

The Department of Health  
Richmond House  
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12 February 2013

Dear colleague

**Consultation on the Balance of EU Competences in Health**

Please find attached the Nursing and Midwifery Council's response to the above consultation.

Yours sincerely

Jackie Smith  
Chief Executive and Registrar

## **Review of the Balance of EU Competences in Health; Nursing and Midwifery Council response**

- 1 The Nursing and Midwifery Council (NMC) is the regulator for nursing and midwifery in the UK. We exist to safeguard the health and wellbeing of the public. We set standards of education, training, conduct and performance for nurses and midwives, and hold the register of those who have qualified and meet those standards. We have clear and transparent processes to investigate and deal with nurses and midwives who fall short of our standards.
- 2 The UK is a net importer of healthcare professionals, both from Europe and internationally. There are approximately 16,188 nurses and midwives from the EU registered with the NMC. These professionals provide a vital and skilled resource and the NMC appreciates the positive contribution that nurses and midwives from EU member states make to the provision of healthcare in the UK.
- 3 It should be pointed out however that the free movement of professionals and the existing regime for the recognition of professionals' qualifications has raised a number of challenges to public protection. We believe that the EU's competence in relation to the free movement of healthcare workers must be balanced in favour of patient and public safety whilst at the same time facilitate the freedom of movement of healthcare workers.
- 4 While competent authorities should strive to ensure that their recognition processes are fair and transparent, it should always be remembered that the primary responsibility of healthcare regulators such as the NMC is to protect patients and ensure high standards of care.
- 5 We have consistently raised a number of clear public protection related issues, which we have highlighted through our registration and recognition processes. These include the inability of regulators to be able to test the English language competence of nurses and midwives at the recognition stage, and the inadequacy of the EU wide minimum training standards for general nurses and midwives in relation to contemporary practice and methods of healthcare delivery. Effective language and communication skills are integral to the safe practice of all healthcare professionals, regardless of the post they take up. We therefore strongly believe that language testing of EU trained nurses and midwives as part of the recognition procedure is clearly in the interests of patient safety.
- 6 We welcome the ongoing review of Directive 2005/36/EC *on the Recognition of Professional Qualifications* which includes initiatives for sharing information between health regulators across the European Union.
- 7 We believe that public protection should be at the core of any changes to European Union legislation relating to the free movement of healthcare professionals.

## **Resourcing Implications**

- 8 We recognise that we have an obligation under EU law to process applications to the register. It should be pointed out however that any changes to EU legislation and the introduction of new processes for recognition are likely to have a financial impact on the NMC, which in turn will impact on the registration fees for nurses and midwives. This should be borne in mind when considering changes to the recognition procedures as part of the current review of the recognition of professional qualifications directive.