

Raising Concerns in Practice

A National Approach for Nursing and Midwifery Students, Non-NHS Practice Learning Experience Providers and Higher Education Institutions in Scotland

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Part 1

Introduction

This document is divided into three parts. **Part 1** outlines the purpose, aim and scope and responsibilities of each party in the 4-stage process when students report concerns about poor care witnessed whilst on non-NHS practice learning experiences (placements). Poor care, in the context of this guidance, refers to instances of neglect, abuse or incompetence where care or professional behaviour is below an acceptable standard (Ion et al, 2015; Jack et al, 2021).

Part 2 Raising concerns in practice: student guidance contains the guidance document outlining the 4-stage process for students and **Part 3:** National guidance for raising concerns – student leaflet contains a handy pocket guide for students.

Aim and scope

The aim of this guidance is to describe the process for dealing with concerns about poor care witnessed by nursing or midwifery students while on practice learning experiences **in non-NHS settings e.g. Private, Public and Voluntary not for profit**. It builds on the Nursing and Midwifery Council's (NMC) Raising Concerns Guidance (NMC, 2019) and should be read in conjunction with the NMC (2018a) Code and NMC/General Medical Council (GMC) Duty of Candour (NMC/GMC, 2022). It further outlines the responsibilities and recommended timelines for the universities, students, practice learning experience providers and those in associated education roles.

Where a concern relates entirely to the student's own learning, or where practice supervisors or practice assessors have concerns about student performance – in other words, not poor care – then this should be dealt with through locally agreed practice learning support protocols as detailed in the student's practice assessment document (PAD) or practice handbook.

Background

Nursing and midwifery students have a professional duty to put the interests of people in their care first and to act to protect them if they consider they may be at risk (NMC 2019). Although speaking up may be difficult, it is a professional requirement for nurses, midwives, nursing associates, and nursing and midwifery students to raise a concern about poor care witnessed in practice as this is linked to the safety of users of services (NMC, 2019). This national guidance

therefore aims to provide some clarity for nursing and midwifery students to speak up with confidence if they feel something isn't right.

Responsibilities of each party

The responsibilities of each party, namely the universities, students, practice learning experience providers and those in associated education roles are set out below and a glossary of the terms referred to within this guidance is detailed in

Appendix 1 Glossary

All parties

- All Parties (University, Practice Learning Experience Provider and Student) accept that the safety of users of services is paramount and must be prioritised above all other concerns.
- All Parties agree to act in accordance with the guidance provided by the NMC (2019) on raising concerns about poor care.
- All Parties agree to act in accordance with local safeguarding policies

The university and the practice learning experience provider

The potential adverse effects of reporting poor practice for students are well documented (Milligan et al 2016).

- Both the university and practice learning experience provider acknowledge these and are committed to: ensuring that students receive appropriate support; that they are kept informed of developments in a timely manner; and that they receive confirmation that their concerns are acknowledged and have been addressed.
- Both parties also acknowledge that, in some circumstances, those who report may be unable to return to the area about which the concern was raised. In cases of this type an alternative practice learning experience will be found as quickly as possible. Decisions about whether a student can return to a practice learning environment where they have raised a concern will be made in partnership between all Parties (University, Practice Learning Experience Provider and Student).

The university

- The university will undertake to provide educational sessions on raising concerns about poor practice to all students before they begin a practice learning experience. These sessions would normally be undertaken in partnership with practice learning experience providers.
- The university will identify at least one academic member of staff for students, to whom they can report any concerns about practice.

The practice learning experience provider

- Each Practice Learning Experience Provider will identify a Practice Education Lead, usually the Service Manager. The Service Manager should be of sufficient seniority to act as the

accountable officer in the practice learning experience provider organisation in relation to the management, investigation and reporting back about concerns regarding poor care. While the Service Manager will be the accountable officer, it is likely that they will delegate duties as required to other members of their teams.

- The Service Manager will ensure that any concerns raised are investigated in accordance with established policies and regulatory guidance while also providing regular feedback to the university Practice Learning Lead (PLL). The Service Manager will communicate the status or conclusion of the investigation to the university PLL.
- Where deemed appropriate by the Practice Learning Experience Provider, other educational providers who use the area where the concern has been raised will also be informed.

The student

Students have a professional responsibility to:

- Report and raise concerns about poor practice immediately to their nominated practice supervisor/assessor/senior nurse/senior midwife/manager or academic lecturer (NMC 2018a; NMC 2018b).
- Keep a clear, written record of their concern and any steps they took to deal with the matter including to whom they raised the concern and on what date, remembering to protect the identity of people in their care.

Where users of services are put at risk through the non-reporting of poor care, there may be consequences for the student such as a referral to the university.

The 4-stage process for reporting concerns

Stage 1: Reporting the concern

While accepting that there are often reasons why students may find it difficult to report concerns about care to the staff with whom they are working, it is important to recognise that failure to do so may result in unnecessary harm to users of services. As such it is vital that concerns are reported as quickly as possible after they arise, but no later than 48 hours after the incident, to the relevant member of the team. This will usually be the student's nominated practice supervisor/practice assessor, but in cases where this is not it may be the senior member of staff on duty or their academic lecturer.

The person to whom the incident is reported to must escalate this to a senior member of staff within 4 days. If reported to the academic lecturer, it is escalated to the university PLL; if reported to the nominated practice supervisor/practice assessor, it is escalated to the senior manager or associated education role. The university PLL and Service Manager for the Practice Learning Experience Provider will then communicate regarding the incident.

In cases where students are unsure about whether their concern constitutes poor care, they should seek advice from an appropriately qualified member of staff in the practice learning environment or university.

Stage 2: Investigating the concern

The Service Manager will determine what action to take following the initial reporting of the concern in line with local policies and will communicate this to the university PLL. This should include a view on whether the practice learning environment in question remains appropriate for students and whether it is reasonable for the reporting student to remain there.

The university PLL will liaise with the academic lecturer acknowledging that a concern is being investigated following the initial reporting of the event. The academic lecturer will:

- Keep the student informed
 - Support the student to write a statement, using the statement template in **Appendix 2**
- Statement template: to be completed with academic support**
- Ensure the statement is submitted to university PLL within 2 weeks

Requests by the Service Manager to meet with the student or other students must be made through the PLL or academic lecturer.

Stage 3: Keeping relevant stakeholders informed

It is the responsibility of the Service Manager to make sure that students and academic staff are kept informed of progress in the investigation. A provisional timescale for providing updates on the status or conclusion of any investigation should therefore be provided by the Service Manager within two weeks of the report of any concern. Where revisions to this timescale are required, the Service Manager should provide these within a reasonable time-period but no less than four weeks following the investigation.

Stage 4 Reporting back on the status or conclusion of the concern raised

It is the responsibility of the Service Manager to report back to the university PLL on the status or conclusion of the investigation with regards to the concern raised. The university PLL will be the conduit for cascading this information to the student who raised the concern and any relevant academic lecturers.

References

- ION, R., SMITH, K., NIMMO, S., RICE, A.M. & MCMILLAN, L. 2015. 'Factors influencing student nurse decisions to report poor practice witnessed while on placement'. *Nurse Education Today* [online], Vol. 35: 7, pp. 900 – 905. Available: <https://doi.org/10.1016/j.nedt.2015.02.006>
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- MILLIGAN, F., WAREING, M., PRESTON-SHOOT, M., PAPPAS, Y., RANDHAWA, G., 2016. *Supporting nursing, midwifery and allied health professional students to raise concerns with the quality of care. A systematic literature review* [online]. Council of Deans of Health. [viewed 09/02/24]. Available from: <https://councilofdeans.org.uk/wp-content/uploads/2016/07/CoDH-lit-review-students-raising-concerns-FINAL-with-covers.pdf>
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- ## Further reading
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Part 2 Raising concerns in practice: student guidance

Introduction

This guidance is for all pre-registration nursing and midwifery students in Scotland for practice learning experiences with non-NHS providers. As a student nurse or midwife, you have a professional duty to report any concerns from your practice learning environment which put the safety of people in your care, or the public, at risk. You must act without delay if you believe that there is a risk to the safety of users of services or public protection by raising any concerns you may have. Speaking up on behalf of people in your care is an everyday part of your role so raising genuine concerns represents good practice; doing nothing and not reporting concerns is unacceptable.

Your professional responsibility in raising a concern

As a student nurse or midwife, you are required to adhere to the NMC Code: Professional Standards of practice and behaviour for nurses, midwives and nursing associates (NMC, 2018a).

“You must make sure that patient and public safety is protected. You work within the limits of your competence, exercising your professional ‘duty of candour’ and raising concerns immediately whenever you come across situations that put patients or public safety at risk. You take necessary action to deal with any concerns where appropriate”
(NMC, 2018a; p.11).

The NMC Raising Concerns: Guidance for nurses, midwives and nursing associates (NMC, 2019) clearly states that the guidance and principles apply to nursing and midwifery students, and nursing associates and in upholding these principles, students should:

“8.1 Inform your mentor¹, tutor or lecturer² immediately if you believe that you, a colleague or anyone else may be putting someone at risk of harm

8.2 Seek help immediately from an appropriately qualified professional if someone for whom you are providing care has suffered harm for any reason

8.3 Seek help from your mentor¹, tutor or lecturer² if people indicate that they are unhappy about their care or treatment”

(NMC, 2019 p.6)

¹ from September 2020, this relates to the new roles of practice supervisor and practice assessor (NMC, 2018b)

² the academic lecturer from university who is responsible for your practice learning support

What is a concern?

According to the NMC Raising Concerns (NMC, 2019, pp 5- 6) guidance, this includes, but is not limited to:

- danger or risk to health and safety, such as where health and safety rules or guidelines have been broken
- issues to do with staff conduct, such as unprofessional attitudes or behaviour, including concerns related to equality and diversity
- issues to do with delivering care involving nurses, midwives, nursing associates or other staff members
- issues to do with care in general, such as concerns over resources, products, people, staffing or the organisation as a whole
- issues to do with the health of a colleague, which may affect their ability to practise safely
- misuse or unavailability of clinical equipment, including lack of adequate training
- financial malpractice, including criminal acts and fraud

When should I raise a concern?

As a student nurse or midwife, if you witness or suspect there is a risk to the safety of people in your care and you consider that there is an immediate risk of harm, you should report your concerns immediately to the appropriate person or authority. As a student nurse or midwife, the appropriate person you should report a cause for concern to is your nominated practice supervisor/assessor/senior member of staff or academic lecturer. While you are encouraged to report a concern immediately, it is vital that this is done no later than 48 hours after the incident. You should keep a clear written record of your concern ensuring the confidentiality of users of services; identifying times, dates, witnesses to the concern and any other relevant details.

What support is there for me to raise a concern?

The university is committed to supporting you in raising a concern and wants to reassure you that we will support you at every stage in the process. Your academic lecturer will support you however; you may also wish to get advice from a representative of your professional body, trade union or the independent whistleblowing advice line 'PROTECT' (2024, formerly Public Concern at Work).

How do I raise a concern? (Please refer **Appendix 3:** Table of key stages in reporting a care concern)

Stage 1: Reporting your concern to your nominated practice supervisor/assessor/senior member of staff or academic lecturer

If you have a concern about the safety or wellbeing of people in your care in the practice learning environment that you are placed, or if there is an immediate risk of harm, report your findings immediately to your nominated practice supervisor/assessor/senior member of staff (if able) or your academic lecturer but no later than 48 hours after the incident. The person (practice supervisor/assessor/ senior member of staff or your academic lecturer) with whom you raised the concern must escalate your concern within four days to their relevant senior member of staff so that the university PLL and Service Manager become aware of your concern and can commence investigation.

Stage 2: Gathering information and Initial investigation

Your academic lecturer will ascertain, through discussion with the university PLL and Service Manager whether what you are reporting is a care concern. If it is found to be a care concern, you will be asked for a written statement which should be submitted within 2 weeks of the incident so that your concern(s) can be fully investigated; your academic lecturer will support you with this. This should be a clear, written record of your concern and any steps you took to deal with the matter including who you raised the concern with and on what date, remembering to protect the identity of people in your care. A statement template in which you can record your concerns is available in appendix 2. This statement will then be shared with the Service Manager and PLL so the investigation can progress.

Stage 3: Investigating the concern

Your concern will be investigated as per local policy and regulatory guidance within 4 weeks of the concern being raised and the statement you have submitted will be shared with senior staff in the practice learning environment. You may be asked to attend for an investigatory meeting to go over the contents of your statement. Your academic lecturer will provide support for you at this meeting. The circumstances surrounding the care concern will be investigated and appropriate action taken. The university PLL will be notified of the status or conclusion of the investigation and will be the conduit for cascading this information to you and your academic lecturer.

Stage 4: Taking your concern to a higher level

If you have raised a concern with your nominated practice supervisor/assessor/senior member of staff or with your academic lecturer within the university and feel that it has not been dealt with properly, you should raise your concerns with someone more senior within the university. Within this university the designated person is: *[Insert name of designated person and contact number]*

What happens after I raise a concern?

If you raise a concern in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, this will be considered a breach of professional conduct and dealt with via your university Fitness to Practice Policy and Procedures.

After you raise a concern, your academic lecturer may discuss with you whether it is appropriate to continue in your practice learning experience (PLE). If it is deemed inappropriate for you to continue in your PLE, you may be asked to attend another PLE for the remainder of your time. You can expect some feedback from the investigation into your concern however, for reasons of confidentiality of proceedings; you may not be party to the full details.

As a developing professional, reflecting on your practice is highly valuable and following the reporting of a care concern participating in debriefing is recommended. This may take the form of reflecting on your experience of raising a concern with your nominated practice supervisor/assessor or academic lecturer, or as a self-reflection. Remember if writing about your experience in your reflective journal or e-portfolio, anonymity must be preserved.

References

NURSING & MIDWIFERY COUNCIL, 2018a. *The Code: Professional standards of practice and behaviour for nurses, midwives and nursing associates*. London: NMC.

NURSING & MIDWIFERY COUNCIL, 2018b. *Realising Professionalism: Standards for education and training. Part 2: Standards for student supervision and assessment*. London: NMC.

NURSING & MIDWIFERY COUNCIL, 2019. *Raising Concerns: Guidance for nurses, midwives and nursing associates*. London: NMC.

Further reading

CARE INSPECTORATE SOCIAL SERVICES COUNCIL, 2019. *Raising concerns in the workplace Guidance for employers, social service workers and social work students* [online]. Available from: <https://hub.careinspectorate.com/media/3878/raising-concerns-in-the-workplace-guidance-for-employers-social-service-workers-and-social-work-students.pdf>

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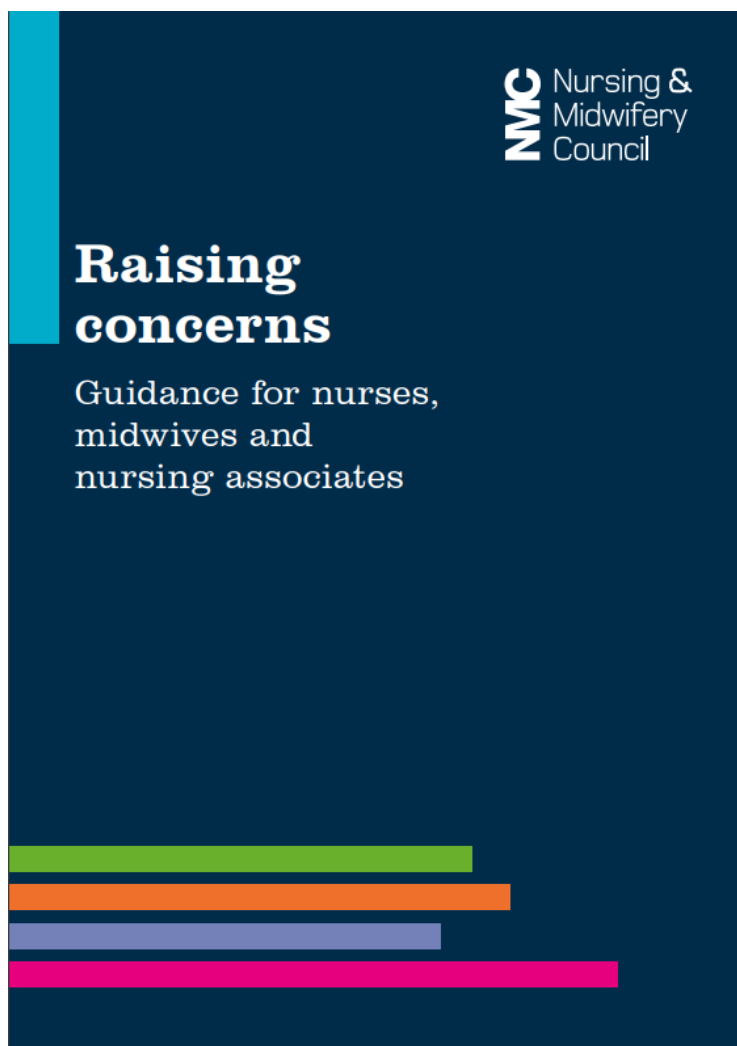
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Part 3: National guidance for raising concerns – student leaflet



What is my role in raising concerns?

As a student nurse or midwife, you must raise any concerns immediately whenever you come across situations that put patients/users of services or the public at risk (NMC, 2018)

- Never dismiss your information as being unimportant or trivial; it is very important and may be the crucial part of the full picture
- Never assume that 'it's a one-off, that someone else will report it or it's not your business'
- Always clarify the facts of a situation and inform your nominated practice supervisor/assessor/ senior member of staff or academic lecturer

What is a 'concern'?

According to the NMC Raising Concerns (NMC, 2019, pp 5- 6) guidance, this includes, but is not limited to:

- Danger or risk to health and safety, such as where health and safety rules or guidelines have been broken
- Issues to do with staff conduct, such as unprofessional attitudes or behaviour, including concerns related to equality and diversity
- Issues to do with delivering care involving nurses, midwives, nursing associates or other staff members
- Issues to do with care in general, such as concerns over resources, products, people, staffing or the organisation as a whole
- Issues to do with the health of a colleague, which may affect their ability to practise safely
- Misuse or unavailability of clinical equipment, including lack of adequate training
- Financial malpractice, including criminal acts and fraud

How do I raise a concern?

Stage 1: Reporting your concern to your nominated practice supervisor/assessor/senior member of staff or academic lecturer.

If you have a concern about the safety or wellbeing of people in your care in the practice learning environment that you are placed, or if there is an immediate risk of harm, report your findings immediately to your nominated practice supervisor/assessor/senior member of staff (if able) or your academic lecturer but no later than 48 hours after the incident.

Stage 2: Gathering information and Initial investigation

Your academic lecturer will ascertain, through discussion with the university PLL and Service Manager whether what you are reporting is a care concern. If it is found to be a care concern, you will be asked for a written statement which should be submitted within 2 weeks of the incident so that your concern(s) can be fully investigated; your academic lecturer will support you with this.

Stage 3: Investigating the concern

Your concern will be investigated as per local Policy within 4 weeks of the concern being raised and the statement you have submitted will be shared with senior staff in the practice learning environment.

What happens next?

Your nominated practice supervisor/assessor or academic lecturer will refer to the national raising concerns guidance, local PLE provider policies and local safeguarding policies to determine what happens next. If an investigation is required, you may be invited to an investigatory hearing; your academic lecturer will support you in this. The university practice learning lead will be notified of the status or conclusion of the investigation and will be the conduit for cascading this information to you.

References

NURSING & MIDWIFERY COUNCIL, 2018. *The Code: Professional standards of practice and behaviour for nurses, midwives and nursing associates*. London: NMC.

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Appendix 1 Glossary

Academic assessor	A member of staff from the university who is a registered nurse/midwife with appropriate equivalent experience for the student's field of practice
Academic lecturer	A member of staff within the university who provides practice learning support to the student.
Associated Education roles, e.g. Service Manager; Educator; Care Home Education Facilitator (CHEF)	A member of staff who supports practice supervisors, practice assessors and newly qualified practitioners in their role as supervisors and assessors of nursing or midwifery practice
Other educational providers	For example, further educational institutions who provide pre-registration nursing or midwifery programmes
Practice assessor	This is a registered nurse with appropriate equivalent experience for the student's field of practice who confirms student proficiency
Practice learning experience	A period of practical learning in an approved placement
Practice learning experience provider	An organisation that provides practice learning experiences for student nurses and midwives
Practice learning environment	The area/service where the practice learning experience takes place
Practice learning environment manager	The manager of the practice learning environment where the practice learning experience takes place
Practice supervisor	The person who provides practice supervision for students. This may be NMC registered nurses, midwives, and other health and social care professionals
Service Manager	The person responsible for the management of clinical services and/or staff within the practice learning environment
Student	This may be a nursing or midwifery student registered on an approved university pre-registration nursing or midwifery programme
University	The approved higher educational institution, referred to as Approved Educational Institutions (AEIs) by the NMC, which provides pre-registration education programmes for nursing and midwifery students
University Practice Learning Lead	A member of academic staff employed by the university as the lead for practice learning within pre-registration nursing and midwifery programmes

Appendix 2 Statement template: to be completed with academic support

What is your concern and where did this take place? (Name the practice learning environment)	Please explain what you saw and/or heard including dates, times and any witnesses (names). Please provide as many factual details as you can	Who did you report your concern to? Include their designation, for example, <i>A. Lecturer, XX university</i>	On what date did you report your concern?

Student signature_____ **Date**_____

Appendix 3: Table of key stages in reporting a care concern

<p>Stage 1: Student perceives that they have witnessed poor care in the practice learning environment in which they are placed.</p>
<p>Stage 2: The student must report this IMMEDIATELY, but no later than 48 hours after the incident, to the practice supervisor/assessor/senior member of staff or academic lecturer.</p>
<p>Stage 3: The person to whom the care concern is reported, must escalate this to their relevant senior member of staff within 4 days:</p> <ul style="list-style-type: none">• Practice supervisor/assessor- report to senior member of staff/associated education role• Academic Lecturer- report to university practice learning lead or deputy
<p>Stage 4: If the concern does not require further investigation then there is no further action.</p> <p>If the care concern requires formal investigation by the practice learning environment manager or service manager, please continue to follow the stages in this table.</p>
<p>Stage 5: Student will be asked to write a statement and submit it within 2 weeks of the incident. The statement template in appendix 2 will help to provide a structure for this. The student's academic lecturer should be contacted for support with writing the statement.</p> <p>The senior member of staff/associated education role will notify the practice learning environment/ service manager and the academic lecturer will notify university practice learning lead.</p>
<p>Stage 6: A formal investigation of the circumstances surrounding the care concern will be conducted in line with local policies by the practice learning environment/service manager- within 4 weeks of the concern being raised. At this point, the student may be asked to attend an investigatory hearing accompanied by their academic lecturer.</p>
<p>Stage 7: The status or conclusion of the formal investigation will be communicated to the university practice learning lead who will inform the relevant academic lecturer and student.</p>

Acknowledgements

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