

# REGULATION MATTERS

ISSUE 2 - MAY 2012

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## Commencement of the *Nurses and Midwives Act, 2011*

The *Nurses and Midwives Act, 2011* was signed into legislation on 21st December, 2011, and will provide for enhanced protection of the public in its dealings with nurses and midwives, amongst other matters. The first Commencement Order (S.I. No. 715 of 2011) came into effect on 1st January 2012, bringing into operation Sections 1 and 2 and Part 12 of the Act.

Section 1 effectively allows for the *Nurses Act, 1985* to be repealed and relevant statutory instruments to be revoked at a later date. In the meantime, An Bord Altranais continues to operate under the provisions of the *Nurses Act, 1985*. Section 2 contains interpretations of terms used within the new Act and also gives recognition to midwifery as a separate profession.

Under the provisions of Part 12 of the Act, the National Council for the Professional Development of Nursing and Midwifery has been dissolved and its assets have been transferred to An Bord Altranais. An Bord Altranais is now the data controller of the clinical nurse specialist and clinical midwife specialist files previously held by the National Council. Any queries about these files should be addressed to the Planning and Development Department. See contact details below.

### Communicating with you about the *Nurses and Midwives Act, 2011* and Related Projects

Full commencement of the various sections of the new *Nurses and Midwives Act, 2011* will

bring about many changes for An Bord Altranais and for registered nurses and registered midwives. A Planning and Development Department has been established within An Bord Altranais to ensure that the transition from operations governed by the *Nurses Act, 1985* is (1) aligned to central government policy and the *Nurses and Midwives Act, 2011* and (2) achieved in co-operation with our stakeholders.

This department has developed a new section of our website in order to provide easy access to information about the *Nurses and Midwives Act, 2011* and to projects that will emerge within the organisation.

Any queries or comments in relation to the new legislation are welcome.

Contact details:  
T: 01 639 8592  
E: [planninganddevelopment@nursingboard.ie](mailto:planninganddevelopment@nursingboard.ie)  
Web: [www.nursingboard.ie](http://www.nursingboard.ie)

### Election of a New Board

Part 4 of the *Nurses and Midwives Act, 2011* requires the Minister for Health to appoint a new board. This board will comprise twenty-

three members, eight of whom will be registered nurses and registered midwives and elected by registered nurses and registered midwives. The complement of elected registrants will represent general, children's, psychiatric, intellectual disability and public health nursing, midwifery, care of older persons, and nursing or midwifery education in the public health sector. The Minister will appoint three other registered nurses or registered midwives to the Board representing higher education and nursing and midwifery management. The incoming Board will elect a new President and Vice-President, both of whom must be a registered nurse or a registered midwife. Details of membership and meetings can be found in the Schedule on pages 80-84 of the *Nurses and Midwives Act, 2011*.

An Bord Altranais plans to conduct the election of the eight registrants electronically in order to make best use of existing resources. To find out more about the election and other aspects of the Act, please check our website for updates. You can also receive e-mail updates about the latest developments. Log on to [www.nursingboard.ie](http://www.nursingboard.ie), and click on the Update your contact information button and provide us with a current e-mail address.

New date for National Conference



The annual national conference will be held on 10 October 2012 at the Chartered Accountants House, Pearse Street, Dublin 2. The theme for this year's event is *Patient Safety through the Regulation of Nursing and Midwifery*. Online registration for the conference will open on Monday 11 June 2012.

To reserve a place for the conference please

complete the application form available on [www.nursingboard.ie](http://www.nursingboard.ie). There is a nominal fee of €20.00 to cover costs of administration and lunch. **This year, for the first time, the conference will be streamed online via our website.**

E-mail us at [conference@nursingboard.ie](mailto:conference@nursingboard.ie) should you have any further queries.

## Decisions following Fitness to Practise Inquiries

Details of the allegations proven against each of the individuals can be found on [www.nursingboard.ie](http://www.nursingboard.ie).

NAME (P.I.N.)	FINDING*	SANCTION	CONFIRMED BY HIGH COURT
<b>Ms. Marylou Leal Chenilla</b> (P.I.N. 86436)	(a)	Erasure	12/12/2011
<b>Ms. Teresita Cantillon</b> (P.I.N. 90599)	(a)	Erasure	12/12/2011
<b>Ms. Bessy Varghese</b> (P.I.N. 117529)	(a)	Conditions were attached to the retention of her name on the Register	12/12/2011
<b>Ms. Aleksandra Nyga-Kadoury</b> (P.I.N. 118720)	(a)	Censured Conditions were attached to the retention of her name in the Register	12/12/2011
<b>Ms. Rhona Delia O'Connor</b> (P.I.N. 99976)	(a)	Advised in relation to her professional conduct	n/a

\*(a) is 'Professional misconduct' (b) is 'Unfitness to engage in such practice by reason of physical or mental disability'

## Fitness to Practise Inquiries 2006 – 2010 'Clinical practice/Competence' cases - what can be learned?

The role of An Bord Altranais is to protect the public through the promotion of high standards of education and training and professional conduct among nurses and midwives. As part of that role, An Bord Altranais has a statutory responsibility to carry out inquiries into the fitness to practice of nurses and midwives. If allegations are made that a nurse/midwife is guilty of professional misconduct and/or unfit to practice by reason of physical or mental disability and where the Fitness to Practise Committee has decided that there is sufficient cause to warrant the holding of an inquiry, then an inquiry will be held. An inquiry is held in approximately 55% of cases referred to An Bord Altranais.

An Bord Altranais recently carried out a review of 115 Fitness to Practise Inquiries commenced during the period from January 1, 2006 to December 31, 2010. The purpose of the analysis was to identify patterns and trends and in particular to look at what An Bord Altranais registrants and employers might learn from that analysis. The key issues in the inquiries were broadly categorised as follows:

- Clinical practice/Competence.
- Behaviour.
- Drug/alcohol abuse.
- Failure to adhere to conditions.

In this issue of Regulation Matters the results of the analysis in relation to what are categorised as 'Clinical practice/Competence' cases is presented. Future editions will focus on other aspects of the analysis.

### Clinical practice/Competence Cases

Competence has been defined as the ability of the registered nurse or registered midwife to practice safely and effectively fulfilling his/her professional responsibility within his/her scope

of practice (An Bord Altranais, April 2000). Clinical Practice/Competence issues were the basis for approximately one-third of the 115 Inquiries examined and in some cases there were also linked behavioural issues. The competence cases fell into one of two categories:

1. There was a pattern of multiple episodes of incompetent practice by the registrant. Allegations of incompetence on the part of a registrant usually only become the subject of a complaint to An Bord Altranais if they are of an intractable nature, that is, there have been numerous instances over a period of time of a poor standard of professional practice that have not been addressed by measures put in place at a local level e.g. education and clinical support and supervision. Reluctance on the part of the registrant to acknowledge limitations and/or attempts to conceal poor practice compounded the seriousness of some of these cases. The recurrent areas of incompetence were:
  - medication management
  - infection control
  - pressure area care
  - written and verbal communication
  - use of out-of-date practices, and
  - poor judgment regarding scope of practice decision-making.
2. In other cases there was a single episode of care where the standard provided fell seriously below that expected of a nurse/midwife. In some cases, single episodes of care involved more than one registrant, e.g. all the nurses, including the nurse-in-charge, involved in the care of a particular patient on a particular shift. Some of the areas of poor practice found were:

- failure to adequately monitor or recognise a patient's changing condition
- failure to recognise or respond appropriately when a patient is not responding to treatment
- failure to seek medical assistance in a timely manner and
- failure to communicate appropriately with other members of the healthcare team, senior managers, the patient or the patient's family.

### Addressing incompetence

If concerns about competence arise in a nurse/midwife, especially someone who has not previously given cause for concern, consideration should be given to the possibility of health or personal issues impacting on performance. Referral to occupational health or employee assistance programmes may be appropriate.

Concerns about the competence of a nurse/midwife should be addressed by a structured programme of education, clinical supervision and support with regular feedback and dialogue with the nurse/midwife. This should all be clearly documented. If the possibility of interpersonal issues or conflicts exists, consideration should be given to moving the nurse/midwife to another ward/unit to see if this addresses the concerns. Patient safety should underpin all of these actions.

### Medication management

A significant number of cases involved issues relating to medication management, particularly medication errors or near-miss errors. This does not however mean that a nurse/midwife who makes an isolated medication error should be the subject of a fitness to practise referral. Medication errors occur in all healthcare settings. An Bord Altranais supports the management of such errors at local level through a risk management process aimed at preventing recurrence.

*Continued on page 6*

# Review of Undergraduate Nursing and Midwifery Degree Programmes

The Department of Health has commenced a review of the undergraduate nursing and midwifery degree programmes. The purpose of the review is to establish their efficiency and effectiveness in preparing nurses and midwives to practice in the Irish healthcare system now and into the future. The review is being guided by a Review Group representing key stakeholders and is being chaired by Professor Martin Bradley. The work of the review group consists of the following elements:

1. An examination of:
  - the content of the undergraduate programmes
  - the structure of the current degree programmes including the separate points of entry, clinical placement requirements and governance arrangements.
2. An analysis of the number of student places required to ensure sufficient numbers of nurse and midwife graduates for new patterns of service delivery within the public health system.

Two subcommittees have also been established to examine the curriculum and workforce planning respectively. Dr. Maura Pidgeon, CEO, An Bord Altranais chairs the curriculum review subgroup and Mr. Michael Shannon, Director, Nursing and Midwifery Services, HSE is chair of the workforce planning subgroup. The Review Group will consider the findings of both exercises and report to the Minister by September 2012.

## Consultation

The Review has been informed by wide consultation involving submissions, focus groups and stakeholder meetings. The review group has met on a monthly basis.

The Curriculum Working Group convened a webinar/seminar with an international review panel to explore issues around the themes of professionalism/culture/leadership and the role of the nurse; clinical assessment; programme structure and curriculum content. The Curriculum working group presented a draft report of the review to the National Steering Committee on 28 March 2012.

## More information

A dedicated webpage [www.dohc.ie/issues/nmr](http://www.dohc.ie/issues/nmr) has been created for the review where you can access full details about its ongoing work, including information briefs that are posted after review meetings.

Contact Details:

Project Lead: Dr Kathleen Mac Lellan

Email: [nursemidwifereview@health.gov.ie](mailto:nursemidwifereview@health.gov.ie)

## Joint Department of Health, An Bord Altranais and Health Service Executive Information Seminars on the 'Strategic Framework for Role Expansion'

Ms. Sheila O' Malley (Chief Nursing Officer, Department of Health), Mr. Michael Shannon (Director of Nursing and Midwifery Services, HSE) and Dr. Maura Pidgeon (CEO, An Bord Altranais) have participated in information workshops for nurses and midwives over the past few months. The "roadshows" offered an opportunity for a shared common platform with the leaders in Nursing and Midwifery Policy, Policy Implementation through service delivery by the HSE and the Regulator of the Nursing and Midwifery professions. The first workshop was held in St Brigid's Centre for Nursing Education in Ardee (HSE Dublin North East).

Other workshops across the regions of the HSE were convened during November and December and the final workshop took place in Letterkenny on 17th February 2012. The workshops were very well attended by nursing and midwifery staff from across the spectrum of specialities. Excellent presentations were given by a diverse group of nurses and midwives of their initiatives and developments in practice. There then followed lively panel discussions with attendees and guest speakers who were very impressed with leadership initiatives shown by presenters and their determination to promote role expansion within their teams and services.



L to r: Mr. Michael Shannon, Ms. Sheila O'Malley, Dr. Maura Pidgeon

## MESSAGE from CEO



Dear Registrant

The content of this edition of 'Regulation Matters' captures what it is we do by way of safeguarding and protecting the public from impaired practice. Firstly, we do this by setting standards of education and

preparation for entry to the register as reflected, on this page, in the report on the progress of the National Review of Undergraduate Nursing & Midwifery Programmes which is concurrent with our review of the 2005 Requirements and Standards for Nurse Registration Education Programmes. Second, by providing support to those on the register through professional guidance and development through the validation of post registration programmes as seen in the commentary on the Department of Health, HSE and ABA Seminars on the Strategic Framework for Role Expansion. Third, by taking appropriate action with those whose practice has been found to be less than the required standard as described in the Fitness to Practice section on Page 2. With all these functional elements enshrined in our new legislation, the *Nurses and Midwives Act, 2011* rightly takes front page priority.

Over the coming months and beyond, the implementation of the legislation and how it will impact you as a registrant will be featured extensively in our communications. That said, and of equal importance to you is an understanding of how it will enhance public protection and strengthen the public's confidence. For this reason I have decided to share some thoughts on the *Nurses and Midwives Act, 2011* and how it can enhance and build on the reputation of nursing and midwifery regulation in Ireland. Good regulation depends on the competence and care of the practitioner, the involvement of patients/public and the commitment of all stakeholders to safety and quality. Hence, this is why the principles of Necessity, Effectiveness, Proportionality, Transparency, Accountability and Consistency set out in the Government White Paper 'Regulating Better' (2004) underpin the New *Nurses and Midwives Act, 2011*. Undoubtedly such principles are as relevant today as they were when first published.

As a professional regulatory body established to serve and protect the public interest, it is inevitable that the level of confidence the public has in the Regulator will be a determining factor in our ability to effectively discharge our statutory responsibilities. It is this level of confidence that we as regulators must never underestimate; we must constantly strive to build on the confidence the public holds in the regulation of nursing and midwifery in Ireland and never take their trust for granted.

Yours respectfully  
Dr Maura Pidgeon  
Chief Executive Officer



## Summary Board Minutes

### September 2011 Board Meeting

**Day 1, 14th September 2011** (Attended by 15 Board Members)

**Fitness to Practise:**

The Board considered eight reports of the Fitness to Practise Committee of Inquiry; one application to the High Court pursuant to *Section 42 of the Nurses Act, 1985*; four applications to the High Court pursuant to *Section 44 of the Nurses Act, 1985* and two No Prima Facie Reports.

**Fees:**

The Board agreed that there should be no fee increase for any fees in 2012.

**Day 2, 15th September 2011** (Attended by 15 Board Members)

**Fitness to Practise:**

The Board considered six applications pursuant to *Section 38 (1) of the Nurses Act, 1985*. The Board was updated on the monitoring of conditions attached to the retention of 23 names in the Register following Fitness to Practise Committee Inquiries, and briefed on 21 nurses subject to Section 44 Orders/Undertakings. The Board also discussed recovery of costs in relation to one case, where a nurse had taken judicial review proceedings and had been unsuccessful.

**Chief Executive Officer's Report:**

The Board was updated on a number of operational matters, including a financial report. The report included information on Registration Statistics, the Association of European Health Professionals Competent Authorities and the Erasure Process Report.

**Professional Code of Conduct for each Nurse and Midwife:**

The Board discussed draft 8 of the proposed Code of Conduct and agreed that this draft should be prepared for public consultation.

**Chief Education Officer's Report:**

The Board was provided with an update on the education programmes recently approved by the Education and Training Committee and it ratified a number of registration education programmes. The report also included updates from the Nursing Careers Centre and feedback from the National Conference.

**Site Visit Reports:**

The Board considered site visit reports to St Angela's College Sligo and Associated Healthcare Agencies and a follow up site visit report to the Department of Psychiatry, Roscommon County Hospital.

### November 2011 Board Meeting

**Day 1, 16th November 2011** (Attended by 19 Board Members)

**Fitness to Practise:**

The Board considered one report of the Fitness to Practise Committee of Inquiry; two applications to the High Court pursuant to *Section 44 of the Nurses Act, 1985*; nine No Prima Facie Reports and seven applications pursuant to *Section 38 (1) of the Nurses Act, 1985*. The Board was updated on the monitoring of conditions attached to the retention of 21 names in the Register following Fitness to Practise Committee Inquiries and to 25 nurses who had given undertakings to the Board or who were subject to orders of the High Court pursuant to *Section 44 of the Nurses Act, 1985*.

**Day 2, 17th November** (Attended by 19 Board Members)

**Chief Executive Officer's Report:**

The Board was updated on the financial report, the Irish Nurses and Midwives Organisation/ An Bord Altranais Forum and a meeting with the HSE regarding Open Disclosure.

**Nurses and Midwives Bill, 2010:**

The Planning and Development Office provided a report to the Board on the Bill.

**The Chief Education Officer's Report:**

An update was provided on; The education programmes approved by the Education and Training Committee; The Midwifery Committee; Equivalent Category 2 Policy and the new online CPD Directory.

**Registration Department's Report:**

An update was given on the new Irish Registrants, Annual Retention Fee 2012 and overseas Registration.

## Responses to Written Consultations

Since the last edition, An Bord Altranais has participated in a number of consultations through written submissions. Consultation refers to initiatives to listen to and take on board the views of stakeholders and the general public, through requests for feedback on different issues. It is a two-way conversation between an organisation and its stakeholders and members of the public, which should ensure that stakeholders and the public are in a very real way participating in an organisation's decision-making and policy-making activities.

An Bord Altranais has responded to a number of written consultations that are listed below and are available to view on the Board's website, [www.nursingboard.ie](http://www.nursingboard.ie).

**Submission:** Law Reform Commission

**Subject:** Sexual Offences and Capacity to Consent

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**Submission:** Teaching Council

**Subject:** Code of Professional Conduct for Teachers

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**Submission:** HIQA

**Subject:** Draft Standards for National Health Information Resources

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**Submission:** HIQA

**Subject:** Developing National eHealth Interoperability Standards for Ireland

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**Submission:** National Clinical Effectiveness Committee

**Subject:** Clinical guidelines for consideration to become part of a national suite endorsed by the NCEC

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## Board Meetings open to Nurses, Midwives and the Public

An Bord Altranais invites nurses, midwives and members of the public to attend our formal Board meetings which are held bi-monthly in our offices at 18-20 Carysfort Avenue, Blackrock, Co. Dublin. Meetings for 2012 are scheduled for 28 June, 20 September and 15 November.

Those attending will be given observer status at the meetings and will be present during discussions of agenda items apart from those subject to a legal confidentiality requirement or items which are deemed by the Board to require confidentiality.

Please note that dates are subject to change. Any changes will be advertised on our website. Please contact [coldham@nursingboard.ie](mailto:coldham@nursingboard.ie) or 01 6398528 if you are interested in attending any of the above meetings.



## Board Member Profile

# Ann Sheehan



*In this issue, we meet Ann Sheehan from Limerick, living in Kerry, who represents the public interest on the Board. With no previous connection to the nursing profession, being a member of An Bord Altranais has opened 'a whole new world' for the Marketing and PR executive. Ann gives us a personal account of what the role means to her.*

In July 2008 I was appointed to An Bord Altranais as the board member representing the public interest. In September 2008 I attended the first of many board meetings and, to this day, I still say that was the day when a whole new world opened up to me.

Day one of that board meeting was about Fitness to Practise. I sat in the boardroom and listened to cases being presented regarding nurses and whether or not they should remain on the register based on the findings of the Fitness to Practise Committee. Day two was more general, dealing with reports from the Chief Executive Officer and team on financial and educational matters and so on. That was my introduction to An Bord Altranais.

With absolutely no connection to nursing, hospitals, nursing homes or any sort of medical background, I was fascinated by the level and type of work being carried out by An Bord Altranais – nursing and midwifery codes, ethics, legal elements and so on. And, of course, then came the challenge of the nursing terminology. Like any industry or profession, it takes time to become familiar with the professional language and expressions. I came to understand very quickly that a high level of commitment would be required.

The workload for board members does not stop at attending board meetings. Documents and transcripts are read prior to board and committee meetings and decisions taken at board level can impact on procedures, systems, people, patients and the general public. So, after my

first day and first set of documents, I felt very privileged to be appointed to An Bord Altranais.

Since my appointment to the Board, I have been given additional responsibilities to sit on the Fitness to Practise, Finance, Committee for Advanced Practice and the Audit committees. Drawing on my own expertise, I was also involved with development of the ezine and redesign of the newsletter. To date a considerable amount of my time has been spent on Fitness to Practise enquiries. This is where committee members enquire into the conduct of a registered nurse or midwife on the grounds of alleged professional misconduct or alleged unfitness to engage in such practice by reason of physical or mental disability.

Having sat on over 60 enquiries, I have come to learn more about nurses and midwives and the nursing/midwifery environment. I have learned how important it is to be vigilant in patient safety and patient care and how systems and system failure can have an adverse affect. I have learned too how training and education can reduce the risks that are encountered around patient safety.

Four years on, I have found working on the Board to be both challenging and rewarding. I have been able to make a personal contribution but, most of all, representing the public has been the biggest privilege of all. I represent patients, service users, families, individuals and those who have no voice. To me, this is the most important function of my role and the most rewarding.

## EU Directive Update

On 20 October 2007, a new EU Directive 2005/36/EC, on the recognition of professional qualifications, including General Nursing and Midwifery, came into being and replaced all previous directives.

It was since amended by Directive 2006/100/EC following the accession of Romania and Bulgaria to the EU.

An evaluation of the Directive commenced in April 2010 and is on-going. An Bord Altranais has responded to each of the evaluative phases and is grateful for feedback received from key stakeholders. The table opposite outlines the progress to date of the evaluation process.

### Become involved

The modernization of the Directive is almost complete and the Commission proposals that will be debated by Parliament during 2012 will affect nursing and midwifery in the Republic of Ireland. The Commission is actively encouraging the networks of health regulators to meet to discuss these proposals and advise the Parliament. For further details of the Directive Review please refer to [www.nursingboard.ie/en/news\\_external\\_consultations.aspx](http://www.nursingboard.ie/en/news_external_consultations.aspx)

	Action	Explanatory note	Timeline
(1)	Experience reports from competent authorities and national coordinators	As a first step, the European Commission reached out to Competent Authorities and National Co-ordinators of the Directive, requesting them to share their own experience regarding the Professional Qualifications Directive.	April - Sept 2010
(2)	Public Consultation	In a second step, DG Internal Market and Services launched a public consultation on 7 January 2011.	Jan - March 2011
(3)	Consultation: Modernising the professional qualifications directive	The Green Paper aimed at gathering stakeholders' views on a modernisation of the Professional Qualifications Directive (Directive 2005/36/EC).	June - Sept 2011
(4)	Public Conference on the modernisation of the professional qualifications directive	In order to give feedback about the reactions to the Green paper, the Commission organised a public Conference on the Modernisation of the Professional Qualifications Directive on 7 November 2011. All interested parties were invited to apply to attend.	Nov 2011
(5)	Proposals for amending directive to directive 2005/36 on the recognition of professional qualifications	The Commission has officially published its proposals for amending Directive to Directive 2005/36 on the Recognition of Professional Qualifications. Information, including FAQs, a Press Release and a summary of contributions to the Green Paper consultation as well as the proposal itself, is available.	19 Dec 2011

In this section, we respond to professional queries we have received from you. All published information protects the identity of the individual nurse, midwife or healthcare facility.

**Q** I currently work part time in a HSE Hospital and I have been offered a part time position as a practice nurse in a GP practice. I have been told that I need to obtain my own indemnity insurance to work as a practice nurse. As I am a member of An Bord Altranais do you provide me with this insurance or would I be covered under my insurance that I have with the HSE?

**A** An Bord Altranais 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. As the professional regulator we do not provide indemnity insurance coverage to registered nurses and registered midwives. That is not our role or function.

There are a number of resources that you may wish to contact to find out about indemnity coverage for your new role as a practice nurse.

Professional nursing and midwifery trade unions may provide clinical indemnity coverage to their members. Specific questions about membership and insurance should be directed to the particular union.

You may also wish to discuss with the practice manager and/or the doctors in the practice to determine if it is possible for you to get coverage under the GPs own insurance provider.

The Irish Practice Nurses Association ([www.irishpracticenurses.ie](http://www.irishpracticenurses.ie)) which is the professional membership association of practice nurses and the Professional Development Co-ordinator for Practice Nurses within your regional HSE Nursing and Midwifery Planning Development Unit may be other sources of information on your options for obtaining indemnity insurance. Additionally they may be good points of reference for networking as you begin your role as a new practice nurse.

You noted that you also work in the HSE. If you are employed in the public health service (and in

certain voluntary organisations) you are covered by the Clinical Indemnity Scheme (CIS) but not for practice nursing in the private sector. The CIS provides coverage for the clinical activities of nurses, midwives, doctors, dentists and other clinical staff whether they are permanent, locum or temporary. Detailed information about the CIS is available at [www.stateclaims.ie/ClinicalIndemnityScheme/introduction.html](http://www.stateclaims.ie/ClinicalIndemnityScheme/introduction.html). Be aware that self-employment or independent practice is not covered under the CIS or employer insurance schemes.

An Bord Altranais believes that in the interest of patient safety and protecting the public, you should have professional indemnity coverage to cover your practice. Patients and service users have a right to expect you to hold this insurance in case there is a claim of professional negligence against you.

**Q** I recently completed the 18 month post-registration higher diploma in midwifery programme. I am trying to decide what I will do if I am unable to secure work here in Ireland. In order for me to start planning ahead, can you advise me on what I must do to work and practise as a midwife in Ireland first, then abroad and how long will the registration take?

**A** In order to work and practise as a midwife in Ireland, you must first apply for registration with An Bord Altranais. Once you have successfully obtained your Higher Diploma in Midwifery, you will be eligible to apply to register in the Midwives Division of the Register maintained by An Bord Altranais. Your application will need to be signed by the Head of School in the Higher Education Institution and Director of Midwifery & Nursing in the Healthcare Institution where you undertook your programme. When registered you will be issued with a certificate of registration and will be entitled to practise as a midwife in Ireland. The fee for additional qualifications as in your case is

€60.00 and the average processing time on receipt of completed application documentation and fee is 15 working days.

If you wish to be established to practise midwifery in another European Union (EU) Member State you must first register in that state. Registration in any other EU Member State is not automatic unless you have one year of clinical practice experience that encompasses "all the activities of a midwife" as stated in the EU Directive 2005/36/EC (Recognition of Professional Qualifications): [ec.europa.eu/internal\\_market/qualifications/policy\\_developments/legislation\\_en.htm](http://ec.europa.eu/internal_market/qualifications/policy_developments/legislation_en.htm). If you do not have the required clinical practice experience you are entitled to have your application for registration considered by the relevant competent authority in the state to which you are moving. The possible outcomes include immediate registration, a requirement to undertake a period of adaptation and assessment or an aptitude test, or refusal of the application. These decisions are at the discretion of the Member State (EU) to which you are moving.

If you wish to practise midwifery in a non-EU Member State you must contact the relevant regulatory authority in that State for details of the requirements to register as a midwife. Check An Bord Altranais website for useful links to other regulatory bodies in non-EU Member States: [www.nursingboard.ie/en/links\\_bodies.aspx](http://www.nursingboard.ie/en/links_bodies.aspx)

Please note some countries require a midwife to complete additional education and or training to practice in their country.

For further information about registering as a midwife in Ireland and abroad, please refer to Circular 01/2011 (November, 2011), which is available on our website at [www.nursingboard.ie/en/reqs\\_stdts\\_reg.aspx](http://www.nursingboard.ie/en/reqs_stdts_reg.aspx). You can also contact the registration department at [registration@nursingboard.ie](mailto:registration@nursingboard.ie).

## Fitness to Practise Inquiries 2006 – 2010 *Continued from page 2*

Immediately upon identification of the error, the appropriate patient safety steps should be taken. The error should be formally reported and investigated. Appropriate actions should be taken with regard to the individual nurse/midwife and the system of medication management in the healthcare facility in order to minimise the risk of a repeat occurrence. Repeated medication errors by a registrant that are unresponsive to education, supervision and support or deliberate concealment of an error may necessitate a fitness

to practise referral.

### Professional responsibility

Each nurse and midwife has a professional responsibility to practice safely and effectively within the limits of his/her own competence and to take whatever measures are necessary to develop and maintain the competence necessary for his/her professional practice. Each nurse and midwife also has a professional responsibility to bring concerns about the competence of other

members of the healthcare team to the attention of the appropriate persons or authorities. In the first instance, this should be through the line management structure.

Further information

1. Scope of Nursing and Midwifery Practice Framework, An Bord Altranais, April 2000.
2. The Code of Professional Conduct for each Nurse and Midwife (An Bord Altranais) April 2000.



## Review of Code of Professional Conduct

Since the last newsletter An Bord Altranais has been engaging and consulting with nurses and midwives and other stakeholders on the draft Code of Professional Conduct and Ethics for Registered Nurses and Midwives. Earlier this year the executive staff of An Bord Altranais met with the Chief Nursing Officer and members of the Department of Health, representatives of the Nursing Alliance and the HSE Nursing and Midwifery Services Director to consider the consultation activities. Resulting from these meetings An Bord Altranais has set up an external advisory group of the key stakeholders. Representation has been sought across the health and social care, education, management and clinical practice sectors along with service user involvement in the group. The first meeting took place in April.

The terms of reference for the advisory group include:

- To provide advice, feedback and comment to Ethics Subgroup for the review of the current draft and the future revisions of the Code.
- To facilitate awareness of registered nurses and midwives and the public of the Review during the consultation process.

The first phase of consultation will involve national focus groups with nurses, midwives

and service users to gather views on the proposed structure and content of the draft Code.

The draft code's main principles and the associated professional nursing and midwifery values and standards of conduct will be examined by participants. Other points being explored with the groups involve identifying areas and issues for supplementary guidance to be developed by the Board to support registrants in their practices and inform the public of the standards of care expected by the professions.

The findings from the focus group sessions, along with feedback from the advisory group will help determine possible revisions of the Code prior to a national call for submissions.

The Board realises the significant change and direction of a new code of conduct and ethics. It appreciates everyone's input and support to produce a Code that is robust and meaningful for not only nurses and midwives but for those they care for and the general public.

Keep informed, contribute your opinions and views - See our website and monthly ezine which feature more detailed information about the progress of the Review of the Code.

## Update on Nurse Prescribing

The Register now lists 409 Registered Nurse Prescribers and 394 candidates for the Nurse Prescribers Division. Revisions have recently been made to our regulatory framework for prescriptive authority and include:

- Collaborative Practice Agreement for Nurses and Midwives with Prescriptive Authority, 3rd edition (February 2012).
- Application for registration in the RNP Division now requires the candidate RNP to declare that he/she has a valid CPA approved and on file with the health service employer
- The Collaborative Practice Agreement and accompanying attachments are no longer to be submitted to An Bord Altranais. Once reviewed and approved, they are to be kept locally.

The CPA renewal process has also been revised. Newly registered RNPs must review and renew their CPA – in the year following their registration. Those RNPs who are registered 2 years or more are now required to review and renew their CPA every 2 years.

It is anticipated that all these changes will reduce the administrative burden for the RNP, employer and An Bord Altranais yet maintain the appropriate governance structures necessary to support safe prescribing standards across the health sector. These changes came into effect the first quarter of 2012. All RNPs, candidate RNPs, Prescribing Site Coordinators, HSE Nursing and Midwifery Services and course coordinators for the education programme were notified.

The FAQ section on our website has been updated with new information about these changes and what that means for RNPs and their health service employers. All forms and guidance documents relating to prescriptive authority are available at [www.nursingboard.ie](http://www.nursingboard.ie).

The HSE has also recently revised its policy for nurse and midwife prescribing. National Policy for Nurse and Midwife Medicinal Product Prescribing (March 2012) is available at [www.hse.ie/eng/about/Who/ONMSD/practicdevelopment/NurseandandPrescribing](http://www.hse.ie/eng/about/Who/ONMSD/practicdevelopment/NurseandandPrescribing).

## HR News

In February 2012, Ms. Mary Rose Kiely retired as Administrative Officer in the Accounts Department of An Bord Altranais. Mary Rose worked at the Board for twenty years and with expertise in superannuation and pensions, she was a valuable member of the accounts team. Mary Rose showed dedication and commitment in her work and was popular amongst all staff for her good nature and positive disposition. The Board and staff wish her many years of happiness in her retirement with her family and friends.

The Board, the CEO and staff welcome Ms. Georgina Farren to our offices. Georgina has joined us from The National Council for the Professional Development of Nursing and Midwifery. Georgina will be working in the Planning and Development Department as Professional Advisor.

Ms. Jenny Hogan, Professional Advisor, has been seconded to the National Treatment Purchase Fund with effect from 27 February, 2012.

## An Bord Altranais eZine

Communication with registered nurses and midwives is one of the Board's main strategic priorities for 2012. As part of this strategy, we introduced the first edition of our electronic news update (eZine) in July 2011. The eZine provides updates of the most recent news from An Bord Altranais as it happens. It is issued on a monthly basis, free of charge. To subscribe to the eZine, go to our website [www.nursingboard.ie](http://www.nursingboard.ie) and sign up on our homepage.



## Contact Details

If your contact details have changed recently, you should use our online **Update Your Contact Information** service to inform us of your new details. This service is secure, so your privacy is protected while we receive your updates. To register your new address, email or phone number with us, go to our website at [www.nursingboard.ie](http://www.nursingboard.ie) and select the Update Your Contact Information option under the Online Services area.

## Publications of interest



### 'Eliminating Health Inequalities – A Matter of Life and Death'

[www.tascnet.ie/upload/file/HealthWeb.pdf](http://www.tascnet.ie/upload/file/HealthWeb.pdf)

This report launched by TASC outlines the interrelationship between economic inequality and inequality of health outcomes and critiques socio-economic factors from an Irish perspective and illustrates how responses to the current economic crises are having a disproportion impact on low-income and vulnerable groups.



### Child Protection and Welfare Practice Handbook

[www.hse.ie/eng/services/Publications/services/Children/WelfarePractice.pdf](http://www.hse.ie/eng/services/Publications/services/Children/WelfarePractice.pdf)

The Handbook, which is based on the protocols as set out in Children First Guidance 2011 and the collective wisdom and best practice of experts and front line staff, will support the vital work of social workers and other relevant practitioners in dealing with child protection and welfare cases.



### Creating Excellence in Dementia Care: A Research Review for Ireland's National Dementia Strategy

[www.icsg.ie/sites/www.icsg.ie/files/personfiles/creating\\_excellence\\_in\\_dementia\\_care2012\\_0.pdf](http://www.icsg.ie/sites/www.icsg.ie/files/personfiles/creating_excellence_in_dementia_care2012_0.pdf)

This report was launched by the Minister for Health, Dr. James Reilly, T.D., in Trinity College Dublin and is the result of a joint collaboration between researchers from the Irish Centre for Social Gerontology at NUI Galway and the Dementia Services

Information and Development Centre's Living with Dementia research programme at Trinity College Dublin and St James's Hospital. This report will lay the foundation for Ireland's first National Strategy for Dementia.

## Useful Websites

[www.hpcb.eu](http://www.hpcb.eu)

Healthcare Professionals Crossing Borders (HPCB) is an informal partnership of professional healthcare regulators from within Europe that works collaboratively on a range of regulatory issues.

The purpose is to contribute to patient safety in Europe through the effective regulatory collaboration in the context of cross-border healthcare and free movement of healthcare professionals.



[www.thinkahead.ie](http://www.thinkahead.ie)

The purpose of the project is to develop a system to guide members of the public in recording and registering their preferences in the event of emergency, serious illness or death. 'Think Ahead' is a 'flagship project' of the National Council of the Forum on End of Life in Ireland.



## Library

**Office Hours:** Monday to Friday from 10.00-13.00 and 14.00-17.00.

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Telephone: (01) 639 8511 Fax: (01) 6398 596

Email: [library@nursingboard.ie](mailto:library@nursingboard.ie)

## Current Journal Articles

The following articles may be obtained from the library by completing the article request form on our website and forwarding it along with payment to the library (see [www.nursingboard.ie/en/publications.aspx](http://www.nursingboard.ie/en/publications.aspx)).

### 7 NURSING WORKFORCE/INTERNATIONAL/ POLICY REVIEW

Attree, Moira, et al., "A review of nursing workforce policies in five European countries: Denmark, Finland, Ireland, Portugal and United Kingdom\*/England", *Journal of Nursing Management*, v. 19 (6) 2011, pp. 786 - 802 (17 pages)

### 8 SOCIAL NETWORKING/BOUNDARIES/NURSE/ PATIENT/RELATIONSHIP

Aylott, Marion, "Blurring the boundaries: technology and the nurse-patient relationship," *British Journal of Nursing*, v. 20 (13) 2011, pp. 810 - 816 (6 pages)

### 9 NURSE AND MIDWIFE PRESCRIBING/PATIENT SATISFACTION/COMPLIANCE

Drennan, Jonathan, et al., "Patients' level of satisfaction and self-reports of intention to comply following consultation with nurses and midwives with prescriptive authority: a cross-sectional survey", *International Journal of Nursing Studies*, v.48 (7) July 2011, pp. 808 - 817 (10 pages)

### 10 GLOBAL HEALTH/NURSING EDUCATION/PROGRAM FRAMEWORK

Riner, Mary E, "Globally engaged nursing education: An academic program framework", *Nursing Outlook*, v. 59 (6) November/December 2011, pp. 308 - 317 (10 pages)

### 11 EU DIRECTIVE/REGULATION/EUROPEAN NURSING

Ryan, Anne-Marie, "Modernizing the European Directive: Implications for Nursing Education, Practice and Regulation", *Journal of Nursing Regulation*, v. 3 (1) April 2012, pp.1 - 4 (4 pages)

### 12 KNOWLEDGE/PSYCHIATRIC NURSING/IRELAND

Yadav, B.L. et al "Irish psychiatric nurses' self-reported sources of knowledge for practice" *Journal of Psychiatric and Mental Health Nursing*, v. 19 (1) February 2012, pp. 40 - 46 (6 pages)

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