

## Determining the regulatory concern

Reference: SCR-2    Last Updated: 29/11/2021

If our [screening decision](#) is to refer an allegation about a nurse, midwife or nursing associate's fitness to practise to the case examiners, we will clearly identify and articulate the issues that concern us as a regulator. We call these regulatory concerns. A regulatory concern allows us to focus on what it is about the nurse, midwife or nursing associate's practice or conduct which is sufficiently serious that, unless regulatory action is taken, appears to be a source of risk to patients or could affect the public's trust and confidence in nurses, midwives and nursing associates generally.

We should always be able to express the regulatory concern about a nurse, midwife or nursing associate's practice in clear terms at any stage in the life of a case. This allows the nurse, midwife or nursing associate to understand why we say there is an issue with their practice that is serious enough to justify us a) investigating it and b) possibly restricting their right to practise or imposing other outcomes against their registration.

We review the regulatory concern in every case on an ongoing basis. It will always be drafted in the right level of detail for the stage of our process the case has reached. The level of detail is likely to increase as we gather more information and the case progresses through our investigation towards consideration by case examiners.