thead>
<tbody>
<tr>
<td>You must hold current registration as a nurse or a midwife and maintain this including revalidating, if required, throughout your term of office.</td>
<td>You must not be, and never have been, a registered nurse or midwife.</td>
</tr>
<tr>
<td>Should you cease to be a registered nurse or midwife at any time during your term of office you would no longer be able to continue to hold office on the Council.</td>
<td>You must not hold or acquire qualifications that would entitle you to apply to be a registered nurse or midwife.</td>
</tr>
</tbody>
</table>

Disqualifications

24 You must not be disqualified from taking up office. Full details of the criteria for disqualification from appointment are set out in Article 5 of the Nursing and Midwifery Council (Constitution) Order 2008 (as amended) and are attached at annexe 2. Please read these carefully before you submit an application.

Conflicts of interest

25 You are required to declare any conflict of interest (as soon as you become aware of any such interest) that could be perceived as relevant to the NMC, including any relationship past or present to any existing Council member, member of the Selection Panel or member of the NMC’s Executive team.

26 Any actual or perceived conflicts of interest may be explored with you at any stage of the process, including by the Selection Panel at interview stage.

27 If you are successful in your application, you should note the requirement to declare any conflict of interest that arises in the course of the NMC’s business.
Public confidence

28 Integrity and upholding the principles of public life (the ‘Nolan principles’) are critical to this role. If there are any past professional or personal issues which you think may be likely to cause embarrassment or bring the NMC or Privy Council into disrepute, please declare these in your application.

29 Whilst declaration of any such issues may not necessarily prejudice your application, Saxton Bampfylde or the Secretary to the Council may discuss this with you and the Selection Panel may wish to explore these matters at interview. Failure to disclose such information could result in your application not being progressed, or if you were successful, in your appointment being terminated.

Declarations

30 Please ensure that you consider sections 4 and 5 of the application form very carefully and complete them as appropriate. If you are unsure about any issues relating to public confidence or any potential conflicts of interest please declare the information or interest, or seek advice from Saxton Bampfylde.

31 Please note that thorough background checks and searches will be undertaken and may include eligibility to work in the UK, Disclosure and Barring Service (DBS) (previously known as Criminal Records Bureau - CRB), safeguarding checks, references and online searches.

Equal opportunities

32 The NMC values equality and diversity. We are committed to making our processes fair, transparent, and accessible.

33 To make sure we are treating candidates fairly, we monitor diversity at all stages of the selection process. When submitting your application you are also invited to submit an equality and diversity monitoring form. You do not have to provide this information but we would be grateful if you would do so. This information is not used for selection purposes. Anonymised data may be shared with the Selection Panel, the Privy Council and the Professional Standards Authority for Health and Social Care.

34 We will seek to make reasonable adjustments where required. Please contact Belinda Beck on 020 7227 0880 or by emailing belinda.beck@saxbam.com if you:

34.1 would like to receive the candidate information pack and application form in audio, large print, Braille, or another format;

34.2 require any other reasonable adjustments at any stage of the process.
Use of your personal information

35 Your personal information will be held in accordance with the Data Protection Act 1998 and will only be used for the purposes of the selection and appointment process.

36 As part of the selection and appointment process, your personal information will be provided to members of the Selection Panel and, if you are recommended for appointment, to the Privy Council.

Complaints

37 We are committed to processes that are fair, transparent and accessible. Complaints about any aspect of the appointment process for the Chair role will be monitored, recorded and handled promptly. If you are unhappy with any aspect of the appointment process we will seek to resolve your concerns at an early stage and, in any event, within one month of notification of the Privy Council’s decisions.

38 The first line for complaints is to submit them in writing, by email or by telephone to the Secretary to the Council. We aim to reply within five working days.

Email: Fionnuala.gill@nmc-uk.org
Address: 23 Portland Place, London W1B 1PZ
Tel: 020 7681 5842

39 Following investigation by the NMC Secretary, if you are still not satisfied, you can raise your concern with the Privy Council Office at PCOSecretariat@pco.gov.uk.

How to apply

40 Please complete an application form and provide a CV (no more than two A4 pages) giving your career history.

41 Saxton Bampfylde Ltd is acting as an employment agency advisor to the NMC on this appointment. Candidates should apply for this role at www.saxbam.com/appointments using code TAQZA.

42 Click on the ‘apply’ button and follow the instructions to upload an application form and CV. We also urge you to complete our equality and diversity monitoring form, so that we can monitor the fairness of our process.

43 If you are unable to apply through the website, please email belinda.beck@saxbam.com quoting reference TAQZA.

44 The closing date for applications is 12 noon on Friday 20 October 2017. It will not be possible to accept applications that arrive after the deadline.

Nursing and Midwifery Council
September 2017
## Council Meeting Schedule 2018–2019

### May 2018 to March 2019

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
<th>Meeting/Event</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 2018</td>
<td>Tuesday 22 May</td>
<td>Council Seminar</td>
<td>10:30-17:30</td>
</tr>
<tr>
<td></td>
<td>Wednesday 23 May</td>
<td>Council Meeting</td>
<td>09:30 – 16:30</td>
</tr>
<tr>
<td>June 2018</td>
<td>Tuesday 12 June</td>
<td>Council Seminar</td>
<td>10:30-17:30</td>
</tr>
<tr>
<td>July 2018</td>
<td>Tuesday 3 July</td>
<td>Council Seminar</td>
<td>10:30-17:30</td>
</tr>
<tr>
<td></td>
<td>Wednesday 4 July</td>
<td>Council Meeting</td>
<td>09:30 – 16:30</td>
</tr>
<tr>
<td></td>
<td>Wednesday 25 July</td>
<td>Council Meeting</td>
<td>09:30 – 16:30</td>
</tr>
<tr>
<td>September 2018</td>
<td>Tuesday 18 September</td>
<td>Council Site Visits and Events in Scotland Council Meeting in Scotland</td>
<td>09:30 – 16:30</td>
</tr>
<tr>
<td></td>
<td>Wednesday 19 September</td>
<td></td>
<td></td>
</tr>
<tr>
<td>October 2018</td>
<td>Tuesday 30 October</td>
<td>Council Seminar</td>
<td>10:30-17:30</td>
</tr>
<tr>
<td>November 2018</td>
<td>Tuesday 27 November</td>
<td>Council Seminar</td>
<td>10:30-17:30</td>
</tr>
<tr>
<td></td>
<td>Wednesday 28 November</td>
<td>Council Meeting</td>
<td>09:30 – 16:30</td>
</tr>
<tr>
<td>December 2018</td>
<td>Tuesday 11 &amp; Wednesday 12 December</td>
<td>Council Awayday</td>
<td>All day</td>
</tr>
<tr>
<td>January 2019</td>
<td>Tuesday 29 January</td>
<td>Council Seminar</td>
<td>10:30-17:30</td>
</tr>
<tr>
<td></td>
<td>Wednesday 30 January</td>
<td>Council Meeting</td>
<td>09:30 – 16:30</td>
</tr>
<tr>
<td>February 2019</td>
<td>Tuesday 26 February</td>
<td>Council Seminar</td>
<td>10:30-17:30</td>
</tr>
<tr>
<td>March 2019</td>
<td>Tuesday 26 March</td>
<td>Council Seminar</td>
<td>10:30-17:30</td>
</tr>
<tr>
<td></td>
<td>Wednesday 27 March</td>
<td>Council Meeting</td>
<td>09:30 – 16:30</td>
</tr>
</tbody>
</table>
Disqualification Criteria

Extract from Article 5 of the Nursing and Midwifery Council (Constitution) Order 2008

5. A person is disqualified from appointment as a member of the Council if that person—

(a) has at any time been convicted of an offence involving dishonesty or deception in the United Kingdom and the conviction is not a spent conviction;

(b) has at any time been convicted of an offence in the United Kingdom, and—
   (i) the final outcome of the proceedings was a sentence of imprisonment or detention, and
   (ii) the conviction is not a spent conviction;

(c) has at any time been removed—
   (i) from the office of charity trustee or trustee for a charity by an order made by the Charity Commissioners, the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity—
      (aa) for which the person was responsible or to which the person was privy, or
      (bb) which the person by their conduct contributed to or facilitated, or
   (ii) under—
      (aa) section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (a) (powers of Court of Session to deal with management of charities), or
      (bb) section 34(5)(e) of the Charities and Trustee Investment (Scotland) Act 2005(b) (powers of the Court of Session), from being concerned with the management or control of any body;

(d) has at any time been removed from office as the chair, member, convenor or director of any public body on the grounds, in terms, that it was not in the interests of, or conducive to the good management of, that body that the person should continue to hold that office;

(e) at any time has been adjudged bankrupt or sequestration of the person’s estate has been awarded, and—
   (i) the person has not been discharged, or
   (ii) the person is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the
Insolvency Act 1986(c) (bankruptcy restrictions order and undertaking);

(f) has at any time made a composition or arrangement with, or granted a trust deed for, the person’s creditors and the person has not been discharged in respect of it;

(g) is subject to—
   (i) a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986(d),
   (ii) a disqualification order under Part II of the Companies (Northern Ireland) Order 1986(e),
   (iii) a disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002(f), or
   (iv) an order made under section 429(2) of the Insolvency Act 1986 (disabilities on revocation of a county court administration order);

(h) has been included by—
   (i) the Independent Barring Board in a barred list (within the meaning of the Safeguarding Vulnerable Groups Act 2006(g) or the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007(h)), or
   (ii) the Scottish Ministers in the children’s list or the adults’ list (within the meaning of the Protection of Vulnerable Groups (Scotland) Act 2007(i));

(i) has at any time been subject to any investigation or proceedings concerning the person’s fitness to practise by any licensing body, the final outcome of which was—
   (i) the person’s erasure from a register held by the licensing body or a decision that had the effect of preventing the person from practising the profession licensed or regulated by the licensing body,
   (ii) the person’s suspension from a register held by the licensing body, and that suspension has not been terminated, or
   (iii) a decision that had the effect of only allowing the person to practise that profession subject to conditions, and those conditions have not been lifted;

(j) has at any time been subject to any investigation or proceedings concerning the person’s fitness to practise by the Council, or by any body that regulated registered nurses or registered midwives before the Council, in the course of which or where the final outcome has been that—
   (i) the person has been removed from or struck off the register (for a reason connected to the person’s fitness to practise),
(ii) the person’s registration in the register has been suspended (including by an interim suspension order) and that suspension has not been terminated,

(iii) the person’s registration in the register has been made conditional upon their compliance with any requirement (including an interim conditions of practice order) and that requirement has not been lifted, or

(iv) the person’s registration in the register has been annotated by virtue of a caution order and that order is still in force;

(k) has at any time been subject to any investigation or proceedings relating to an allegation that the person’s entry in the register was fraudulently procured, the final outcome of which was the removal of the person’s entry in the register;

(l) is or has at any time been subject to any investigation or proceedings concerning the person’s fitness to practise by—

(i) any licensing body, or

(ii) the Council,

and the Privy Council is satisfied that the person’s membership of the Council would be liable to undermine public confidence in the regulation of the nursing and midwifery professions; or

(m) has at any time been convicted of an offence elsewhere than in the United Kingdom and the Privy Council is satisfied that the person’s membership of the Council would be liable to undermine public confidence in the regulation of the nursing and midwifery professions.

(a) 1990 c.40; section 7 was repealed by the Charities and Trustee Investment (Scotland) Act 2005 (asp 10), Schedule 4, paragraph 7(b).

(b) 2005 asp 10.

(c) 1986 c.45; Schedule 4A was inserted by section 257 of, and Schedule 20 to, the Enterprise Act 2002 (c.40).

(d) 1986 c.46.

(e) S.I. 1986/1032 (N.I. 6).

(f) S.I. 2002/3150 (N.I. 4).

(g) 2006 c.47.

(h) S.I. 2007/1351 (N.I. 11).

(i) 2007 asp 14.