What is CLEAR?

CLEAR promotes regulatory excellence through conferences, educational programs, webinars, seminars and symposia. The organization provides networking opportunities, publications, and research services for those involved with, or affected by, professional and occupational regulation. As a neutral forum to encourage and provide for the sharing of best practices, CLEAR serves and supports the international regulatory community and its vital contribution to public protection.

Membership

CLEAR’s membership benefits from:
- discounted conference rates at the premier regulatory conference
- free subscription to CLEAR Exam Review
- discounts on CLEAR publications
- access to our clearinghouse information and referral service
- eligibility to serve on CLEAR’s committees and thereby shape the regulatory agenda for coming years

Much of CLEAR’s work, from the recently published Toolkit for Regulators to the development of the organization’s important training programs, is funded by membership dues. You are cordially invited to consider membership and deepen your involvement with this extraordinary organization.
Toolkit for Regulators

The Toolkit for Regulators has been designed to provide resources to CLEAR members to address the daily operational issues facing regulatory organizations. You will find sample documents from a wide range of agencies that can be replicated for use within your organization. From staffing responsibilities to licensing applications, the following resources can help improve the consistency, efficiency, and communications of any regulatory organization.

The Toolkit consists of administrative documents that have previously been developed by member organizations and individuals. The Toolkit will be useful as you or your agency explore new processes, or revise existing documents, and will enable you to see the resources other member organizations have in place. Document categories include Codes of Ethics; Complaint Information and Forms; Disaster Recovery Plans; Investigation Report Forms; License Applications and Information; Newsletters; Strategic Plans; and more.

Upcoming CLEAR Programs

- NCIT Basic and Specialized: Columbus, Ohio, June 23-25, 2014
- CLEAR Call Webinar: The Responsive Regulator - A Follow Up to Adapting Scopes to Public Need, June 25, 2014

Upcoming CLEAR Programs

New Orleans, Louisiana - 2014
- September 8-10 – NCIT Basic and Specialized
- September 8-10 – Executive Leadership Program for Regulators
- September 9-10 – Advanced Concepts in Regulatory Governance
- September 10 – Introduction to Regulatory Governance
- September 11 – Ethics for the Regulatory Investigator
- September 11-12 – Exhibitor Showcase and Regulatory Expo
- September 11-13 – Annual Educational Conference
Using a strategic review to improve the performance of a regulator

Christine Braithwaite, Professional Standards Authority

Strategic Review of the Nursing and Midwifery Council

- Reason for the review
- Purpose of the review
- Carrying out the review
- How the NMC engaged with the review
- Findings
- Impact and outcomes
- Reflections for the future

The background

The Professional Standards Authority oversees nine statutory regulators of health professionals in the UK (and social workers in England). This includes:

- Annual review of performance and report to Parliament
- Audit of initial stages of decision making about complaints
- Review of every final fitness to practise decision
- Policy advice to government
- Accrediting voluntary registers
- Special reviews and investigations
The Nursing and Midwifery Council

- CHRE reviews the performance of the health professional regulators against Standards of Good Regulation - five key standards and a set of minimum requirements of each standard.
- A regulator is charged with two key responsibilities: to protect the public and to uphold public confidence.
- The Nursing and Midwifery Council (NMC) has had a troubled history since its inception, including a large financial deficit at time of transfer of responsibilities in 2002 from its predecessor UKCC.
- Good in parts, poor in parts, not consistent and not maintaining an upward trajectory of improvement, especially in fitness to practise.

The problem

- 2007/8 - ‘serious weaknesses in the NMC’s governance and culture, in the conduct of its Council, in its ability to protect the interests of the public through the operation of fitness to practise processes and in its ability to retain the confidence of key stakeholders’.
- 2011 - ongoing concerns relating to the NMC’s education, registration and fitness to practise functions, weaknesses identified have ‘real and ongoing implications for public protection and public confidence in the NMC as a regulator, particularly given the history of ongoing problems within the NMC’s fitness to practise function over the last four years’.

The review findings

- The NMC has continued to carry out its public protection duties, although not as well as it should but, as its stakeholders make clear, it is not inspiring confidence in the professions or in professional regulation.
- At the heart of the NMC’s failure to succeed lies:
  - confusion over its regulatory purpose
  - lack of clear, consistent strategic direction
  - unbalanced working relationships
  - inadequate business systems
  - poor financial stewardship,
  - a passive, hierarchical culture of ‘resigned resilience’.
- 15 recommendations.
The review

- January 2012 the Parliamentary Under Secretary of State at the Department of Health commissioned CHRE to carry out a strategic review of the NMC
- April 2012 interim report
- July 2012 final report
- Looking forwards – not backwards

Positive signs

- NMC cooperated fully
- appointed interim Chief Executive and Chair
- staff with strong passion for public protection
- ‘some fertile ground for a clear sighted Council, Chair and a Chief Executive skilled in turning an organisation around and establishing competent management systems’.

The team

- Led by Authority’s CEO
- Managed by Director of Standards and Policy
- Two external auditors seconded into team
- Secondee from CQC – stakeholder interviews and analysis
The process

- Documentary review
- Council interviews
- Executive team interviews
- Stakeholder interviews
- Manager interviews
- Staff focus groups
- Open door
- Observations

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