## Nursing and Midwifery Council

### Policy on Safeguarding and Protecting People

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<th><strong>Title</strong></th>
<th>Safeguarding and Protecting People Policy</th>
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<td><strong>Summary</strong></td>
<td>This policy applies to all who work for or with the NMC, including Council, Committee and Panel members, staff and contractors.</td>
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| **Approval** | November 2018 – approved by the Council  
**January 2020** – updated version approved by the Council |
| **Policy Owner** | NMC Safeguarding Lead – Director of Registration and Revalidation |
| **Next review date** | November 2020 |
Introduction

1 The NMC is the independent regulator for nurses and midwives in the UK and nursing associates in England. It is established and governed by the Nursing and Midwifery Order 2001 (as amended) (the Order). The NMC is also a registered charity.

2 The NMC’s overarching statutory duty is to protect the public and, as part of that, to promote and maintain:
   2.1 the health, safety and wellbeing of the public;
   2.2 public confidence in the professions we regulate; and
   2.3 proper professional standards and conduct for nurses, nursing associates and midwives.

3 The NMC’s three core values are:
   3.1 People – we believe they matter.
   3.2 Fairness – we are consistent and act with integrity.
   3.3 Transparency – we are open and honest.

Purpose of this policy

4 As a regulator and a registered charity we recognise the fundamental importance of having an effective policy in place that safeguards and takes reasonable steps to protect from harm all who come into contact with us. Safeguarding responsibilities are also our duty as a registered charity and we have developed this policy in line with guidance provided by the Charity Commission (CC) and the Office of the Scottish Charity Regulator (OSCR). This policy seeks to reflect other good practice guidance including, for example, the Charity Governance Code and the Charity Ethical Principles (by the National Council for Voluntary Organisations' (NCVO)). In particular, the fourth principle ‘Right to be safe’ is reflected in this policy.

5 This policy covers safeguarding children and adults at risk and also protecting from harm all those who may come into contact with us, in a way which is proportionate to our statutory responsibilities and charitable objectives. This includes staff, contractors, partners, professionals on our register, people and members of the public.

6 We will give equal priority to keeping all children and adults at risk safe regardless of their age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation and we recognise that some children and adults at risk are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues.
This policy sets out:

7.1 the responsibilities of Council members, as trustees of the charity, for taking reasonable steps in protecting people from harm.

7.2 the key principles that all who work for, or with us, must comply with.

This policy is underpinned by operational guidance on safeguarding for staff (including contractors, such as panel members or others who might work with us in a paid or unpaid capacity) who may become aware of a safeguarding issue that needs to be reported. This includes staff who carry out investigations into fitness to practise or registration issues and all staff who have direct contact with professionals on our register or members of the public, by phone or in person.

It is also underpinned by our Human Resources (HR), digital, and health and safety policies and processes and reflected in our policies governing how we engage with those who come into contact with us.

Our approach to safeguarding and protecting people

Although we do not provide direct health or care services, we exist to protect the public by enabling better and safer care.

The Council is committed to taking reasonable and proportionate steps to protect people who come into contact with the NMC from harm. This includes all who benefit from the work of the NMC, our staff and those who work for and with us.

The Council is also committed to fulfilling its specific responsibilities to have in place appropriate measures to safeguard children and adults at risk.

The Council is responsible for:

12.1 Ensuring that there is a clear and up-to-date policy in place based on statutory and good practice guidance, governing our approach to protecting people from harm, and for assuring itself that effective operational processes are in place.

12.2 Ensuring a safe environment for all and a culture where protecting people from harm is central.

12.3 Regularly reviewing the policy and practice and monitoring the impact.

12.4 Taking responsibility for putting things right and dealing with an incident responsibly should something happen or go wrong.

12.5 Acting with reasonable skill and care, and in the best interest of the NMC, exercising sound judgement and avoiding exposing the NMC or the public to undue risk.
The Executive is responsible for:

12.6 Ensuring this policy is underpinned by effective operational guidance and processes which encompass:

12.6.1 Clear lines of accountability within the NMC for safeguarding, including designation of a safeguarding lead.

12.6.2 Training for all staff, appropriate to their role and continuing professional development, so that staff are competent in identifying and addressing concerns.

12.6.3 Safe working practices including appropriate recruitment, vetting and barring procedures.

12.6.4 Robust referral, reporting and escalation processes, working with relevant organisations across the UK as appropriate.

12.6.5 Effective inter-agency working, including effective information sharing.

Everyone who works for, or with us, is expected to:

12.7 Understand and be familiar with this policy and know how to recognise, respond to, report and record a safeguarding concern or any concern regarding harm to others.

What is safeguarding?

13 Safeguarding means protecting people from harm including physical, emotional, sexual and financial harm and neglect.

14 Safeguarding children means to:

14.1 protect children from abuse and maltreatment.

14.2 prevent harm to children’s health or development.

14.3 ensure children grow up with the provision of safe and effective care.

14.4 take action to enable all children and young people to have the best outcomes.

15 Safeguarding adults at risk is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, while at the same time making sure that the adult’s wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action.

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1 Care Act Statutory Guidance England
16 Adults at risk means anyone aged 18 or over in England, Wales and Northern Ireland, or, age 16 or over in Scotland who:

16.1 has needs for care and support (whether or not the local authority is meeting any of those needs);

16.2 is experiencing, or is at risk of, abuse or neglect; and

16.3 as a result of those care and support needs, is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

17 An adult at risk of abuse may:

17.1 have an illness affecting their mental or physical health.

17.2 have a learning disability.

17.3 suffer from drug or alcohol problems.

17.4 be frail.

**Statutory framework**

18 The NMC operates across all four countries of the UK. There are some differences in adult safeguarding legislation, policy and practice in England, Northern Ireland, Scotland and Wales.

19 We will ensure that we maintain an up-to-date understanding of the legislative and public policy requirements in each country and that our operational guidance and processes meet the specific requirements in each of the four countries.

**Safeguarding and the NMC**

20 Safeguarding concerns may arise as a result of:

20.1 a direct disclosure.

20.2 an allegation, concern or complaint reported by another person.

20.3 an observation.

20.4 an incident.

21 The NMC may also be targeted by those who want to gain access to children and adults at risk and we are committed to ensuring that we mitigate this through robust HR policies and recruitment processes.

22 We have a duty to make sure that:

22.1 alleged safeguarding concerns are dealt with promptly, appropriately and reported in a secure and responsible way to all relevant agencies.
22.2 steps are taken to escalate or alert those able to protect children and adults at risk from harm and minimise risk of abuse.

22.3 appropriate and proportionate measures are in place to protect from harm all those who work for, or with us, or come into contact with us.

Support and training

23 It is important that we all understand safeguarding, and know what to do should safeguarding concerns arise.

24 Support includes:

24.1 Safeguarding induction and training for all staff appropriate to their role, including information on types of abuse and neglect; how to spot abuse; how to respond to concerns; and who to report concerns to.

24.2 Embedding safeguarding in the NMC’s culture so that it is safe for anyone affected to come forward and report incidents and concerns with the assurance that they will be handled sensitively and properly.

24.3 Guidance for dealing with safeguarding concerns, including:

24.3.1 identification and management of risk.

24.3.2 management of reports of incidents, allegations and risk and recording and retention requirements.

24.3.3 reporting requirements to the relevant authorities such as the police, social services and the CC and OSCR.

24.3.4 making changes to reduce the risk of any further incidents.

24.4 Advice if a member of staff is accused of abuse.

24.5 Guidance when dealing with wider welfare concerns and when to liaise with the Public Support Service (PSS) within the Fitness to Practise directorate.

25 We also have systems in place for:

25.1 Ensuring Council, partner members and key staff are not subject to any CC disqualifications.

25.2 The safe recruitment and selection of staff, including basic Disclosure and Barring Services (DBS) checks or a criminal record check from Disclosure Scotland for particular roles.

25.3 Dealing with allegations or concerns relating to staff, including clear lines of accountability, systems of reporting and actions to be taken. The following policies are already in place:
25.3.1 Codes of Conduct for Council and partner members and Fitness to Practise panel members.

25.3.2 Dignity at work policy.

25.3.3 Grievance policy.

25.3.4 Health and safety policy.

25.3.5 Digital policy.

25.3.6 Data protection policy (including confidentiality policy).

25.3.7 Corporate complaints policy.

25.3.8 Equality, diversity and inclusion framework.

25.3.9 Disciplinary policy.

25.3.10 Anti-fraud, bribery and corruption policy.

25.4 Investigating and learning from any safeguarding incidents or ‘near miss’ events through our serious incident reporting process, and if necessary making changes to the operational guidance for staff.

25.5 Whistleblowing:

25.5.1 Our whistleblowing policy for those who wish to raise any concerns about the NMC is available on the iNet and the NMC website.

25.5.2 Our policy for those who wish to raise concerns to the NMC in its capacity as a prescribed person (whistleblowing to us about others) is set out on the NMC website.

Raising concerns and reporting requirements

26 We are committed to ensuring we manage safeguarding risks and serious incidents that have resulted in or risk significant harm to people who come into contact with us adequately and report any failures to do so promptly.

27 Any serious safeguarding incidents, complaints, allegations or events involving a child or an adult at risk or that are likely to have a significant impact on the NMC will be reported as appropriate to:

27.1 The police, or local safeguarding body if appropriate.

27.2 The CC and the OSCR.

27.3 The Privy Council.

28 We will include information on the number and nature of serious incidents, including safeguarding, in our statutory annual report and accounts.
Sharing information, confidentiality and mental capacity

29 Safeguarding children, young people and adults at risk is a shared responsibility, with the need for effective joint working between agencies and professionals that have different roles and expertise.

30 Liaison and working with other agencies is also important, to prevent individuals who actively target organisations in order to abuse children and adults at risk from doing so. This may include sharing information or making referrals to social services or other relevant agencies.

31 In sharing information, we will ensure that we do so in compliance with our Data Protection Policy, General Data Protection Regulations (GDPR) and any relevant legislation.

Publication and review

32 This policy will be published on our website, reviewed by the Council annually, and the impact monitored regularly. We will also review it following any serious incident, to ensure it remains fit for purpose.