

NMC response to HM Treasury consultation on restricting exit payments

Introduction

- 1 We are the independent regulator for nurses and midwives in the UK, and nursing associates in England. We hold a register of the 690,000 nurses and midwives and nursing associates.
- 2 Better and safer care for people is at the heart of what we do, supporting the professionals on our register to deliver the highest standards of care.
- 3 We make sure nurses, midwives and nursing associates have the skills they need to care for people safely, with integrity, expertise, respect and compassion, from the moment they step into their first job.
- 4 Learning does not stop the day nurses, midwives and nursing associates qualify. To promote safety and public trust, we require professionals to demonstrate throughout their career that they are committed to learning and developing to keep their skills up to date and improve as practitioners.
- 5 We aim to encourage a just culture among health and care professions, prioritising openness and learning to improve care and keep the public safe. On the occasions when something goes wrong and people are at risk, we can step in to investigate an individual's fitness to practise, giving people affected, patients and families a voice as we do so.

Summary

- 6 We welcome the opportunity to respond to HM Treasury's consultation on restricting exit payments in the public sector.
- 7 We fully support the aims of the legislation and recognise that it is incumbent on organisations to use public money efficiently and responsibly. However, as set out below, we query whether the inclusion of the NMC as a specified organisation is consistent with the aims of the legislation, which is about value for money for the taxpayer.

8 Our response to the consultation is framed within the context of our statutory remit as the UK's independent regulator of nurses, midwives and, in England, nursing associates. The consultation raises a number of questions that either fall outside of our remit, or upon which have no settled view, and therefore we do not answer these.

Question 1

Does draft schedule 1 to the regulations capture the bodies intended (described in section 2.1 above)? If not, please provide details.

No. See answer to next question.

Question 2

Do you agree with the current list of bodies in scope, for the first round of implementation? If not, please provide reasons.

We note that we have been included in the Annexe B schedule as a public sector body, alongside other organisations that are funded by government.

Whilst we fully support the aims of the legislation and are happy to commit to applying commensurate arrangements voluntarily, we don't think that imposing a legal obligation on us to do so is appropriate or proportionate given that our funding structure is based on registration fees from our registrants and not on central funds.

It is clear that the focus is on providing value for money to the taxpayer in general and not a specific subset of taxpayers (such as the nurses, midwives and nursing associates on our register).

We therefore consider that we fall outside the ambit of what was intended and conclude that we have been added to the schedule in error. We have also drawn this apparent error to the attention of the Department for Health and Social Care.

We repeat that we have no wish to absolve ourselves of the responsibility to abide by the principles set out in the regulations, it is more about being clear about our status as an independent organisation that is not an arm's-length body of the Department for Health and Social Care.

Question 3

Do you agree with the exemptions outlined? If not, please provide evidence.

N/A

Question 4

Does the guidance adequately support employers and individuals to apply the draft regulations as they stand? If not, please provide information on how the guidance could be enhanced.

N/A

Question 5

Is the guidance sufficiently clear on how to apply the mandatory and discretionary relaxation of the regulations, especially in the case of whistleblowers?

N/A

Question 6

Is there further information or explanation of how the regulations should be applied which you consider should be included in the guidance? If so, please provide details.

N/A

Question 7

Are there other impacts not covered above which you would highlight in relation to the proposals in this consultation document?

N/A

Question 8

Are you able to provide information and data in relation to the impacts set out above?

N/A