**1983 No. 56**

## NURSES AND MIDWIVES

### Midwives Rules Approval Order (Northern Ireland) 1983

*Made* . . . . . *22nd March 1983*

*Coming into operation* . . . *26th April 1983*

WHEREAS the Northern Ireland Council for Nurses and Midwives has, in exercise of its powers under Sections 18, 20, 33, 37, 38 and 52 of the Nurses and Midwives Act (Northern Ireland) 1970(a) made the Midwives Rules 1982 and has submitted them to the Department of Health and Social Services (in this order referred to as the Department) for approval; and whereas the said Rules have in accordance with Section 52(3) of the said Act been submitted to the Executive Committee of the General Medical Council and no representations have been made by them:

NOW, THEREFORE, the Department in exercise of the powers conferred on it by Section 52 of the Nurses and Midwives Act (Northern Ireland) 1970 and of every other power enabling it on that behalf hereby makes the following order:

**1.** This order may be cited as the Midwives Rules Approval Order (Northern Ireland) 1983 and shall come into operation on 26th April 1983.

**2.** The Department hereby approves the Rules in the form set out in the Schedule.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 22nd March 1983.

(L.S.) *W. Young*

Assistant Secretary

(a) 1970 c. 11 (N.I.)

SCHEDULE

The Northern Ireland Council for Nurses and Midwives in exercise of its powers under Part III Sections 18, 20, 33, 37, 38 and Part VI Section 52 of the Nurses and Midwives Act (Northern Ireland) 1970, and all other powers enabling it in that behalf makes the following Rules:—

PART I

*Citation and interpretation*

1. These Rules may be cited as the Midwives Rules (Northern Ireland) 1982.

2. In these Rules the following expressions have the meanings hereby respectively assigned to them:—

"the Act" means the Nurses and Midwives Act (Northern Ireland) 1970.

"certified midwife" is a person whose name is on the Roll.

"competent authority" means an authority or body designated by a Member State in accordance with the European Economic Community Midwives Directives.

"the Council" means The Northern Ireland Council for Nurses and Midwives.

"the Department" means the Department of Health and Social Services.

"emergency" means any abnormality becoming apparent in mother and/or baby during pregnancy, labour or the postnatal and neonatal period.

"Health Services" means any service or services set up in accordance with Article 4(*a*) of the Health and Personal Social Services (Northern Ireland) Order 1972(**a**).

"index" means the index of student midwives maintained by the Council.

"local supervising authority" means a Health and Social Services Board.

"Member State" means a Member State of the European Community.

"national" in relation to a member state means the same as in the Community Treaties but does not include a person who by virtue of Article 2 and Protocol 3 (Channel Islands and the Isle of Man) to the Treaty of Accession is not to benefit from Community provisions relating to the free movement of persons and services.

"postnatal period" means a period being not less than 10, and not more than 28 days after the end of labour, during which the continued attendance of a midwife is requisite.

"Practising Midwife" is a certified midwife who attends professionally mothers and babies during pregnancy, labour, the postnatal or neonatal period, or who holds a post for which a midwifery qualification is essential.

"the roll" means the Roll of Midwifes for Northern Ireland maintained by the Council under the Act.

"student midwife" means a person whose name is entered on the Index.

"supervisor of midwives" means the person designated by the Health and Social Services Board and approved by Council in accordance with Rule 40 of these Rules.

"training school" means a school of midwifery and its associated clinical areas approved by Council in accordance with the provisions of these Rules.

3. The Midwives Rules (Northern Ireland) 1965(**b**), the Midwives (Amendment) Rules (Northern Ireland) 1967(**c**), and the Midwives (Amendment) Rules (Northern Ireland) 1969(**d**) are hereby revoked.

PART II

RULES REGULATING TRAINING, EXAMINATIONS AND ADMISSION TO THE ROLL

*Index of Student Midwives*

4.—(1) An Index of student midwives shall be maintained by the Council. When an applicant has been accepted by an approved training school as a student midwife the training

(a) S.I. 1972/1265 (N.I. 14)
(b) S.R. & O. (N.I.) 1965 No. 153
(c) S.R. & O. (N.I.) 1967 No. 326
(d) S.R. & O. (N.I.) 1969 No. 315

school shall submit to the Council on the appropriate form within 14 days of the commencement of her training an application for the inclusion of her name on the Index of Student Midwives.

(2) An applicant, before commencement of training, must produce evidence to the satisfaction of the training school that:—

(*a*) she is registered in the General Part of the Register of Nurses of the Northern Ireland Council for Nurses and Midwives or of the General Nursing Council for England and Wales or of the General Nursing Council for Scotland;

(*b*) by the date of commencement of training she will be not less than 20 or more than 50 years of age; and

(*c*) she is of good character.

(3) The Council may, in exceptional circumstances, admit to the Index of Student Midwives the name of a person who is more than 50 years of age.

(4) If a student midwife discontinues training her name shall be removed from the Index.

*Course of training*

5. A student midwife shall attend during the period of training a planned course of theoretical instruction and clinical experience which shall meet, inter alia, the requirements of the relevant European Economic Community Directive concerning the activities of midwives. This course shall provide the opportunity for the student midwife to develop the competencies required to give care throughout pregnancy, labour and the post-partum period to mother and baby by:—

(i) observing physical, emotional and social situations;

(ii) assessing and providing for the physical, emotional and social needs of the mother and/or baby and their family;

(iii) taking action on her own responsibility and instigating the action of other disciplines including seeking assistance if required;

(iv) evaluating the effect of action taken, recording and reporting results;

(v) interpreting and carrying out prescriptions;

(vi) deciding standards of care, evaluating performances and teaching others;

(vii) organising and leading a midwifery team;

(viii) working in a multi-disciplinary team with an understanding of the role of all members of the team;

(ix) communicating with patients, relatives, colleagues and other disciplines.

6. Training shall be undertaken in a period of not less than 18 months inclusive of approved annual leave and statutory/public holidays.

7. Absence from training for any reason other than as specified in Rule 6, must be made up prior to completion of training. A break in training of 4 consecutive weeks or more shall require a period of additional training as prescribed by Council from time to time. Where a break in training extends to 5 years or more no allowance will be made for previous training undertaken.

*Approval of Training Schools*

8. Training shall be undertaken at an approved training school under the supervision of midwife teachers.

9. Persons involved in the instruction of student midwives shall:—

(*a*) be qualified midwife teachers; or

(*b*) be registered clinical instructors with at least two years' practical midwifery experience; or

(*c*) have had at least two years' community midwifery experience and be approved by the Council; or

(*d*) be registered medical practitioners with a recognised specialist qualification, such persons shall instruct only in their specialised field; or

(*e*) hold a recognised qualification and/or have had experience satisfactory to the head of the training school in the relevant subject.

10. A training school shall not be approved unless it:—

(*a*) has hospital facilities and defined community areas with adequate provision for patient care;

(*b*) can constantly provide adequate experience in the total care of mothers and babies;

(*c*) has sufficient qualified midwifery staff to ensure adequate supervision and teaching of student midwives;

(*d*) has senior medical staff with specialist qualifications and experience;

(*e*) has adequate accommodation and equipment for teaching purposes;

(*f*) makes adequate arrangements to co-ordinate and integrate theoretical teaching and practical instruction in all areas where there are student midwives; and

(*g*) maintains appropriate training records.

Provided that the Council may approve any institution which does not satisfy the foregoing requirements if such action appears to the Council to be desirable in the interests of the training of student midwives or student nurses.

11. An approved training school shall be subject to inspection from time to time by officers of the Council or a competent person designated by the Council.

12. Approval shall be subject to criteria related to Rule 10 and such approval may at any time be withdrawn if there is evidence that such criteria are not being met.

13. The Council may at any time specify the maximum number of student midwives who may undergo training in an approved training school.

*Examinations*

14. The final statutory examination for admission to the Roll of Midwives shall consist of a written examination, the format of which shall be determined by the Council. The subject content of the examination shall comply with the outline syllabus as set out in Rule 5.

15.—(1) A student midwife shall, prior to and excluding the first day of the examination have:—

(*a*) completed not less than 74 weeks of the training course;

(*b*) been successful in the assessments, as approved in the training programme by the Council; and

(*c*) complied with the regulations pertaining to absence as approved in the training programme by the Council.

(2) A student midwife shall present herself for examination within 6 months of the date on which she became eligible to enter for the examination. A student midwife who does not sit for the examination in accordance with this rule may be required by the Council to undergo such further training as the Council may prescribe before presenting herself for examination. The Council may waive the observance of this Rule in the case of illness of the student or other emergency.

(3) A student midwife shall not be entitled to be admitted to the examination unless her name is on the Index and she produces a certificate to the effect that she has undergone the training prescribed in the training programme approved by the Council. Such certificate must be signed by the head of the training school, or such other person as may be designated by her.

(4) A student midwife who intends to present herself for examination must, not less than 4 weeks before the date of the first day of the examination, send notice of such intention on the appropriate form and such fee as may be determined by the Council from time to time with the approval of the Department. The certificate of training required by Rule 15(3) shall be sent to the Council at the same time. Until such documents and fee have been received and accepted a student midwife shall not be deemed to have entered for the examination.

(5) If a student midwife who has paid the fee for entry to an examination is prevented by her own illness or other emergency from completing her entry or attending at the examination, and she produces a medical certificate or other evidence satisfactory to the Council, she will be admitted to one subsequent examination without payment of further fee.

(6) Any student midwife presenting herself at the examination without her card for admission shall be liable to exclusion.

(7) A student midwife who has failed the examination and not succeeded in passing the examination immediately following the one she failed may be required to complete a period of further training of not less than 13 weeks' duration (exclusive of annual leave), before again presenting herself for a third and final attempt at the examination.

16. A candidate detected copying from another candidate's paper or seeking or receiving unauthorised information from any other source may be required to leave the examination room by the person in charge of the examination. Such a candidate will not be allowed to complete the examination, and will be liable to exclusion by the Council from all future examinations.

*Enrolment*

17. A candidate shall be admitted to the Roll and issued with a certificate in the form set out in Schedule I, provided that:—

(*a*) her name is on the index of student midwives;

(*b*) she has successfully completed the training described in Rules 5, 6 and 7;

(*c*) she has passed the examination described in Rule 14; and

(*d*) evidence of completion of training, good character and conduct during training has been submitted by the training school.

*Enrolment by Reciprocity*

18. Any midwife whose name appears on the Roll of Midwives maintained by the Central Midwives Board or the Central Midwives Board for Scotland is entitled to be admitted to the Roll and awarded the certificate as set out in Schedule II, provided that:—

(*a*) application is made on the appropriate form;

(*b*) verification of enrolment is received from the enrolling body, and such enrolment is in full force and effect; and

(*c*) such fee as may be prescribed by the Council from time to time, with the approval of the Department, is received.

*Enrolment of European Community Nationals other than United Kingdom Nationals*

19. Any midwife who is a national of a Member State of the European Community shall be entitled to be admitted to the Roll and awarded the certificate as set out in Schedule II, provided that:—

(*a*) application is made on the appropriate form;

(*b*) verification of the appropriate diploma or evidence of formal qualification as a midwife is received from the competent authority of the Member State including evidence that it is in full force and effect;

(*c*) evidence of good character and medical fitness is produced; and

(*d*) such fee as may be prescribed by the Council from time to time, with the approval of the Department, is received.

*Enrolment of Non United Kingdom Trained Midwives and Non European Community Nationals*

20. Midwives trained outside the United Kingdom who are not nationals of Member States of the European Community may be enrolled provided that:—

(*a*) application is made on the appropriate form;

(*b*) verification of enrolment is received from the enrolling body in the country where training took place and such enrolment is in full force and effect;

(*c*) evidence is produced that the training undertaken is of at least equivalent standard to training approved by the Council;

(*d*) where the training undertaken is, in the opinion of the Council, of a standard which is less than that approved by it, a midwife may be enrolled:—

(i) after undergoing to the satisfaction of the Council such further training as may be specified by it, and

(ii) after passing such examinations, if any, as may be specified;

(*e*) evidence of good character is produced; and