

GOC consultation on guidance for the Investigation Committee, case examiners and the Fitness to Practise Committee

NMC response: 23 December 2013

- 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 a 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 We are grateful for the opportunity to respond to this consultation. The content of the guidance is largely consistent with our position and our own approach to developing guidance in this area will be informed by having had sight of these documents. However, we highlight that as not all of the guidance is applicable to the work of the NMC (for example, we do not have the power to issue warnings or advice to registrants about their future, and we only regulate individual practitioners) we have only been able to consider sections of the guidance that are relevant to our work.
- 3 Overall, we consider the guidance to be clear and helpful for those who will either implement it, or who will be affected by it.
- 4 We would wish to comment on paragraph 32 of the *Guidance for Case Examiners* and paragraph 37 of the *Guidance for the Investigation Committee*. We note in these paragraphs that reference is made to consideration of the public interest when making case to answer decisions. We would suggest that these paragraphs could be expanded to provide further information or explanation, so as to ensure case examiners and Investigation Committees (IC) panels do not overlook this crucial issue when discharging their statutory duties.
- 5 Additionally, we would also query whether the GOC would wish to provide further and more detailed information as to relevant factors for case examiners or IC panels to consider in respect of remediation of failings, including the types of failing that may be difficult to remedy and/or what, in practice, could amount to appropriate remedial steps.
- 6 We would be happy to answer any questions that the GOC may have in respect of these issues, or to provide further information that may assist with this consultation. For information contact the policy team on 020 7681 5849 or darren.shell@nmc-uk.org