

The assessment of good character in nursing and midwifery pre-registration students: A modified Delphi approach

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Abstract:

Aims

To examine the perspectives of decision-makers when assessing the good character of nursing and midwifery pre-registration students in relation to their continued fitness to practise.

Design

A qualitative iterative survey design in the interpretive paradigm.

Methods

An expert panel of fitness to practise decision-makers was established to examine their perspectives when assessing the good character of nursing and midwifery pre-registration students. A qualitative modified Delphi approach was used to collect data via an on-line asynchronous questionnaire through a series of three iterative rounds in 2016. Qualitative data from all rounds were analysed using thematic analysis. A final overall analysis and interpretation was undertaken.

Results

The assessment of good character in nursing and midwifery pre-registration students is complex and appears to be heavily influenced by contextual factors including moral beliefs and the student's stage on the course. Determining seriousness and the potential for repetition of behaviour were key components of the decision-making process and were influenced by the student's ability demonstrate self-awareness through reflection and remorse, and honesty and integrity through a professional duty of candour.

Conclusion

Educating students to understand how good character is assessed and the importance of epistemological reflection along with recognition of the student status in Nursing and Midwifery Council fitness to practise documentation is recommended to promote consistency in the assessment of good character between higher education institutions. Consistent decision-making with regard to good character may assist in maintaining public protection, trust and confidence in the nursing and midwifery professions in the future.

Keywords: 'misconduct', 'suitability', 'good character', 'fitness to practise', 'fitness to practice'

1. INTRODUCTION

Over the last 25 years there has been evidence of increasing regulation of the nursing and midwifery professions in the United Kingdom (UK) against a backdrop of increasing cases of questionable fitness to practise (FtP) being brought before the professional regulatory body, the Nursing and Midwifery Council (NMC) (NMC, 2020). Nursing and midwifery education has periodically been blamed for identified shortfalls in care, with a lack of good character in

relation to reduced caring attributes amongst nursing and midwifery pre-registration students and new registrants, being postulated by the media (Puttick, 2016).

The concept of good character was first introduced by the NMC in 1995. Only in 2004 was the term 'good character' replaced with 'professional conduct' in the nursing and midwifery regulatory body annual reporting (NMC, 2004a) and within the professional codes (NMC, 2004b). Since 2009 all HEIs have been required to have FtP processes and a FtP panel in place to consider any potential health issue or misconduct during the pre-registration nursing and midwifery programmes (NMC, 2010). However, since its inception difficulties with the conceptualisation of good character have been identified in the literature. Questions have been raised regarding the effectiveness of HEIs in determining student FtP (Sellman, 2007; CHRE, 2008; Unsworth, 2011; Boak et al, 2012; Haycock-Stuart et al, 2014; Maclaren et al, 2016) with wide variations identified between HEIs in the referral of students to FtP panels and in the decisions made by those panels (Haycock-Stuart *et al*, 2014; Maclaren *et al*, 2016). A lack of conceptual understanding may also present challenges for students in the self-reporting and assessment of good character (Haycock-Stuart *et al*, 2016), which could lead to increased FtP cases in the future.

2. BACKGROUND

Nursing has always been a global profession but increasing mobility of the nursing and midwifery professions over the last twenty years has resulted in questions regarding the global regulation of the professions (NCSBN, 2020). In recognition of this concern the National Council of State Boards of Nursing (NCSBN) established the Global Profile of Nursing Regulation, Education, and Practice, as an innovative initiative for information sharing and data collection among nurse regulators worldwide (NCSBN, 2020).

There is evidence that the majority of countries require nurses and midwives to provide evidence of moral character through criminal record checks to practice (NCSBN, 2020). However, very little research has been undertaken specifically on the subject of good character and using research related to other professional groups is not without its difficulties, as different terminology is used to represent similar concepts (Boak et al, 2012:11). The Council for Healthcare Regulatory Excellence (CHRE) identified that good character is not a widely recognised term outside of English-speaking countries, resulting in variation in relation to behaviours deemed as acceptable in different countries (CHRE, 2008). This is important from a global perspective, as increasing opportunities for the migration of qualified nurses and midwives due to current workforce shortages in the UK may risk the assurance of public protection if there is a lack of understanding in relation to the regulatory requirements of good character.

The most recent NMC professional code (hereafter referred to as The Code) (NMC, 2015) presents the current nursing and midwifery professional discourse in terms of being good, caring and trustworthy. Different theoretical perspectives of good character, which may affect understanding of the concept are identified in the literature (Landon-Campbell and Kenward, 2017) and may be contributing to difficulties conceptualising good character. Added to this, the lack of recognition of student status within the NMC FtP guidance may also contribute to inconsistent HEI FtP decision-making and is in contrast to other professional bodies who

readily acknowledge the student status in their FtP guidance (GPhC, 2020; GDC, 2016; GMC, 2016; HCPC, 2016).

Although there is limited research on the subject of good character, a number of factors have been identified in the literature as important when determining risk and seriousness in FtP cases across the health and social care professions including:

- protection of the public and upholding the reputation of the professions (Barlow and Coleman, 2003; Ginsburg et al, 2004; Currer and Atherton, 2008; Stevens et al, 2010; Haycock-Stuart et al, 2014);
- the context of the situation including the reasons and motivation for the behaviour (Ginsburg et al, 2004);
- the student's stage on the course, with more leniency shown to junior students (Brear and Dorrian, 2010; Boak et al, 2012; Haycock-Stuart *et al*, 2014);
- the attitude of the individual established through evidence of self-awareness, reflection and remorse (LaFrance et al, 2004; Johnstone and Kanitsaki, 2005; Stevens et al, 2010).

Remorse is not identified as a factor for consideration in the NMC FtP guidance (2019) and there is no recognition in previous FtP studies of the difference between remorse based upon shame or guilt. Tangney et al (2011) make an important distinction in terms of whether the individual focuses upon the self or behaviour: guilt leads people to consider their behaviour and its effects whereas shame leads them to focus upon defending the self. Rather than focussing upon shame it is suggested that individuals should focus reflexively upon the consequences of their behaviour in terms of how it has affected others through epistemological reflection, which focusses upon practice and underpinning knowledge, and is more likely to influence future behaviour (Tangney et al, 2011; Rolfe and Gardner, 2006).

One of the key features of The Code is the emphasis upon ongoing self-governance through self-regulation. Registrants are informed of their professional duty of candour to be open and honest when things go wrong, to raise and, if necessary, escalate concerns about patient or public safety or the level of care people are receiving (NMC, 2015). Promoting self-critical and reflexive behaviour is identified as an effective means of controlling behaviour, as it is the individuals' own will that controls their behaviour rather than external factors (Ferlie et al, 2012).

Inconsistencies in the assessment of the good character of nursing and midwifery students puts the public and the reputation of the professions at risk. If the self-government techniques promoted in The Code are to work effectively in controlling the behaviour of students a better understanding of how good character is assessed in this population is needed and was the focus of this study.

3. THE STUDY

3.1 Aims

The aim of this study was to explore the perspectives of decision-makers in relation to the factors influencing the assessment of continued good character in nursing and midwifery pre-registration students.

3.2 Design

This study employed a wholly qualitative iterative survey design through a modified Delphi approach in the interpretive paradigm.

3.3 Ethical Considerations

This study was approved by the local university ethics committee prior to study commencement.

3.4 Participants/Study Group

An expert participant group was purposively sampled from twenty-six UK HEIs against specific eligibility criteria (Box 1), which identified a combination of both knowledge and experience of the phenomenon of interest. Snowball sampling was also employed, as the initial HEI contact was asked to forward the email onto other potential participants from both academia and practice.

Insert Box 1 here

30 academics (25 nurse and 4 midwifery academics) and four nurse practitioners from England and Wales responded. There were no respondents from Scotland or Northern Ireland and no midwifery practitioners. 33 participants engaged with at least one round of the study and 22 participants engaged with all three rounds.

3.5 Data Collection

Data were collected between February 2016 and July 2016 through the distribution of an iterative online questionnaire in three Delphi rounds. For each round an email was sent, which included a brief overview of the study and a secure link to the SurveyMonkey® software platform.

A pragmatic decision was made to conduct a maximum of three Delphi rounds, as this would be sufficient to enable the iterative process to take place whilst not contributing to participant fatigue and/or non-response (Keeney, Hasson and McKenna, 2006). The results from each round informed the development of the questionnaire for the next round and included verbatim feedback from other participants. The iterative rounds of the modified Delphi allowed time for the participants to reflect upon their responses, which was important in terms of developing an understanding of the assessment of good character. The Delphi method enabled the participants' assumptions, values and beliefs to be challenged through a socially interactive process that did not involve face-to-face interaction, avoiding the potential for power relationships to occur in a face-to-face situation (Fletcher and Marchildon, 2014).

A round by round response rate of at least 70 percent is generally recognised as acceptable in Delphi studies (Keeney, Hasson and McKenna, 2011). The round by round response rate in this study was good, as detailed in Box 2. The overall response rate from round one to round three was 67 percent, leaving a final sample size of 22 participants and indicating an overall attrition of 33 percent, which could have affected the quality of the data collected and the overall analysis.

Insert Box 2 here

The format of each of the Delphi rounds is detailed in Box 3

Insert Box 3 here

3.6. Data analysis

Data from each round was collated into an excel spreadsheet ready for data analysis. Due to the iterative nature of Delphi, each round has to be analysed in turn to facilitate the communication process by informing and enriching the next round questionnaire and the discussion. Braun and Clarke's (2006) stages of thematic analysis were used to structure the analytical process, although modification to allow for repeated analysis of each iterative round were made to accommodate its use. Upon completion of all rounds, an overall analysis of the data was undertaken to try to interpret meaning.

3.7 Trustworthiness

All research must demonstrate that it is credible and reliable. This study was a qualitative, interpretive modified Delphi study and so criteria for qualitative studies in terms of trustworthiness were used (Polit and Beck, 2017). Trustworthiness in qualitative research, as with the Delphi approach generally, can be maintained through evidence of a clear justification for the methodological approaches used (Holloway and Galvin, 2017; Fletcher and Marchildon, 2014). Trustworthiness has been achieved in this study through the provision of a detailed audit trail of the study. Dependability and confirmability are maintained through the provision of accurate accounts of the participant feedback (Holloway and Galvin, 2017), which was achieved by the inclusion of verbatim participant feedback in the second and third round and in the findings presented. Accounts of researcher reflexivity were also collated.

4. FINDINGS AND DISCUSSION

The findings revealed that the participants in this study considered a number of factors, not necessarily in an ordered fashion, to inform their assessment of student good character. A diagrammatic representation of the assessment of good character, as determined from the findings of this study, is presented in diagram 1.

Insert diagram 1 here

The participants did not always agree on the same outcomes for specific scenarios and may not have recognised what they were 'doing' as part of a process within the assessment of good character. However, all participants understood and held a perspective on the factors identified in diagram 1. The overall analysis of the data identified that in their assessment of

good character the participants initially determined whether or not there was a case to answer and whether the case was serious enough for referral to the university FtP panel, rather than being managed locally. In their assessment of seriousness they considered several factors that were further informed by an assessment of the student's potential for behaviour change, which was determined by the student's ability to evidence self-awareness and a duty of candour.

4.1 A Case to Answer

The assessment of good character was to a large extent determined in relation to the student's compliance with The Code, as indicated in the extract below:

"An important determinant of good character is the individual's commitment to, and compliance with, The Code" (S8)

Use of a professional code in the assessment of FtP is to some extent supported by the literature from other health and social care professions (Barlow and Coleman, 2003; Curren and Atherton, 2008; HCPC, 2014) and is a key feature within the NMC Guidance on health and character (NMC, 2019). Overall the majority of participants in this study felt that, although it was appropriate to use the registrant code, concessions should be made for the student's stage on the course with more leniencies shown towards junior students who were deemed to be still learning:

"Students should follow The Code at all times and this is continuously reinforced in theory and practice. However, they are not registrants and must be noted that they are still learning and may make mistakes" (S21)

The NMC's failure to acknowledge the status of the student in FtP policy and process makes it difficult for FtP decision-makers to consider the unready rather than the unsuitable student, for which distinctions have been identified in the literature for other professions (Lafrance et al, 2004; Brear and Dorrian, 2010). Having permission and guidance from the NMC to consider the student's stage on the course may reduce inconsistencies between HEIs in FtP decision-making and offers the opportunity for alternative outcomes, such as a suspension from studies rather than exclusion.

Whilst the FtP decision-makers in this study recognised The Code as the main point of reference for determining good character, the research evidence suggests that students and practice mentors (now practice assessors) do not have the same understanding (Haycock-Stuart et al, 2016). Failure of the NMC to recognise the student status in its FtP documentation (NMC, 2019) may be contributing towards this lack of understanding and has implications for HEIs in the prevention of FtP issues because students may not recognise when their conduct is questionable or when to self-report FtP issues.

4.2 Determining Seriousness

Within this study seriousness appeared to be measured using a risk-based approach to consider: any actual or potential harm caused; any detrimental effect upon the reputation of the profession; consideration of the student's stage on the course; and the potential for repetition of behaviour and for future harm if the misconduct were repeated. A risk-based

approach to determining seriousness has been confirmed in previous publications and some of the factors identified in this study have been reported in various publications (Barlow and Coleman, 2003; Ginsburg et al, 2004; Johnstone and Kanitsaki, 2005; CHRE, 2008; Curren and Atherton, 2008; Stevens et al, 2010; Haycock-Stuart et al, 2014) but not all factors have not been reported in one study.

If the misconduct were deemed too serious, participants stated that other contextual or mitigating factors would have little influence upon the decision to refer the student to the FtP panel, which has previously been identified (Haycock-Stuart et al, 2014):

"mitigating factors are appropriate to sometimes consider. In some circumstances such as dishonesty/ falsifying documents/theft then this is not relevant as potentially may impact upon patients" (S14)

"It is actually the action/behaviour that is being investigated regardless of what led to that behaviour" (S19)

However, further review of the data suggested that the participants were not always aware of what influenced their assessment of good character or the extent to which they took account of the context of the situation. For example, the perception of honesty and integrity initially appeared to be an absolute measure of good character amongst some participants in their feedback but this was not always borne out in their decisions regarding FtP in relation to the specific scenarios presented. When presented with two scenarios where dishonesty was the main factor the participants appeared to be significantly influenced by the context of the situation rather than the conduct itself, particularly upon the potential impact upon the public and evidence that the student demonstrated a duty of candour in self-reporting the issue.

The findings seem to suggest that even though the seriousness of the misconduct was deemed as more important than contextual and mitigating circumstances by the participants when asked directly, determining the level of seriousness was not straightforward. It was influenced by other contextual factors, including moral beliefs regarding what is right or wrong, the student's stage on the course and the potential for behaviour change, adding further complexity to the decision making process. Although this specific finding in relation to the decision-makers' understanding of their assessment of good character has not been reported previously, the complexity of the FtP decision-making process and the need to consider a range of factors to build a picture of the student when determining good character is supported elsewhere in the literature (Johnstone and Kanitsaki, 2005; Curren and Atherton, 2008; Stevens et al, 2010; Haycock-Stuart et al, 2014).

When determining seriousness, the potential for behaviour change was an important consideration and was influenced by a number of factors: the student's ability to demonstrate self-awareness and honesty and integrity in relation to a duty of candour.

4.2.1 Self-awareness

Evidence of critical self-awareness appeared to be used as a potential predictor of future behaviour with those demonstrating self-awareness deemed less likely to repeat the misconduct:

"It (self-awareness) is certainly very important, as it may indicate whether there is likely to be a recurrence of the problem" (S5)

Self-awareness also appeared to relate to the student's ability to demonstrate insight, which was frequently cited as an important factor in the assessment of good character:

"Evidence of the student's insight and understanding of the issues, concerns or problems and their attempts to remediate their conduct and behaviour is a crucial part of the student's critical self-awareness" (S8)

This is supported by the current literature across the broader health professions identifying self-awareness as a key characteristic for determining professional suitability (Lafrance et al, 2004; Johnstone & Kanitsaki, 2005; Brear & Dorrian, 2010; Stevens et al, 2010; Haycock-Stuart et al, 2014).

Interestingly, in response to the vignettes in round one, if a student failed to seek support in relation to mitigating circumstances affecting their performance, this was deemed to reflect a lack of self-awareness in terms of insight and the participants appeared to be less willing to take the mitigating circumstances into account:

"There are mechanisms in place to support her (mitigating circumstances) however, she failed to use them" (S4)

Participants in this study repeatedly referred to reflection as a means of determining whether the student was able to demonstrate insight and learn from the situation:

"Certainly the student's ability to be critically reflective of the situation with clear ideas of what actions are to be implemented to safe guard and prevent a similar situation from occurring again should play a dominant feature" (S30)

"Reflection is a tenet of revalidation and held in regard by the profession, it should always be supported alongside any other appropriate sanction" (S16)

Demonstrating insight and learning from the situation was also frequently associated with the student's ability to express remorse:

"has recognised his mistake and has been open and honest about the situation. He has already learned from his error and is remorseful" (S17)

"Evidence of remorse and understanding of the professional issues" (S18)

However, some participants found it difficult to know whether the student was just saying what is expected of them:

"it is not necessarily about just saying the right thing - doing the right thing is also important, but even more difficult to make a judgement about whether what is said is meant/felt" (S20)

There was no evidence that the participants in this study understood the difference between remorse based upon shame or guilt or that they looked for epistemological rather than ontological reflection, as suggested in the literature (Rolfe and Gardner, 2006; Tangney et

al, 2011). If epistemological reflection evidencing remorse based upon guilt is to be used effectively as a means of assessing good character, and as an indicator of likely repetition of future behaviour, FtP decision-makers need to be educated about this. It is also important to note that students who have not been given the opportunity to develop the skill of epistemological reflection during the programme, or are less academically skilled, may be disadvantaged as they may find it difficult to evidence the good character requirements within the FtP process.

4.2.2 Honesty and Integrity – Duty of Candour

A further consideration when identifying the potential for behaviour change was the student's ability to demonstrate honesty and integrity through a duty of candour:

"she has failed to own up to a breach when confronted, this compounds the worry about honesty" (S5)

"attended University straight away to report the situation which demonstrates honesty and integrity" (S26)

Honesty, as a factor to take into account when assessing good character, is a key component of the NMC discourse (NMC, 2015; 2019) and has been reported in the FtP research literature (Ginsburg et al, 2004; Currer and Atherton, 2008; Haycock-Stuart et al, 2014) but it has not been discussed in the literature in relation to the professional duty of candour.

4.3 Ongoing Support Following Fitness to Practise Concerns

The provision of formal follow-up following a FtP concern did not occur in some HEIs and the nature of any follow-up has not been discussed in the literature. There were varying practices in terms of student follow-up: from nothing in some HEIs unless a further misconduct occurred, to putting all FtP students on a monitored action/behaviour plan. Feedback from the participants in this study indicated that the latter option of a monitored action/behaviour plan evidenced through ongoing reflection and possible coaching was preferable:

"I agree, more needs to be done on an on-going basis but also specific interventions perhaps at a less serious level to support development- coaching for example" (S10)

Haycock-Stuart et al (2014) and MacLaren et al (2016) identify stages to the FtP process, finishing with the university FtP committee hearing. However, the university FtP committee hearing may not result in discontinuation from the course and the literature does not identify a process or requirement for any formal follow up to ensure that students understand what is expected of them to meet the FtP requirements if they are allowed to continue on the course. A lack of formal follow-up could impact upon whether there is any lasting change in a student's behaviour, which may result in future FtP concerns, either as a student or registrant.

5. LIMITATIONS

The iterative process of the Delphi approach meant that measures had to be taken to optimise the response rate. Despite these measures the overall attrition from round one to round three was 33 percent, which may also have affected the findings. It was not possible to undertake any meaningful analysis against the professional groupings due to the low numbers of midwifery academics and practitioners that took part in the study. Very few nurses or midwives from the practice setting engaged in the study, which may have also affected the findings, as practitioners may have given a different perspective. The online data collection tool may have limited the participants' ability to clarify their understanding, which may have affected their responses to some themes. The addition of a round four focus group to explore and discuss the overall analysis would have benefitted this study by providing an opportunity for more in-depth discussion on some of the key issues raised, such as remorse and reflection.

6. CONCLUSION

There was some evidence of a lack of conceptual understanding of good character, which may have been exacerbated by the failure of the NMC to recognise the student status in its FtP guidance (NMC, 2019). The assessment of good character in nursing and midwifery pre-registration students appears to be heavily influenced by contextual factors including moral beliefs, student's stage on the course and the student's ability to demonstrate self-awareness through reflection and remorse, and honesty and integrity through a duty of candour. It is important that training for FtP decision-makers incorporates an understanding of these factors to promote fairer and more consistent FtP decision-making between HEIs in the future.

These findings are identified as important for promoting fairness, transparency and rigour in relation to the assessment of nursing and midwifery student good character, which may assist in maintaining public protection, trust and confidence in the nursing and midwifery professions in the future. The findings from this study are also important to recognise internationally, as the assessment of fitness to practise is a global activity supporting regulation of the nursing and midwifery professions. Whilst this study adds significantly to the evidence base in relation to the good character requirement, more research is needed in this area.

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Boxes and Tables

Box 1 Participant Eligibility Criteria

- A registered nurse or midwife academic or practitioner.
- Actively involved in decision making processes related to the good character requirement for nursing and/or midwifery students, as part of higher education institution FtP processes.
- Been involved in at least three FtP cases relating to the good character requirement: either at the investigatory stage, faculty/school level panel or university level panel.

Box 2 Round by Round Response Rate

- Round 1 - 87 percent (27 responded out of 31 (2 pilot participants, not invited to complete round 1, as the data from the pilot study was used)
- Round 2 - 86 percent (25 responded out of 29 (incl. 2 pilot participants)
- Round 3 - 88 percent (22 responded out of 25)

Box 3 The Delphi Rounds

	Requirements of participants in each round	Number of participants in each round
Pilot Study	Some amendments made to case studies for round one and also to feedback requested from participants.	2 responses 1 non-response
Round 1	<p>Questionnaire consisting of:</p> <ul style="list-style-type: none"> • General demographic questions and professional experience • Four vignettes based on real FtP cases to assist participants in identifying factors that they may bring to bear in FtP decision-making <p>Each participant presented with a vignette and asked whether they would refer to University Fitness to Practise panel. Asked to give detailed reasons for their answer.</p>	<p>Pilot participants excluded from this round</p> <p>27 responses 4 non-responses</p>
Round 2	<p>Questionnaire consisting of:</p> <p>Themes identified from the round one data. Participants asked to consider nine factors that may affect FtP decisions. Provocative statements produced in relation to each theme for participants to consider along with verbatim quotes from round 1 data that supported a range of perspectives.</p>	<p>25 responses 4 non-responses</p>

	Participants asked to briefly discuss each statement.	
Round 3	<p>Questionnaire consisting of:</p> <p>The nine themes from round two re-presented to the participants. Each statement supplemented with participant's own feedback from round 2 and a selection of feedback from other participants.</p> <p>Participants asked if they wanted to change their round two response based on the feedback received and if so, why</p>	<p>22 responses</p> <p>3 non-responses</p>

Diagram 1: Determining Seriousness in the Assessment of Good Character

