

Policy on Safeguarding and Protecting People

March 2026

Nursing and Midwifery Council
Policy on Safeguarding and Protecting People

Title	Safeguarding and Protecting People Policy
Summary	This policy applies to all who work for or with the NMC, including Council, Committee and Panel members, colleagues and service suppliers.
Approval	March 2026 – Approval by Council
Policy Owner	NMC Designated Safeguarding Lead – Director of Professional Practice
Next review date	January 2028

Introduction

1. As a regulator and registered charity, we may come into contact with people who are at risk of harm, abuse or neglect. Our safeguarding policy explains how we identify, respond and manage safeguarding concerns which arise in our role as a regulator and in any of the activities that we undertake to support and influence our professionals and the public.
2. This policy details how we protect people we may engage, either directly or indirectly, with from harm. This includes professionals, members of the public, our colleagues, service providers and partners. The policy specifically covers:
 - a. The roles and responsibilities of all colleagues working at the NMC in relation to safeguarding. This includes responsibilities of our Council members, as trustees, and Executive Board in overseeing and assuring that we deliver our safeguarding duties in accordance with Charity Commission obligations.
 - b. Information on how safeguarding concerns are managed and responded to organisationally.
 - c. Governance arrangements for safeguarding, this includes where incidents may be made to the Charity Commission.
 - d. Training requirements for the organisation.

The NMC's legal responsibilities for safeguarding

3. Under Article 3(4) of the Nursing and Midwifery Order 2001, the NMC's overarching objective is the protection of the public, including protecting, promoting and maintaining the health, safety and wellbeing of the public. We fulfil this objective primarily through setting and maintaining professional standards and through our fitness to practise functions, where safeguarding concerns may arise. We also have powers to cooperate with and share information with other agencies where it is appropriate, reasonably practicable and in the public interest to do so.
4. There is no single legal definition of safeguarding, and the duties that apply vary depending on an organisation's role. Unlike frontline health and care providers, the NMC does not have statutory safeguarding duties. However, safeguarding is integral to our wider role as a regulator.
5. As a registered charity, the NMC is also subject to the safeguarding expectations set out by the Charity Commission and the Office of the Scottish Charity Regulator. This broader definition of safeguarding requires charities to take reasonable steps to protect from harm all those who come into contact with them, interpreted in light of each charity's specific functions.

6. These duties are principles-based rather than prescriptive and require us to act reasonably and proportionately, ensuring that safeguarding actions are appropriate to our regulatory role.

What is safeguarding

7. As a national regulator for nurses, midwives and nursing associates (England) we regulate across all four nations. Each nation has legislation and guidance for safeguarding children and adults at risk that we need to comply within our safeguarding activities.¹

Safeguarding adults

8. Across the four nations different legislation and guidance underpins safeguarding adults.
9. For someone to be eligible for statutory safeguarding services they must meet the threshold. An adult at risk relates to anyone aged 18 or over in England, Wales and Northern Ireland:
 - a. Has needs for care and support (whether or not the local authority is meeting any of those needs);
 - b. Is experiencing, or is at risk of, abuse or neglect; and
 - c. 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.²
- 10 In Scotland the Three Point Test is used which states that the adult:
 - a. Is unable to safeguarding their own well-being, property, rights or other interests;
 - b. Is at risk of harm;
 - c. Because they are affected by a disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.³

¹ Key legislation includes: Adult support and protection Scotland 2007, Safeguarding Vulnerable Groups NI 2007, Social Service and Wellbeing Act Wales 2014, Protecting Vulnerable Adults and Children in Wales and Care Act England 2014

² Care Act 2014

³ [Adult Support and Protection \(Scotland\) Act 2007](#)

11. Abuse or neglect could include a range of harms and behaviours such as physical, psychological, institutional abuse or neglect. The NMC will appropriately respond to all signs of abuse or neglect where this is identified.
12. Whilst statutory guidance states that a person is only eligible for safeguarding support if they have a care and support needs. A person with a care and/or support needs is someone who may need extra help to manage their life and be independent. It could include someone with a disability, long-term illness, a mental health diagnosis or addiction. We have taken a broader approach to safeguarding and will assess and respond proportionately to any situation where abuse or neglect is identified.

Safeguarding children and young people

13. **Safeguarding children and young people** applies to anyone under the age of 18 in all four nations, and is defined as:
 - a. Protecting children from abuse and maltreatment.
 - b. Preventing harm to children's health or development.
 - c. Ensuring children grow up with the provision of safe and effective care.
 - d. Taking action to enable all children and young people to have the best outcomes.⁴
14. Where safeguarding concerns are raised about a child during our processes these will always be reported to statutory services for safeguarding.

Our approach to safeguarding

15. As a regulator we have a key role in safeguarding. There are three areas in which safeguarding arises within our organisation:
 - a. We exercise regulatory duties which are central to patient safety and public protection. Appropriately exercising these helps ensure that safeguarding risk do not arise, or where they do we respond accordingly to prevent future harm to people.
 - b. We receive high volumes of intelligence that we can share with other health, social care and criminal justice agencies for the purposes of keeping people safe from harm.

⁴ Working Together to Safeguard Children (2018), National Guidance for Child Protection in Scotland 2021, Children Act 1989 & 2004 and Children (Northern Ireland) Order 1995

- c. Appropriately signposting and referring children and adults at risk who interface with our organisation to safeguarding services where they may require this.
16. We recognise that we engage with many individuals who have vulnerabilities or at risk of or experiencing harm. Whilst we do not provide direct health and care services, we do have a duty to proportionately support them through our processes and minimise any potential harm to them. This includes signposting to services that are designed to support people with safeguarding and wellbeing needs. Our approach extends to all registrants, witnesses, members of the public and professionals that engage with us, as well as the colleagues that we employ at the NMC.

How we deliver safeguarding in the NMC

17. The safeguarding team are responsible for the following within the NMC:
- a. Ensuring that we meet our safeguarding obligations in accordance with requirements set for us by the Charity Commission and Office for the Scottish Regulator.
 - b. Develop a clear education and training framework for safeguarding designed to help improve organisational awareness and understand of safeguarding across the NMC.
 - c. Support colleagues to recognise and respond to safeguarding concerns where these arise during the course of their work.
 - d. Make all external referrals to safeguarding agencies where a safeguarding concern is identified and requires external reporting.
 - e. Advise teams on how they can manage on-going safeguarding risk for the business.
 - f. Providing safeguarding expertise on any organisational initiatives that may have an intersection or link to safeguarding.

Delivering safeguarding operationally

18. There are three ways that the NMC delivers its operational safeguarding function, through our safeguarding hub, safeguarding mailbox and emergency helpline.

Safeguarding mailbox

19. All referrals from colleagues across the business should be directed to the safeguarding mailbox: safeguarding@nmc-uk.org.
20. The central safeguarding mailbox is monitored Monday to Friday from 09:00 – 17:00 by our safeguarding advisors. To make a referral to the safeguarding team, the safeguarding advice request should be completed and directed to the mailbox.

21. All new queries into the mailbox are risk assessed by an advisor and will be responded to between one to five working days dependent on the level of risk associated within the concern. Where a matter relates to an on-going safeguarding concern, this should still be directed to the safeguarding mailbox. Efforts will be made to reallocate the case back to the previous safeguarding advisor to ensure continuity of support.
22. The safeguarding advice will include the following:
- a. What the safeguarding risks are and an assessment of the seriousness of these risks
 - b. Any actions colleagues should take to manage any safeguarding risks
 - c. Any actions that the safeguarding team will take, this includes external referrals to statutory safeguarding agencies
 - d. The rationale for the safeguarding advice
 - e. Consideration to future risks which may require further oversight by the safeguarding team

Emergency Helpline

23. There is an emergency helpline enabling colleagues across the NMC to obtain immediate safeguarding advice in the following situations:
- a. Where there is an immediate risk of harm to an individual(s)
 - b. Where we may have legislative deadlines that require an urgent response from the team
 - c. Where an Interim Order is being sought on a case
 - d. Where safeguarding concerns occur in a fitness to practise hearing
24. The emergency helpline is accessible Monday to Friday from 09:00 – 17:00.

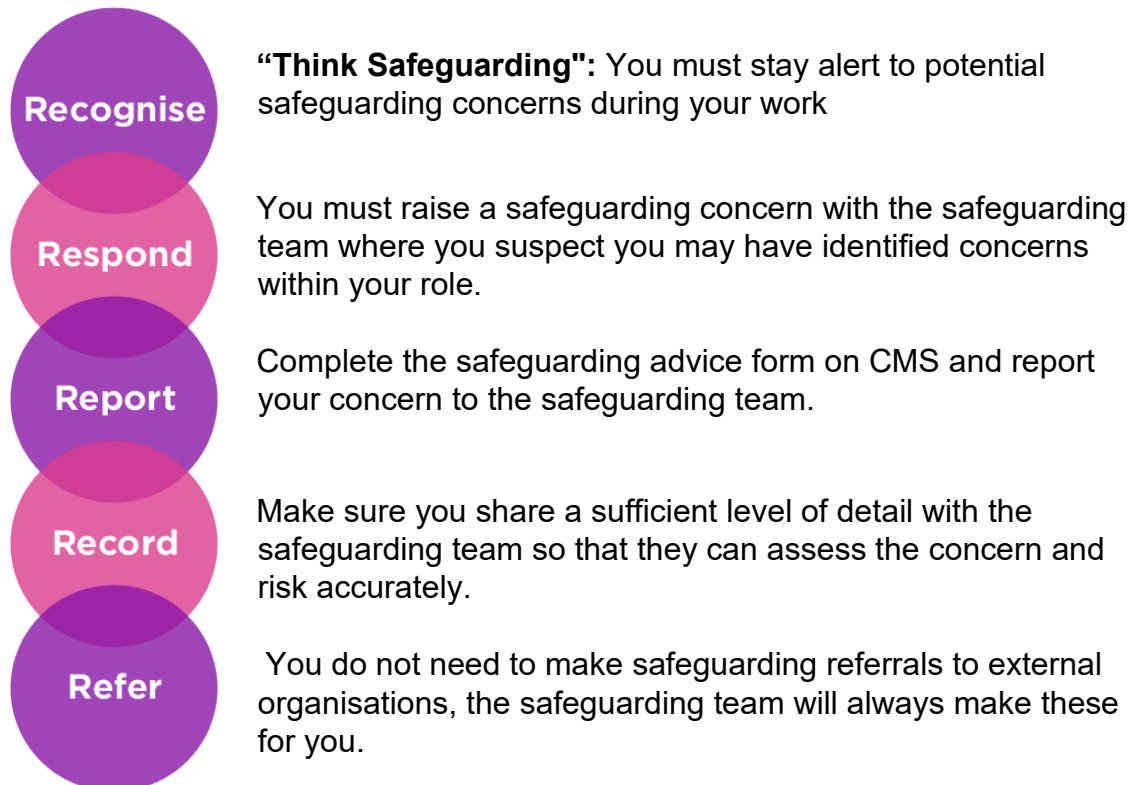
Safeguarding hub

25. The safeguarding hub meets on a weekly basis and is responsible for reviewing all new referrals into our fitness to practise department. This allows the NMC to proactively identify and assess safeguarding risk within the fitness to practise directorate and supports us to assure ourselves that we are meeting our Charity Commission obligations.
26. Any cases with a safeguarding or wellbeing element will be screened into the hub. The role of the hub is to identify the safeguarding risk associated with the case and identify proportionate actions to manage any risks.
27. All decisions at the hub will be conveyed to operational teams, who are responsible for actioning advice. The safeguarding team will make any referrals to statutory agencies responsible for safeguarding.

Roles and responsibilities for safeguarding

All staff

28. All colleagues across the NMC are expected to familiarise themselves and comply with the safeguarding policy, specifically the five Rs of safeguarding:



29. There is a mandatory requirement for all colleagues to complete their Level 1 e-learning for safeguarding. Some colleagues will be required to undertake enhanced safeguarding training, where they have a greater interface with individuals who may be at risk of harm.

Role of the Executive Board and Council in overseeing safeguarding

30. The Executive Board and Council are responsible for monitoring and assuring themselves that safeguarding risk is effectively managed and mitigated. This includes assuring themselves that we are compliant with Charity Commission obligations for safeguarding. It is expected that our Council members hold the NMC to account for the following to ensure a good culture for safeguarding exists organisationally:

- a. Ensuring that there is a clear and up-to-date NMC 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.
- b. Having a clear and robust system in place for supporting colleagues to identify and report safeguarding concerns as well as referring concerns to statutory agencies for safeguarding
- c. Responding quickly and appropriately where safeguarding concerns are identified and raised
- d. Ensuring that employees are recruited safely and are suitable to act in their roles
- e. Having an understanding of safeguarding risks for the business and how these will be managed via a risk register
- f. Following statutory safeguarding guidance, good practice and legislation relevant to their organisation
- g. Ensuring that harm or failures are not ignored or downplayed
- h. Maintaining a balanced trustee board, where trustees work together collaboratively
- i. Prioritising protecting people from harm as part of its culture
- j. Resourcing safeguarding effectively, this includes providing adequate training for all colleagues and trustees around safeguarding
- k. Conducting regular reviews of safeguarding policies, procedures and practice⁵

31. To facilitate this, quarterly reports will be shared with our Executive Board and Council to outline key strategic developments for safeguarding, safeguarding activity and emerging risks that may require mitigation.

Governance

32. The **Safeguarding Board** is the strategic safeguarding group that has responsibility for providing the Executive Board with assurance in relation to all safeguarding activity across the organisation. The committee has responsibility to act as the governance and decision-making group for managing safeguarding risk to ensure we, as an organisation, are fully sighted on safeguarding risks.

33. The Designated Safeguarding Executive Lead is responsible for chairing all Board meetings and ensuring that key safeguarding activity and risk is reported to the Executive Board and Council.

34. Underpinning the Safeguarding Board is the **Safeguarding Working Group**, which is responsible for the delivery of annual safeguarding work plans. The working group draws expertise from teams across the NMC to ensure that safeguarding plans are effectively embedded organisationally.

⁵ [Safeguarding and protecting people for charities and trustees - GOV.UK](https://www.gov.uk/guidance/safeguarding-and-protecting-people-for-charities-and-trustees)

35. There is an annual work plan which is approved by the Safeguarding Board. This outlines the strategic work that will be delivered to address and mitigate key safeguarding risks for the business. The work plan is reviewed monthly and updated, with progress reports being provided to the Executive Board on a quarterly basis via risk and compliance teams.
36. Further information about the governance arrangements for safeguarding can be found at annexe A.

Reporting Serious events to the Charity Commission

36. In accordance with Charity Commission requirements the NMC is required to report '*a serious incident is an adverse event, whether actual or alleged, which results in or risks significant harm to your charity's beneficiaries, staff, volunteers or others who come into contact with your charity through its work (who are collectively referred to throughout this guidance as people who come into contact with your charity through its work)*'.
37. Where an incident is identified it will be raised through our log and learn process in the first instance. Serious incidents will be reported to the Serious Incidents, Reporting and Learning Roundtable. This is a multi-disciplinary meeting attended by colleagues from Safeguarding, Governance, Legal and Continuous Improvement teams. The group will determine whether a matter reaches the threshold for referral to the Charity Commission. Where a referral has been recommended the Chief Executive and the Chair of Council will be responsible for authorising referral to the Charity Commission.
38. Any learning from safeguarding referrals to the Charity Commission will be determined by the safeguarding, log and learn team and any departments involved in the incident. Any recommendations are signed off by the Safeguarding and Executive Boards who are responsible for ensuring that learning from reviews are embedded in practice and disseminated across the business.

Data reporting

39. The safeguarding team will collect data on business activity on a monthly and quarterly basis. This will include information on number of referrals to our mailbox, emergency helpline and safeguarding hub. The team will also collect data on the number of safeguarding log and learn as well as training activity.
40. Trends and themes from business activity will be reported to our working group and safeguarding board. These themes will be used to inform the safeguarding work plan which is designed to ensure that safeguarding risk is addressed.
41. Quarterly data and activity will be reported to the Executive Board and Council, alongside any risks that may need to be added to the risk register.

Training

42. All colleagues at the NMC are required to undertake safeguarding training. At a minimum all staff are required to undertake our level one safeguarding e-learning course on a two-yearly basis.
43. The organisational safeguarding training needs analysis determines which teams require additional levels of training includes level 2 training requirements. The training needs analysis is reviewed and updated on an annual basis and sets out the annual training programme that will be delivered organisationally in each annual year.
44. The safeguarding team will be required to undertake regular safeguarding training and supervision to maintain knowledge and expertise to ensure best practice is consistently applied to practice and maintain quality in the safeguarding service delivery.

Safe recruitment for colleagues and managing allegations against staff

45. The NMC requires any colleague who undertakes the following in their role to have a Basic DBS check:
 - a. Face-to-face engagement with members of the public
 - b. On-going engagement with members of the public or registrants who have significant needs
 - c. Has exposure to highly sensitive information or data
 - d. Works in a legal, finance or procurement role
 - e. Make decisions that may have significant impact on an individual
46. Members of the safeguarding team are required to undergo Enhanced DBS checks for the purposes of delivering their roles.
47. There is a requirement for all staff to inform our HR team with immediate effect if they are arrested, charged, convicted or cautioned for a criminal offence. This is in line with the NMC's Disciplinary Policy. The Disciplinary Policy outlines when a Panel will be convened to determine whether it is safe and appropriate for an employee to remain in their role and whether the matter needs to be referred to disciplinary proceedings.

Information sharing and confidentiality

48. We recognise that we have a duty to comply with the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR). Schedule 1, Part 2 of the Data Protection Act allows for lawful, non-consensual sharing of information for safeguarding purposes. This means that our safeguarding team will share information with the appropriate agencies where there is reason to suspect a child or adult at risk is experiencing, or at risk of

experiencing, harm. Where appropriate, advice will be sought from data protection and legal teams.

49. Central to information sharing is appropriate recording keeping. Records relating to safeguarding concerns must be accurate, up-to-date and evidence why decisions have been made.

Equality, Diversity and Inclusion (EDI)

50. We recognise that safeguarding duties closely align with EDI duties. Many people who present with safeguarding needs have protected characteristics. We will ensure that when working with adults and children at risk we understand how any protected characteristics may impact their experiences. We will offer appropriate interventions and reasonable adjustments accounting for peoples' experiences. This is in line with our Equality Act 2010 and Public Sector Equality Duty obligations. More information on our EDI work can be found [on our website](#).

Publication and review

51. This policy will be published on our website. The policy will be reviewed by the Council annually and the impact of work will be reported to the Council on a quarterly basis.

Related policies

- Fitness to Practise Standard Operating Procedure for Safeguarding
- Safeguarding handbook
- Self-harm and Suicide Protocol
- Decision Tree for Safeguarding
- Reasonable Adjustments Guidance for People Using our Services
- Reasonable Adjustments Guidance for Colleagues
- Equality, Diversity and Inclusion Policy
- Disciplinary Policy
- Behaviour Framework 2025
- Data Protection Policy
- Data Sharing Policy
- Information Security Policy
- Raising Concerns Policy