

## **NMC response to the Call for Input on the UK's trade relationship with India**

### **About Us**

- 1 Our vision is safe, effective and kind nursing and midwifery that improves everyone's health and wellbeing. As the professional regulator of almost 732,000 nursing and midwifery professionals, we have an important role to play in making this a reality.
- 2 Our core role is to regulate. First, we promote high education and professional standards for nurses and midwives across the UK, and nursing associates in England. Second, we maintain the register of professionals eligible to practise. Third, we investigate concerns about nurses, midwives and nursing associates – something that affects less than one percent of professionals each year. We believe in giving professionals the chance to address concerns, but we'll always take action when needed.
- 3 To regulate well, we support our professions and the public. We create resources and guidance that are useful throughout people's careers, helping them to deliver our standards in practice and address new challenges. We also support people involved in our investigations, and we're increasing our visibility so people feel engaged and empowered to shape our work.
- 4 Regulating and supporting our professions allows us to influence health and social care. We share intelligence from our regulatory activities and work with our partners to support workforce planning and sector-wide decision making. We use our voice to speak up for a healthy and inclusive working environment for our professions.

### **The current importance of Indian registrants**

- 5 We welcome this call for input on the UK's trading relationship with India, and the opportunity to set out issues of relevance to nursing and midwifery regulation. India is an important source of overseas recruitment for nurses and midwives joining the UK's health and care system and we highly value the contributions that they make. As of March 2021, there were 28,193 Indian registrants with permanent registration - the second largest non-EU international cohort after the Philippines. In addition, the number of new joiners to the register whose country of training was India has now overtaken those from the Philippines. This means that India is now the largest contributor of non-EU international joiners. This information is available in our latest [registrations report](#).
- 6 Indian applicants have a good success rate applying to join our register through our Test of Competence (ToC). This is structured around our pre-registration proficiency standards and allows us to ensure that everyone joining the register meets the same standards. It is formed of two parts: a multiple-choice computer

based theoretical test, known as the Computer Based Test (CBT), and a practical test known as the Objective Structured Clinical Examination (OSCE).

- 7 Over the last two years, Indian applicants have enjoyed high success rates with approximately 79% of Indian applicants passing the OSCE component of the ToC at the first attempt. This rises to 97% for those undergoing their second attempt. For the CBT exam, 96% of Indian applicants pass at the first attempt, and 89% at the second attempt. These figures are all similar to the pass rates of applicants from the Philippines, which has historically provided the most overseas applicants (78% passing the OSCE and 99% passing the CBT at the first attempt, 97% and 98% at second attempt).
- 8 When the government is considering our trade ties with India, we oppose the inclusion of any professional qualification recognition clauses which could override our ability to decide how we assess Indian applicants. We are confident that our international assessment pathways provide an appropriate route for overseas recruitment while maintaining our high standards.
- 9 Furthermore, our ToC can be updated to reflect our new standards - this was done most recently in August 2021 in order to reflect our new [Future Nurse](#) and [Future Midwife](#) standards. This ensures that all those delivering care in the UK meet the same high standards, regardless of where they are trained or how long they have been out of practice. This is explored in the rest of this response, which is structured around those consultation questions that are the most relevant to the NMC's priority issues.

### **What would you want the UK government to achieve through a free trade agreement (or related trade talks) with India, and why?**

- 10 Our primary priority for the UK's trade deal policy is that regulatory autonomy should not be undermined through the negotiation of mutual recognition agreements based on a person's qualification and that our [Test of Competence](#) (ToC) should remain the default option.
- 11 As the professional regulator of nurses and midwives in the UK, and nursing associates in England, our mandate is to protect the public. We uphold this mandate by requiring that all applicants evidence that they have the knowledge and skills needed to deliver consistent and quality care.
- 12 For internationally trained applicants, we do this by requiring that they sit our ToC. We are confident in the robustness of this assessment approach because it is designed to test the knowledge, skills and attributes needed for nursing and midwifery in the UK specifically. As these skills evolve and change, we can review and adapt the ToC to keep it aligned.
- 13 In addition, the ToC is applied consistently, transparently, and equally to all applicants. This aligns with the Government's ambition to see an efficient and fair process for the recruitment of internationally trained health professionals. It also underscores our commitment to fairness and non-discrimination in our processes.
- 14 Finally, the ToC offers a far more cost-effective and time-efficient method of assessment when compared to qualification assessment. Internal work undertaken

in 2018 which looked at this in detail found that putting a qualification assessment process in place for overseas applicants would be very resource intensive and lead to an outcome where very few, if any, qualifications would meet our new standards.

- 15 As a result, our position is that any trading relationship with India must not undermine our ability to apply the ToC as our method for assessing applicants from India to our register. This not only supports public safety, it also helps ensure a reliable flow of qualified professionals from India onto the register.

### **What would your concerns about a trade agreement (or related talks) with India be?**

- 16 Our main concerns relate to maintaining public safety, ensuring that all nursing and midwifery professionals in the UK meet the right standards to achieve this, and being sufficiently engaged in trade negotiations to be able to make sure this remains the case.
- 17 As a result, any trade deal with India should not provide automatic recognition of Indian nursing and midwifery qualifications. However, given the complexity of trade deals, other issues could arise through the course of negotiations that we are not able to predict at this time.
- 18 It is therefore important that we are involved at the earliest opportunity possible in the negotiation process to ensure that we are able to provide input and feedback on relevant areas in the deal, so we can highlight unintended consequences and help shape outcomes in mutually beneficial ways. For example:
  - 18.1 Our early engagement with the Department for Business, Energy & Industrial Strategy (BEIS) on the Professional Qualifications Bill allowed us to support improvements to this legislation which upholds the role of regulators without undermining the Government's ambitious trade agenda.
  - 18.2 On the Memorandum of Understanding on the migration and mobility partnership between the United Kingdom and India, signed in May this year, we would have welcomed being consulted on this while it was being prepared as it makes explicit mention of nurses and healthcare.
- 19 We are eager to work with the Government to help ensure similar outcomes on trade deals by providing insight and guidance wherever relevant. The creation of the Regulated Professions Advisory Group is a welcome step forward in this respect.

### **Is there anything else that you would want to say about the UK's future trade relationship with India?**

- 20 Trade can provide an important opportunity to promote good regulatory practice. We see benefits for both the UK's and India's health and care system if our respective professional regulation and education systems are better able to learn from one another, so that we are continuously pushing forward innovation and best practice. We think that a UK-India trade deal could be an important enabler

for this by providing a high-level framework which allows for closer regulatory engagement and knowledge exchange.

- 21 The UK has historically relied on recruiting nurses and midwives trained overseas. We know that internationally-trained professionals bring a wealth of skills and insights to the UK. However international nursing and midwifery professionals, and trade deals facilitating their movement and registration, should not be seen as a panacea to workforce shortages in the UK.

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