



Agenda Item
3.5

Joint Commissioning Committee

Nursing and Midwifery Council Independent Culture Review

Dyddiad y Cyfarfod / Date of Meeting	17/09/2024
Statws Cyhoeddi / Publication Status	Open/ Public
	Not Applicable
Awdur yr Adroddiad / Report Author	Carole Bell, Director of Nursing & Quality
Cyflwynydd yr Adroddiad / Report Presenter	Carole Bell, Director of Nursing & Quality
Noddwr Gweithredol yr Adroddiad / Report Executive Sponsor	Carole Bell, Director of Nursing and Quality

Pwrpas yr Adroddiad / Report Purpose	For Noting Choose an item.
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Engagement (internal/external) undertaken to date (including receipt/consideration at Committee/Group)		
Committee / Group / Individuals	Date	Outcome
JCC Professional Nurse Forum	24/07/2024	Noted

Acronyms / Glossary of Terms	
NMC	Nursing and Midwifery Council
EDI	Equality, Diversity and Inclusion

1. SITUATION/BACKGROUND

The Nursing and Midwifery Council (NMC) commissioned Nazir Afzal OBE and Rise Associates to carry out an Independent Culture Review after serious concerns were raised about their organisational culture. The review report was published on the NMC website on the 9 July 2024.

The full report can be viewed using the following link:

[Independent culture review will be a turning point for the NMC - The Nursing and Midwifery Council.](#)

The NMC accepts the recommendations of the independent culture review and has committed to a change programme rooted in the recommendations.

The report also outlines the learning and application of the Review for the NWJCC.

2. SPECIFIC MATTERS FOR CONSIDERATION

The NMC is the independent regulator for nurse and midwives in the UK, and nursing associates in England. They regulate more than 826,000 nursing and midwifery professionals. From a regulatory perspective they promote high education and professional standards and maintain the register of professionals eligible to practise. In addition they also investigate concerns about nurses, midwives and nursing associates.

The Review was commissioned after concerns were raised about the organisation's culture, including racism and fear of speaking up. Over a period of five months the Review team gathered evidence including testimonies from over 1,000 current and former NMC colleagues and over 200 panel members who sit on fitness-to-practise hearings.

The NMC's casework brings it into contact with members of the public, employers and professionals on the register, and, as the profession's regulator, has a responsibility to recognise if anyone has vulnerabilities it needs to consider. As highlighted in the report, since April 2023, six people have died by suicide or suspected suicide while under, or after having concluded, fitness-to-practise investigation.

There are 36 recommendations in the Review which are themed under 11 headings:

- A step change in Leadership and Management capabilities
- A workplace where everyone is afforded dignity
- Regulation
- Whistleblowing and public trust
- Recruitment, retention, development, and progression

- Equality, diversity & inclusion
- Improved line management, performance management, and Trade Union recognition
- Safeguarding
- The work of the NMC
- Transparency
- Supporting panel members.

2.1 Key Findings from the Independent Review

- Toxic and dysfunctional culture: The review found a "dysfunctional" and "toxic" culture at the NMC characterised by bullying, racism, discrimination, and burnout among staff. This culture is threatening public safety and endangering nurses and midwives
- Racism and discrimination: Multiple Black and minority ethnic workers reported leaving the NMC due to bullying and discrimination. There were accounts of racist views expressed during recruitment and a lack of career progression opportunities for minority staff
- Bullying and harassment: 12% of staff reported experiencing bullying or harassment in the last 12 months, rising to 17% when asked if they had witnessed such behaviours. 40% of staff reported witnessing or experiencing microaggressions
- Poor handling of safeguarding cases: Serious concerns were raised about the NMC's handling of safeguarding cases, with some staff reporting that criminal behaviour was excused as a private matter. Multiple reviews were conducted of potential failures to handle allegations of abuse appropriately
- Lack of accountability: The review found resistance to criticism and feedback within the organisation, with issues raised by whistle-blowers seen as "a source of irritation" rather than a learning opportunity
- Impact on staff wellbeing: Many employees reported feeling deeply unhappy in their jobs, with some experiencing severe stress and mental health issues
- Leadership failures: The senior leadership team was criticised for failing to meet challenges and address systemic issues within the organisation
- Barriers to speaking up: Employees reported difficulties in raising concerns, with complaints often ignored or resulting in punishment for the complainant. The lack of human resources support was frequently cited as a barrier to addressing issues
- Backlog of cases: The NMC is struggling with a backlog of nearly 6,000 fitness-to-practise cases, impacting its ability to protect the public effectively
- Lack of diversity in leadership: The review noted a lack of diversity in senior positions, with all Executive leadership team members being white.

3. KEY RISKS / MATTERS FOR ESCALATION

The Review report finds a link between the NMC's regulatory performance and its culture. In particular, the ongoing challenges with the high fitness-to-practise

caseload have put some of the NMC's people under immense pressure. As well as following through on the report's recommendations, the NMC will continue to deliver its £30m, 18-month plan to make a step change in fitness-to-practise investigations. This plan was announced in March, with a clear goal to reach decisions in a more timely and considerate way.

On the 24th July the NMC announced that they have set out the next steps towards change, having accepted all the recommendations of an independent review into its culture. The following section sets out the short medium and long terms actions laid out by the NMC.

3.1 Short term

Some immediate actions are already under way, supported by external advice which will help to ensure right decisions are being made, address the cultural issues identified and follow through on change:

- An external Empowered to Speak Up Guardian is now in place. This will support NMC colleagues to raise concerns and ensure they get independent support from a trained professional
- Investment in a partner to help improve psychological safety within the organisation, starting in Professional Regulation directorate
- Commenced process of appointing an equality, diversity and inclusion (EDI) advisor to our executive board, to support decision making.

They have also made some immediate commitments:

- Co-opt one or more senior independent advisers to the Council to increase the challenge and support that the Council receives, to ensure the necessary cultural changes are delivered and to prevent a recurrence of the findings in the report
- Commitment to increasing the diversity of the Executive Board. and doubled the amount spent on colleague learning and development so that by October 2024, there will be a roll out improvement in leadership, line management, safeguarding, casework and tackling the poor behaviours identified in the report
- Develop a competency and behaviour framework, which will be launched in September, that will support recruitment, career progression and performance management
- Extend decompression support to colleagues working on sensitive casework.

3.2 Medium-term

- In the medium term, the NMC are reviewing their existing plans in light of the independent report's recommendations. A £30m, 18-month improvement plan for fitness to practise investigations is already in place, but they will identify additional external expertise necessary to provide insight, support and advice on the improvements required
- Work to enhance approach to safeguarding

3.3 Longer-term

In the longer-term the NMC will focus on the wider cultural change that is needed to deliver together with colleagues and input from stakeholders. This includes the full implementation of Review recommendations over a projected two-year period.

4. ASSESSMENT

4.1 Learning and application for the NWJCC

Following close liaison with all registrants it has been confirmed that there are no staff that are directly impacted by the review findings. It is however important to acknowledge that all registrants within the organisation are assured that there is ongoing work on a strategic level to ensure that that actions are being taken to work to address the deficits identified within the report. This is in addition to the contact that all registrants will receive from the regulator on an individual basis. To date a number of actions have been taken and are summarised as follows:

- Chief Nursing Officer for Wales has raised concerns both in writing and in meetings with NMC re FtP processes
- Executive Directors of Nursing written to the Chief Nursing Officer for Wales on the 12th July to collectively inform the advice for the Cabinet Secretary in response to the report
- Director of Nursing led a discussion at the Joint Commissioning Committee Professional Nurse Forum on the 27th July 2024.

Objectives / Strategy	
Dolen i Nod (au) Strategol CBC Link to JCC Strategic Goal(s)	Choose an item.
	The JCC was established on 1 April 2024. Draft Strategic Objectives are being presented for approval at the Sept Joint Committee Meeting.
Dolen i Feysydd Strategol CBC / Link to JCC Strategic Areas	Not Applicable
	Draft Strategic Objectives are being presented for approval at the Sept Joint Committee Meeting.
Dolen i Ddeddf Llesiant Cenedlaethau'r Dyfodol – Nodau Llesiant / Link to Wellbeing of Future Generations Act – Wellbeing Goals 150623-guide-to-the-fg-act-en.pdf (futuregenerations.wales)	Choose an item.
	If more than one applies please list below:
Dolen i Hwyluswyr Ansawdd	Culture and Valuing People
	If more than one applies please list below: Leadership

<p><i>(Canllawiau Statudol Dyletswydd Ansawdd (llyw.cymru)) /</i> Link to Enablers of Quality <i>(Duty of Quality Statutory Guidance (gov.wales))</i></p>	Professional Regulation Safeguarding	
<p>Dolen i Feysydd Ansawdd <i>(Canllawiau Statudol Dyletswydd Ansawdd (llyw.cymru)) /</i> Link to Domains of Quality <i>(Duty of Quality Statutory Guidance (gov.wales))</i></p>	Safe If more than one applies please list below: Effective Timely Efficient	
<p>Effaith Amgylcheddol/ Cynaliadwyedd (5R) / Environmental /Sustainability Impact (5Rs)</p>	Choose an item. If more than one applies please list below: Not applicable	
Impact Assessment		
<p>Ansawdd <i>Ydych chi wedi ymgymryd â Sgrinio Asesiad o'r Effaith ar Ansawdd? /</i> Quality <i>Have you undertaken a Quality Impact Assessment Screening?</i></p>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
	Outcome:	If no, please include rationale below:
<p>Cydraddoldeb <i>Ydych chi wedi ymgymryd â Sgrinio Asesiad o'r Effaith ar Gydraddoldeb? /</i> Equality <i>Have you undertaken an Equality Impact Assessment Screening?</i></p>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
	Outcome:	If no, please include rationale below:
<p>Cyfreithiol / Legal</p>	There are no specific legal implications related to the activity outlined in this report.	
<p>Enw da / Reputational</p>	There is no direct impact on the reputation of the Joint Committee as a result of the activity outlined in this report.	
<p>Effaith Adnoddau <i>(Pobl /Ariannol) /</i> Resource Impact <i>(People / Financial)</i></p>	There is no direct impact on resources as a result of the activity outlined in this report.	

5. RECOMMENDATIONS

Members are asked to:

- **Note** the report.

6. NEXT STEPS

- Continue to work with the NHS Wales Executive Directors of Nursing Forum to monitor progress.