Minimum/Safe Nurse Staffing Levels (Wales) Bill

Introduction, history and what happens next

Kirsty Williams is the Welsh Liberal Democrat Assembly Member for Brecon and Radnorshire, she is a member of, and former chair of the Assembly’s Health Committee and is her party’s leader and health spokesperson.

Kirsty Williams was successful in a ballot in December 2013 allowing her to introduce a bill of her choosing. Kirsty wrote and tabled a bill entitled ‘Safe Nurse Staffing Levels’ based on the Californian law requiring acute care hospitals to maintain minimum nurse-to-patient staffing ratios.

For an Assembly Bill to become an Act and then a law it must pass through four stages of scrutiny and debate in the Assembly.

The stage 1 debate and vote took place on 3rd June 2015
The stage 2 scrutiny began on 4th June 2015 and is scheduled to conclude on 25th November.

The next key dates for the bill are:

3rd November 2015 – A statement on the Bill’s Financial Resolution,
25th November 2015 – Conclusion of ‘Stage 2’ involving a debate on Amendments suggested by the Health Committee.

Following this, the bill will move to a stage 3 debate, this is likely to happen early in the new year. At this point, amendments tabled by Labour (the Government), the Conservatives and Plaid Cymru will be debated and voted on.

The three parties have tabled the following amendments in advance of Stage 3:

Conservatives: Notice of Amendments: 24 June 2015
Plaid Cymru: Notice of Amendments: 1 July 2015
Labour: Notice of Amendments: 11 September 2015

Following that, the refined bill will be voted in full a week or so later at Stage 4, if that passes it will go for Royal Assent and then become law.

An up to date summary of the bill can be found here: http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=11778

A campaigning website set up by the Liberal Democrats to promote the bill can be found here: http://www.morenurses.org.uk/

The bill’s name is due to be changed in the Stage 3 scrutiny on 25th November 2015 to “Minimum Nursing Levels” (from Safe Nursing Levels) at a request of the Welsh Government, Kirsty has agreed to this, so this amendment and change of name will easily pass.
The bill in detail

This legislation would require the government to produce regulations which set a minimum staffing level for nurses in Wales, the bill itself does not specify an exact ratio, that would be decided on much later. These regulations would be required to set minimum nurse staffing levels for each different acute and specialist service.

If and when the bill receives Royal Assent and becomes law it will not immediately require extra nurses to be employed. The Assembly’s Health Committee has acknowledged that Nurses cannot be found, trained and employed overnight and have recommended to “allow [a] reasonable time for the recruitment of nurses to the level necessary to meet the Bill’s requirements” before it becomes a legal requirement.¹

The legislation would give the government the power to issue similar regulations for community nursing, but only when they considered that sufficient evidence exists to support regulations in this area.

As the bill currently stands it would not directly affect Marie Curie, however if there were to be a big recruitment drive for NHS Nurses, we may find ourselves short.

There is increasing evidence from across the world that having more nurses per patient substantially improves the care received by patients in the NHS. Most recently, the Francis Report, which looked at failings in the care provided by the Mid Staffordshire NHS Trust and cited long-term low staffing levels as one reason which contributed to poor treatment (vol. 1, p. 396, para. 3).

Nurses who have fewer patients to tend to are able to spend a greater amount of time with each patient and as a result can provide better care. If they are more easily able to identify potential problems with a patients care, then they are able to play a preventative, rather than simply reactive, role and consequently reduce the need for a patients treatment and the cost of this care to the NHS.

As demonstrated in the table below, Wales lags behind the rest of the UK in two key indicators of nurse staffing levels.

<table>
<thead>
<tr>
<th></th>
<th>Scotland</th>
<th>England</th>
<th>Wales</th>
<th>N Ireland</th>
<th>All nurses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean patients per nurse</td>
<td>8.8</td>
<td>8.5</td>
<td>10.5</td>
<td>7.2</td>
<td>8.8</td>
</tr>
<tr>
<td>RNs as a percentage of staff</td>
<td>60</td>
<td>59</td>
<td>56</td>
<td>66</td>
<td>60</td>
</tr>
<tr>
<td>N-number of nurses</td>
<td>180</td>
<td>543</td>
<td>150</td>
<td>125</td>
<td>998</td>
</tr>
</tbody>
</table>

(External Source Data: Royal College of Nursing Guidance on safe nurse staffing levels in the UK – Table 5:2 Patient:nurse ratios (all shifts) and skill mix on NHS ward by country [Opens in a new browser window](PDF, 1.70MB))

Similar legislation has been introduced in California, New South Wales and Victoria (Australia) where it has improved nurse staffing levels and patient care. Studies in California have shown that minimum levels are effective in increasing staffing levels and in reducing mortality rates. Emerging evidence from Australia suggests that this is true there as well.

The bill is supported by numerous organisations including The Royal College of Nursing, The Royal College of Physicians, The Royal College of General Practitioners Wales, MS Society Cymru, BMA Cymru Wales and Age Cymru.

¹ Stage 1 report on the general principles of the Bill [see pages 106 – 108, paragraphs 227 – 343 and recommendations 18 and 19]