

Advanced Practice Review – Phase One

Welsh Language Impact Assessment (WLIA)

Version and assessment completion date:	25 March 2024
Stage 1: Planning	
<p>What are the aims of the policy, and how do these relate to the Welsh language?</p>	<p>Advanced Practice Review 2023/24</p> <p>Our 2020-25 Strategy set out a commitment to undertake a comprehensive review of UK advanced nursing and midwifery practice, including consideration of whether additional regulation is needed.</p> <p>In 2023-24 we have undertaken Phase 1 of the Advanced Practice Review. This has included a discovery phase with independent research and the development of key lines of enquiry (KLOEs).</p> <p>This work has been informed by extensive external engagement including the establishment of an advanced practice independent steering group with an independent chair and a public advisory group.</p> <p>This engagement included an in-country public roundtable in Wales with the availability of Welsh language translation.</p> <p>Phase 1 was an evidence gathering phase that has enabled us to assess whether additional regulation of advanced practice is necessary for public protection.</p> <p>A number of potential regulatory options have been explored. Alongside this we commissioned initial economic evaluation scoping and engagement analysis.</p> <p>We have developed six potential options, which include: retaining the status quo; a voluntary set of principles or joint statement; credentialling;</p>

	<p>revalidation; a test of competence; or setting education standards.</p> <p>The independent steering group was set up to support co-production and review all draft recommendations for the potential regulation of advanced practice, develop consensus and provide advice to the Executive Board. The steering group includes representation from the Welsh Government.</p> <p>Phase 1 will conclude with recommendations to Council on whether regulation of advanced practice is deemed necessary, and what options are considered to be most appropriate.</p> <p>The majority consensus from the steering group found that the currently known risks together with the anticipated benefit to people were sufficient to make a recommendation to our Executive Board to proceed to phase 2 of the review with the aim of introducing additional regulation of professionals in AP roles through a range of regulatory approaches.</p> <p>These approaches included setting education standards; incorporating advanced practice into revalidation; and a collaborative approach to developing a unified UK wide advanced practice framework, including defining advanced practice via a joint statement.</p> <p>Phase 2 will include more detailed consideration of these preferred options, including further public engagement and a formal consultation exercise.</p> <p>Our work has been informed by right touch regulation principles, which means that any regulatory intervention must be proportionate, consistent, targeted, transparent, accountable and agile.</p> <p>Specifically, we have committed to the following principles as part of the advanced practice review:</p> <ul style="list-style-type: none">• Promote public protection and enhance public confidence.• Be based on the NMC 2020-25 Strategy.
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- Uphold NMC values of 'fair, kind, ambitious, and collaborative' and a person-centred approach.
- Be co-produced with a diversity of stakeholders.
- Be suitable for nurses and midwives on the register and apply across the four countries of the UK.
- Align with principles of 'right touch' regulation.
- Reflect robust, contemporaneous evidence.
- Be ambitious and future proofed.
- Embed equality, diversity and inclusion.

We will take our recommended regulatory options to Council on 27 March 2024. These are:

- Proceed with additional regulation of advanced practice for nursing and midwifery, with consideration of specific implications for both professions.
- Develop standards of proficiency for advanced level practice and associated programme standards.
- Adopt a collaborative approach to develop a UK-wide advanced practice framework incorporating a shared position defining advanced level practice.
- Ensure that advanced level practice requirements are included in the wider Revalidation and Code reviews scheduled for 2025/26.

Advanced Practice Workforce – Wales

It is difficult to ascertain the exact number of advanced practitioners working in Wales due to variation in definition and roles.

However, Nuffield Trust analysis of job adverts in Wales from October 2022 indicated that under 2 per cent of job roles were at advanced level. This did not distinguish between roles in nursing or midwifery.

The most recent mid-year [registration report](#) (September 2023) stated that there were 40,127 professionals on the register in Wales, including 37,785 nurses and 1,941 midwives.

Using the Nuffield Trust 2 per cent figure, we can assume that there are some 803 nursing and midwifery advanced practice professionals in Wales. However, this could be underreporting.

Any new regulatory approach to advanced practice in Wales will need to ensure that we provide opportunities to support current and future professionals to deliver health and social care services in the Welsh language.

We do not have data on the number of NMC professionals who speak Welsh, as this is not something we collect. Our requirements for registration only include proficiency in English.

However, Standard 20 of the new Welsh Language Standards Regulations (WLSR) requires us to provide a Welsh language version of application forms to join the register. We have been granted an extension to comply with this standard. We have until 31 December 2025 to comply with this requirement, excluding for registration routes for those who have qualified outside the UK. Therefore, in the future we will be able to produce data on the number of professionals who will likely prefer to communicate with us via the Welsh Language.

Depending on how advanced practice will be regulated in the future, we may need to have a Welsh language version of an application process to annotate the register with an advanced practitioner qualification.

Policy landscape

The Welsh Government has set out the [Cymraeg 2050](#) policy to ensure there are a million Welsh speakers by 2050. This includes an 'active offer' principle of proactively offering Welsh language

services, including in the public sector. For example, it states that health and social care services have ‘the potential to make a valuable contribution to our aim’ (p54) of increasing the number of Welsh speakers.

[More than just words: Five Year Plan 2022-27](#) is the strategic framework for promoting the Welsh language in health, social services and social care. This includes a range of actions across an overarching Culture and Leadership theme and three other themes of: Welsh language planning and policies including data; Supporting and developing the Welsh Language skills of the current and future workforce; and Sharing best practice and an enabling approach.

The Welsh Government’s [A Healthier Wales: Our Workforce Strategy for Health and Social Care](#) (Oct 2020) set out a workforce strategy up to 2030. One of the four ambitions in this document is that ‘We will have a workforce that is reflective of the population’s diversity, Welsh language and cultural identity’ (p11).

It also aims ‘to understand, anticipate and plan to meet the Welsh language needs of health and social care students, our workforce and ultimately patients and people in receipt of care and support across Wales...’ (p13).

The Welsh Government’s [National Workforce Implementation Plan: Addressing NHS Wales Workforce Challenges](#) (January 2023) sets out that there is ‘huge opportunity for NHS organisations to become exemplars in providing proactive Welsh language services’ (p29). This includes plans to collect data on the language skills of health and social care staff; delivery of [More than just words](#) actions; work with Health Education and Improvement Wales (HEIW) to identify workforce skill gaps to improve confidence in speaking Welsh; and the production of a Welsh language awareness course which will explain how important Cymraeg is in service delivery and work to ensure mandatory completion.

NHS Wales has developed a [Professional Framework for Enhanced, Advanced and Consultant Clinical Practice](#). This is to ensure successful development, implementation and evaluation of advanced practice roles within NHS Wales as well as appropriate

	<p>governance arrangements to support advanced level practice.</p> <p>Relationship to the Welsh Language</p> <p>The potential regulation of advanced practice has implications for Wales and the Welsh language, because the NMC is a UK-wide regulator. We would seek to pursue the same approach to advanced practice in Wales as in other UK nations. This would mean that we would need to be compliant with the WLSR that came into effect on 6 December 2023 and other relevant legislation relating to the Welsh language.</p>
<p>What are the impacts/effects (both positive and/or adverse) on the Welsh language you have identified at the initial planning stage?</p>	<p>Any new regulatory approach to advanced practice could have impacts for Welsh speaking members of the public/people who use services.</p> <p>Advanced practice and the ways in which advanced practitioners practise can have positive impacts for the public, including easier access to health and social care services, continuity of care and greater flexibility. Increased regulation is likely to further entrench this role in health and social care and increase its visibility to people who access services.</p> <p>We need to ensure that individuals in Wales who are Welsh speakers can fully benefit from these developments via ensuring that the advanced practice workforce in Wales has opportunities to access advanced practice education options and undertake their practice learning through the medium of Welsh.</p> <p>A new regulatory approach will have impacts on Welsh speaking advanced practitioners and current and future professionals. For example, a new regulatory approach could enable career progression and retention and support multi-disciplinary working. We need to ensure that professionals have opportunities to undertake academic and practice learning in Welsh and to deliver services to members of the public in Welsh at the advanced level.</p>

Stage 2: Data Collection and Evidence

<p>What evidence e.g. data, research, results of engagement and consultation have you used to consider how this policy might affect:</p> <ul style="list-style-type: none"> • opportunities for individuals/communities to use the Welsh language • treating the Welsh language no less favourably than the English language. <p>Please link to any relevant documents.</p> <p>Describe who you engaged with and the results.</p>	<ul style="list-style-type: none"> • In person public roundtable engagement event in Wales with availability of Welsh language translation (5 December 2023). • Comms for this event sent out in Welsh and English. • Summary of the Phase 1 Engagement findings provided in Welsh and English. • Project support from a Welsh speaking advanced practice adviser.
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<p>What additional research, data or consultation is required to fill any gaps in understanding the effects of the policy?</p>	<p>Phase 1 of the Advanced Practice review was an exploratory phase. Once we have a decision from Council (March 2024) we can undertake more detailed research and engagement to understand the effects of our proposals on Welsh language speakers.</p>
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Stage 3. Impact Assessment (IA)

<p>Positive effects/impacts on:</p> <ul style="list-style-type: none"> • opportunities for persons to use the Welsh language • treating the Welsh language no less favourably than the English language. <p>As a starting point, try to identify at least three positive effects.</p>	<p>Direct impact</p>	<p>The development of a new approach to the regulation of advanced practice could provide new opportunities for people to use the Welsh language.</p> <p>For example, new NMC regulated advanced practice education programmes could provide increased opportunities for the delivery of academic and practice learning in the Welsh medium and for the delivery of health and social care services to people in the Welsh language.</p> <p>Our existing regulation requires education providers to ensure that programmes delivered in Wales</p>
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		<p>comply with existing legislation which supports the use of the Welsh language, and therefore consider opportunities for Welsh speaking learners to access education in the Welsh language. For example, see para 2.11 in our Standards for pre-registration nursing programmes.</p> <p>The same principles would be applied to new regulated advanced practice education programmes which could therefore provide increased opportunities for the delivery of academic and practice learning in the Welsh medium and to deliver health and social care services to people in the Welsh language.</p> <p>Regarding the potential revalidation option, we already enable revalidation submissions in Welsh on request. For example, see para 16: ‘By law, registered nurses and midwives can keep their portfolio and revalidation evidence in Welsh if they wish. They can request in advance that their reflective discussion and confirmation is undertaken through the medium of Welsh. If the identified line-manager is unable to facilitate this then an appropriate substitute must be identified by the line-manager.’</p> <p>Research indicates that language-concordant care results in better outcomes (Diamond et al, 2019)¹. Other studies refer to language barriers delaying and compromising access to treatment and care quality and how offering healthcare services in minority languages can improve healthcare delivery (Roberts et al, 2019)². This</p>
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¹ [A Systematic Review of the Impact of Patient-Physician Non-English Language Concordance on Quality of Care and Outcomes - PubMed \(nih.gov\)](#)

² [Language awareness in the bilingual healthcare setting: a national survey - PubMed \(nih.gov\)](#)

		<p>highlights the vital importance of delivering health and social care services in the Welsh language.</p>
	<p>Indirect impact</p>	<p>This could have benefits for the Welsh speaking public/people who use services, including standardisation of the advanced practice role and care expectations.</p> <p>It would also potentially increase access to and deliver more flexible access to the public/people who use services in the Welsh language. It should also improve system governance and assurance and improve public awareness and trust in advanced practice roles.</p>
<p>Adverse effects/impacts on:</p> <ul style="list-style-type: none"> • opportunities for persons to use the Welsh language • treating the Welsh language no less favourably than the English language. <p>As a starting point, try to identify at least three adverse effects.</p>	<p>Direct impact</p>	<p>There are several potential regulatory options where we would need to carefully consider the impact of these options on the Welsh language.</p> <p>Firstly, if we were to develop a test of competence (ToC) option we would need to consider if it would be feasible for this to be delivered in Welsh and in English. Currently, our ToCs are only available in English. We could look to work with a testing partner to ensure that there were increased options for speakers of the Welsh language.</p> <p>Secondly, if we were to develop a credentialling option we would need to consider what options would be available to speakers of the Welsh language. There is currently no credentialling option in Wales or in the Welsh language.</p>

		<p>Thirdly, if we decide to regulate advanced practice, we will need to develop a grandparenting process to move existing advanced practitioners into the new regulatory regime. We could look to enable this process to be undertaken in the Welsh language if a professional wants to.</p>
	Indirect impact	<p>The indirect impacts of the above potential direct impacts could be a reduction in the opportunities for current and future advanced practitioners who are conversant in the Welsh language to enter new regulatory regimes and continue undertaking their role. This would have negative impacts on people who access health and social care services via the medium of Welsh.</p>
<p>Neutral effects/impacts on:</p> <ul style="list-style-type: none"> opportunities for persons to use the Welsh language treating the Welsh language no less favourably than the English language. 	Direct impact	N/A
	Indirect impact	N/A
<p>Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in everyday life, Welsh at work increased:</p>	<p>The establishment of a new approach to advanced practice regulation will provide opportunities to facilitate the use of the Welsh language and treat the Welsh language no less favourably than the English language.</p> <p>For example, the regulation of advanced practice roles in Wales could further support the delivery of AP programmes in the Welsh language. This will embed opportunities for learners to access education via the medium of Welsh and for members of the public to</p>	

	access advanced level services via the medium of Welsh.	
Evidence/data used, including demographic profile when considering the effects/impacts:	<p>The NMC does not collect data on the number of nursing and midwifery professionals who speak Welsh, practise in Welsh and want to engage with the NMC in the Welsh language.</p> <p>The WLSRs require us to report annually on the Welsh language skills of NMC employees, but not professionals on the register. However, we recommend that we collect this information (perhaps in partnership with NHS Wales, other employers and/or HEIW) to understand the extent to which NMC professionals in Wales use the Welsh language and to what extent we should go beyond our minimum legal requirements to meet the needs of Welsh-speaking NMC professionals in Wales.</p>	
What is the overall anticipated likely impact on the Welsh language if this policy decision is taken forward based on the impact assessment?	Positive	X
	Adverse	
	Neutral	
	Unknown	
Decision following IA	1. No major change	X
	2. Adjust the policy to improve impacts	
	3. Continue the policy with mitigation measures	
	4. Stop and remove the policy	
If answered 2,3, or 4 above, then answer the following: How will you address these impacts in order to improve the outcomes for the Welsh language? Details of mitigation		

measures/action points/alternative options to reduce adverse impacts and increase positive outcomes:

n/a

If engaging or consulting, what are your plans? What questions do you wish to ask stakeholders about the Welsh Language Impact Assessment and Welsh language related issues?

Following a decision by Council (March 2024) we expect to undertake Phase 2 of the Advanced Practice Review.

We will ensure that we provide opportunities for people who speak Welsh to engage in and respond to future project work. For example, we will need to be compliant with the WLSRs relating to engagement and meetings with the public in Wales and consultations (including the publication of documents). We plan to discuss this in early April 2024. This includes delivery in Welsh of the below outputs.

- Promotion of any further Welsh-specific consultation or engagement events. This would include the availability of translation services at these events.
- The future consultation document and survey itself. For example, any consultation questions and supporting documents where the intended audience includes an individual in Wales, and the consultation relates to information about what to expect from a healthcare professional, must be produced in Welsh (including easy read versions).
- Work carried out by research agencies on the NMC's behalf as part of the consultation. The NMC is responsible for compliance with the WLSRs, and we should take steps to ensure that research agencies (or other third parties) are contractually required to meet the requirements. Agencies appointed by the NMC must comply with the WLSRs or the NMC will be deemed to have failed to comply with the relevant standards.
- The consultation findings and consultation response document should be published in Welsh if we have consulted in Welsh. We will publish these documents in Welsh even if we have received no responses to a consultation in Welsh because any individual in Wales could read the findings.
- Any public-facing regulatory changes that come out of the review. For example, we will need to publish any advanced practice standards in Welsh and English (at the same time) because they relate to what people can expect from a healthcare professional and the audience may include individuals in Wales (plus this is consistent with our current approach to the publication of other standards).

- The timing of the delivery of outputs. For example, Welsh and English language versions of documents must be issued at the same time to ensure that Welsh is not treated less favourably than English. Complying with the WLSRs may result in slightly longer timeframes and additional costs.

Stage 4: Post consultation and preparing for publication, monitoring and evaluation

<p>Following consultation, what changes have you made to address any Welsh language issues that were raised?</p>	<p>N/A at present. We have not yet agreed on or subsequently consulted on any changes to the regulation of advanced practice in nursing and midwifery.</p>
<p>How will you monitor the ongoing effects during the implementation of the policy decision?</p>	<p>This is a living document. We will update this document as part of Phase 2 of the Advanced Practice Review (2024/25).</p>
<p>Any other comments – ongoing results of evaluations, emerging impacts, etc.:</p>	
<p>Proposed review date:</p>	<p>Summer 2024.</p>