Report on sexual harassment in the workplace

Thank you for your letter dated 31 July 2018 and for sharing your recent report on sexual harassment in the workplace with us. This response outlines the standards that nurses and midwives must meet, and what our role is if they fail to meet them. We take sexual harassment extremely seriously and tackle it in three ways via our Code, education standards, and fitness to practise process.

Our role

We regulate nurses and midwives in the UK. We exist to protect the public and set standards of proficiency, education and training, conduct and performance so that nurses and midwives can deliver evidence based, compassionate care throughout their careers. In July 2018, we became the legal regulator for nursing associates and will be opening this part of our register on 28 January 2019.

We maintain the register of nurses and midwives allowed to practise in the UK. We make sure nurses and midwives keep their skills and knowledge up to date and uphold our professional standards. We have clear and transparent processes to investigate nurses and midwives who fall short of our standards.

Upholding professional standards

Nurses and midwives play a vital role in providing, leading and coordinating care that is compassionate, evidence based, and person centred. In 2015, we introduced a Code that sets out the professional standards they must uphold. Nurses and midwives in the UK must act in line with the Code, whether they are providing direct care to individual people, families or communities, or using their professional knowledge in other roles, such as leadership, education, policy or research.
The Code outlines a series of statements that, taken together, show what good nursing and midwifery practice looks like. Putting the interests of patients and service users first, it promotes safe and effective practice and encourages trust through professionalism. Within this, we ask nurses and midwives to:

- Treat people as individuals and uphold their dignity.
- Uphold the reputation of their profession at all times.

To achieve this, they must:

- Treat people with kindness, respect and compassion
- Avoid making assumptions and recognise diversity and individual choice
- Respect and uphold people’s human rights
- Act with honesty and integrity at all times, treating people fairly and without discrimination, bullying or harassment
- Be aware of how their behaviour can affect and influence the behaviour of other people
- Make sure they do not express your personal beliefs (including political, religious or moral beliefs) to people in an inappropriate way

Nursing associates will also be expected to uphold these standards to ensure they deliver high quality patient care.

**Knowledge and skills for the next generation of nurses and midwives**

We are committed to ensuring all our standards remain up to date and fit for purpose so nurses and midwives can deliver high quality care. To keep up with the changing health and care landscape, we published new standards of proficiency for registered nurses and education standards in May 2018. These set out the knowledge and skills the next generation of nurses need to care for people now and in the future.

They state that at the point of registration, nurses will be able to demonstrate:

- an understanding of, and the ability to challenge, discriminatory behaviour
- the skills and abilities required to support people at all stages of life who are emotionally or physically vulnerable

We have aligned our standards for nursing associates with the above and they will also be expected to uphold these at the point of registration.

We are also redefining the standards student midwives will need to meet in order to join the midwifery profession. The new proficiency standards for midwives will ensure that they are capable of providing evidence based, tailored care for women, newborn infants and families across the continuum.
We are committed to drawing evidence from a wide range of stakeholders to inform the development of the new standards. The role of midwives in promoting and advocating the human rights of all women and newborn infants and leading in enabling safe, respectful and compassionate environments with effective team working, has featured strongly in feedback.

We will be consulting on the draft standards in February 2019 and would be happy to keep you updated on this.

When joining our register, renewing their registration, or revalidating, nurses and midwives commit to upholding our standards, and we can take action if they fail to do this.

**What happens if our standards are not met?**

If an allegation is made that a nurse or midwife does not meet our standards, we will investigate it. If necessary, we will act by removing them from the register permanently or for a set period of time.

We believe that effective and proportionate fitness to practise means putting patient safety first, and that an open, transparent and learning culture will best achieve this. This just culture approach will encourage nurses and midwives to speak up at the earliest opportunity when things go wrong, and see the fitness to practise process as an opportunity to learn and reflect.

It focuses on supporting people who are involved in our cases to ensure they are protected, valued, cared for, respected and held as important partners throughout the fitness to practise process.

In July 2018 our Council gave us the go ahead to move forward with a new approach, and we began implementing it in September 2018.

If concerns are raised that affect the trustworthiness of nurses and midwives, we may be required to take action to uphold our standards or public confidence. In relation to professional practice, these concerns include dishonesty, bullying and harassment. Within a nurse or midwife’s private life, regulatory action is also likely to be required if they have convictions that relate to specified offences, or result in a custodial sentence.

I hope this is helpful. Please let us know if you need any further information. We would be very happy to assist the Committee.

Yours sincerely

Sue Killen  
Chief Executive and Registrar