



Change ahead for the NHS - and for regulation

“ At its heart, the NHS is about people: staff, patients, carers and partners working together to treat sickness and achieve better health. ”
- Lord Darzi, [Independent Investigation of the NHS in England](#) (2024)

Regulation plays a crucial role in shaping how those delivering NHS care perform their roles. To effectively address the challenges facing the NHS outlined by Lord Darzi, professional regulation must be part of the solution.

Over the coming weeks, we will be contributing to the development of the Government's ten-year plan for the NHS, as part of the wide-reaching consultation announced by Health and Social Care Secretary Wes Streeting. The Government's plans will also be informed by the findings of two new reviews of the patient safety landscape. The reviews are being led by Dr Penny Dash, following her [recent review](#) of the effectiveness of the Care Quality Commission, the regulator of health and care services in England.

The PSA was set up following the Inquiry into failings at Bristol Royal Infirmary to ensure that professional regulation remains focused on public protection and the public interest. We protect the public by promoting high standards of competence and conduct among health and social care professionals.

It is clear that the issues facing health and social care in all four nations of the UK require urgent attention. Secretary of State for Health and Social Care Wes Streeting has described the NHS in England as 'broken' and better access to safer care was at the top of the list of concerns for the public during the run up to the UK general election. The PSA's quarterly bulletin will highlight how we can work together to create a health and social care system that promotes safety for all. We hope you find the information useful.

Regulation can support a more preventative approach to healthcare. For example, making sure professionals are equipped with the right skills and knowledge to thrive in changing environments will help us make the most of new technologies. This is why as well as contributing to the Government's plans for healthcare delivery, we are also reviewing our own regulatory approach, through our Standards Review. We will be launching a publication consultation on our Standards later this winter, and more info will follow in our next bulletin.

Our impact

Patient Safety: Reducing risks to patients by appealing through the courts fitness to practise decisions which do not protect the public.

Public Confidence: Building trust in health and social care services by undertaking research into key areas such as sexual misconduct.

Professional Standards: Driving ongoing improvements in the regulators and Accredited Registers by monitoring and overseeing their key regulatory functions.

Tackling sexual misconduct in healthcare

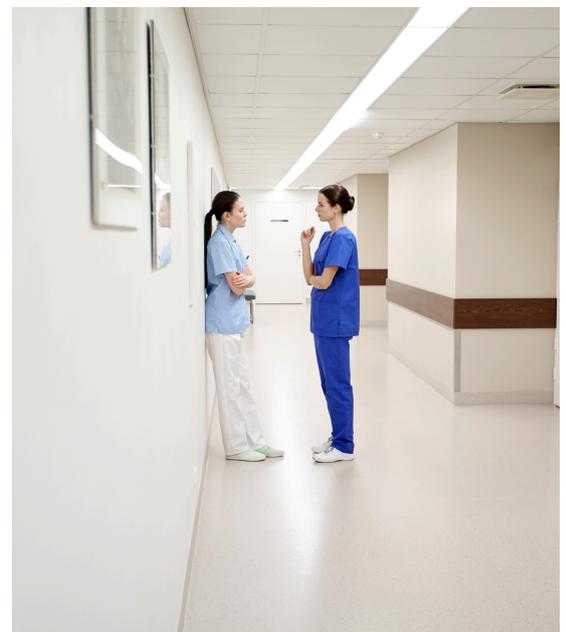
The deeply troubling statistics from the NHS Staff Survey show the sheer scale of the problem. It is not enough to say this behaviour is unacceptable. We need sector-wide collaboration to see a reduction in instances of sexual misconduct and a culture that does not tolerate it.

- Alan Clamp, Chief Executive of the PSA

Sexual misconduct towards patients in healthcare has long been an area of concern for the PSA. Sexual misconduct towards colleagues is also very troubling and seriously undermines public trust and confidence in the profession. Initiatives like [Surviving in Scrubs](#) and the [Working Party on Sexual Misconduct in Surgery](#) are bringing the prevalence of these types of concerns to the forefront. Of the 30 appeals we have brought against decisions made by regulators over the last financial year, nine related to cases involving sexual misconduct, including in relation to colleagues. You can read more about our work to challenge decisions by the regulators when we don't think their decisions are sufficient to protect the public [here](#).

To help raise awareness of this issue, we recently launched a series of webinars focused on tackling sexual misconduct by health and care professionals. Featuring expert-led presentations and discussions on different aspects of the issue (such as sexual safety in the ambulance sector) the webinars have been bringing together stakeholders from across the sector, including regulators, Accredited Registers, patient organisations and professional bodies.

In addition to the learning points and actions arising from the series, we will report the findings at the end of the programme. Our report will set out recommendations for regulators and Accredited Registers, in collaboration with stakeholders, to enhance their contribution to addressing sexual misconduct. If you would like to find out more about this work, please get in touch.



Access to safe care for mental health and wellbeing

As demand for mental health services surge, we're witnessing a troubling rise in complaints—some involving serious abuse—and growing calls for the regulation of all psychotherapists in England. ([Guardian, 2024](#)).

Decisions on which roles should be regulated ultimately lie with the Government. Our role is to advise on the risks associated with different positions and recommend appropriate levels of regulation using our "[Right-touch Assurance](#)" methodology.

Currently, counsellors and psychotherapists aren't legally required to register with a statutory body, but many choose to join our [Accredited Registers programme](#) to showcase their commitment to high standards. Those on these registers can display our Quality Mark, signalling to clients that they're registered and accountable. That accountability is why we encourage anyone using the services of a psychotherapist or counsellor to look for the Quality Mark and select an accredited practitioner.



We actively assess how effectively Accredited Registers manage the risks associated with these roles. This oversight helps the public and employers have greater trust in the standards of those on an Accredited Register. NHS England has mandated registration with an Accredited Register for certain roles, exemplifying how regulation and workforce planning can work together to ensure safe service delivery.

We urge the Government to collaborate with us in integrating this approach into broader workforce planning and the upcoming 10-year health plan for England. Additionally, we're eager to partner with parliamentarians across the nations to enhance public awareness and use of the Quality Mark, ensuring individuals accessing care outside the NHS benefit from its protections. Please contact us if you would like more information on this.

Independent oversight of the Nursing and Midwifery Council (NMC)

We established the NMC Independent Oversight Group in September 2024. We were asked by the Government to set up this Group to oversee and support the NMC's response to serious concerns about its culture and governance.

The work of the Independent Oversight Group has started with initial discussions focusing on the NMC's Fitness to Practice plan and broader culture improvement strategies.

Membership of this Group includes Chief Nursing Officers from all four UK nations, trade union representatives, and policy officials from the Department of Health and Social Care (DHSC) and Devolved Administrations. We've also brought in experts in patient safety to bolster our efforts. Details of the Group's activities and its meetings will be regularly [published](#).

Recent Events

We recently attended the CLEAR Annual Education Conference in Baltimore, a gathering of professional regulators from across the globe, including the USA, Canada, Australia, New Zealand and Ireland. Our session focused on the pros and cons of a 'safe spaces' approach in patient safety investigations, shedding light on the tensions between fostering openness and maintaining individual accountability when confidentiality is guaranteed.

Throughout the conference, we observed a strong commitment to reducing inequalities and combating discrimination. Additionally, there was significant attention on improving the experiences of professionals facing complaints, acknowledging the serious impact these processes can have on their mental health.



This year, our annual Research Conference was held in collaboration with the team who led the NIHR-funded [Witness to Harm](#) (WtH) project on the experiences of witnesses in Fitness to Practise (FtP) proceedings. The latest findings and outcomes from the research were a central focus of the conference. Building on this theme, additional sessions focused on other research on improving FtP and work to address sexual misconduct. We were pleased to deliver a highly successful event that brought together researchers, regulators and policymakers to learn, ask questions, network, and further the conversations on these key themes. We will continue to work with the WtH team and other stakeholders to support improvement work in these areas.

Contact Information

If you have questions, comments, or would like to meet with a member of our team, please email engagement@professionalstandards.org.uk.



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