

## PSA response to Nursing and Midwifery Council Consultation on Return to practice

November 2018

### 1. Introduction

- 1.1 The Professional Standards Authority for Health and Social Care promotes the health, safety and wellbeing of patients, service users and the public by raising standards of regulation and registration of people working in health and care. We are an independent body, accountable to the UK Parliament. More information about our work and the approach we take is available at [www.professionalstandards.org.uk](http://www.professionalstandards.org.uk)
- 1.2 As part of our work we:
- Oversee the nine health and care professional regulators and report annually to Parliament on their performance
  - Accredit registers of healthcare practitioners working in occupations not regulated by law through the Accredited Registers programme
  - Conduct research and advise the four UK governments on improvements in regulation
  - Promote right-touch regulation and publish papers on regulatory policy and practice.

### 2. General comments

- 2.1 We welcome the opportunity to respond to the NMC's consultation on proposals for nurses and midwives returning to practice. We support the need to ensure that individuals who have been out of practice are up to date on relevant skills and knowledge before they return to ensure that risks to the public are minimised.
- 2.2 We support the clear link to the Standards of Proficiency in the proposals and in the draft standards for return to programmes.
- 2.3 We recognise that the NMC has sought to address the barriers faced by nurses and midwives seeking to return to practice who have not met the minimum number of practice hours. In the light of current workforce concerns over number of nurses leaving and entering the profession it is positive that the NMC are considering ways to respond to this issue.
- 2.4 We recognise that it may be sensible to provide a wider range of options than the current mandatory 3-12-month course for registrants seeking to demonstrate the relevant experience or ensure that their practice is up to date. However, it would have been helpful to see reference to any analysis of the risks carried out to inform the proposed options. This may include the risks of the different groups on their register (nurses, midwives and nursing

associates) and the different scopes and contexts of practice as well the different risks depending on the reasons an individual may be seeking re-admission to the register, for example whether they have been practising abroad, whether their registration has lapsed or whether they were struck off due to fitness to practise proceedings.

- 2.5 In our paper on continuing fitness to practise<sup>1</sup> we highlighted that regulators should tailor their regulatory response based on developing a clear understanding of the risks posed by what professionals do, and of the context in which they do it. We also stated in this report that regulators should be transparent about the evidence base behind a decision about the amount of regulatory force required to manage certain risks. We made similar comments in response to the NMC's consultation on the introduction of revalidation for nurses and midwives.
- 2.6 Whilst we recognise that the NMC is not proposing to introduce self-declaration as an option for admission to the register at this time, we would want to see a clear assessment of the risks of such an approach and ways that these could be mitigated if this option was considered for introduction in the future.

### 3. Further information

- 3.1 Please get in touch if you would like to discuss any aspect of this response in further detail. You can contact us at:

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<sup>1</sup> Professional Standards Authority 2012, *An Approach to continuing fitness to practise based on Right-touch regulation principles*. [Online] Available at: <https://www.professionalstandards.org.uk/publications/detail/an-approach-to-assuring-continuing-fitness-to-practise-based-on-right-touch-regulation-principles>