

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

ADMINISTRATIVE COURT

BETWEEN:

THE PROFESSIONAL STANDARDS AUTHORITY  
FOR HEALTH AND SOCIAL CARE

Appellant

- and -

(1) THE NURSING AND MIDWIFERY COUNCIL  
(2) ADELE WORTHINGTON

Respondents



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ORDER BY CONSENT

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**UPON** the First Respondent having conceded the appeal on the basis of Grounds 2 and 3 of the appeal lodged by the Appellant pursuant to Section 29 of the National Health Service Reform and Health Care Professions Act 2002.

**AND UPON** the Second Respondent having no objection to the appeal being allowed on the basis set out above.

**AND 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** it being agreed that, by reason of rule 14(4) of the Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2014, upon this appeal being allowed and the matter being remitted to the Fitness to Practise Committee of the First Respondent, the Second Respondent's registration shall not lapse but (in accordance with the Order made by the First Respondent's Fitness to Practise Committee on 19<sup>th</sup> July 2018) remains suspended.

**BY CONSENT IT IS ORDERED THAT:-**

1. The appeal is allowed.
2. The decision of the First Respondent's Fitness to Practise Committee that the Second Respondent's fitness to practise as a nurse is not impaired and that no further action is required in respect of the Second Respondent's registration dated 27<sup>th</sup> June 2019 is quashed.
3. A finding that the Second Respondent's fitness to practise as a nurse is currently impaired is made in substitution for the finding made by the Fitness to Practise Committee.
4. The review of the suspension order imposed upon the Second Respondent's registration by the First Respondent's Fitness to Practise Committee on 19<sup>th</sup> July 2018, as ordered by that Committee, including the Second Respondent's fitness to practise as a nurse at the time of the review and if so what if any action is to be taken, is to be remitted to the Fitness to Practise Committee for oral hearing by a differently constituted panel of that Committee.
5. The First Respondent is to pay the Appellant's reasonable costs of the appeal, subject to detailed assessment in default of agreement.

*Browne Jacobson LLP*

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Browne Jacobson LLP  
Solicitors for the Appellant

A rectangular box containing a handwritten signature in cursive script, which appears to be 'Matt'.

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Matthew Cassells  
Nursing and Midwifery Council  
For and on behalf of the First Respondent

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Adele Worthington  
Second Respondent

*Browne Jacobson LLP*

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Browne Jacobson LLP  
Solicitors for the Appellant

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Matthew Cassells  
Nursing and Midwifery Council  
For and on behalf of the First Respondent

*Adele Worthington*  
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Adele Worthington  
Second Respondent