

Guidance for New Nurse and Midwife Registrants

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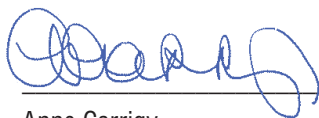


An Bord Altranais

Foreword

Welcome to the profession of nursing and midwifery within Ireland. Nurses and midwives make a significant contribution to society in providing safe quality health care. An Bord Altranais has developed this guidance document to assist you as a first time registrant to understand your role as a professional nurse or midwife and give you an overview of the functions of the regulator (An Bord Altranais). I hope you find this publication useful.

Wishing you well in a rewarding and fulfilling career.

A handwritten signature in blue ink, appearing to read 'Anne Carrigy', is written over a horizontal line.

Anne Carrigy
President, An Bord Altranais

Introduction

An Bord Altranais (the Nursing Board) is the statutory regulatory body for the nursing and midwifery professions, with responsibility for the registration, regulation and education of nurses and midwives in Ireland. The functions of An Bord Altranais are defined in the *Nurses Act, 1985* (Government of Ireland, 1985). These functions relate to the promotion of high standards of professional education and training and professional conduct among nurses and midwives, and include:

1. Maintaining the Register of Nurses and Midwives;
2. Ensuring the provision of both pre-registration and post-registration nursing and midwifery education in accordance with the relevant Requirements and Standards;
3. Ensuring that education and training programmes comply with European Union (EU) Directives on general nursing;
4. Operating fitness to practise procedures; and
5. Providing guidance to the professions.

Protecting the public in matters relating to nursing and midwifery is implicit in the functions of An Bord Altranais. Under the *Nurses Act, 1985*, the Board is accountable and responsible to the Minister for Health and Children, the public and the professions, for providing and maintaining a safe, appropriate and responsive system for professional regulation and guidance to nurses and midwives.

Registration assures the patient¹, the general public, employers and colleagues of the registrant's accountability to An Bord Altranais in meeting and maintaining the competencies and standards of the nursing and midwifery professions. An Bord Altranais believes that the information and guidance offered in this publication provides the required professional knowledge to enable the new registrant to become familiar with the role of a professional registered nurse or midwife and with the functions of An Bord Altranais.

This Guidance provides an overview of:

- Registration
- Clinical Practice
- Language Competence
- Responsibilities to Students and Junior Colleagues for Education and Training
- Fitness to Practise

¹ The word patient also represents client and service user in this document.

Registration

The titles of nurse and midwife are protected under the *Nurses Act, 1985*². A person cannot call themselves, or use the title of, nurse or midwife without being registered with An Bord Altranais. The individual must be registered with An Bord Altranais in order to commence employment or practice as a nurse/midwife in Ireland.

Registration assures the public, employers and colleagues of the registrant's accountability to An Bord Altranais in meeting and maintaining the competencies and standards of the professions.

When a successful applicant's name is placed on the Register, the following documentation will be sent to the individual:

- Registration Certificate for the Division in which registration has been granted
- Annual Retention Card which includes a Personal Identification Number
- Application form for An Bord Altranais badge
- Direct Debit mandate for future Annual Retention Fee payments
- Relevant publications issued by An Bord Altranais.

Each nurse/midwife is required to pay an annual retention fee to maintain her/his active registration. The Registration Department notifies all registrants each November of this annual requirement for fee payment, which is due on the following January 1st. It is the responsibility of each practicing nurse/midwife to maintain active registration, as evidenced by payment of the annual retention fee. Non-payment of the retention fee will lead to erasure of the individual's name from the Register of An Bord Altranais.

The nurse/midwife must communicate in writing, any change of name or address to An Bord Altranais to ensure accuracy of Register information for any future contact. The Personal Identification Number (PIN) must be provided in all correspondence with An Bord Altranais.

If any registration document (and/or PIN card) is lost or stolen, the nurse/midwife must report this immediately to An Bord Altranais.

An Bord Altranais maintains an Inactive File for registered nurses/registered midwives who declare that they are not actively practicing or employed in the nursing or midwifery profession in Ireland³.

Any individual can check the registration status of a nurse or midwife by accessing the Online Register at www.nursingboard.ie

² The Act states that "nurse" means a woman or a man whose name is entered in the Register and includes a midwife and "nursing" includes "midwifery".

³ The Application Inactive File form must be completed and submitted to the Nursing Board in order for the registrant's name to be placed on the Inactive file.

Clinical Practice

As a registered professional the nurse/midwife has a duty of care to ensure safe clinical practice in the work setting/environment.

Nurses and midwives must ensure that the care of the patient is their primary concern. The aim of nursing and midwifery professions is to provide the highest standard of care to patients. Therefore, nursing and midwifery practice should be based on the principles of professional conduct as outlined in *The Code of Professional Conduct for each Nurse and Midwife* (An Bord Altranais, 2000a).

The purpose of the Code is to provide a framework to assist each nurse and midwife to make professional decisions, carry out her/his responsibilities and maintain high standards of professional conduct. It makes explicit that each registered nurse and midwife is accountable for her/his own practice.

An Bord Altranais has published guidelines for nurses and midwives to facilitate their decision-making in the context of professional practice and regulation. These guidance documents aim to support a nurse or midwife in determining her/his scope of practice in association with related legislation and health care policy.

The *Scope of Nursing and Midwifery Practice Framework* (An Bord Altranais, 2000b) provides nurses and midwives with professional guidance and support on matters relating to clinical practice. The term 'scope of practice' refers to the range of roles, functions, responsibilities and activities, which a registered nurse and midwife is educated, competent, and has the authority to perform.

This guidance document provides a decision-making framework to assist nurses and midwives in making decisions about the scope of their clinical practice. Each individual nurse and midwife has a responsibility to make decisions about her/his own scope of practice. These decisions can be complex and involve the consideration of a number of factors which include competence, accountability, and the support and resources/structures available.

Continuing professional development through continuing education enables nurses/midwives to maintain and further develop their competence necessary for the practice environment. Continuing education takes place after completion of the pre-registration education programme and consists of planned learning experiences designed to augment the knowledge, skills and attitudes/values of a nurse/midwife.

The framework also provides principles which should be used to review, outline and expand the parameters of practice for nurses and midwives. It aims to support and promote evidence-based best practice for all nurses and midwives to ensure protection of the public in the timely delivery of safe, quality health care in Ireland.

Additional guidance publications provided by An Bord Altranais for clinical practice

include:

- *Practice Standards for Midwives* (2010)
- *Professional Guidance for Nurses working with Older People* (2009)
- *Guidance to Nurses and Midwives on Medication Management* (2007)
- *Guidance to Nurses and Midwives Regarding Ethical Conduct of Nursing and Midwifery Research* (2007)
- *Guidance to Nurses and Midwives with regard to Strike Action* (2006)
- *Guidance to Nurses and Midwives with Serious Contagious/Infectious Diseases* (2004)
- *Recording Clinical Practice Guidance to Nurses and Midwives* (1st edition, 2002)
- *Guidance to Nurses and Midwives on the Development of Policies, Guidelines and Protocols* (2000)

Each nurse and midwife should be familiar with these and other publications of An Bord Altranais relating to nursing and midwifery practice (see References and Additional Reading at the end of this Guidance). All are accessible to view and download via www.nursingboard.ie. Three interactive e-learning programmes covering the scope of nursing/midwifery practice, competence assessment and medication management are also available for viewing on the website.

Language Competence

Effective, safe and ethical nursing/midwifery practice is based upon the registrant's competence to integrate knowledge and clinical practice. English is the primary language for communication in Ireland. The ability to effectively communicate in English to and with patients, family/carers and other members of the health care team is a fundamental competency for all registered nurses and midwives working in Ireland (regardless of where their education and training took place or whether their first language or primary mode of expression is English or not).

Each registered nurse/midwife should be competent in English to:

- Communicate safely and effectively with patients and their families in one-to-one and group situations
- Assist patients to communicate their needs and make informed decisions
- Recognise and alleviate barriers to effective communication
- Communicate effectively with other members of the health care team
- Establish and maintain accurate, clear, objective and current patient records within

a legal and ethical framework

- Use best evidence to support practice.

For EU registration applicants: Under EU Directive (2005/36/EC) on the recognition of professional qualifications, a nurse or midwife should have knowledge of the country's language(s) in order to practice as registered nurse/midwife in that country. An Bord Altranais does not assess the language competence of EU applicants as a prerequisite to registration. Employers may assess an individual nurse or midwife's English language competency or may require formal certification of such competence.

For Non-EU registration applicants: An Bord Altranais requires non-EU registration applicants, whose first language or primary mode of expression is not English, to meet minimum standards in one of the two tests, IELTS or TOEFL/TWE/TSE⁴.

Responsibilities to Students and Junior Colleagues for Education and Training

All registered nurses and midwives have a responsibility to support the learning and practice of students and junior colleagues in clinical practice. Guidance to facilitate the professions' responsibility for clinical teaching is provided in the *Guidelines on the Key Points that may be considered when Developing a Quality Clinical Learning Environment* (An Bord Altranais, 2003).

The aim of learning in clinical practice is to enable students to develop the domains of competence (An Bord Altranais, 2005) and become safe, caring, competent decision-makers, willing to accept personal and professional accountability for evidence-based nursing/midwifery care.

Facilitating learning through experience and providing guidance, support and supervision are fundamental to learning in clinical practice. Students learn primarily through the care experience they encounter and the extent of support provided. Each nurse/midwife has the responsibility to provide students with clinical support to help them question and critically reflect on practice and develop autonomy in decision-making to enable them become safe, caring competent nurses/midwives (An Bord Altranais, 2003).

The clinical learning environment can significantly impact upon student learning and it is possible to facilitate quality clinical learning by promoting factors that enhance and discourage those that restrict. The broad standard for the clinical practice placement is that it must provide experience, support and supervision commensurate

⁴ IELTS is the International English Language Testing System (academic test). TOEFL/TWE/TSE refers to the Test of English as a Foreign Language/Test of Written English/Test of Spoken English

with enabling the students to meet the learning outcomes of the programme.

Following on the recommendations of the Nursing Education Forum, each student nurse/midwife should be assigned a named preceptor during a clinical practice placement. A preceptor is a registered nurse who is prepared to guide and direct student learning. The preceptor acts as a role model. All nurses and midwives who act as preceptors and support students should have completed a teaching and assessing and preceptorship in clinical practice programme to enable them to support, guide and assess students and assist them to learn the practice of nursing and midwifery (An Bord Altranais, 2005).

Fitness to Practise

Protection of the public is a key responsibility of An Bord Altranais and its fitness to practise functions provide the regulatory framework for determining whether or not a nurse/midwife is fit to practise. Nurses and midwives may, at some point in their professional careers, be involved in fitness to practise matters, perhaps as the subject of a complaint, as the person making a complaint or acting as a witness at an inquiry. An application to An Bord Altranais for a fitness to practise inquiry may be made on the grounds of:

- a) Alleged professional misconduct; and/or
- b) Alleged unfitness to engage in nursing/midwifery practice by reason of physical or mental disability.

A wide range of actions, inactions and behaviours may constitute professional misconduct. These generally fall into a number of broad categories, which include issues relating to competence, clinical practice especially medication management and behaviour in relation to patients and others. The standard of conduct is determined by *The Code of Professional Conduct for each Nurse and Midwife* (An Bord Altranais, 2000a) and other guidance documents published by An Bord Altranais. National and local policies and guidelines, in tandem with evidence-based nursing/midwifery practices, also contribute to establishing the standard of conduct for a registered nurse or midwife.

Nurses and midwives who are found to be unfit to practise due to a physical and/or mental disability may have a drug and/or alcohol dependence which has contributed to this disability. The individual may have a physical or a mental health problem that leads her/him to behave in an inappropriate manner or provide a less than acceptable standard of patient care, constituting professional misconduct. Examples include attending for work in an unfit state and misappropriation of drugs/prescription pads.

The procedure for conducting an inquiry in determining whether a nurse/midwife is

unfit to practise is briefly outlined below.

1. A letter of complaint is sent to An Bord Altranais about an individual nurse/midwife. Anyone can make a complaint or report alleged misconduct of a nurse/midwife. The complainant may be an employer, a colleague, a student, patient or her/his family, or a member of the public. An Bord Altranais itself may initiate a complaint.
2. An Bord Altranais will establish that the named person is registered with the Board. The complainant is asked to confirm on what grounds they wish to make an application for inquiry:
 - a) Alleged professional misconduct; and/or
 - b) Alleged unfitness to engage in nursing/midwifery practice by reason of physical or mental disability
3. After the complainant has identified these grounds, the application for inquiry is sent to the named nurse/midwife inviting a response to the Fitness to Practise Committee in relation to the complaint/allegations.
4. Documentation is forwarded to the Fitness to Practise Committee of An Bord Altranais with the correspondence received from both parties. Based upon this information, the Committee will determine whether there is sufficient cause for holding an inquiry. (If there is insufficient cause for an inquiry this decision by the Committee must be confirmed by the Board after its review of the matter.)
5. Once determined that an inquiry will take place, a Notice of Inquiry is prepared which includes:
 - The identity of the nurse/midwife who is the subject of the complaint
 - The identity of the applicant and the grounds on which the complaint is made
 - Details of the specific allegations being made about the nurse/midwife
 - Names of the witnesses who will give evidence
 - The Inquiry date and location.
6. During an inquiry, those usually present include: the Fitness to Practise Committee, its legal advisor and the Chief Executive Officer team. The nurse/midwife who is subject of the inquiry has the choice of attending or not. If attending, the nurse/midwife has the right to be accompanied by representatives.
7. When the inquiry is concluded, the Committee prepares a report for the Board's consideration. The report details every allegation and whether or not they were proven; the basis for the Committee's decision regarding each allegation; whether the nurse was found guilty or not of professional misconduct and/or unfit to practise by reason of physical or mental disability; and the sanctions, if any, it is

recommending to the Board. The Board has the power to accept or reject the findings of the Fitness to Practise Committee.

8. A copy of the report is sent to the nurse/midwife and her/his representatives, along with the transcript of the inquiry. They are invited to attend the Board meeting at which the report will be considered and are given an opportunity at the meeting to address the Board regarding the report.

If the nurse/midwife is found guilty or unfit to practise because of either a) professional misconduct; or b) unfitness to engage in nursing/midwifery practice by reason of physical or mental disability or c) both, An Bord Altranais may impose one or more of the following sanctions which include:

- a) Erasure from the Register
- b) Suspension from the Register
- c) Attachment of Conditions to Registration
- d) Censure
- e) Advise
- f) Admonish.

The first three sanctions must be confirmed by the High Court.

The findings and decisions following Fitness to Practise Committee Inquiries may be reported in An Bord Altranais News and on the website.

This information is also communicated to the nurse's/midwife's employer and other regulators.

This summary is for general information; it does not provide a legal interpretation of the *Nurses Act, 1985* and/or the conduct of inquiries. Detailed information regarding fitness to practise is contained in An Bord Altranais Newsletters of Summer and Winter 2007 (An Bord Altranais, 2007a and 2007b), which may be viewed and downloaded via www.nursingboard.ie. The website also contains a section on Reporting Misconduct.

References

An Bord Altranais (2000a) *The Code of Professional Conduct for each Nurse and Midwife*. Dublin: An Bord Altranais.

An Bord Altranais (2000b) *Scope of Nursing and Midwifery Practice Framework*. Dublin: An Bord Altranais.

An Bord Altranais (2003) *Guidelines on the Key Points that may be considered when developing a Quality Clinical Learning Environment*. Dublin: An Bord Altranais.

An Bord Altranais (2005) *Requirements and Standards for Nurse Registration Education Programmes. 3rd Edition*. Dublin: An Bord Altranais.

An Bord Altranais (2007a) *Fitness to Practise: what does it mean for nurses and midwives*, News An Bord Altranais, Summer 2007.

An Bord Altranais (2007b) *Fitness to Practise Inquiries: what happens before, during and after an Inquiry*, News An Bord Altranais, Winter 2007.

Government of Ireland (1985) *Nurses Act, 1985*. Dublin: The Stationery Office.

Additional Reading

An Bord Altranais (2010) *Practice Standards for Midwives*. Dublin: An Bord Altranais.

An Bord Altranais (2009) *Professional Guidance for Nurses Working with Older People*. Dublin: An Bord Altranais.

An Bord Altranais (2007) *Guidance to Nurses and Midwives on Medication Management*. Dublin: An Bord Altranais.

An Bord Altranais (2002) *Recording Clinical Practice – Guidance to Nurses and Midwives*. Dublin: An Bord Altranais.

An Bord Altranais (2000) *Review of Scope of Nursing and Midwifery Practice. Final Report*. Dublin: An Bord Altranais.

An Bord Altranais (2000) *Guidance to Nurses and Midwives on the Development of Policies, Guidelines and Protocols*. Dublin: An Bord Altranais.

An Bord Altranais Departments

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