



STATUTORY INSTRUMENTS.

S.I. No. 218 of 2018



NURSES AND MIDWIVES (EDUCATION AND TRAINING) RULES
2018

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2018

The Nursing and Midwifery Board of Ireland, in exercise of the powers conferred on it by section 13 of the Nurses and Midwives Act 2011 (No. 41 of 2011), with the approval of the Minister for Health, hereby makes the following rules:-

Part 1
Preliminary

Citation

1. These Rules may be cited as the Nurses and Midwives (Education and Training) Rules 2018.

Commencement

2. These Rules come into operation on 25 June 2018.

Definitions

3. In these Rules—

“Act” means the Nurses and Midwives Act 2011 (No. 41 of 2011);

“standards and requirements” means the standards and requirements set out in—

(a) the standards, set and published by the Board pursuant to section 85(1) of the Act, of nursing and midwifery education and training for first time registration and post-registration specialist nursing and midwifery qualifications, and

(b) the guidelines, prepared by the Board pursuant to section 85(2)(b) of the Act, on curriculum issues and content to be included in education and training programmes approved by the Board;

“Leaving Certificate Examination” means the leaving certificate examination conducted by the State Examinations Commission;

“Recognition Rules” means the Nurses and Midwives (Recognition of Professional Qualifications) Rules 2018 (S.I. No. 220 of 2018).

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 29th June, 2018.*

Part 2

Criteria for admission to education and training programmes

Programmes for first time registration

4. (1) A person seeking admission to an education and training programme leading to first time registration in the register of nurses and midwives must—

- (a) have obtained in the Leaving Certificate Examination a minimum of Grade H5 in two papers and a minimum of Grade O6/H7 in four papers in the following subjects:
 - (i) Irish or English;
 - (ii) Mathematics;
 - (iii) a Laboratory Science Subject (Biology, Physics, Chemistry, Physics and Chemistry or Agricultural Science); and
 - (iv) three other subjects,
- (b) have achieved the equivalent minimum educational attainments to those referred to in subparagraph (a), such equivalent attainments to be adjudicated upon by the third level institution concerned,
- (c) meet the minimum educational requirements specified by the third level institution concerned for entry to the programme, provided that such requirements are not of a lower standard than those set out in subparagraph (a), or
- (d) in the case of a person who is 23 years of age or over on the first day of January of the year of admission, satisfy the Board in such manner as may be determined by it of his or her suitability to undertake the programme.

(2) The minimum educational requirements referred to in paragraph (1) may be accumulated over a maximum of two sittings of the Leaving Certificate Examination or an equivalent examination.

Return to practice programmes

5. A person seeking admission to a return to practice education and training programme for nurses or midwives must—

- (a) be registered, or have been previously registered, as a nurse or midwife with the Board, or
- (b) have his or her professional qualifications as a nurse or midwife recognised by the Board under the Recognition Rules.

Post-registration specialist programmes

6. (1) A person seeking admission to an education and training programme leading to registration in the midwives division of the register of nurses and

midwives, other than a direct entry midwifery registration education and training programme, must be registered in the general nurses division of the register.

(2) A person seeking admission to an education and training programme leading to registration in—

- (a) the nurse tutors division,
- (b) the nurse prescribers division,
- (c) the public health nurses division,
- (d) the advanced nurse practitioners division,
- (e) the children's nurses division,
- (f) the psychiatric nurses division,
- (g) the intellectual disability nurses division, or
- (h) general nurses division

of the register of nurses and midwives must—

- (i) be registered in the nurses division of the register, and
- (ii) have such clinical experience in nursing as is prescribed by the Board in the entry requirements set out in the standards and requirements.

(3) A person seeking admission to an education and training programme leading to registration in—

- (a) the midwife tutors division,
- (b) the midwife prescribers division, or
- (c) the advanced midwife practitioners division

of the register of nurses and midwives must—

- (i) be registered in the midwives division of the register, and
- (ii) have such clinical experience in midwifery as is prescribed by the Board in the entry requirements set out in the standards and requirements.

Part 3

Provision of education and training programmes

Scope of Part 3

7. This Part applies to the following programmes of education and training in nursing and midwifery (in this Part referred to as “education and training programmes”):

- (a) pre first time registration;
- (b) post-registration leading to registration or annotation; and
- (c) specialist nursing and midwifery.

Review of standards and requirements

8. (1) The Board shall review the standards and requirements at reasonable and appropriate intervals, having regard to national and international advancements in the theory and practice of nursing and midwifery and national healthcare policies and practices.

(2) Where the Board proposes to amend or replace the standards and requirements it shall publish its proposals for public consultation on its website, allowing a reasonable period of time for comment before publication of the amended or new standards and requirements.

(3) Where the Board publishes amended or new standards and requirements, a body to which approval has been granted under Rule 9 to deliver an education and training programme shall make arrangements for compliance with the amended or new standards and requirements by a date not later than the commencement of the subsequent academic year or by a date as may otherwise be specified by the Board.

Applications for approval of programmes

9. (1) An application by a body seeking approval from the Board under section 85(2)(a) of the Act to deliver an education and training programme shall be in such form and manner as may be prescribed by the Board from time to time and shall—

- (a) satisfy the Board that the programme will comply with the relevant standards and requirements,
- (b) set out minimum governance requirements relating to the delivery of the programme, including long-term commitment, staffing, premises, facilities, funding, policies, procedures and organisational structures,
- (c) incorporate an indicative syllabus that is responsive to current healthcare needs, and
- (d) have regard to the National Framework of Qualifications kept and maintained in accordance with section 43 of the Qualifications and

Quality Assurance (Education and Training) Act 2012 (No. 28 of 2012).

(2) In considering an application under paragraph (1), the Board shall confirm the accuracy of the information provided and may give notice in writing to the body requesting it to provide further information in support of its application.

(3) The Board may arrange a visit to a body which applies for approval under paragraph (1) and any associated healthcare provider for the purpose of ensuring compliance with the standards and requirements.

(4) Having considered an application under paragraph (1), and consulted with the Minister for Education and Skills, the Board shall—

(a) refuse approval,

(b) grant approval, or

(c) grant approval with such conditions as may be relevant and necessary.

(5) On approval, including approval with conditions, of a programme under this Rule, the Board shall publish a notice to that effect on its website.

Annual reports and material changes

10. (1) A body granted approval under Rule 9 to deliver an education and training programme shall, on an annual basis, provide the Board with a report in such form and manner as may be prescribed by the Board, in relation to compliance of the programme with the standards and requirements, and any conditions that the Board may have imposed under Rule 9(4).

(2) A body granted approval under Rule 9 to deliver an education and training programme shall notify the Board of any proposed material change to the programme.

Review and monitoring of programmes

11. (1) Where the Board has granted approval for delivery of an education and training programme under Rule 9, it shall subsequently, and at intervals not exceeding five years, review whether the programme continues to conform with the standards and requirements, and any conditions that the Board may have imposed under Rule 9(4).

(2) Notwithstanding paragraph (1), the Board shall monitor adherence to the standards and requirements by education and training programmes granted approval under Rule 9, and any conditions that the Board may have imposed under Rule 9(4).

(3) Having carried out a review or monitoring of an education and training programme under this Rule, the Board may—

(a) continue to approve the programme,

- (b) continue to approve the programme subject to compliance with specified conditions,
- (c) defer its decision on continued approval of the programme pending the resolution, to the satisfaction of the Board, of specified issues of concern arising, or
- (d) withdraw approval of the programme.

Visits to bodies and healthcare providers

12. (1) The Board shall appoint a team of persons with relevant knowledge and experience (“a site visit team”) to visit bodies delivering, or seeking to deliver, education and training programmes, and their associated training facilities and healthcare providers, for the purposes of—

- (a) assessing applications under Rule 9,
 - (b) carrying out reviews under Rule 11(1), and
 - (c) carrying out monitoring under Rule 11(2).
- (2) A site visit team shall include—
- (a) a member of the Board,
 - (b) an officer of the Board, and
 - (c) where necessary, an external expert or health service user.
- (3) A person appointed to a site visit team under paragraph (1) shall not have an interest that is likely to influence the outcome of the application under Rule 9, the review under Rule 11(1) or the monitoring under Rule 11(2), as the case may be.
- (4) A site visit team shall not interfere with the delivery of the education and training programme in the course of its visit.
- (5) A site visit team shall, having made a visit, report in writing to the Board.
- (6) A report pursuant to paragraph (5) may recommend that the Board—
- (a) grant its approval of a proposed education and training programme,
 - (b) continue its approval of an education and training programme,
 - (c) grant its approval of a proposed education and training programme subject to certain specified conditions,
 - (d) continue its approval of an education and training programme subject to certain specified conditions,

- (e) defer its decision on continued approval of an education and training programme pending the resolution, to the satisfaction of the Board, of specified issues of concern arising from the visit,
- (f) refuse to grant approval of a proposed education and training programme on the basis of specified reasons, or
- (g) refuse to continue its approval of an education and training programme on the basis of specified reasons.

Responses and resolutions following reporting of visits

13. (1) The Board, on receipt of a report of a site visit team under Rule 12, shall forthwith send a copy of the report to the body concerned and such body may, within such period (not being less than one month) as the Board shall specify at the time it sends the report to the body, submit to the Board its comments and observations on the factual accuracy of the report.

(2) Subject to paragraph (3), the Board may, on consideration of a report of a site visit team under Rule 12, and of any comments and observations received from the body, or any associated healthcare provider concerned, by resolution—

- (a) grant its approval of a proposed education and training programme,
- (b) continue its approval of an education and training programme,
- (c) grant its approval of a proposed education and training programme subject to certain specified conditions,
- (d) continue its approval of an education and training programme subject to certain specified conditions,
- (e) defer its decision on continued approval of an education and training programme pending the resolution, to the satisfaction of the Board, of specified issues of concern arising from the visit,
- (f) refuse to grant approval of a proposed education and training programme on the basis of specified reasons, or
- (g) refuse to continue its approval of an education and training programme on the basis of specified reasons.

(3) Where the Board proposes to adopt a resolution that, for any reason arising from the requirements of these Rules, would have the effect of refusing to grant its approval of a proposed education and training programme, or of refusing to continue its approval of a previously approved education and training programme, it shall notify the body proposing to deliver, or delivering, such programme accordingly and any such notification shall include a statement that the body has the right to make representations to the Board in response to the notification, within such reasonable period of time as specified by the Board, and the Board shall, after consideration of any representations it may receive

from the body concerned, decide whether to adopt the resolution as proposed or alter the proposed resolution.

Appeals

14. The Board shall inform a body the subject of a decision of the Board under Rule 9, 11 or 13 of the body's right to appeal that decision to the High Court under section 86 of the Act.

Part 4

Transitional provision

Transitional provision

15. Any application for—

- (a) admission to an education and training programme in nursing or midwifery, or
- (b) approval to deliver an education and training programme in nursing or midwifery

which has been submitted to the Board on the commencement of these Rules, but not yet been the subject of a decision by the Board, shall proceed as an application under these Rules.



GIVEN under the Official Seal of the Nursing and Midwifery Board of Ireland,
5 June 2018.

ESSENE CASSIDY,
President.

MARY GRIFFIN,
Chief Executive Officer.

I, SIMON HARRIS, Minister for Health, approve of the making of the foregoing Rules.



GIVEN under my Official Seal,
20 June 2018.

SIMON HARRIS,
Minister for Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Rules set down the criteria for admission to education and training programmes in nursing and midwifery. In addition, they make provision for applications by bodies seeking to deliver such programmes and a system of review and enforcement to ensure the maintenance of high standards in the delivery of such programmes.

These Rules may be cited as the Nurses and Midwives (Education and Training) Rules 2018.

These Rules come into operation on 25 June 2018.

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