

Ambitious for Change

Phase three summary:
understanding disparities
in our regulatory
processes

June 2025

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As a regulator, it is our responsibility to tackle inequality and promote diversity and inclusion in everything we do. That starts with scrutinising our own processes to make sure we are fair and accessible. It also means holding people to account and working with our partners to tackle inequalities that cut across the education, health and social care sector.

This is the third in the series of our *Ambitious for Change* reports. Throughout this work, we have aimed to understand – and ultimately reduce – disparities experienced by professionals with different protected characteristics.

Our previous research has highlighted that certain groups of professionals face differences in how they progress through our fitness to practise (FtP) processes – the stages they reach and the severity of the outcomes they receive.

We found that professionals who are male, disabled, Black or whose sexual orientation is unknown are more likely to progress further through the FtP process than those who are female, not disabled, white, or heterosexual.

Additionally, professionals who are male and/or disabled are more likely to receive the most serious outcomes – such as being struck off or suspended – at the hearing stage, compared to those who are female and/or not disabled.

Our [FtP insight report](#) highlighted that male professionals are referred more often for serious concerns such as sexual misconduct and behaviour or violence compared to women. They are less likely to demonstrate insight or remediation – two things we know affect the seriousness with which we treat cases. However, this does not account for all men referred to us and does not explain differences for the other groups of professionals.

At the start of 2024 we commissioned the University of Greenwich to help us understand the reasons behind these disparities. Their work explored whether bias or discrimination may be influencing our decision-making. We also asked for suggestions on how to improve our existing FtP policies, guidance and processes, to ensure greater fairness and consistency.

This document sets out how these findings have directly influenced our new Equality Diversity and Inclusion (EDI) targets as part of a wider set of objectives on EDI.

Approach

The researchers examined 288 FtP cases that we had completed between 2019 and 2023. To better understand who is affected by our processes, the researchers focused on cases involving four comparison groups:

- Male and female professionals
- Black and white professionals
- Disabled and non-disabled professionals
- Heterosexual professionals and those whose sexual orientation is unknown (because they preferred not to tell for us, for example).

The researchers examined similar types of cases at various stages of our FtP process to determine whether cases involving certain groups of professionals are handled differently to others.

Findings

- The research found evidence disparities that might be attributable to bias in how we handled some cases involving Black professionals compared to white professionals, and male professionals compared to female professionals. No evidence of bias was found in the final decisions of these cases, or how we handled cases involving disabled professionals or those whose sexual orientation is unknown.
- The analysis showed that, in some instances, we scrutinise evidence more closely in cases involving Black and male professionals, while similar evidence is more often accepted at face value for white and female professionals. The researchers found that overseas qualifications and professional references are not always given the same weight as those from UK employers. This disproportionately impacts internationally educated Black professionals.
- The researchers also found that conditions of practice are not always applied consistently. For example, sometimes we give Black and/or male professionals Interim Order Conditions of Practice that are difficult for employers to accommodate because they are too broad or unfeasible, inadvertently preventing professionals from securing employment and undertaking remedial actions.
- Several factors affected all professionals. This included inconsistent information about the importance of reflective accounts and evidence of insight and remediation on our decisions. Not having formal representation also affected outcomes – as shown in our previous research. While all professionals could experience these issues, they had a cumulative effect on Black and/or male professionals.

- These differences in how we deal with cases involving male and/or Black professionals is caused by variation in how we interpret and apply our FtP policies and guidance. Although the researchers judged our policy and guidance to be broadly aligned with our values and generally enabling and upholding fairness, they found that such variation was largely confined to cases involving male and/or Black professionals.

Recommendations

1. Quality assuring communication with professionals

- Strengthen quality assurance processes to ensure that existing best practice of empathetic and supportive communications with professionals is more consistently applied.

2. Standardise supporting materials for professionals subject to fitness to practice proceedings

- Ensure consistent access to resources such as case study examples and templates to support reflective practice.

3. Clarify areas of policy and guidance that are subject to differing interpretations

- Guidance should be clearer on how to interpret and weight different types of evidence as part of investigations – in particular, guidance on considering overseas qualifications and professional references compared to references from UK employers and minimising the focus on hearsay or unreliable statements.
- Guidance should set clearer, more specific parameters for interim order conditions of practice orders to ensure that they protect the public in ways that are workable, realistic and appropriate for professionals in different contexts. These parameters should be applied consistently across cases. For example, if biweekly meetings with line managers or supervisors are considered sufficient in one case, the same standard should apply regardless of the professional's race or gender. Guidance should clearly state what happens if an interim order review hearing does not take place – for example, whether the conditions of the order should remain in effect or be lifted. Clarification should also be given to ensure that acceptance of fault is not seen as a prerequisite for removal of interim orders. Instead, what matters is acknowledging and understanding the concerning behaviours or actions.
- Guidelines for rejecting agreed removal applications should be tightened, to more clearly define the grounds on which applications can be rejected.

4. Resolve cases in a timely manner

- Continue to focus on reducing the length of FtP investigations to encourage more professionals to engage in the process and to take up (or maintain) formal representation during it.

Our response to the research

This research is a powerful reminder that bias exists within society, and as a regulator we are not exempt. While no bias was found in our final decisions, there were disparities in our handling of cases, particularly involving Black and male professionals. Our commitment to changing this is clear.

We have confidence in our FtP plan – published in April 2024 – which is making good progress in resolving more cases at the earliest possible opportunity, improving the experience for everyone involved. One of our ambitions in our FtP plan is to promote EDI and embed a working culture where people thrive so that everyone is treated with respect.

Our 2024-2025 panel member recruitment campaign was successful in advancing diversity of our panels, both for registrant and lay members. We now have 24 percent of our lay panel member pool who are from Black, Asian and ethnic minority backgrounds – exceeding the 18.3 percent reflected in the UK population. For registrant panel members, 23 percent are from Black, Asian and ethnic minority backgrounds, bringing us closer to our target of reflecting the diversity of our register, which currently sits at 32.5 percent. To help ensure fair and balanced decision making, we want our panels to reflect the diversity of the professions we regulate and our communities.

We are strengthening and going further in our commitment to regulatory fairness – this is a key pillar in our comprehensive three-year Culture Transformation Plan published in March 2025.

We will continue to prioritise EDI expertise and learning through our case clinics – first established in 2023 – which apply an EDI lens to sensitive FtP casework from the outset of a referral. We have also rolled out trauma-informed and unconscious bias training.

Ensuring EDI is a key line of enquiry in our quality assurance of FtP will help us achieve our goal of improving consistency and fairness in cases where bias could be present. We will review and implement improvements to guidance, our ways of working and staff development, to ensure bias is proactively mitigated against.

We know change needs to be systemic and sustained.

This research has informed our new and ambitious EDI targets – published in June 2025. We will:

- Eliminate disparities in treatment based on ethnicity and gender in the NMC's fitness to practise processes by 2030;
- Eliminate the disproportionate pattern of FtP complaints received from employers in relation to ethnicity by 2030;
- Eliminate disproportionate outcomes in nursing and midwifery education and training by 2035;
- Eliminate disparities in the representation of Black, Asian and ethnic minority NMC colleagues in the upper two pay quartiles, starting now; and,
- Eliminate ethnicity, gender and other pay gaps by 2030.

1. Eliminate ethnicity and gender disparities in the NMC's fitness to practise processes by 2030

Supporting initiatives:

- Include EDI and de-biasing as key criteria in FtP quality assurance
- Deliver proactive de-biasing measures in the FtP process
- EDI training for all staff, including a focus on regulation. This will be built on through ongoing evaluation and measurement
- Review FtP guidance library and Standard Operating Procedures (SOPs) with EDI as key criteria.

2. Eliminate the disproportionate pattern of FtP complaints received from employers in relation to ethnicity by 2030

Supporting initiatives:

- Survey employers to understand their measures to mitigate against bias in referrals
- Share best practice with employers on avoiding bias in referrals
- Instigate bias checks in our FtP referral process.

3. Eliminate disproportionate outcomes, based on ethnicity, in nursing and midwifery education and training by 2035

Supporting initiatives:

- Establish a baseline of evidence on disproportionate outcomes
- Update the NMC Code to more strongly address discrimination in different forms.

- Include EDI robustly in AEI approvals and NMC education quality assurance, using our standards for education as a basis
- Continue monitoring performance against EDI elements in our standards, engage AEIs where needed and offer support.

By 2030 we expect to see evidence of: a measurable increase in acceptance rates to all courses, reduction in attainment gaps and improved satisfaction and inclusion for ethnic minority students.

4. Eliminate disparities in the representation of Black, Asian and ethnic minority NMC colleagues in the upper two pay quartiles starting now

Supporting initiatives:

- Set metrics to ensure greater ethnic minority staff participation in career development programmes
- Utilise positive action measures, where appropriate
- Introduce values-based and equitable interviewing practices
- Adhere to equal opportunities best practice in recruitment and retention, explore use of positive action measures
- Encourage greater declaration of EDI data to build a more solid evidence base for pay gap reporting and measurement
- Conduct an NMC employee career life-cycle analysis, using an EDI lens more deeply understand the drivers of workforce disparities.

5. Eliminate ethnicity, gender and other pay gaps 2030

The initiatives above will affect movement on pay gaps.

By setting these targets and making progress on the related initiatives, we aim to address bias and discrimination, both within our own organisation and across the wider system.

This will ensure we achieve equity for nursing and midwifery professionals and for our colleagues. We will be seeking opportunities to work more closely with employers, education providers and other partners to make sure everyone is doing their part to eliminate disparities within health and care, and within our professions. Fairness must be built into every stage of our regulation, and we are committed to making that a reality.



The nursing and midwifery regulator for
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