

CASE STUDY

Sharing feedback to highlight concerns about regulators creating possible barriers to vulnerable people raising potentially serious concerns

SHARING YOUR EXPERIENCE IN PRACTICE



As part of our performance reviews and accreditation of registers, we ask the public for feedback about any interactions they have had with the

regulators/accredited registers. We refer to this as ‘share your experience’.

Background

We received details from members of the public about how the regulators were dealing with concerns about their registrants working as disability benefit assessors for Personal Independence Payments (PIP), especially the General Medical Council (GMC), the Health and Care Professions Council (HCPC) and the Nursing and Midwifery Council (NMC).

What is a PIP and who carries them out?

PIP is a benefit that helps with the extra costs of a long-term health condition or disability and has replaced the disability living allowance. Claimants are subject to regular assessments to ensure they still need the benefit. Assessments are carried out by outsourced suppliers operating on behalf of the Department for Work and Pensions. Assessor roles tend to be filled by nurses, paramedics, occupational therapists or physiotherapists as the role requires professional registration.

Increasing concerns

We received over 40 concerns from people with disabilities in 2017/18, many of them

saying they felt regulators were unwilling to look at evidence of misconduct. We were also contacted by a disability campaigner and by the Disability News Service urging us to look further into these concerns. Many people had stories of considerable hardship to tell us. We wrote to the three regulators in January 2018 and asked how they were dealing with these concerns. The HCPC and the GMC were clear that complaints about PIP assessors would be treated as fitness to practise concerns and investigated in accordance with their usual process.

A targeted review leading to a failed Standard

As part of the NMC’s 2017/18 performance review, we took a closer look at how it was managing these cases. The review identified specific concerns with the NMC’s approach. These included: not systematically considering all the concerns raised by complainants; relying on the findings of employers, without proper scrutiny; and not obtaining all relevant evidence. We considered that these issues created a barrier to vulnerable people raising potentially serious concerns. As a consequence, the NMC failed our Fitness to Practise Standard Five. This Standard requires the process to be transparent, fair, proportionate and focused on public protection.

What difference has this made?

The NMC accepted our findings and has been reviewing its approach to these cases. We will monitor the NMC’s progress during our next performance review.

Find out more



Find out more about sharing your experience at:

www.professionalstandards.org.uk/share-your-experience