

Information for nurses, midwives
and nursing associates

Fitness to Practise: Guiding you through the process

Let your case
worker know
if you need this
information in
an alternative
format.

Fitness to Practise concerns

If a Fitness to Practise concern has been raised about you, it's not unusual to feel a whole range of emotions and at times this can feel overwhelming. It's important that you are well-informed and know how to access practical, as well as emotional, advice and support.

We are committed to working with you and supporting you with information, advice and signposting.

Of all the cases we receive, a high proportion conclude at the first stage (screening) because we find there is no matter to investigate. For those that do progress to the investigation stage, a significant number are concluded at that point, meaning we found no regulatory concern to address.

Your engagement in the process is important and what you tell us can make a real difference to how we assess the concerns we're investigating.

In this resource we aim to:

- 1 Provide an easy-to-understand overview of the process
- 2 Signpost you to support, including representation.

What is a Fitness to Practise referral?

A Fitness to Practise referral means someone has raised a concern about your ability to practise safely and effectively as a nursing or midwifery professional. Or you may have made a self-referral to let us know about something which has happened that you think we need to look at.

The process we follow is split into four stages:

1

Screening

We look at concerns and decide on next steps, including identifying any ongoing risks.

We screen cases to make sure we are the right organisation to deal with the concern raised and to decide if the concern raised presents a risk that requires us to investigate.

When we receive a concern our starting assumption is that the professional is usually safe to practise unless we have evidence to the contrary.

Not every concern raised with us will require regulatory action.

In many cases concerns can be managed more quickly and appropriately by employers and most cases we screen are concluded at screening with no further action taken by us.

For more information visit www.nmc.org.uk/screening/

2

Investigations

If we have decided that a concern needs further investigation, we gather evidence at this stage, including from the nurse, midwife or nursing associate involved.

For more information visit www.nmc.org.uk/investigations/

3

Case examiners and their decisions

This is when we decide if there is a case to answer or not.

Our case examiners consider all the evidence gathered during the investigation. They decide whether the case can be closed or whether a decision is needed by the independent Fitness to Practise Committee.

For more information visit:

www.nmc.org.uk/case-examiners-and-their-decisions/

4

Adjudication stage

If we decide there is a case to answer, the Fitness to Practise Committee will consider whether or not a restriction is needed on a professional's practice.

Only a small number of concerns raised with us result in a hearing and need to be considered by an independent panel. We recognise that nursing and midwifery professionals sometimes make isolated mistakes, but this doesn't mean that their fitness to practise is impaired, especially if they and their employer have addressed it and taken steps to prevent it from happening again.

You can find more detail about the different stages of the process and how everything works on the Concerns page of our website:

www.nmc.org.uk/what-is-fitness-to-practise/

How we manage your case



Who you will speak to at the NMC

You will have a dedicated case worker. They will:

- Keep you updated on your case
- Be able to answer questions you may have
- Signpost you to support as required.

If you are represented, we will mostly communicate directly with your representative and this means you will not get regular contact from us. If you would like us to communicate with you as well as your representative, please do let us know.

There may be times when it is necessary for someone else from the NMC to contact you who is not your case worker. This could be to share information or documents, for example.



Reasonable adjustments and supportive accommodations

Reasonable adjustments are changes we can make to the way we contact and support you to make sure you can fully engage with the Fitness to Practise process.

It's important that no one is at a disadvantage because of a health condition, disability or personal circumstances. So, if you think there are adjustments we can make for you, please let us know.

Do bear in mind that you can request reasonable adjustments and/or supportive accommodations at any point in the process. So if your circumstances change, let us know.



Communicating with you

We want to ensure that we work in a way which does not cause unnecessary stress. For this reason, we will ask some questions about the best way to contact you. This will look at things such as how to best send information to you or how frequently you would like updates on your case. Any agreements we make can be changed if you would like this.

If you are represented, most (not all) of our communication will go to your representative only and so you will not hear from us often.



Security and privacy

For security reasons we will sometimes need to send documents to you using password protection or encryption. If there are any issues with accessing the information we send you, please let your case worker know so that we can explore how to help.

Careline

Careline offers free, confidential and independent support to anyone involved in the Fitness to Practise process and is open 24 hours a day, 365 days per year. The service is free, independent, confidential and non-judgemental.

Careline provides emotional support, practical help and advice.

Careline counsellors are experienced in working with sensitive and personal information. They can also signpost you to specialist organisations to help with other specific issues.

You can contact Careline on **0800 587 7396**.

Careline will not tell us if you contact them, anything you share with them, or the advice they give you.

Accessing representation

If you are a member of any unions or representative bodies, you should contact them as soon as you are informed that a concern about your practice has been raised. Some examples of unions are:

Royal College of Nursing: rcn.org.uk.

Royal College of Midwives: rcm.org.uk.

UNISON: unison.org.uk.

Unite the union: unitetheunion.org.

If you are not a union member you can still access support from other organisations which are independent and not affiliated to the NMC. These organisations may charge a fee for their services which you should check at the start.

Further information about these services can be found at:
www.nmc.org.uk/support-with-the-fitness-to-practise-process/.

These organisations are being shared for information purposes only. Nurses, midwives and nursing associates are not required to use any of these organisations and may find legal advice and support elsewhere.

By signposting to these organisations, the NMC is not vouching for the quality of the support or legal advice they give. Nurses, midwives and nursing associates are strongly advised to conduct their own research and due diligence into the best support for them.

We encourage you to ensure you're getting advice from regulated legal professionals.

Recognising stress and seeking support

Recognising signs of stress is key to being able to take steps to better manage it and get the right support. We know that this process will not be all that you have to deal with in life, and you may have other stressors from work or your personal life that can compound how you're feeling.

As a nursing or midwifery professional, you are likely to be aware of the signs of stress to look out for – these can be both physical and psychological.

You may find this NHS information helpful:

[nhs.uk/every-mind-matters/mental-health-issues/stress/](https://www.nhs.uk/every-mind-matters/mental-health-issues/stress/)

Taking care of yourself

Taking care of yourself and your wellbeing is important. You may want to seek support from people you trust including family and friends, or with colleagues in your peer group.

The Mental Health Foundation has further resources you may find helpful: [mentalhealth.org.uk/explore-mental-health/publications/how-manage-and-reduce-stress](https://www.mentalhealth.org.uk/explore-mental-health/publications/how-manage-and-reduce-stress)

Other sources of mental health support

Call 999

In emergency situations, for example, if you have thoughts of harming yourself or others, you should call 999 immediately or visit your local A&E service.

Contact your GP

In less urgent situations, you can make an appointment with your GP and/or other healthcare professionals. They may be able to refer you to talking therapies and counselling or provide medical support for your symptoms.

NHS 111 (NHS 111 24 in Scotland)

The NHS 111 service can help when you need medical help or advice fast – but it's not a life-threatening emergency. The 111 online service can also help if you're not sure what to do.

You can call **111** from a mobile or landline or visit: 111.nhs.uk or nhs24.scot in Scotland.

In Northern Ireland, use the Phone First service: online.hscni.net/our-work/no-more-silos.

NHS 111 can direct you to the best place to get help if you can't contact your GP during the day, or when your GP is closed.

Trade Unions

If you are a member of a trade union, they may also provide counselling and welfare support services so do contact them directly to find out how they can support you.

Samaritans

Available every day and night of the year for anyone struggling to cope. They offer somewhere to turn for support when it's most needed. Volunteers are available to talk to you on the phone or via email. There is also an online chat service but it is not always available.

- Call **116 123**
- Email: jo@samaritans.org for a reply within 24 hours
- Visit: samaritans.org/how-we-can-help/contact-samaritan/.

CALM Campaign Against Living Miserably

This service provides a suicide prevention helpline. The helpline is normally open from 17:00 to midnight. Besides the helpline, they offer advice tools you may find useful.

- Call: **0800 58 58 58**
- Visit: thecalmzone.net.

Hub of Hope

This is the largest UK-wide mental health support directory. It lists national and local sources of support (just enter your postcode).

- Visit: hubofhope.co.uk/need-help-now.



The nursing and midwifery regulator for
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 The Nursing and Midwifery Council