Quick briefing:
The RCN’s response to the Francis report

Background

The Francis report was the result of an inquiry into the role of commissioning, supervisory and regulatory bodies in the monitoring of Mid Staffordshire NHS Foundation Trust. The inquiry, led by Robert Francis QC, built on previous work under an earlier inquiry into the care provided by the trust.

The inquiry asked fundamental questions as to how the failings in care were not dealt with sooner and what more regulators can do to tackle cases of poor care and prevent future incidents from happening elsewhere.

The report from the inquiry was published on 6 February 2013.

The RCN has now formally responded to the 290 recommendations set out in the report, outlining what we believe needs to happen next in order to deliver on Robert Francis’ vision for a patient-centred NHS.

The RCN reacted to the publication of the report on the day of its release, calling it a "...powerful and monumental report which puts patients at the heart of NHS care". We then undertook work to ensure that our members had the chance to engage with some of the most important issues within the report, before publishing our formal response. We identified that the best opportunity to do this was Congress 2013, which took place in late April. It was at Congress that members debated issues including the dual role of the RCN, staffing levels and the regulation of health care support workers.

We ensured that this feedback had a direct impact on the content of our formal response, and have published this key document today (15 July).

The RCN response

With 290 recommendations in the Francis report, there is a lot of important detail in the RCN’s formal response. This briefing pulls out some of the key headlines from our response, to read the document in full, go here or find our executive summary here.

- **On the role of the RCN**
  Robert Francis said that the RCN should consider whether we should formally divide our professional and trade union functions. At Congress 2013, 99 per cent of members expressed a wish to maintain the RCN’s current structure and members repeatedly spoke of how they believe the relationship between our trade union and professional functions makes the RCN a stronger organisation. Moving forward, we are looking to improve how our members can access the right standards, knowledge and information to drive improvements in practice.

- **On staffing levels**
  The RCN supports Robert Francis’ recommendation regarding the role of NICE (National Institute for Health and Care Excellence) in developing staffing metrics that would then be used by the CQC; however, we would like this to go even further. The RCN believes that the only way to ensure safe patient care is to introduce mandatory safe staffing levels based on local judgement and enshrined in law.

- **On mandatory registration and training for health care support workers (HCSWs)**
  Robert Francis recommended the registration and eventual regulation of all HCSWs, along with a national code of conduct. The RCN has long campaigned for the mandatory training and regulation of all HCSWs and we now turn to the Government to make this important proposal a reality.

- **On professional attitudes and behaviours**
  Robert Francis highlighted the need to assess people for the right values, before allowing them to embark on a career in health care. The RCN believes that this is sensible and should cover all NHS staff, regardless of whether the post in question has a frontline care delivery function.

- **On education and development**
  Robert Francis recommended that there should be “a national entry-level requirement that student nurses spend a minimum period of time, at least three months, working on the direct care of patients under the supervision of a registered nurse”. The RCN supports universities who select candidates with previous care experience, and believes it can be invaluable, but we do not believe it should be a formal requirement. Nursing students already undertake 2,300 hours in clinical placements and we believe this is sufficient. More support and recognition is needed for the role of mentors, who provide invaluable guidance to would-be nurses.

- **On culture**
  The RCN supports Robert Francis’ vision to change the culture in the health service to one that focuses on the patient “in everything that is done”. We support clear expectations in the NHS Constitution that staff put patients before themselves and will do everything in their power to protect patients from avoidable harm; being honest and open with patients regardless of the
consequences for themselves. We do however believe that staff need the right level of support and resources to deliver for patients everywhere. We also believe that those at the very top, including politicians and senior nurses, need to display the patient-centred approach that they seek of other staff.

- **On older people's nursing**
  Robert Francis said that “consideration should be given to the creation of a status of Registered Older Person's Nurse”. The RCN believes that, rather than a separate part of the register being dedicated to older people's nursing, we need nationally recognised career pathways for those wishing to develop their skills in this area of practice. We believe that the delivery of excellent care to older people is everyone's business, not just those who want to specialise in the area.

- **On the duty of candour**
  The RCN does not support a proposed legal duty of candour on *individuals*. In reality, there is a range of existing obligations and remedies available which may make additional legal duties unnecessary. For example, the requirement to volunteer information to patients when harm has been caused is contained in the relevant professional codes of practice.

- **On the way that health is regulated**
  The RCN supports proposals to ensure that the CQC and Monitor work more closely, and further supports the use of more expert inspectors.

### How do I find out more?

You can read our full response [here](#).

You can read the Francis report [here](#).

If you have any questions regarding our response, email them to [frontline.first@rcn.org.uk](mailto:frontline.first@rcn.org.uk) or call RCN Direct on 0345 772 6100.