

Andrew Barkley
HM Senior Coroner
South Wales Central Coroner Area
Coroner's Office
Courthouse Street
Pontypridd
CF37 1JW

7 March 2019

Dear Sir

RE: The Late John Preece – Regulation 28 Prevention of Future Deaths Report

I am writing to respond to your report to Prevent Future Deaths made under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and Regulations 28 and 29 of the Coroners (Investigations) Regulations 2013, and to explain the action we've taken or propose to take in relation to the issues you've raised.

Firstly, I would like to offer my sincere condolences to Mr Preece's family, and to assure you and them that we take the concerns you have raised very seriously. To help you understand the actions we have taken to address your concerns in this case, it may be helpful if I first explain our regulatory role in setting and maintaining standards for registered nurses.

Our statutory functions and objectives

We are a statutory body created by the Health Act 1999 and governed by a number of pieces of secondary legislation. Our functions are set out in Article 3(2) of the Nursing and Midwifery Order 2001 ('the Order'):

The principal functions of the Council shall be to establish from time to time standards of education, training and conduct and performance for nurses, midwives and nursing associates and to ensure the maintenance of those standards.

Our approach to regulation is necessarily circumscribed by our legislation. It also reflects what the Professional Standards Authority ("PSA") has described as "right touch regulation".

Our Education and Training Standards

In order to begin their professional life as a registered nurse, each nurse must obtain a qualification¹ which has been approved by us as demonstrating that the nurse has met our standards of proficiency for nurses ('proficiency standards'). Our proficiency standards are the standards we consider necessary for safe and effective practice as a nurse at the point of entry to our nursing register. We also set standards for providers of nursing programmes ('education standards'), which are the standards of education and training we consider are needed to achieve our proficiency standards.

We ensure, through our statutory quality assurance processes, that we only approve education institutions and nursing programmes which meet our standards. In 2016 we identified education for nurses and midwives as a key priority, and embarked on a programme of change designed to ensure that our standards remained contemporary and fit for purpose to protect the public. Between June and September 2017 we conducted a full public consultation on our proposed new standards, during which we heard from over 2000 individuals and many organisations. Our new standards were approved by our Council in March 2018, and since 29 January 2019 it has been necessary for all education providers to seek approval against these new standards if they wish to continue offering approved nursing programmes. Links to our new nursing proficiency standards and our new education standards may be found here: <https://www.nmc.org.uk/standards>.

Nurses joining our register

Reading our new proficiency standards, you will see that they are clearly designed to ensure that all nurses applying to join our register are able to provide holistic, people-centred care in a context of continual change including challenging environments, different models of care delivery, shifting demographics and evolving technologies. They specify the knowledge, skills and attributes that all nurses, whatever their area of specialism, must demonstrate when caring for people of all ages and backgrounds. They are designed to ensure that they are able to care for people with complex mental, physical, cognitive and behavioural care needs in a variety of care settings.

In particular, you will see that the proficiency standards state that at the point of registration, registered nurses must be able to safely demonstrate that they can use evidence-based approaches to take histories, observe, recognise and assess people of all ages, and use evidence-based best practice approaches to undertake, respond to and interpret neurological observations and assessments, and identify and respond to signs of deterioration².

¹ The law on Mutual Recognition of Professional Qualifications applies to nurses applying to join our register from the EU.

² See in particular our Proficiency Standards: Platform 3 "Assessing needs and planning care" and Platform 6 "Improving safety and quality of care"

Professional standards for registered nurses

Once nurses are registered, they are required to uphold throughout their careers the professional standards contained within 'the Code: Professional standards of practice and behaviour for nurses, midwives and nursing associates' (NMC 2018)

<https://www.nmc.org.uk/standards/code>. The Code contains (amongst others) requirements that nurses maintain the knowledge and skills they need for safe and effective practice, complete the necessary training to carry out a new role, and raise concerns immediately if they are asked to practise beyond their role, experience and training.

In order to maintain their registration, every nurse must 'revalidate' their registration every three years to ensure that they practise safely and effectively and keep their skills up to date. The revalidation process requires them to demonstrate that they have practised for at least 450 hours, obtained at least 35 hours of CPD, reflected on their practice, including their adherence to the Code, and obtained five pieces of practice related feedback.

Our Fitness to Practise process and our Employer Link Service

In appropriate circumstances, we enforce the standards set out in the Code through our fitness to practise proceedings. Depending on the seriousness of the case, our fitness to practise (FtP) proceedings can result in us providing advice or a warning, accepting undertakings, imposing a caution or a conditions of practice order or suspending or removing a nurse from our register.

We also expect employers to recruit and train their nursing staff appropriately and to support their staff in upholding the standards in the Code, and we reinforce this through regular meetings between members of our Employer Link Service and employers across the UK. Where an issue comes to our attention relating to the provision of safe nursing care, we may advise employers to take appropriate action, or if appropriate, take action ourselves. Where the issue falls outside our remit (for example because it relates to a systemic problem) we refer the issue to the appropriate regulatory body.

Specific action we are taking in this case

You have asked us to provide details of action we have taken or propose to take in relation to the concerns you have raised.

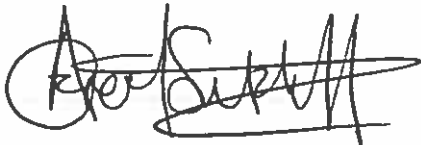
With regard to your concern that the nurses in question may not have been trained in some basic areas during their nursing training, we are not in a position to confirm the specific details of any particular individual's original nursing training. However, I hope that I have reassured you that we are doing everything we can through our new standards and assurance processes to ensure that nurses entering our register and maintaining their registered practice are properly trained in managing falls and conducting observations, no matter what their area of specialism, the age or background of the person they are caring for, or the context in which they are providing care.

Also, for data protection reasons, we are unable to comment publicly on whether we are taking any regulatory action in relation to the fitness to practise of any of the nurses involved. However, I can confirm that we are aware of their identities, and that we will pursue any regulatory concerns which it is appropriate for us to take, through our fitness to practise procedures. Outcomes of our fitness to practise proceedings are published on our website, and any restrictions we impose on any nurses' fitness to practise are reflected on our public register.

We note that you have also written to the Cardiff and Vale University Health Board. They will no doubt explain in their response the relevant training, if any, which nurses in this unit had received, and any relevant steps they are taking to learn from this tragic incident. I can confirm that we will be drawing the concerns you have raised to the attention of the Healthcare Inspectorate Wales, so that they are aware of the issues (if they are not already) and can take any appropriate action.

I hope that this letter reassures you that we are doing everything we can to address the concerns you've raised, within the scope of our statutory remit. If you have any further questions concerning this case or the action we have taken, please do not hesitate to get in touch.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrea Sutcliffe', written over a circular stamp or seal.

Andrea Sutcliffe
Chief Executive and Registrar