

Standing up for patient and public safety



STAFFING FOR SAFE AND	PETTECTIVE CARE IN	I LINGLAND . 317	KINDING OF LOK	FATILITY AND FODI	IIC SALLIT
RCN Legal Disclaimer					



8 Ygd]llY[cj Yfba Ybhf\Ylcf]VV\ Uil\YfYUY

nMUFUcbYZcf Yj YfmMl lfUB < G'bi fgYYa d'cnYX

dfcZ/gg|cbg||b|h\YB< Gžk||h\h\cigUbXgacfY

8 Ygd]hYUga U`flı E]bWYUgY]bUWWdhUbWg'cb'
H\Y; cj Yfba Ybh\Ug'gYhci hUb'Ua V]h]ci g'
Wa a i b]hnïK]h\]b h\YB< G'@cb[HMfa D'Ub']h
k UgʻUWbck `YX[YX`h\ Uhlf Ubgʻ&fa Uhlcb fYei]fYgʻ
Wblf]Vi l·jb[ž]b; cj Yfba YbhUbXh\fci [∖ci h
UbXZ]bUbWd`Ubb]b["GYWf]b['th]gWUf]lmi

 $H\Y@cb[HMfa\D`Ub\bYYXg'h\Yf][\hbi a\VYf\cZ]$

H\YfY]gUWYUfcddcfhi b]lmiZcfh\Y; cjYfbaYbhi

gnghla cbWUbXZcfU`"@YUXYfgk]h]bh $Y B < G`\UJYdfcdcg<math>Y$ XUbB < G`=bhMfUYX7UY

k]h\]b'; cj Yfba YbhžUbXh\fci [\ci h'U YbV]Yg'

@Uk UcbY]gbchl\YUbgk YfžVi hUg'k]h\ U``

B<G']b'9b[`UbXUcbYh\YfYUfYbck` ž

ž fY[]ghMfYXbi fgYfc`YgYa d`cnYXVnB<G`

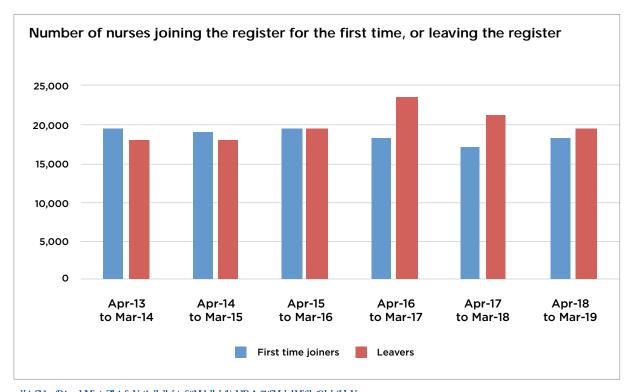
Vma cfYh\Ub`ı Zfca h\YdfYj |ci gei UfhYf"≐b`

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XY]j Yf]b[¹h\YYI dUbglcb]b Wa a i b]lmB< G gYfj]WggYhci h]b h\YB< G@cb[HMfa D'Ub"

H\Y>i `m` B< G'DUh]Ybh'GUZYhnighfUhY[mi

]bB<Glfi glg "Gla cb'Ghlj Ybgž7\]YZ9l YWhlj Y cZB<G9b[`UbXglLhXh\Uh\cgd]hUgUYi bU U



:][i fY . Bi a VYfgcZbi fgYg^c]b]b[cf^YJj]b[h\YBA 7 fY[]g\Mf]b 9b[`UbX

	LEGE O	

[Yhih\YWfYh\UhkUgfYei]fYXk\Yb'bYYXYX~ZUbX`
8 Ygd]hYh YZMMh UnbUhcbU U YbVMggfY[]cbU '
cf lfUbgdUYbha cb]lcf]b[Vni, cj Yfba Ybhcf '
Delivering Care



A UbmcZh\YXY\\jg\cbgU\ci hih\Y\YUh\ UbXWfY

h\fci [\h\Y<YUh\UbXGcVJU`7UFY5Vhifl E" =b``Uk h\YGYMYHLfnicZGHLh\\Ug'UXi hnitc`dfcj]XY`

cj YfUFW]b[Xi hržWffYbhm\YXVmh\YGYWMHLFm cZGHLHZWi XVY]bhMfdfYHXUgVfcUXYbci [\ lc

gi dd`n"H\YB< GDUnF\j]Nk '6cXmf\dcfhg\UNg' "accountability for workforce planning continues to be dispersed across a number of bodies despite the need for system-wide solutions"

UbXbcf Wb h\YGYMYHLfmcZGHLhYVYWMLfm\YX

The Secretary of State for Health and Social Care					
What duties do they have?	How does this work in practice?				
H\YA]b]gMr\UgUb'cjYfU`Xihmijb`Uk hc'dfcj]XY					
Xi h]Ygžh\YA]b]ghYf`a i ghdUmdUfh]W`Uf`fY[UfX hc`h\YYZZYMj]YbYggžgUZhmLbXeiU]hmcZ\YUh\`	GYWYHLFnicZGHLHMgXi hJYg'UFYVfcUX'UbX'				

]bhhf]a B<GDYcd`YD`UbžUbXh\Y; cj Yfba Ybhg`

VcX|YgDg| W`UgB < G'9b[``UbXfB < C9L'UbX` < YU'h\ '9X| Wh|cb'9b[``UbXfk 99L''H\ YfYUFY` hc h UhcZB < G9

H C A 2008 (A) 2014. 18.1 (1) S ... e



Wales

Health and Safety Legislation and initiatives

GUZYhmiLhiK cf_'5Wiffl E"=h]g']a d`]Wjhih\Uh

: cf Yl Ua d'YžYa d'cnYfgUYYfYei]fYXhc Ybgi fY

ei UXfid`YXf2fca ce a hcce" VbŁ WyghcZU``h\YWU]agibXYfB<GFYgc'i h]cb']b'

]b'i f]Yg"B<G≒a dfcj Ya YbhcZZYfg]bWbhjj YgZcf` UbXh\YÏ; Yhh]b['=hF][\h:]fghH]a Y£dfc[fUa a Y

UfYZ ``m'LbXUXYei UhYmghLZXX"GhLZIJb[Zcf gLZY

Service regulation

a i ghXYd`cmYbci [\'gi]hLV`mei U]ZJYXžWa dYhYbhž

Professional regulation

H\YBi fg|b[\u00c4bXA]Xk]\u00b2fm7ci b\\00c4\u00b7fBA 7\u00e4\u00b2c\u00e4\u00b2

Accountability

Ybgi f]b['Ub'UXYei UH'gi dd`mcZfY[]gHYfYX'bi fgYg'

The Secretary of State for Health and Social Care can:

HM Treasury can:

Ybgi fYh\Uhh\YB<GDYcd`YD`Ub`]g`UZi ``m

The Secretary of State for Health and Social Care can:

STAFFING FOR SAFE AND EFFECTIVE CARE IN ENGLAND : STANDING UP FOR PATIENT AND PUBLIC SAFETY

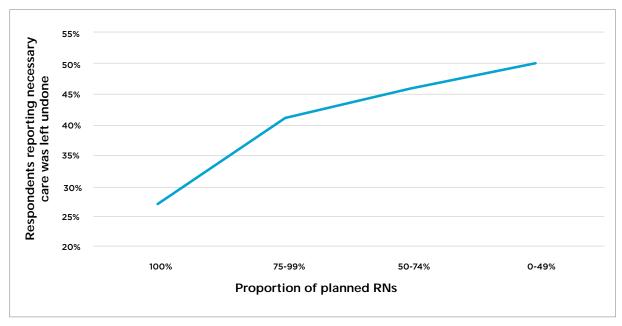
B< ŒgcVJU WFYUbX'di V`]W\YUh\/h\YFY]g''i ghicbYgi dd`m`]bYZYYX]b['
h\UniXYhYfa]bUr]cbg'Uvci h'\ck a Ubm'\YUh\UbXWfYgHZZUFYfYei]fYXUFYVUgYXi dcb UfcVi ghUggYgga YbhcZbYYXZcf'U``dUfhgcZh\YgnghYa žbch'i ghl\YB < G''@]_Yk]gYž

Poorer quality care is delivered when shifts have fewer registered nurses than planned

d`UbbYXfY[]ghMfYXbi fgYg`cb`g\]ZhUbXh\cgYfYdcfh]b[h\Uhh\Yei U]lmcZWfYcb`h\Uhg\]ZhUgVY]b[`

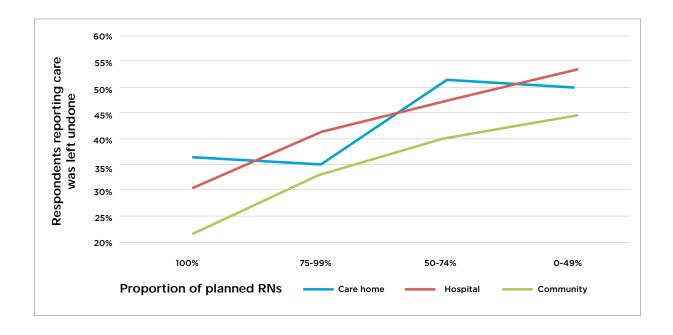
Care is left undone when shifts have fewer registered nurses than planned

h\UhbYWggLfmWfY\UXVYYb``YZhii bXcbY''>i ghcj Yf Uei LfhYf cZh\cgYk]h\ U``h\Yd`UbYXfY[]ghYYX`

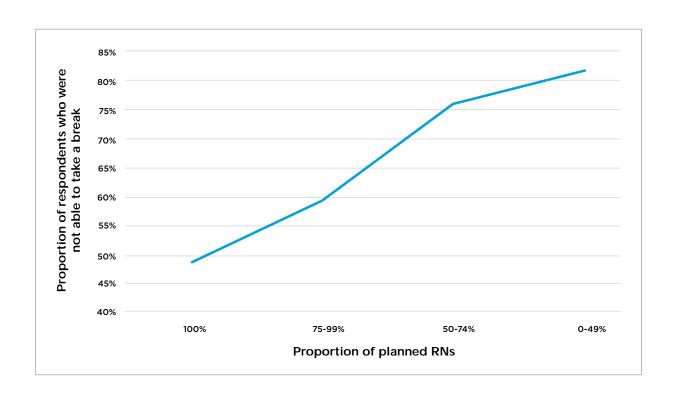


 $:][i \ fY \ . FYdcff]b[\ cZWfYVY]b[\ ``YZhi' bXcbYk \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ fgYgfh \ Ub' UbbYX]b'9b[\ `UbX \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ Yb'g']Zlg' \ YZk \ Yf'fY[\]gMfYXbi \ Yb'g']Zlg' \ YZk \ Yb'g' \ Yb'$

FYgYUFW Zfca ThYI b]j YfglmcZGci h\Ua dlrcb Zci bXTh\Un\][\Yf`bi fgYg\UZ]b["Yj YgUFYUggc\JUNX"



Nursing staff are missing breaks when shifts have fewer registered nurses than planned





		DCING

 $fYdcfh]b[hUhhYmkYfYdU]XZcfhY]fUXX]h]cbUh]aYfl_1_kYfYdU]XL]bWadUf]gcbhch\cgYk]hYgfhUbYXfY]ghMYXbifgYgfl_1_kYfYdU]XL''$

1
cbB<G<cgd|hU/7ca a i b|lmk YUh\GYfj |W
fk7<GLacbh\mkcf_ZcfWgllhgh\@B<G
8|| |hUžUbXB<G8|| |hUXLhUgeichXX|b<ci gY
cZ7ca a cbg@|VfUm6f|YZ|b| DUYEBi a VYf
A Um "B<G? YmChlhgh\@9b| `UbXE
A Um UbXB<G8|| |hUXLhUcbWbW`YX
https://www.england.nhs.uk/
statistics/statistical-work-areas/cancelled-

- 17 B < Gʻəbhff]a DYcdʻYDʻUbʻOhttps://www.longtermplan.nhs.uk/publication/interimnhs-people-plan/
- 18 B < G=a dfcj Ya Ybhk cf_ZcfWj LWbWh XLHJOhttps://digital.nhs.uk/data-and-information/publications/statistical/nhs-vacancies-survey/february-2015---june-2019-provisional-experimental-statistics
- 19 U

53 5bUnglgVm?]b[gYmBUdYmfl Ł C5j UYUYUhttps://www.kingsleynapley.co.uk/insights/blogs/criminal-law-blog/rare-hse-prosecution-of-nhs-trust-over-clinical-failing

54 B<GFYgc`i hcbfl £6Yb[: Uf' (5j U`WYUhttps://resolution.nhs.uk/resources/being-fair-report/ 53

165T\RO\LRQsqr\HLQJ\DLU\\LODEOHDWhttps://resolution.nhs.uk/
resources/being-fair-report/ 536 L

73; f]ZZ]h\gžDz6U`z>'z8fYbbUbz>'z8U`YbfUz' 7'z>cbYgz>'zA Ufi chljz5'zGla cbzA "fl E"

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74 I b]j Yfg|micZDYbbgmjj Ub]UžGWcc``

Dc`]MrFYgYUWZFB 75CHFYgYUWdfc^YMrE' 5i gffU]U'C9U`mZbX]b[gUjU`UVYUh https://www.qnmu.org.au/QNMU/PUBLIC/ MEDIA_AND_PUBLICATIONS/News_ items/2019/Ratios_research_190719.aspx

