

Revalidation for Registered Nurses, Midwives and Nursing Associates

Policy and Procedures

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CONTENTS

Section		Page
1	Introduction and Overview	3
2	Policy Scope	3
3	Definitions and Abbreviations	4
4	Roles	4
5	Policy Implementation and Associated Documents	6
	5.1 Demonstrating the Revalidation Requirements	
	5.2 Selection of Confirmers for Third Party Confirmation	
	5.3 NMC Registrants on Long Term Leave or Absence	
	5.4 Revalidation for UHL Bank Only nurses, midwives and nursing associates	
	5.5 Staff with More than One Line Manager or Working for more than One Employer (including secondments internal or external to UHL)	
	5.6 Failure to Comply with the Requirements of Revalidation	
	5.7 Appeals and Disputes	
	5.8 Pre-Employment Checks and Staff Leavers	
	5.9 Records and Confidentiality	
	5.10 Storing Evidence Electronically or in Paper Format	
	5.11 NMC Verification of Revalidation Application	
6	Education and Training	14
7	Process for Monitoring Compliance	15
8	Equality Impact Assessment	15
9	Supporting References, Evidence Base and Related Policies	15
10	Process for Version Control, Document Archiving and Review	15

Appendices		Page
1	UHL Process for Monitoring Revalidation Status	16
2	Template Letter for Registrants Who Fail to Revalidate with the NMC	17
3	Diagram Outlining Revalidation Timeline	19

REVIEW DATES AND DETAILS OF CHANGES MADE DURING THE REVIEW

V4 Policy Title changed to include NURSING Associates and Nurse Associates changed to NURSING Associates throughout document. Page 14 insertion of information relating to Return to Practice courses. Page 18 Insertion of UHL Connect as a link to the Revalidation Policy. Page 10 confirmation that ESR reminds registrants in the need to revalidate and provision of supportive information for registrants who are long-term leave.

V3 – review of V2 January 2022: updated in line with NMC and UHL Guidance. Added ' Nurse Associate' throughout document, hyperlinks to NMC still work with exception of NMC contact in Appendix 1 – updated hyperlink. Practice hours page 3 updated as per NMC: Revalidation, page 15 UHL Policy for the Protection & use of personal Information (B4/2004) replaced with Personal Information UHL Policy (B39/2007) and page 16 Information Governance UHL Policy (B4/2004) replaced with Personal Information UHL Policy B39/2007 Page 18- union information updated and RCM added

V2 – review of V1 December 2017: updated in line with NMC Guidance, added in to list in 1.1 Five reflective accounts, hyperlinks removed to external documents, removed reference to maintain database of training, removed the following bullet point from appendix one: Registrant sends an electronic or paper copy of the application confirmation to the UHL Revalidation Team

V1 – approved by Policy and Guideline Committee on 17th June 2016

KEY WORDS

Code, Confirmer, CPD, Indemnity, Lapse, NMC Online, NMC Registrants, NMC, Portfolio, Reflection, Reflective Account, Renewal, Retention Fee, Revalidation.

1 INTRODUCTION AND OVERVIEW

1.1 This document sets out the University Hospitals of Leicester (UHL) NHS Trusts Policy and Procedures for the revalidation of registered nurse, midwives and nursing associates (registrants) in line with current Nursing and Midwifery Council (NMC) professional regulatory requirements.

UHL NHS Trust is committed to supporting all NMC registrants employed in the Trust as they go through the revalidation process.

Revalidation requires all nurses, midwives and nursing associates to meet a range of requirements every three years designed to show that they are keeping up to date with their scope of nursing or midwifery practise and to practise safely and effectively. These requirements include:

Practice Hours Required:

- I. Nurse 450 hours
- II. Midwife 450 hours
- III. Nursing associate 450 hours
- IV. Nurse and SCPHN (specialist community public health nurse) 450 hours
- V. Midwife and SCPHN 450 hours
- VI. Nurse and midwife (including nurse/SCPHN and midwife/SCPHN) or nursing associate and nurse 900 hours (to include 450 hours for nursing, 450 hours for midwifery, 450 hours for nursing associate)
- VII. Triple registration as a nurse, midwife and nursing associate 1,350 hours

Other Requirements

- I. Obtaining five pieces of practice related feedback
 - II. Five reflective accounts
 - III. One reflective discussion with another NMC registrant
 - IV. Providing a health and character declaration
 - V. Having appropriate indemnity arrangements in place
 - VI. Demonstrating to a third-party confirmer that they have met the requirements for revalidation by a confirmation discussion
- 1.2 It is a contractual requirement for registrants employed by the UHL to maintain their NMC registration therefore failure to do so may result in termination of employment.
- 1.3 Maintaining NMC registration is the professional responsibility of the individual nurse, midwife or nursing associate and not the employing organisation.
- 1.4 UHL will only be able to provide evidence to support revalidation relating to work an employee has undertaken within the Trust. The UHL will not routinely provide evidence of work undertaken for other employers including nursing agencies but any reasonable request to do so, will not be unduly withheld.
- 1.5 The policy describes the structures and processes that will support revalidation in addition to defining the roles and responsibilities of all registered nursing and midwifery staff (and line managers who are non-registered) involved in the process in a fair and supportive way.

2 POLICY SCOPE

- 2.1 The policy is applicable to NMC registrants who have either a temporary or permanent employment contract with the Trust
- 2.2 The policy also applies to NMC registrants who are UHL 'Bank only' staff
- 2.3 The policy applies to all NMC registrants who are required to maintain a professional registration as a contractual part of their employment as well as registrants who wish to continue with their registration irrespective of whether it is a key requirement for their role. This would include roles in management, research, quality, risk and safety
- 2.4 NMC registrants who have more than one NHS or non-NHS employer can elect to follow the processes outlined in this policy to demonstrate the requirements of revalidation. Alternatively, NMC registrants can elect to revalidate via another organisation but Interests of UHL this must be confirmed in writing between the NMC registrant and the UHL line manager at appraisal. Nevertheless, UHL will endeavour to support revalidation requirements for these registrants.

3 DEFINITIONS AND ABBREVIATIONS

AHP	Allied Healthcare Professions
Annual Retention Fee	Annual fee paid to the NMC to retain registration
CPD	Continuing Professional Development
ESR	Electronic Staff Record
Fee Expiry Date	The deadline for paying the annual retention fee
Lapse	Expiry of NMC Registration
NMC	Nursing and Midwifery Council
NMC Online	The NMC secure online service that manages registration
Participatory Learning	CPD involving interaction with other healthcare professionals
Reflective Discussion	Discussion of reflective accounts between two NMC registrants
Registrant	Nurse, midwife or nurse associate who is currently NMC registered
Renewal date	Date on which registration will be renewed if nurse, midwife or nurse associate has successfully completed revalidation application
Revalidation	The process through which a registrant will confirm they have met the requirements for renewal of their registration with the NMC
Third Party Confirmer	An appropriate third party who can confirm that the registrant has met the requirements of revalidation

4 ROLES

4.1 Executive Lead

The Executive lead for this policy is the Chief Nurse who is responsible for ensuring that the Trust has policies and procedures in place for the provision of an effective and efficient revalidation of registered nurses, midwives and nursing associates and will feedback progress, concerns and issues to the Executive Team.

4.2 Deputy Chief Nurse (acting as the UHL Revalidation Lead for Nursing and Midwifery).

- Has delegated responsibility from the Chief Nurse for implementing revalidation for nursing and midwifery across the Trust
- Ensuring that reports pertaining to nursing and midwifery revalidation are made to the Executive Team as required
- Ensuring there are adequate resources available to support revalidation across the

Trust and that staff have access to revalidation and confirmer training where appropriate.

- d) Ensure the processes support the Trusts obligations in line with the Professional Registration Checks Policy and Procedures B64/2008 and Professional Standard Authority Requirements

4.3 Director of Midwifery, Heads of Nursing & Midwifery / Heads of Operations / Assistant or Deputy Chief Nurses and Directors / Directors and Executive Directors

- a) To be aware of the content of this policy and ensure full implementation at Clinical Management Group (CMG), Corporate Directorate or Trust level.
- b) Where appropriate, to facilitate reasonable requests from other registrants to support reflective discussions and to undertake the role of confirmer.

4.4 Ward Leaders / Team and Line Managers

- a) To be aware of the content of this policy and ensure full implementation at ward, unit or department level.
- b) To ensure all registrants have equitable access to CPD, reflective discussions and an appropriate confirmer that has completed the relevant training
- c) To maintain team based recording and flagging systems for renewal of registration and revalidation.
- d) To ensure that the annual appraisal process allows registrants the opportunity to reflect on their CPD and practice related feedback as part of the revalidation process
- e) Where appropriate, as a registrant, facilitate reasonable requests from other registrants to support reflective discussions and to undertake the role of confirmer.

4.5 All Registrants (including those undertaking Reflective Discussions and confirmer role)

- a) To follow the processes laid out in this policy. Ensure that the contractual requirements of maintaining professional registration are met at all times during employment with the Trust where this is a requirement of the role.
- b) To be responsible for making arrangements for personal reflective discussions and third party confirmations.
- c) To be responsible for personally informing the NMC and line managers and / or seeking advice if there are any exceptional circumstances that may result in delays to revalidation.
- d) Where appropriate, facilitate reasonable requests from other registrants to support reflective discussions and to undertake the role of confirmer.

4.6 Corporate Nursing and Midwifery Education Teams

- a) To provide ongoing revalidation training for registrants and confirmers across the Trust.
- b) To ensure all staff have access to the latest resources for revalidation via the revalidation pages on the UHL Intranet
- c) To maintain records of attendance at revalidation training by entering all attendance on HELM
- d) To support all registrants with appropriate CPD in support of their revalidation.
- e) Where appropriate, as a registrant, facilitate reasonable requests from other registrants to support reflective discussions and to undertake the role of confirmer.

4.7 Role of Confirmer

- a) To comply fully with the NMC requirements of revalidation and the role of a confirmer and not unduly delaying any reasonable requests to meet with registrants to provide third party confirmation.
- b) To assist the NMC with verification linked to third party confirmations
- c) To act honestly and in good faith, in terms of confirming that a registrant has met all the requirements of revalidation.
- d) Please refer to section 5.2 and section 6 for more details

5 **POLICY IMPLEMENTATION AND ASSOCIATED DOCUMENTS**

5.1 **Demonstrating the Revalidation Requirements**

Full guidance on the NMC revalidation requirements for both NMC registrants and line managers can be found on the NMC website <http://revalidation.nmc.org.uk/> or go to www.NMC.org.uk and search Revalidation for access to further information and the current NMC templates available

5.1.1 Practice Hours

- a) A template is available from the [NMC website](#) to record practice hours
- b) Practice hours can include the hours spent working in clinical practice or the hours worked when the registrant relies on their skills, knowledge and experience of being a registered nurse, midwife or nurse associate which may not solely be clinical practice (so including roles in management, research, quality, risk and safety) or combination of both.
- c) UHL will support revalidation for individual registrants through line managers providing evidence on request of practice hours in the following ways:
 - I. Time sheets
 - II. Job descriptions and role specifications
 - III. Total number of bank hours worked
 - IV. Healthroster data
- d) Line managers should be given a minimum of fourteen working days' notice to seek and provide evidence for registrants to use for their revalidation application.

5.1.2 Continuing Professional Development (CPD)

- a) A template is available from the [NMC website](#) to record CPD
- b) Registrants are required to maintain accurate and verifiable records of their CPD activities. The UHL, via education teams, will support registrants in providing evidence of CPD in the following ways:
 - I. Providing certificates of completion of UHL study delivered by the UHL Education teams
 - II. Support registrants to access training records held on HELM
 - III. Setting out objectives/learning outcomes for all training sessions
- c) The UHL education teams will support registrants to identify alternate CPD activities including participatory CPD learning opportunities

5.1.3 Practice Related Feedback

- a) A template is available from the [NMC website](#) to record practice related feedback
- b) Feedback can be written, verbal, formal or informal, positive or constructive but all feedback must be recorded in a way that no person or organisational identifiable information is used or recorded.
- c) The Trust will support revalidation by allowing individual registrants to utilise the following feedback after any person identifiable information has been removed:
 - I. Friends and family test results
 - II. Anonymised incident and investigation reports
 - III. Complaints and responses to complaints
 - IV. Trust appraisals
 - V. Message to Matron cards/emails or letters

5.1.4 Written Reflective Accounts

- a) A template is available from the [NMC website](#) to record written reflective accounts
- b) The NMC have stated that reflective accounts must be recorded in a way that no person or organisational identifiable information must be used.
- c) Reflective accounts can be about practice related feedback, CPD or other events or experiences in practice as a registrant.

5.1.5 Reflective Discussions

- a) A template is available from the [NMC website](#) to record individual reflective discussions
- b) A minimum of one reflective discussion must take place with another NMC registrant who is currently not subject to any form of NMC investigation, suspension, removal or striking-off order at the time of the discussion.
- c) NMC registrants can self-select any registrant for their reflective discussions. However, they must ensure that there is no conflict of interest or perception of bias with any individual who participates in the discussion. Registrants must act objectively and must not be influenced by any personal or commercial relationships that may exist.

5.1.6 Health and Character declaration and Professional Indemnity arrangements

- a) NMC registrants must inform the NMC and the UHL NHS Trust if they receive any criminal cautions or convictions during the three years prior to their revalidation and renewal of their registration. Revalidation also requires registrants to declare if there are any pending criminal charges.
- b) By law, all registrants must have appropriate indemnity arrangements in place in order to practise as nurses, midwives and nurse associates and this has to be confirmed as part of the revalidation process. Failure to evidence appropriate indemnity arrangements will lead to the removal of the registrant from the register by the NMC. **N.B. For all registrants that have a contract of employment with any NHS employer, appropriate indemnity arrangements are already in place.**
- c) NMC registrants who have additional roles outside of the Trust or the NHS are personally responsible for clarifying or arranging indemnity insurance.

5.2 **Selection of Confirmers for Third Party Confirmation**

- a) The NMC have advised that third party confirmation should be undertaken by a line manager who does not have to be a nurse or midwife. However, for the majority of registrants working in UHL, the Chief Nurse has stated that third party confirmation must be undertaken by an NMC registrant.
- b) The exception to this requirement is nurses or nursing associates working in operating theatres whose line managers are Operating Department Practitioners (or ODPs). In these areas the Chief Nurse has agreed that ODPs can undertake third party confirmation.
- c) NMC registrants who want to be confirmed by their line manager who is not a nurse / midwife must seek agreement for this to happen from the UHL Chief Nurse.
- d) Confirmers must ensure that they are familiar and understand the requirements of revalidation and that there is no conflict of interest or perception of bias with any individual who participates in the third party confirmation process.
- e) All Registrants must act objectively and must not be influenced by any personal or commercial relationships that may exist. (See [Policy for Managing Conflicts of Interest in the NHS Trust](#) Reference A1/2017 for further information)
- f) If NMC registrants do not agree with the selection of their confirmer, the Head of Nursing or Deputy Chief Nurse acting as the Trust Revalidation Lead, must be advised in writing as soon as possible at any point in the preceding three years prior to the third party confirmation is due to

take place. Suitable alternative arrangements will be made if the concerns of the NMC registrant are found to be valid.

- g) All confirmers must attend a UHL training session or as a minimum have accessed UHL or NMC online or e-learning resources (see Section 6 for further details).
- h) Director of Midwifery, Heads of Nursing / Midwifery, Assistant or Deputy Chief Nurses or Chief Nurse, will act as a third party confirmer for staff who do not have suitable line manager arrangements or the existing line manager is unable to complete confirmation due to unforeseen circumstances.
- i) Confirmers who are registered nurses or midwives are expected to act in honesty and in good faith but if they have knowingly made a false declaration while acting as a confirmer then this may be used to as part of a UHL disciplinary investigation and subsequent fitness to practise investigations with the NMC. However, NMC registrants who act as confirmers will not be held responsible for future or past actions of any registrant if they were unaware of them during the confirmation process.
- j) UHL registrants working at Director / Executive Director level may wish to choose a third party confirmer or registrant to discuss reflective accounts who works outside of UHL.
- k) Third party confirmation discussion can take place up to 12 months before the final revalidation date. NMC registrants will receive a reminder from the NMC 60 days before revalidation is due to advise that the online revalidation documentation is available for completion. UHL Employees will also receive several reminders via ESR (called ESR Prod) 12 months before revalidation or renewal of registration is due.
- l) Registrants are responsible for making the appropriate arrangements for the confirmation to take place, but the confirmer must not cause any delays to the process that could be deemed unreasonable and risk undue delays to the revalidation process and subsequent lapses in registration.
- m) Registrants must submit their portfolio of evidence to their confirmer at least 10 working days in advance of the third party confirmation to give sufficient time for the confirmer to review the evidence and make an informed decision.

5.3 NMC Registrants on Long Term Leave or Absence

- a) For NMC registrants who are on long term leave (maternity, adoption, and career break or sickness absence) and due to revalidate in the forthcoming year, every attempt must be made to contact the line manager before the registration renewal date. The aim of this contact is to request any support that the individual may require to meet revalidation requirements.
- b) The line manager must offer appropriate support to registrants where possible to avoid a lapse in registration. However, for each type of long term absence listed below, the registrant must also take appropriate actions to avoid a lapse in registration:

5.3.1 Maternity Leave

Prior to commencing maternity leave the NMC registrant must ensure that they are as up to date with the requirements of revalidation as possible. This would include a consideration of completing the third party confirmation within the twelve months leading up to renewal of registration in line with NMC guidance. If this is possible then the line manager must support the NMC registrant to ensure that this takes place before maternity leave commences.

N.B Appraisal and maternity leave documentation from HR will have a section reminding registrants to ensure they are up to date with revalidation requirements before they go on maternity leave.

5.3.2 Employment Break

It is the responsibility of the NMC registrant to contact the NMC at the earliest opportunity if they have not met the revalidation requirements in the preceding three years prior to renewal. If this situation occurs the registrant must also inform their line manager. Please refer to the [You Matter: Colleague Support Policy \(B37/2024\)](#) and section 5.6 for more information.

5.3.3 Sickness Absence

The NMC registrant must ascertain whether their return to work is going to take place prior to the revalidation date. If a return to work is possible, they must inform the line manager and make appropriate arrangements for third party confirmation to take place at a mutually agreeable time for both parties.

In the event of extended sickness absence, it is the responsibility of the nurse, midwife or nurse associate to contact the NMC at the earliest opportunity if they have not met the revalidation requirements in the preceding three years prior to renewal. The line manager must also be contacted as soon as the nurse, midwife or nursing associate is aware their registration is going to lapse. (See section 5.6 for more information). Please refer to [UHL Sickness Absence Management Policy](#) (B29/2006) for more information.

5.4 **Revalidation for UHL Bank Only Nurses, Midwives and Nursing Associates**

- a) For staff that undertake regular bank shifts but have a substantive UHL employment contract, revalidation will be supported via their line manager for their substantive post. Practice related feedback and reflections obtained whilst working bank shifts can however be used to support revalidation.
- b) UHL all 'Bank only' registered nurses, midwives and nursing associates must inform the Staff Bank Manager if they require a UHL third party confirmer to support their revalidation application. If this is the case, then the Staff Bank Manager will identify a suitable third party confirmer.
- c) Due to the number of bank only staff, the identification of a confirmer maybe identified from across the UHL in the form of Matrons / Ward Leaders and deputies in addition to the corporate nursing directorate.
- d) UHL Bank only staff will be actively encouraged to attend UHL revalidation training sessions and will be eligible for individual support and advice from the Nursing and Midwifery Education teams.
- e) For agencies that supply registered nurses, midwives and nursing associates to UHL there will be a mandatory requirement that compliance with revalidation is integral to maintaining their status with the national Procurement Framework.
- f) Where the UHL has several service level agreements with other healthcare providers (NHS or private) in relation to clinical service provision and where NMC registrants are providing care as part of those services; there is an expectation that confirmation Will be undertaken by their employing organisation which will be the agency who employ them and supply to UHL.

5.5 **Staff with More than One Line Manager or Working for more than One Employer (including secondments internal or external to UHL)**

- a) NMC registrants need to obtain evidence that covers their field of practise at time of revalidation, but only one third party confirmation is required.
- b) NMC registrants who have more than one line manager, for example those who have dual contracts between providers and part-time workers, it is recommended that the confirmer is the one where the NMC registrant undertakes the majority of their practice.
- c) If the line manager is not one that is employed by UHL the registrant should provide their UHL line manager with the name of their confirmer contact details and provide an annual progress report of their compliance with revalidation and evidence of their submission of their confirmation paperwork every three years as evidence of compliance with revalidation.

5.6 **Alternative Support Arrangements from the NMC**

- a) The NMC recognise some circumstances where nurses, midwives and nursing associates cannot meet the revalidation requirements and so have put into place special arrangements to allow them to renew their registration. Guidance from NMC website can be found at <https://www.nmc.org.uk/revalidation/>
- b) There are two types of circumstances needing alternative support arrangements:

- I. Exceptional Circumstances: Registrant has not been in practice for sufficient time between October 2015 when revalidation guidance was published and revalidation application date to meeting the additional requirements
- II. Reasonable Adjustments Required: Nurse, midwife and nursing associate cannot meet one or more of the requirements at any time because of a protected characteristic under the Equality Act 2010.

<https://www.nmc.org.uk/globalassets/sitedocuments/revalidation/alternative-support-guidance-sheet-previous-support.pdf>

5.6.1 Renewal Under Exceptional Circumstances

- a) If registrants are able to establish to the NMC that exceptional circumstances apply the NMC are likely to advise the registrant that they must instead meet 'NMC Prep' requirements to renew their registration. These requirements would include: the required number of practice hours worked in the previous three years (450 or 900 hours see section one) 35 hours of CPD and learning activity relevant to practice in previous three years, professional indemnity arrangements and health and character declarations. Payment of the annual retention fee is also a requirement.

5.6.2 Reasonable Adjustments

- a) The NMC will make reasonable adjustments for nurses, midwives and nursing associates who have a disability that means they will find using NMC Online to revalidate difficult.
- b) Registrants will be requested by the NMC to complete an 'Advance Information' form to confirm individual circumstances and the assistance or reasonable adjustments that would help the registrant to revalidate
- c) Final decisions about any requests for special arrangements due to exceptional circumstances will only be confirmed when the registrant formally applies for exceptional circumstances via NMC Online when their revalidation application opens (60 days prior to registration expiring). Registrant will be asked to upload evidence or provide reason for the request which the NMC will use to inform their decision.
- d) In order to support a registrants request to the NMC for an extension because of exceptional circumstances registrants are advised to submit as evidence relevant documents as suggested below before a final decision is made:
 - I. A Maternity certificate form (MAT B1) covering the relevant time period
 - II. Other evidence of receiving statutory maternity pay (SMP) from employer
 - III. Other evidence of receiving maternity allowance
 - IV. A medical certificate covering the relevant time period
 - V. Agreement from employer to a career break covering the relevant time period
 - VI. A document from employer confirming that you have not been at work due to illness
 - VII. Relevant social security documents
 - VIII. Medical certificate covering the relevant time period
 - IX. A document from employer confirming that registrant has not been at work due to illness
 - X. A document from employer stating that registrant unable to access NMC Online during their 60 day application window
- e) Line managers must provide information where reasonably possible in line with individual employee requests and timescales requested by the NMC.
- f) Any requests made by the registrant or granted by the NMC for reasonable adjustments or exceptional circumstances requested should be confirmed to the line manager with evidence of emails and other correspondence to and from the NMC to be available upon request by the line manager.

5.7 Failure to Comply with the Requirements of Revalidation

- a) It is the registrant's responsibility to comply with revalidation requirements and submit their revalidation application to the NMC (via NMC Online) within the time frames stated in their reminders from the NMC.
- b) If the confirmer believes that the NMC registrant has not met the requirements of revalidation at the confirmation meeting, the confirmer must give a clear written explanation to the individual of where further clarification or evidence is required. The registrant must take the responsibility for arranging a suitable date to meet again.
- c) If the registrant does not meet the revalidation requirements at the second meeting, with the consent of the registrant, the issue should be escalated to the appropriate Director of Midwifery, Head of Nursing or Midwifery / Deputy Chief Nurse and Trust Revalidation Lead for further advice after reviewing the evidence submitted. This is a supportive action in order to prevent any lapses in registration.
- d) If the NMC registrant does not attend the first confirmer meeting without notice or good reason a date and time for a second meeting must be arranged within the next 7 days. If the registrant does not attend the second meeting without notice or good reason, then this should be escalated to the appropriate Director of Midwifery, Head of Nursing or Midwifery and Deputy Chief Nurse / Trust Revalidation Lead to agree next steps. A meeting with the registrant will be required in order to understand the reasons for non-attendance and to ensure they are aware of the implications of not completing the confirmation process.
- e) Registrants receive several email reminders from the NMC and the Trusts ESR system in the months, weeks and days leading up to revalidation. If the revalidation application does not take place by the cut-off date (usually the last day of the month preceding the registration renewal date) the registrant must inform the line manager within 24 working hours of the cut-off date providing the rationale for this, including evidence of exceptional circumstances preventing the application from taking place.
- f) The NMC may not consider any requests for extensions for submitting revalidation applications because they believe that registrants should have achieved the requirements in the preceding three years prior to renewal. However, if registrants have good reason why revalidation application cannot be submitted in time they need to personally contact the NMC to seek advice and any evidence of communication to and from the NMC together with the outcome of these discussions must be provided to the line manager to provide assurance that appropriate action has been taken and that registration will not lapse.
- g) In the event of registration lapsing because of failure to revalidate, please refer to the UHL Professional Registration Checks Policy (Trust Ref B64/2008), the UHL Process for Monitoring Revalidation Status in appendix one and the UHL Template Letter for Registrants Who Fail to Revalidate with the NMC in appendix two.

5.8 NMC Approved Return to Practice Course

- a) In some cases where registered nurses, midwives and nursing associates have failed to meet the revalidation requirements (for required practice hours or CPD) the NMC will only allow re-entry to the NMC register once an NMC approved 'Return to Practice' Course has been completed. Further information on Return to Practice can be accessed via the UHL Corporate Nurse Education Team centreforclinicalpractice@uhl-tr.nhs.uk
- b) If the registered nurse, midwife or nursing associate does not complete the course or fails to pass the outcomes (after a second and final attempt) then a further discussion needs to take place between HR and line manager to determine the next steps.

5.9 Appeals and Disputes (UHL and NMC)

5.9.1 Revalidation and Fitness to Practise

- a) Revalidation **does not** create a new or alternative opportunity to raise fitness to practise or clinical competence issues. Any concerns regarding NMC registrants practice should be raised through the [UHL Disciplinary Policy](#) (Trust Ref B31/2024) or [Improving Performance \(Capability\) Non-Medical Staff UHL Policy](#) (Trust Ref B12/2014)

- b) If an NMC Registrant is subject to an NMC investigation or condition(s) of practice order or caution, the NMC registrant is still entitled to submit a revalidation application as long as they meet all the revalidation requirements in terms of practice.

5.9.2 UHL Appeals Process for Rejected Confirmation Processes

- a) If the NMC registrant believes that their application has not been appropriately reviewed by the confirmer or they refuse to complete the confirmation process, they must escalate their concerns in writing (email or letter) to their Head of Nursing* as soon as possible and ideally within 24 working hours to prevent any avoidable delays for themselves.

Concerns can also be made verbally but in the interests of the registrant, these must be confirmed in writing. The confirmer and the Head of Nursing will then review the revalidation evidence with the registrant with HR support if required, to identify how the issue is to be resolved.

**For advice on who to escalate concerns if Head of Nursing or Midwifery is not appropriate, contact Deputy Chief Nurse / UHL Revalidation Lead*

- b) If the revalidation application is submitted to the NMC but is rejected because the requirements have not been met in full, the NMC registrant is personally responsible for submitting an appeal against the decision within 28 days of the NMC decision letter. The NMC registrant must inform the line manager within 24 working hours of the decision letter.
- c) If the registered nurse, midwife or nursing associate does not wish to appeal the NMC decision they will be asked to undertake a Return to Practice course. Please refer to section 6.8 of this policy.
- d) In the event of registration lapsing, please refer to the UHL Professional Registration Checks Policy (Trust Ref B64/2008) the UHL Process for Monitoring Revalidation Status in appendix one and the UHL Template Letter for Registrants Who Fail to Revalidate with the NMC in appendix two.

5.10 **Pre-Employment Checks and Staff Leavers**

- a) The revalidation status (and progress) must be routinely checked as part of the UHL pre-employment checks for all new employees.
- b) If the NMC registrants revalidation is due in the first two months of commencing within the Trust the NMC registrant should be advised to complete the revalidation process prior to leaving their current organisation in order to prevent any avoidable delays (it may not be deemed appropriate that a brand new employer completes the confirmer process).
- c) Likewise, any leavers from UHL should attempt to complete their revalidation application if it is due two months before their last contracted day / shift in UHL to minimise any risk of lapse in registration (because a new employer may not deem it appropriate that a brand new employer completes the confirmer process).
- d) Line managers must not refuse any reasonable request in completing revalidation processes for NMC registrants who are leaving the organisation

5.11 **Records and Confidentiality**

- a) In line with NMC guidance, the details of reflective discussions for revalidation are considered to be confidential to the NMC registrant, confirmer and registrant (s) with whom reflective accounts were discussed.
- b) However, if the line manager is concerned as to whether the NMC registrant will meet the revalidation criteria in time these concerns must be escalated (with the knowledge of the registrant) to the Director of Midwifery, Head of Nursing / Midwifery for CMGs or Deputy Chief Nurse / Revalidation Lead to identify a suitable plan of action to ensure that the revalidation requirements can be achieved prior to application.

5.11.1 Storing Evidence Electronically or in Paper Format

- a) The NMC advise that the reflective discussion form and confirmation form contain personal data about another person(s) for example NMC PIN numbers and names Registrants. This means there are data protection implications for registered nurses, midwives and nursing associates completing these forms.
- b) The Information Commissioners Office (ICO) via the NMC have recognised that it would be highly

disproportionate to expect NMC registrants to have to register with them as data controllers and are not advising this happens. NMC registrants are therefore advised that they can choose to store completed reflective discussions and confirmation forms in either paper or electronic format but they must ensure that they are stored securely to prevent any breaches in confidentiality See [Personal Information UHL Policy](#) (Trust Ref B39/2007)

5.12 NMC Verification of the Revalidation Application

- a) The NMC will at intervals select a sample of nurses, midwives and nursing associates to provide further information or evidence to verify their application for renewal of registration. This does not mean there are any concerns about an NMC registrant and NMC registrants can continue to practise whilst the NMC review the evidence submitted but during this time, the renewal date on the NMC register will not be updated
- b) The NMC will also contact confirmers to request further information in addition to the UHL line manager and registrants who participated in the reflective discussion. UHL staff / NMC registrants who participated in these discussions must submit any information requested by the NMC in a timely way to avoid any delays.
- c) NMC registrants will be notified of the NMCs request for further information regarding their revalidation application following submission of both the application AND payment (which could be up to one month apart). The registrant will be informed by the NMC within 24 hours via email that they must provide further information to them.
- d) NMC registrants who need to complete the verification process must seek support and advice from the UHL Nursing and Midwifery Education Team prior to submitting any information to ensure that the correct evidence is submitted to the NMC thereby reducing the risk of any delays in renewing registration.
- e) If UHL registrants are selected for verification they must complete an online form where the NMC will ask them to provide further information about their application. Registrants are not required to upload any evidence to NMC Online. The NMC may contact the confirmer to request further information, so UHL registrants must make sure they are aware of this. The NMC may also contact UHL and the reflective discussion partner directly.
- f) If the NMC confirms that revalidation requirements have not been met following their review of the evidence submitted, the individual nurse, midwife or nursing associate will be advised that their revalidation application has not been successful and in order to gain re-entry onto the register the individual will need to lodge an appeal with the NMC or complete a Return to Practice course.

6 EDUCATION AND TRAINING REQUIREMENTS

- 6.1 Training to support Revalidation and Third-Party Confirmation is provided by the Corporate Nursing and Midwifery Education Team and can be booked via HELM.
- 6.2 The UHL Library Services also provide support and guidance for NMC registrants in terms of accessing literature and research for individual or participatory CPD.

7 PROCESS FOR MONITORING COMPLIANCE

- 7.1 The relevant Boards will be advised of any quality issues regarding revalidation requirements and compliance through the reports listed in the table below

Element to be monitored	Lead	Method	Frequency	Reporting arrangements
Monthly NMC PIN checks for revalidation and / or fee retention	Deputy Chief Nurse	ESR data identifying who is due to revalidate and who has lapsed registration	Monthly	Emails directly to Heads of Nursing and Deputy Chief Nurse to action potential lapses.
Compliance with Requirements of Revalidation including number of registrants revalidating and number of NMC registration lapses	Deputy Chief Nurse	Initial analysis from ESR monthly and followed by a Written Report		Annually Nursing, Midwifery and AHP Committee

8 EQUALITY IMPACT ASSESSMENT

- 8.1 The Trust recognises the diversity of the local community it serves. Our aim therefore is to provide a safe environment free from discrimination and treat all individuals fairly with dignity and appropriately according to their needs.
- 8.2 As part of its development, this policy and its impact on equality have been reviewed and no detriment was identified.

9 SUPPORTING REFERENCES, EVIDENCE BASE AND RELATED POLICIES

9.1 References

The Nursing and Midwifery Council: Step by Step Guide <http://revalidation.nmc.org.uk/>

The Nursing and Midwifery Council: The NMC Code
<https://www.nmc.org.uk/globalassets/sitedocuments/nmc-publications/nmc-code.pdf>

9.2 Policies

Professional Registration Checks Policy and Procedures **(B64/2008)**

Disciplinary Policy **(B31/2024)**

Improving Performance (Capability) Policy and Procedure – Non- Medical Staff) **(B12/2014)**

Personal Information UHL Policy **(B39/2007)**

You Matter: Colleague Support Policy **(B37/2024)**

Managing conflicts of interest in the NHS **(A1/2017)**

UHL Sickness Absence Management Policy **(B29/2006)**

10 PROCESS FOR VERSION CONTROL, DOCUMENT ARCHIVING AND REVIEW

- 10.1 This document will be available for access by Staff through UHLConnect. It will be stored and archived through this system.
- 10.2 This document will be reviewed in three years, or sooner in response to any changes made nationally by the NMC or identified issues in practice

UHL PROCESS FOR MONITORING REVALIDATION STATUS

3 yrs Preceding Renewal	<ul style="list-style-type: none"> Registrant meets a range of NMC revalidation requirements over 3 years since qualifying or last renewal date 	<u>Notes / exceptions:</u> <ul style="list-style-type: none"> Renewal/revalidation dates are the same
12 months prior to Renewal Date	<ul style="list-style-type: none"> 3RD Party Confirmation can take place <u>at any point</u> in the preceding 12 months prior to the renewal date. Registrants on maternity / sick leave / career breaks, revalidation requirements must be achieved to maintain registration in line with employment contract. 	<u>Notes / exceptions:</u> <ul style="list-style-type: none"> Individual registrants responsible for arranging the confirmer meeting
60 days prior to Renewal Date	<ul style="list-style-type: none"> NMC notifies registrant that revalidation application via NMC Online 60 days before renewal date. Cut-off date is one month before renewal of registration. NMC may grant extensions for revalidation applications up to 6 weeks in exceptional circumstances and as <u>early as possible</u> 	<u>Notes / exceptions:</u> <ul style="list-style-type: none"> Failure to submit application to NMC results in automatic lapse in registration. NMC do not grant extensions for late payment of fee
Payment of Retention Fee to NMC	<ul style="list-style-type: none"> Online or Direct Debit payments can be made anytime from 1st day of the month of registration. <u>No extensions granted for payment of the retention fee</u> Revalidation only confirmed by NMC on receipt of fee 	<u>Notes / exceptions:</u> <ul style="list-style-type: none"> See UHL Policy for Professional Registration Checks
NMC Verification Process	<ul style="list-style-type: none"> Within 24 hrs after submission of both revalidation application and retention fee (which could be up to one month apart) NMC informs registrant via email that they must provide further information for verification purposes NMC confirms revalidation requirements not achieved. May need to complete Return to Practice course 	<u>Notes / exceptions:</u> <ul style="list-style-type: none"> Registrant continues to practise during verification process until NMC confirms otherwise
FAILURE TO REVALIDATE Confirm Reason for Failure	<ul style="list-style-type: none"> Failure to submit revalidation application or payment of retention fee on time. Registrant must apply to NMC for re-entry to register NMC verification process identifies failure of registrant to meet revalidation requirements. NMC advises registrant to appeal decision within 28 days or complete Return to Practice (R2P) course 	<u>Notes / exceptions:</u> <ul style="list-style-type: none"> Refer to the UHL Revalidation Policy re: R2P application
Suspension and Proceed to Disciplinary Hearing if Evidence of Non- Compliance with UHL Policy	<ul style="list-style-type: none"> HoN / Deputy Chief Nurse confirms registration status & reasons for lapse with registrant or NMC HoN & HR give NMC Lapse Letter (appendix 2) informing of decision to suspend with no pay Individual must apply for re-entry to NMC register or R2P course Proceed to Disciplinary if individual refuses to undertake a R2P course. If the NMC refuses right to appeal decision then further HR / CMG discussion 	<u>Notes / exceptions:</u> <ul style="list-style-type: none"> To reapply for re-admission to the NMC register www.nmc.org.uk/contact-us/

INSERT ADDRESS

Leicester Royal Infirmary
Infirmary Square
Leicester
LE1 5WW

INSERT DATE

Tel: 0300 303 1573
Minicom: 0116 287 9852

Dear (Insert Name of Registrant),

Failure to Revalidate with the Nursing and Midwifery Council (NMC)

Following a check of the NMC Register for nurses, midwives and nursing associates it would appear that you have not revalidated with the NMC because you have failed to submit your revalidation application in time OR because the NMC have confirmed that you have not met the revalidation requirements (INSERT CORRECT STATEMENT) and as a result your registration has lapsed. However, if you believe that this is not the case and you have evidence confirming that you have revalidated or have been granted an extension by the NMC that allows you more time to submit your revalidation application, then please contact me immediately so that I can verify this is the case.

As a registrant, it is your responsibility to ensure that you meet the revalidation requirements over the three year period since first joining the register or your last renewal and submit your revalidation application to the NMC in a timely way so that registration is renewed prior to its expiry date. Continuing to work as a nurse, midwife or nurse associate while not on the NMC register contravenes the Code, is illegal and is in breach of your employment contract with the University Hospitals of Leicester NHS Trust. Therefore, I must now inform you that as a consequence of your registration lapsing you now need to be suspended from your duties as a INSERT JOB TITLE. The suspension of your pay will be effective from midnight STATE DATE. Your return to work as a INSERT JOB TITLE and reinstatement of pay will only recommence when your application to re-join the NMC register has been successful and your registration can be confirmed with the NMC.

Unfortunately, the taking of paid annual leave is not an acceptable alternative to suspension as the contract of employment requires the practitioner to be registered. Neither is receiving occupational sick pay or occupational maternity pay compatible with the contract of employment for the same reasons.



We are compassionate



We are inclusive



We are proud



We are one team

Due to the tight time constraints determined by the NMC I must strongly advise you that within 3 working days of receiving this letter you must provide evidence to me of whether you plan to appeal against the NMC decision to not renew your registration or how you intend to regain entry to the register for example by completing an NMC approved Return to Practice Course. Failure to comply with any reasonable instructions to regain entry onto the register by the INSERT DATE so may result in a disciplinary investigation and hearing that could lead to dismissal.

Help and advice

If you are a member of a Union for example UNISON or the RCN / RCM, I would advise you to make contact with them in the following way:

UNISON

www.unison.org.uk - Professional Services Unit (PSU) for help and advice for any instances of readmission being refused by the NMC.

Telephone Number 0800 0 857 857

Royal College of Nursing (RCN)

RCN Direct for help and advice (www.rcn.org.uk/contactus) The RCN's legal department will be on hand for any instances of readmission being refused by the NMC.

Royal College of Midwives (RCM)

RCM (<https://www.rcm.org.uk/supporting/getting-help/>) If the registrant needs workplace help, support or advice and don't know who their workplace representative is, call the RCM on: 0300 303 0444

Return to Practice

For advice on local NMC validated Return to Practice courses please contact the Assistant Chief Nurse on 0116 2585280 who will confirm the Universities across the East Midlands who currently provide this course

A copy of this letter will be placed on your HR file

Yours Sincerely

HEAD OF NURSING FOR INSERT CMG
OR LINE MANAGER FOR INSERT CORPORATE DIRECTORATE

Revalidation Timeline

