

NMC response to SPSO Consultation on the Draft National Whistleblowing standards

Introduction

- 1 We are the independent regulator for nurses and midwives in the UK, and nursing associates in England. We hold a register of 698,000 nurses and midwives and nursing associates.
- 2 Better and safer care for people is at the heart of what we do, supporting the professionals on our register to deliver the highest standards of care.
- 3 We make sure nurses, midwives and nursing associates have the skills they need to care for people safely, with integrity, expertise, respect and compassion, from the moment they step into their first job.
- 4 Learning does not stop the day nurses, midwives and nursing associates qualify. To promote safety and public trust, we require professionals to demonstrate throughout their career that they are committed to learning and developing to keep their skills up to date and improve as practitioners.
- 5 We aim to encourage a just culture among health and care professions, prioritising openness and learning to improve care and keep the public safe. On the occasions when something goes wrong and people are at risk, we can step in to investigate and take action to investigate an individual's fitness to practice, giving people affected, patients and families a voice as we do so.

Summary

- 6 We welcome the opportunity to respond to this consultation. We strongly believe in the value of openness and learning for improving care and keeping the public safe. Where professionals and leaders are supported to speak up when they have a concern, we are better able to investigate and act swiftly to make sure errors or mistakes do not happen again.
- 7 We believe that the draft standards are clear and comprehensive. They are in line with our own standards around promoting an open, learning culture where people who speak up are valued, supported and protected. We strive to embed these standards in the everyday practice of the professionals on our register, through the education and training they receive as students, and through our Code, which they commit to follow when they begin their registration and when they revalidate.
- 8 As the largest professional regulator in the UK, we are one of a number of important actors who share responsibility for supporting NHS staff to speak up. We are committed to sharing data, information and advice with other key partners to provide a consistent approach in helping people raise concerns. We have responded to the consultation questions on this basis, and we look forward to

continue cooperating with the SPSO and the new role of Independent National Whistleblowing Officer in the future.

- 9 Our responses draw on our understanding and experience as the regulator for nurses, midwives, and in England, nursing associates. We have not commented on questions that fall outside of this remit.

The Whistleblowing Principles

Q4. To what extent do you agree with the Principles?

- 10 Mostly.

Q5. How could the Principles be improved?

- 11 We broadly welcome the key whistleblowing principles and believe that they should lead to effective procedures that support and value staff who raise concerns.
- 12 For the first principle we believe it would be helpful to include a focus on 'learning' alongside 'improvement'. We note the emphasis on 'learning and improvement' in Part 5, section 28.2 of the standards, and think that similar wording could be used here, for instance, '*Focused on learning and development*'.

Accessing and Using the Procedure

Q6. How clear is the Overview of the Procedure for staff?

- 13 Completely.

Q7. Does this document provide clear information for staff about what they need to know, particularly in relation to support and protection?

- 14 Mostly.

Q8. How could this section of the Standards be improved?

- 15 For the most part we agree that this section provides clear information for staff about what they need to know around when to use the Procedure.
- 16 We have some concerns around the section on *Involvement of other organisations*, which states that if other regulators, like ourselves, are already investigating an issue, then it may not be appropriate for another investigation to take place. However, as employers are best placed to manage immediate risks, it is important that they carry out investigations in the first instance. Our powers to investigate, and to restrict people's practice where necessary, should only be exercised where there is a concern about safe care that employers cannot manage.

- 17 Our Employer Link Service team operates an advice line for employers and other relevant stakeholders in healthcare, who need advice on whether or not to refer a case to the NMC. The team can also be contacted by email.