

Consultation Response Form

CONSULTATION ON SAFE AND EFFECTIVE STAFFING LEGISLATION CONSIDERATIONS

RESPONSE FORM (IF NOT RESPONDING ONLINE VIA CITIZEN SPACE)

Please indicate your answer to the questions by placing an **X** by your selection. You can also provide further comments in the free text field.

Please send responses electronically using the response sheet below and email address below.

Responses to be sent by email to: StaffingConsultation@health-ni.gov.uk

or by post to:

**Safe & Effective Staffing Team
Department of Health
Castle Buildings
Stormont Estate
Belfast
BT4 3SQ**

The deadline for consultation responses is 5.00pm on Monday 14th October 2024

Consultation Response Form

Safe and Effective Staffing

Respondent Details
Name (Optional)

Dr Julie Anderson, Consultant Psychiatrist

Organisation and Job Title
(if applicable)

Chair of RCPsych NI & Vice President of RCPsych

I am responding:

as a medical professional

(tick all that apply)

as a Health & Social Care (HSC)
worker

as a member of the public

on behalf of an organisation

When did you last use HSC
services?

Within the last 12 months

(please tick appropriate)

1 – 3 years

3 – 5 years

More than 5 years

For this consultation, we may publish all responses except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public). All responses from organisations and individuals responding in a professional capacity will be published. We will remove email addresses and telephone numbers from these responses; but apart from this, we will publish them in full. For more information about what we do with personal data please see our consultation privacy notice.

If replying as an individual, please indicate if you do not wish for your identity to be made public.

Yes, make public

No, do not make public

Consultation Questions

Guiding Principles of Safe and Effective Staffing

Question 1. Do you agree with the proposal to introduce legislative guiding principles for staffing in health and social care in Northern Ireland?

Yes No

Comments We strongly support the need for legislative guiding principles for staffing in the HSC. If this legislative requirement had been in place, the current major Workforce crisis in psychiatry and other mental health professional groups may not have happened. We endorse the wider view of Safe staffing to not just be about numbers but also training, student numbers, qualifications of staff and people with the right capabilities in the right place at the right time. There needs to be effective monitoring reports of the ongoing Workforce Reviews. Safe staffing in the broader sense is a major way to improve Quality of Care for Patients.

Question 2. Do you agree with the proposal that the guiding principles will apply when the provision of services is being sought or secured from outside of directly provided health and social care services, e.g. from the independent sector or community and voluntary sector?

Yes No

Comments This legislative responsibility should apply to organisations that are carrying out work on behalf of the Trusts. If this was not the case a two-tier service provision could develop.

Question 3: Are there any additional considerations that should be included?

Yes No

Comments There should be Monitoring Reviews of Patient outcomes, as well as Patient and Carer feedback in order to monitor the benefits of Safe staffing. There should also be reviews of Staff feedback and comments. It is good that the model used in Scotland for this legislation is being applied to Northern Ireland.

Workforce Planning

Question 4. Do you agree with the proposal to introduce a legal requirement on the Department of Health to apply evidence-based strategic workforce planning?

Yes No

Comments There should be a legal requirement on the Department of Health to apply evidence-based strategic Workforce planning. There should be consultations with the professions, both in the application of these techniques and the interpretation of the results.

Question 5: Do you agree that Health and Social Care Trusts and health agencies should have a legal requirement to undertake operational workforce planning?

Yes No

Comments There should be a requirement for HSC Trusts to undertake operational workforce planning which should be monitored by the Department of Health. The Trusts should work closely with the professions in such reviews.

Question 6: Do you agree that there should be a legislative requirement on the Department of Health to carry out workforce reviews every 10 years and conduct interim evaluations every 3 years?

Yes No

Comments There should be a form of interim evaluation every year with a more detailed evaluation every three years and a full Workforce Review every 10 years. However, if new services are introduced or new strategies are implemented, a more frequent and tailored Workforce Review should be carried out.

Question 7: Do you agree with the proposal to place a legislative duty on the Department of Health to take all reasonable steps to ensure implementation of workforce reviews?

Yes No

Comments This is essential. If the Workforce Reviews cannot be implemented - it should be detailed as to why not.

Question 8: Do you agree with the proposal that an annual duty is placed upon the Minister to review the commissioning of healthcare pre-registration training places by the Department?

Yes No

Comments The responsibility should not alone be for pre-registration places - but also for the number of post registration training posts - and to what extent these numbers and specialty field actually fit with the need to meet safe Workforce numbers and Staff with the appropriate training.

Common Staffing Method

Question 9: Do you agree with the proposal that a statutory duty be placed on the Department of Health and Health and Social Care Trusts to utilise a common staffing calculation tool for nursing and midwifery?

Yes No

Comments We are unable to comment on this.

Question 10: Do you agree with the proposal that a statutory duty is placed on the Department of Health and Health and Social Care Trusts to utilise a common staffing method for nursing, midwifery and social work?

Yes No

Comments We are unable to comment on this.

Question 11: Do you agree with the proposal that a statutory requirement is placed on the Department of Health to consider the use of a common staffing method and staffing calculation tool for Allied Health Professionals, Dentistry, Pharmacy and Social Care within 1 year of the legislation coming into operation, and if determined applicable, should develop and utilise these within 3 years of the legislation coming into operation?

Yes No

Comments We are unable to comment on this.

Question 12: Do you feel that the Department should have a statutory duty placed on it to utilise common staffing methods across the full range of social care settings including, but not limited to, nursing and care homes, residential homes, respite care, day centres and day opportunities, and domiciliary care services provided both by statutory services and by the independent sector?

Yes No

Comments It would need to be better explained and understood than that which is described in this Consultation and also have the support of the relevant Professional Bodies and Unions. It should also not add to workload pressures.

Question 13: Are there any areas where you consider it not to be appropriate to develop common calculation methods or tools?

Yes No

Comments It would need to be better explained and understood than that which is described in this Consultation. It should also not add to workload pressures.

Question 14: Do you agree with the proposal to place a statutory duty on the Department to consult with relevant trade unions and professional bodies when developing common staffing methods across the full range of professional disciplines?

Yes No

Comments There is no mention of application to medical staff. However, if this was to be applied to medical staff, it would need to be better explained and understood than that which is described in this Consultation and also have the support of the Medical Royal Colleges and the BMA. It should also not add to workload pressures.

Question 15: Do you agree with the proposal to place a statutory duty on all providers of public health and social care services in Northern Ireland to take all reasonable steps to always ensure that suitably qualified and competent individuals, from such a range of professional disciplines as necessary, are working in such numbers as are appropriate for –

- the health, wellbeing, and safety of patients,
- the provision of safe and high-quality health care, and
- in so far as it affects either of those matters, the wellbeing of staff?

Yes No

Comments We support this.

Question 16: Do you agree with the proposal to place a statutory duty on the Department of Health and Health & Social Care Trusts to take all reasonable steps to ensure there are sufficient numbers of -

- registered nurses,
- registered midwives,
- allied health professionals,
- social workers,
- registered care workers,
- dentists,
- pharmacists,
- medical practitioners, and
- any professional disciplines set out in Appendix 2?

Yes No

Comments We support this - but the Skills mix must also be assessed to ensure there are the Staff with the right capabilities, at the right time and in the right place.

Reporting & Monitoring Arrangements

Question 17. Do you agree with the proposal that a statutory duty be placed on reporting arrangements for the Department of Health, Health and Social Care Trusts and relevant employers?

Yes No

Comments We support this.

Question 18. Do you agree with annual reporting on compliance with the responsibilities outlined within the legislation? If not annually, what would be your preferred reporting cycle?

Yes No

Comments It should be annually.

Question 19: Do you agree with the proposal to place a statutory duty on Health & Social Care Trusts and health care providers to –

- Have real-time staffing assessment of compliance with the proposed duty to have appropriate numbers of staff in place;
- Have a risk escalation process in place; and
- Ensure appropriate staff training is in place?

Yes No

Comments This needs to be better explained and understood than that which is described in this Consultation. The relevant Professional Bodies and Unions would need to be consulted and in agreement. It should also not add to workload pressures.

Question 20: Do you agree with the proposal that a statutory duty is placed on social care service providers that have been procured by the Health & Social Care Trusts to have real-time staffing assessment and risk escalation processes in place?

Yes No

Comments This needs to be better explained and understood than that which is described in this Consultation. The relevant Providers, Professional Bodies and Unions would need to be consulted and in agreement. It should also not add to workload pressures.

Question 21: Do you agree with the proposal that the primary legislation will provide powers to make further regulations?

Yes No

Comments We would leave this to Legal Advisors.

Question 22: Do you have any other comments that you feel are relevant to this consultation?

Yes No

Comments There is a current serious crisis in the psychiatry workforce and the wider mental health workforce. Many of the recommendations in this Consultation, had they been implemented in the past, could have at least enabled us to see what was happening and possibly helped mitigate some of the major pressures we are now under.

Information about RCPsych NI: The Royal College of Psychiatrists (RCPsych) is the statutory body responsible for the supervision of the training and accreditation of Psychiatrists in the UK and for providing guidelines and advice regarding the treatment, care, and prevention of mental and behavioural disorders. Among its principal aims are to improve the outcomes for those with mental illness and to improve the mental health of individuals, families and communities.

The College has approximately 450 Members in Northern Ireland (including Doctors in training) who provide the backbone of the local Psychiatric service, offering acute and community treatment, as well as specialist care and consultation across a large range of settings.

This response is submitted on behalf of the Devolved Council of the Royal College of Psychiatrists in Northern Ireland.

Dated: 9th October 2024



**Dr Julie Anderson Chair RCPsych NI & Vice President RCPsych
- on behalf of RCPsych NI**

Contact Details: thomas.mckeever@rcpsych.ac.uk