

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

CO/529/2020

BETWEEN:

THE PROFESSIONAL STANDARDS AUTHORITY
FOR HEALTH AND SOCIAL CARE

Appellant



-and-

(1) THE NURSING AND MIDWIFERY COUNCIL

First Respondent

(2) ADEDEHINBO OLUSILE

Second Respondent

CONSENT ORDER

UPON the parties having agreed to the terms of this Order, in particular that it is just and convenient for the Court to make the Order set out below

AND UPON neither party being a child or protected party and the appeal not being an appeal from a decision of the Court of Protection

AND UPON the Second Respondent being a nurse on the register established and maintained by the First Respondent under Article 5 of the Nursing and Midwifery Order 2001 ("the Register")

AND UPON a panel of the Fitness to Practise Committee of the First Respondent having found on 6 December 2019 that the fitness to practise of the Second Respondent is impaired by reason of misconduct and having decided to impose a one year caution order ("the Decision")

AND UPON the Appellant having lodged an appeal on 11 February 2020 against the Decision of the Fitness to Practise Committee pursuant to Section 29 of the National Health Service Reform and Health Care Professions Act 2002 ("the Act")

AND UPON the First and Second Respondents conceding that the Decision of the Fitness to Practise Committee was insufficient for the protection of the public within the meaning of Section 29 of the Act

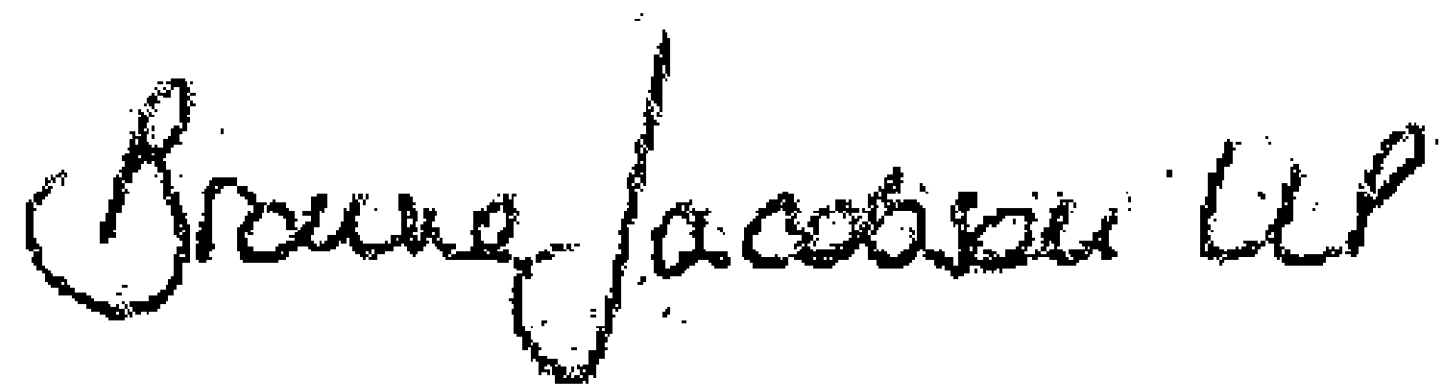
*Consent O. in these terms
as asked.
Tame Holman 7 July 2020*

BY CONSENT IT IS ORDERED THAT:-

1. The appeal is allowed
2. The Decision be quashed
3. The matter is remitted for reconsideration by a differently constituted panel of the Fitness to Practise Committee, with a direction to the First Respondent that it must amend the allegation so as to include additional particulars addressing (i) the omissions on the part of the Second Respondent described in Grounds of Appeal 1 and 2 in this appeal; and (ii) (in accordance with Ground of Appeal 3) the Second Respondent's motivation for acting in the manner described in the amended allegation, including that she deliberately or otherwise put the interests of the health care assistant alleged to have assaulted the patient ahead of the interests of that patient
4. The First Respondent is to pay the Appellant's reasonable costs of the appeal, subject to detailed assessment in default of agreement

We consent to an order of the above terms:

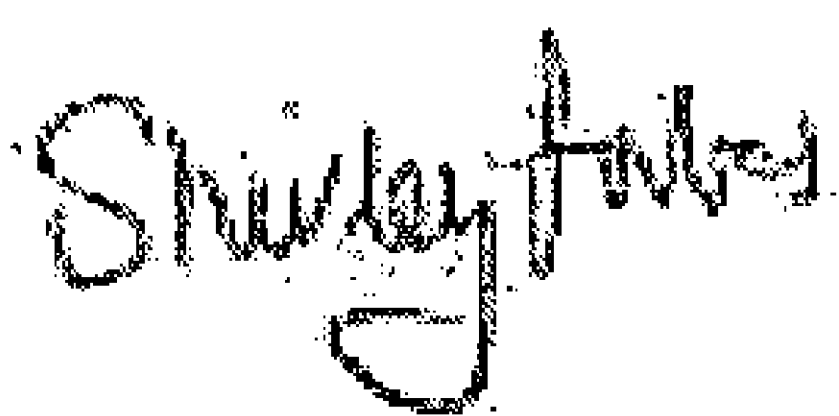
Dated this 23 day of June 2020



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Ref: RFOS01/045833.00031

Solicitors for the Appellant



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First Respondent