

Our performance review process

We have a statutory duty to report annually to Parliament on the performance of the 10 regulators we oversee. We do this by reviewing each regulator's performance against our Standards of Good Regulation and reporting what we find. Our performance reviews are carried out on a three-year cycle; every three years, we carry out a more intensive 'periodic review' and in the other two years we monitor performance and produce shorter monitoring reports. Find out more about our review process [here](#).

This monitoring report covers the period 1 July 2022 to 30 June 2023.

Key findings

- The NMC has not met Standard 15 again this year, because it is still taking too long to conclude fitness to practise (FTP) cases. Safely reducing the FTP caseload remains a clear focus for the NMC and it is working to achieve this. Although the caseload has reduced during 2022/23, there is more work to do to address the backlog.
- The NMC published further research into the impact of its regulatory processes on professionals with different diversity characteristics. It is taking action to address the disparities identified.
- The NMC engages proactively with inquiries into failings in patient care. It reviews their findings and takes action to implement learning in its own work.
- We continue to receive very positive feedback from the NMC's stakeholders about its engagement with them and its openness to collaboration.
- This year the NMC published updated pre-registration nursing and midwifery education standards which were designed to increase the flexibility of entry requirements, placement settings and learning methods.
- The NMC made changes to its English language standards this year. This included permitting employers to provide supplementary information in support of applications in some circumstances. It has implemented measures to mitigate the risks arising from this change.

Standards met 2022/23



| | |
|------------------------|---------------------|
| General Standards | 5 out of 5 |
| Guidance and Standards | 2 out of 2 |
| Education and Training | 2 out of 2 |
| Registration | 4 out of 4 |
| Fitness to Practise | 4 out of 5 |
| Total | 17 out of 18 |

NMC standards met 2019-22

| | |
|---------|-------|
| 2021/22 | 17/18 |
| 2020/21 | 17/18 |
| 2019/20 | 17/18 |



793,402

**professionals on the register
(as at end of June 2023)**

General Standards

The NMC met all five General Standards this year.

These five Standards cover a range of areas including: providing accurate, accessible information; clarity of purpose; equality, diversity and inclusion; reporting on performance and addressing organisational concerns; and consultation and engagement with stakeholders to manage risk to the public.

Equality, diversity and inclusion

This year the NMC published the second phase of its research to better understand the impact of its regulatory processes on professionals with different diversity characteristics.¹ The research found evidence that professionals with certain diversity characteristics experience the NMC's revalidation and FTP processes differently. It also highlighted issues within the NMC's processes that may exacerbate difficulties for some groups. In response, the NMC has committed to take action. This includes:

- further training and development of its staff
- commissioning a review of registration appeal and FTP cases
- working with employers to give them more tailored information about the FTP referrals they make, to help identify any patterns of unfairness.

Together with NHS England and the NHS Confederation, the NMC published a resource² to help registrants who experience or witness racism. It includes practical examples and tools to help professionals discuss, explore and challenge racism safely and effectively.

The NMC routinely considers the equality, diversity and inclusion implications of changes to its policies. It is also working to improve the diversity of its decision makers.

Learning from inquiries into failings in care

The NMC engages proactively with inquiries into failings in care. It has taken extensive action in response to their findings, including:

- Reviewing its Code and standards against the findings from the Ockenden³ and East Kent⁴ reviews.
- Reviewing contextual factors in FTP cases arising from maternity reviews to help identify potential recurring trends.
- In collaboration with the General Medical Council, delivering the Professional Behaviour Public Safety programme, which aims to provide support for multidisciplinary teams working in maternity services.

Working with others

This year the NMC continued to engage extensively with its stakeholders to identify and manage potential risks arising to the public from its registrants. All the stakeholders who provided feedback this year commented positively on the quality of their engagement with the NMC. The NMC was described as open and receptive to ideas and suggestions and interested in working in collaboration with others.



“Overall, we have a great working relationship with the NMC at all levels of our organisation and across several areas. We’ve particularly valued their openness in sharing learning and experiences, and their interest in working jointly on shared aims.”

Stakeholder feedback

Guidance and Standards

The NMC met both Standards for Guidance and Standards this year.

We have reported in recent years on the NMC's work to develop new post-registration standards. It published the final standards in July 2022. All post-registration education programmes must be approved against the new standards by September 2024.

In May 2023 the NMC published supporting information for nurse assessors who review claims for financial support such as Personal Independence Payments⁵ or Continuing Healthcare.⁶ The information highlights the requirements in the NMC's Code and standards that are most relevant to these roles.

In the past, we received a high number of concerns regarding nurse involvement in these assessments and we reported on our review of the NMC's handling of these complaints in 2017/18. We therefore welcome the NMC's guidance to registrants involved in this area of practice.

Education and Training

The NMC met both Standards for Education and Training this year.

Education standards

The NMC amended its pre-registration education programme standards this year, following a public consultation. The changes were designed to increase the flexibility of the standards around entry requirements, placement settings and learning methods, while maintaining the quality of nursing and midwifery education.

The NMC's consultation work identified some potential risks in the changes it made, particularly around the increased use of simulated practice learning in nursing education and the impact this will have on students' knowledge and skills. We received positive feedback on this change from one stakeholder organisation, which told us that it will improve the agility of the standards to keep pace with innovation and technological developments and will help to reduce pressure on placement providers. We will monitor the impact of these changes as they are implemented.

In previous reviews we reported that the NMC planned to commission an independent evaluation of the effectiveness of protected learning time⁷ in pre-registration nursing associate programmes. It has decided not to do this and instead, will monitor this through its core regulatory processes.

We think an evaluation of how protected learning time is working in practice would be beneficial. However, information provided by the NMC indicates that education institutions are managing this risk appropriately where concerns are identified.

Education quality assurance

The NMC seeks assurance that education institutions meet its new standards, and it has taken action where concerns are identified. The NMC is changing its approach to quality assurance of education. It plans to improve its use of data and insight to identify quality issues earlier. We will consider the progress of this work in our periodic review next year.

Registration

The NMC met all four Standards for Registration this year.

Temporary register

The UK Government decided that the NMC's temporary register would remain open for a further two years from September 2022. In response, the NMC introduced the following additional safeguards:

- Applying new conditions of practice to all temporary registrants requiring them to engage in continuing professional development (CPD).
- Removing from the temporary register people who left the permanent register more than three years ago unless they have told the NMC that they are working. This is consistent with the three-year revalidation cycle.
- Removing internationally trained applicants who have not progressed their application within two years.

We think these changes are proportionate and bring requirements for temporary registrants closer into line with those with for permanent registrants. The requirement that those on the temporary register who are practising undertake CPD will provide greater assurance of their continuing fitness to practise.

English language requirements

This year the NMC amended its English language requirements, following a public consultation. This included permitting employers to provide supplementary information in support of applications where the applicant trained in English in a country where English is not a majority spoken language, or where they narrowly missed the required test scores.

How is the NMC supporting international registrants?

In 2022/23 a record number of people who trained outside the UK joined the NMC's register. This group accounted for 48% of the total number of joiners this year. The NMC introduced new measures to support internationally educated registrants, including the most vulnerable within this group.

The NMC's Employer Link Service has developed a half-day workshop, *Welcome to the UK Workforce*, to support internationally educated registrants who have recently come to practise in the UK. The NMC reports that this group faces challenges which, if not resolved, can impact their desire to remain in the UK and the quality of care they provide.

In February 2023 the NMC published a new policy to support forcibly displaced people to join its register safely. The NMC explained that meeting its registration requirements can be difficult for those who have moved due to conflict, persecution, terrorism, human rights abuses, or violence. For example, the required documents may have been lost or destroyed, or it may not be possible to contact third parties to verify information. The policy sets out how the NMC will take account of alternative evidence that shows how forcibly displaced applicants meet its standards for registration. It also signposts applicants to sources of support for refugees and displaced people.

We noted potential risks arising from this change. There may be pressures on organisations to provide references to fill registrant vacancies. Bias, including unconscious bias, could also affect a referee's view of an applicant. The NMC has taken action to mitigate these risks. It has been clear about its expectations of both applicants and the employers providing supporting information. It provides guidance for employers on how to make these assessments in a template form. The NMC is also developing a quality assurance process to verify that references are accurate and to monitor against

abuse. We will consider the implementation of the new requirements and the outcome of the NMC's quality assurance process in future reviews.

Fitness to Practise

The NMC met four of five Standards for Fitness to Practise. The NMC met Standards 14, 16, 17 and 18. It did not meet Standard 15.

Time taken to conclude FTP cases

This Standard has not been met in the NMC's last three performance reviews because of concerns about the length of time it takes to conclude FTP cases and it still remains unmet for this review. The NMC continues to implement its FTP improvement plan. It made changes to its processes throughout the year with the aim of increasing efficiency. Measures taken included:

- establishing an additional team of decision-makers at the Screening stage
- commissioning external reviews of the Screening and Adjudication processes to identify opportunities for improvement
- delivering management and leadership training for FTP managers.

The NMC's overall FTP caseload was 5,577 at the end of March 2023. This is a 14% reduction from the same point in 2022. As shown in figure 1, there has also been a reduction in the total number of cases held for more than a year. However, the number of cases open for three years or more has increased from 517 in 2021/22 to 729 in 2022/23.

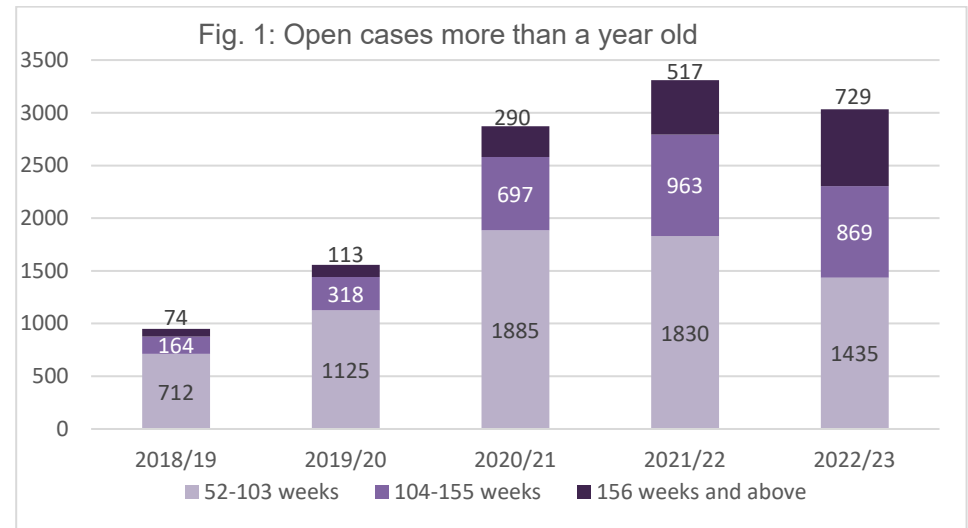
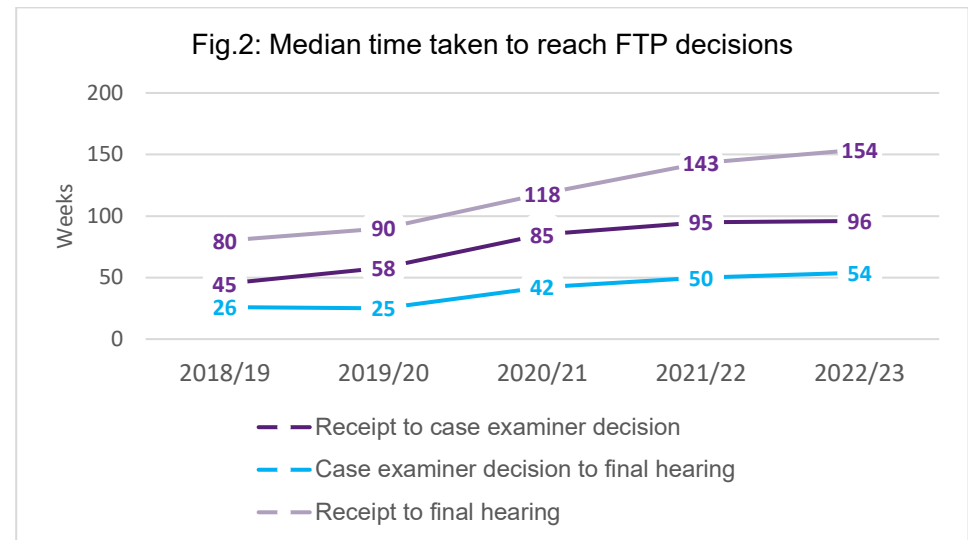


Figure 2 shows that on average it took longer for the NMC to reach decisions this year than last.



Safely reducing the FTP caseload remains a clear focus for the NMC and it is working to achieve this. Although the caseload has reduced during 2022/23 and there are fewer cases over a year old, there is more work to do to address the backlog of cases in FTP.

We will look in more detail at the impact of the changes the NMC has made to its FTP processes in our periodic review next year.

Supporting people to raise concerns

The NMC continues to offer support to those wishing to raise concerns about its registrants. The Employer Link Service offers advice and support to employers with concerns, encouraging local resolution where this is appropriate. In December 2022, the NMC launched an FTP referrals helpline. This serves as a first step to support members of the public who are considering raising a concern about a registrant. The NMC's website includes comprehensive information about the process, what to expect, and how to access additional support.

¹ [Ambitious for change. Phase two report 2022](#)

² [Combating Racial Discrimination against minority ethnic nurses, midwives and nursing associates](#), a resource produced by NHS England in partnership with the NMC and NHS Confederation.

³ An [independent review](#) of maternity services at the Shrewsbury and Telford Hospital NHS Trust

⁴ The report of the [independent investigation](#) led by Dr Bill Kirkup on maternity and neonatal services in East Kent



Quick links/find out more

- ▶ [Find out more about our performance review process](#)
- ▶ [Read the NMC's 2021/22 performance review](#)
- ▶ [Read our Standards of Good Regulation](#)

Professional Standards Authority for Health and Social Care

Telephone: 020 7389 8030

Email: info@professionalstandards.org.uk

Web: www.professionalstandards.org.uk

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⁵ Personal Independence Payment is a benefit for people who need help with daily activities because of a long-term illness or disability.

⁶ Some people with long-term complex health needs qualify for free social care arranged and funded solely by the NHS. This is known as NHS Continuing Healthcare.

⁷ Some students are supernumerary while on placement. This means they are not counted as part of the staff in that setting. Nursing associate students may have protected learning time instead. They will be working as part of the staff team but must also have time set aside for learning activities.