

NMC Independent Oversight Group

Summary of Meeting held on 18 October 2024

1. Welcome and introduction of experts

- 1.1 The Chair welcomed all members to the NMC Independent Oversight Group. Apologies were received from Justine Craig, Kate Brintworth, Dave Munday, Sir David Warren, Karen Jewell, Maria McIlgorm, Nicola Ranger and Graham Mockler.
- 1.2 The Chair welcomed Habib Naqvi (Chief Executive of the NHS Race and Health Observatory), Wendy Olayiwola (National Maternity Lead for Equality, NHS England) and Charlie Cassell (Director of Operations and Strategy, National Guardian Office), who was deputising for Jayne Chidgey-Clark (National Guardian for Freedom to Speak Up in the NHS in England), to the group. The expert members introduced themselves and set out their professional expertise.
- 1.3 Two additional experts, Dr Crystal Oldman OBE and Helen Hughes, have been appointed to the group, but were unable to attend this meeting and sent their apologies.
- 1.4 The Chair noted that there are two patient expert vacancies. The PSA is working to fill these vacancies, and the Chair invited members to send any suggestions to the PSA secretariat.
- 1.5 The group agreed the summary note of the last meeting.

2. NMC fitness to practise improvement plan

- 2.1 The NMC presented the detailed version of its fitness to practise improvement plan to the group. This included an overall update on the culture transformation programme and a deep dive into the fitness to practise improvement plan interventions and outcome measures. The NMC also presented an update on safeguarding.
- 2.2 The NMC has appointed a Head of Culture Transformation to respond to the findings of the Independent Culture Review, and an Assistant Director is being recruited imminently. Mac Alonge, the newly appointed EDI advisor to the Executive Board, has been assessing the NMC's mandatory EDI training. Anthony Omo has also joined the NMC from the GMC for a 3-month secondment, to provide insight, support and advice to the FTP team and to share learning to tackle issues around the caseload.
- 2.3 The NMC's recruitment of an Interim Chief Executive is in the final stages. The recruitment of a permanent Chief Executive may be delayed to follow the recruitment of the new NMC Chair, who will wish to participate in the recruitment of the new permanent Chief Executive. The group agreed the need for stable leadership to effectively drive cultural change, and to be kept abreast of developments regarding the appointment of the Interim Chief Executive.

- 2.4 The group noted that the recent NMC staff conference afforded considerable feedback on the culture change programme. It will be vital for the NMC to listen to and engage with its staff. The NMC is analysing this feedback and will feed this into its approach to culture and engagement.
- 2.5 The group had a detailed discussion on the NMC's fitness to practise data and outcome measures. The group assessed the NMC's projections and targets. The group recognised the need to balance timeliness with safe and quality decision-making.
- 2.6 The group welcomed the increased accessibility of data, and agreed that EDI measures and data are needed, to assess differential outcomes in FTP and to make interventions where necessary. The group suggested improvements to the data reporting. Members also requested that data be stratified to show national data for the devolved administrations. The NMC acknowledged that its data collection system is limited, and it has taken steps to improve data quality and completeness.
- 2.7 The NMC is prioritising screening, which contains 50 percent of its caseload. The group agreed that greater clinical expertise would be beneficial to the timeliness and quality of decision-making.
- 2.8 The group acknowledged the sustained increase in referrals compared to previous years, which is a theme amongst other regulators. An increase in referrals connected to sexual misconduct was recognised as a factor in this. The NMC has undertaken an analysis of referrals, but was unable to identify a particular theme behind the increase. The group agreed the need to increase capacity to meet this demand.
- 2.9 The group discussed the quality of referrals, and how to improve communication with employers and members of the public as to the most appropriate channel for raising a concern.
- 2.10 The NMC agreed that whilst it has a range of support mechanisms in place for FTP staff, it needs to communicate these better.
- 2.11 The group agreed that improvements to fitness to practise should be considered in the context of learning and accountability, not blame, and that staff should be supported through the process.
- 2.12 The group probed the NMC on its training for panel members, noting concerns about unfair outcomes. The NMC is introducing a panel member performance framework and is working to improve how it gathers data on performance of panels to drive improvements.
- 2.13 The Chair noted the group's suggestions about future data stratification to show EDI and national demographic trends, and suggested that data could be presented in a simpler format in future. The NMC acknowledged this, noting that group members are reviewing data from differing lenses. The NMC will consider presenting a refined version of the dashboard data in future.
- 2.14 The NMC accepted that it needs to communicate its FTP improvement plan better, as highlighted through engagement with its stakeholders.

- 2.15 The NMC indicated that its enhanced FTP improvement plan will be presented to the Executive Board in November 2024 for discussion and decision on priorities, investment and sequencing.
- 2.16 The group discussed disproportionate referrals for Black, Asian and minority ethnic registrants, and discrimination more generally in the FTP process.
- 2.17 The NMC confirmed that it will launch its minimum dataset referral form soon, which will aim to direct members of the public and employers to the most appropriate organisation to consider their concern.
- 2.18 The group discussed the NMC's statutory safeguarding duty to protect the public, noting that this features on the NMC's corporate risk register. The NMC acknowledged that there is a lot more work to do in relation to safeguarding. The group will discuss this further at its next meeting, which will focus on the NMC's governance framework.
- 2.19 The group noted the NMC's actions taken in respect of safeguarding. The group welcomed the allocation of additional resource to the safeguarding team, and received assurances that the NMC will allocate additional and sufficient resource to safeguarding as required, including from a registrant perspective.

3. Next meeting

- 3.1 The group discussed the next meeting, which will focus on the NMC's cultural transformation programme and governance. The group agreed that the NMC's culture needs to be front and centre of its work, and agreed the need to hold the next meeting on this without delay.

ACTION: PSA secretariat to arrange the group's next meeting.

4. AOB

- 4.1 None.

Annex 1: Attendee list

| Organisation/Role | Name |
|---|---|
| Chief Nurse for Adult Social Care, DHSC | Deborah Sturdy |
| CNO England | Duncan Burton |
| CNO NI | Mary Frances McManus (deputising for Maria MacIlgorm) |
| CNO Scotland | Anne Armstrong |
| CNO Wales | Sue Tranka |
| DHSC | Phil Harper |
| DoH NI | Peter Barbour |
| Welsh Government | Ian Owen |
| NMC Acting Chief Executive and Registrar | Helen Herniman |
| NMC Council representative | Lindsay Foyster (deputising for Sir David Warren) |
| NMC Employee Forum Co-Chair | Colette Howarth |
| NMC Interim Director of Strategy and Insight | Kuljit Dhillon |
| NMC Executive Director of Professional Practice | Sam Foster |
| NMC Assistant Director of Professional Regulation | Paul Johnson (deputising for Lesley Maslen) |
| NMC Assistant Director of Rapid Resolution (Fitness to Practise Team) | Jen Taylor |
| NMC Assistant Director, Fitness to Practise | Roberta Beaton |
| NMC Assistant Director of Stakeholder Engagement | Noita Sadler |
| NMC Head of Culture Investigation | Karen Lanlehin |
| PSA Chief Executive | Alan Clamp |
| Scottish Government | Donna O'Boyle |
| RCN | Lynn Woolsey |
| Unison | Gail Adams |
| Unison | Anne Carvalho |
| Unite | Jane Beach (deputising for Dave Munday) |
| National Guardian's Office (EDI/culture expert) | Charlie Cassell (deputising for Dr Jayne Chidgey-Clark) |
| NHS Race and Health Observatory, Chief Executive (EDI/culture expert) | Professor Habib Naqvi |
| NHS England, National Maternity Lead for Equality | Wendy Olayiwola |

Annex 2: Action Log

On track (including not started) Delayed (or medium risk of delay for projects) Overdue (or high risk of delay for projects) Complete

| Mtg. Date | Item No. | Action point | Owner | Date required | Action progress | Status |
|------------------|----------|--|-----------------|--------------------------------|--|--------|
| 9 September 2024 | 2.9 | Circulate new version of Terms of Reference to the Group for agreement | PSA Secretariat | 13 September 2024 | Complete (13 September 2024). | |
| 9 September 2024 | 3.2 | Members to send suggestions for experts to the PSA | All members | 16 September 2024 | Complete (16 September 2024). | |
| 9 September 2024 | 3.2 | Experts: compile list of suggestions and seek expressions of interest | PSA Secretariat | 19 September 2024 | Complete (20 September 2024). | |
| 9 September 2024 | 4.1 | NMC to share a version of the action plan with the Group | NMC | As soon as possible (date TBC) | Complete (20 September 2024). The NMC made the action plan materials going to Council available in parallel with the publication of Council papers, making clear that Council would be approving the plan in principle but that the document would be liable to further adjustment and refinement in the light of the Group's comments | |

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| | | | | | and wider discussion | |
| 2 October 2024 | 2.2 | NMC to share the detailed version of the fitness to practise improvement plan with the group in advance of the meeting on 18 October 2024 | NMC | TBC | Complete (16 October 2024) | |
| 2 October 2024 | 2.14 | PSA secretariat to include an agenda item on the NMC's governance structure and assurance framework at the IOG meeting in November | PSA secretariat | 1 week in advance of the IOG meeting in November (date TBC) | | |
| 2 October 2024 | 3.1 | PSA secretariat to share a list of experts who have expressed an interest in joining the group | PSA secretariat | 3 October 2024 | Complete (3 October 2024) | |
| 2 October 2024 | 3.1 | PSA secretariat to review expressions of interest from experts and make a recommendation to the group | PSA secretariat | 11 October 2024 | Complete (9 October 2024) | |
| 18 October 2024 | 3.1 | PSA secretariat to arrange the next meeting as soon as possible. | PSA secretariat | TBC (November) | Complete (25 October 2024) | |