Framework for Public & Service User Involvement in Health and Social Care Regulation in Ireland

The Health and Social Care Regulatory Forum are pleased to announce the publication of the Framework for Public & Service User Involvement in Health and Social Care Regulation in Ireland. The Forum presented the framework to the Minister for Health and Children in January 2010 and received supportive expressions regarding their collaborative work.

This Forum of Chief Executives of Health and Social Care Regulatory Bodies currently chaired by Dr. Eugene Donoghue, CEO An Bord Altranais, was established in 2008 to provide a mechanism for exploring opportunities to harmonise certain business processes, share best practice and facilitate coordination where appropriate between member organisations. It also aims to share knowledge and expertise on matters of common interest with a view to enhancing the overall practice of health and personal social services regulation in Ireland for the benefit of public health.

In response to the recently published recommendations of the Commission for Patient Safety and Quality Assurance that ‘robust and validated patient and public involvement should be a requirement for all health care oversight, scrutiny, quality control and other accountability mechanisms’ (Commission on Patient Safety and Quality Assurance, 2008, R4.4), the Forum have published this framework to encourage greater service user involvement among agencies involved in ensuring patient safety and quality assurance in the Irish health services.

The framework indicates that service users and members of the public should be involved in the work of regulatory bodies:

- To promote openness and transparency by enabling the public to review service quality and be directly involved in the development of rules and standards;
- To act as a safety solution so that health and social services can learn from the experiences of service users, carers and others, particularly as it relates to adverse events;
- To improve the quality of regulated services by ensuring that services are sensitive to the needs and preferences of service users and the public; and
- To focus the work of regulatory bodies on service users and encourage public accountability.

The framework points out that the countries with the best public services and indeed health care systems have very high levels of citizen empowerment where public services strive to be truly personalised and power to shape those services is put as close to the individual citizen as possible. This is something which Ireland has made some progress on in the recent past but as highlighted by the OECD Ireland needs to extend the customer focus ‘beyond narrowly defined customer service initiatives'.

Continued on page 3
An Bord Altranais introduced this column to respond to queries from nurses and midwives with regard to their scope of practice. The queries will be addressed in a manner that protects the identity of the individual nurse, midwife or healthcare facility.

QUESTION:
Recently we had an incident in our long stay unit where one of the doctors recorded a ‘do not resuscitate’ order on the chart of a patient who was newly admitted. The doctor had not conferred with the patient or his family. Furthermore, the doctor did not discuss his actions with the nursing staff prior to and after writing the ‘do not resuscitate order’. The nursing staff want to address this concern, linking it as part of the hospital’s policies for providing end of life care, to ensure clear communication about do not resuscitate status amongst the patients, their families, nursing and medical staff.

As a result of the above issue I want to better inform myself about the legal and professional aspects involving ‘do not resuscitate’ status and other matters such as living wills for my own scope of practice. I read the Professional Guidance for Nurses working with Older People and I see that Standard 4 focuses on end of life care. The section is helpful in outlining the nurse’s responsibilities. However, is there any other guidance and information available from An Bord Altranais?

RESPONSE:
The provision of quality for end of life care has been addressed by An Bord Altranais as one of the six standards of nursing practice and quality for nurses working with older people (Professional Guidance for Nurses working with Older People, 2009). In addition, the Code of Professional Conduct for each Nurse and Midwife (2000) provides an ethical framework with key principles to guide practice. The Ethics Committee of An Bord Altranais provides a forum for the profession in relation to ethical conduct, professional behaviour and practice and research.

In 2008 the Hospice Friendly Hospitals Programme and the National Council on Ageing and Older People published the report End-of-Life Care for Older People in Acute and Long-Stay Care Settings in Ireland. The chapter on the legal framework for end of life care addresses major topics such as the right to decide and consent for treatment, and examines the legal matters involving do not resuscitate orders and advance care directives.

The National Quality Standards for Residential Care Settings for Older People in Ireland, (Health and Information Quality Authority, 2008) and the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009 also address end of life care and the responsibilities of service providers including health care professionals.

The Law Reform Commission in September 2009 published its report Bioethics: Advance Care Directives. The report details the introduction of a legislative framework for advance care directives and includes a draft Mental Capacity (Advance Care Directives) Bill 2009. The Commission consulted with An Bord Altranais, the Irish Medical Council and other organisations for the report. A number of recommendations were made relating to the legal structures required to recognise and implement advance care directives and support the autonomy of the individual patient in his/her decision-making for planning and implementing end of life care.

It is important as a registered nurse to demonstrate continued competency that includes being informed about professional and legal aspects of end of life nursing care as it affects your practice. It is recommended that an agreed policy is developed locally. The above references in association with the agreed policies and procedures of your health service employer should guide your scope of practice. Knowing and applying this information may help you to effectively communicate to other health care staff, patients and families within a safe ethical and caring structure.

QUESTION:
I am working as a school assistant in one of the local schools on a part time basis – three days a week. I am a Registered General Nurse with An Bord Altranais. However, I have not been involved in nursing practise for over 15 years. My current job does not entail any nursing activities. Nevertheless, I was asked by my school principal if I could provide first aid for the students and staff on the days that I am working. The principal has said that I will receive training for this role. I am concerned that because I am a Registered General Nurse I could be sued if I gave someone first aid and complications arose. I do not want to take this role on if that is the case. What do I need to be aware of in deciding whether to take this responsibility on or not?

RESPONSE:
If you have been asked to serve as a first aider in your place of employment this should be formalised in writing by the school principal and should include the provision of appropriate training and instruction to prepare you for the position. Your role as a first aider should be agreed and documented as part of your work responsibilities as a school assistant. It is expected that as a first aider you would provide a standard of care as established by national standards and provided for by recognised first aid training programmes.

The Health and Safety Authority’s Guidelines on First Aid at Places of Work (May, 2008) is a comprehensive publication that details the...
Discuss; to Engage; and to Partner. Examples of best practice are provided for each activity. The framework has been considered by the Boards/Councils of the various regulatory agencies involved in the Forum and a commitment and a high intent has been expressed to ensure public and service user involvement in future regulatory activities.

The Forum is currently in the process of establishing a website to facilitate those who wish to engage for any reason with one of the regulatory bodies.

For further information, please contact: Denise Carroll, Tel: (01) 639 8579/8537 or Email: d.carroll@nursingboard.ie

Framework for Public & Service User Involvement in Health and Social Care Regulation in Ireland  
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to all aspects of the work of the public service (OECD, 2008 p.228)
Five levels of public and service user involvement are identified in the framework: to Inform and Educate; to Discuss; to Engage; and to Partner. Examples of best practice are provided for each activity. The framework has been considered by the Boards/Councils of the various regulatory agencies involved in the Forum and a commitment and a high intent has been expressed to ensure public and service user involvement in future regulatory activities.

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The Pre-Hospital Emergency Care Council has published information regarding civil liability and pre-hospital emergency care with reference to the legal implications which may of interest to you (available at www.phecc.ie).

Although you are not employed as a nurse with the school you may have a duty of care professionally to provide first aid care consistent with your nursing competencies and experience. There is the expectation that a nurse registered with An Bord Altranais works within his/her scope of practice. It is possible that the recipient of the first aid could make a complaint to An Bord Altranais regarding your professional conduct regardless of the fact that you are not actively working as a nurse.

The Commission’s proposed legislation on civil liability and pre-hospital emergency care has received increasing attention. In May 2007 the Law Reform Commission published its report Civil Liability of Good Samaritans and Volunteers examining topics such as:

• The concept of a general legal duty to intervene to assist person in danger
• Good Samaritans and the current common law duty of care.
• The Commission’s proposed legislation on the civil liability of Good Samaritans and volunteers.

The report is accessible at http://www.lawreform.ie/publications/reports.

The ‘Scope of Nursing and Midwifery Practice Framework’ should guide the individual nurse or midwife in determining her/his own scope of practice.

An Bord Altranais Nursing and Midwifery Research Studies Collection

Research Studies Collection

From 1992 to 2003 An Bord Altranais provided research scholarships to nurses and midwives wishing to conduct original nursing/midwifery research. It was stipulated that a copy of the individual’s research/thesis/dissertation would be presented to the library.

This has culminated in a unique Irish collection that is a valuable primary source for persons undertaking their own research.

Access Policy

• Nurses and midwives wishing to review a thesis/dissertation from the collection should as first step approach the Higher Education Institute (HEI) where it is housed.
• If there is a failure to access the work in this manner; then a letter should be obtained from the nurse/midwife’s HEI or HSE library requesting access to the copy held by An Bord Altranais library.
• The nurse or midwife should contact the Librarian in An Bord Altranais to arrange to view the work at An Bord Altranais.
• In An Bord Altranais library a copyright declaration must be signed by the nurse/midwife that states that no part of the work may be photocopied without permission of the author.

Contacting the Library

To make arrangements to visit the library, please contact the librarian: Catherine Rooney, Tel: (01) 639 8511 or email: crooney@nursingboard.ie

Preliminary Notice

AN BORD ALTRANNAIS NATIONAL CONFERENCE 2010

PATIENT SAFETY

Regulating to safeguard the Patient

Tuesday, 18th May 2010

The Conference is free of charge to all Nurses and Midwives. Further details will be available at a later date and can be accessed on the website www.nursingboard.ie.

Contact: Education Department at education@nursingboard.ie or Tel: (01) 639 8562.
April is Bowel Cancer Awareness Month

Following on from last year's successful Bowel Cancer Awareness Campaign the Irish Cancer Society is once again designating April as Bowel Cancer Awareness Month to increase awareness of bowel cancer signs and symptoms and the importance of early detection. The Society is also encouraging people to learn more about the risk factors for bowel cancer, and what action people can take to reduce their risk of developing the disease.

Anyone who wishes to learn more about bowel cancer may contact the Irish Cancer Society's National Cancer Helpline on Freefone 1800 200 700 and speak in confidence with a specialist nurse or visit www.cancer.ie/bowelcancer for more information on the early signs and symptoms of Bowel Cancer.
Review of The Code of Professional Conduct for each Nurse and Midwife

Background
The Nurses Act 1985 states the general concern for the Nursing Board includes the promotion of high standards of professional education and training and professional conduct among nurses. Specifically Part II, Section 6, Paragraph 1 details this statutory responsibility. Furthermore, Part VI, Section 51, Paragraph 2 states “It shall be a function of the Board to give guidance to the nursing profession generally on all matters relating to ethical conduct and behaviour”.

Following the enactment of the Nurses Act 1985, The Code of Professional Conduct for Each Nurse and Midwife was published in 1988. The Code was last revised in 2000 to incorporate the principles of competence, scope of practice and delegation as addressed in the Scope of Nursing and Midwifery Practice Framework (2000).

Nursing and midwifery practices and responsibilities are established through legislation, professional regulation, health care policies, medical technology and other factors. These dynamic variables contribute to the further development and expansion of the professions. In undertaking this review An Bord Altranais wants to ensure that its guidance on professional conduct and ethics reflects these changes and developments.

Objectives of the Review include:
- To complete a systematic and critical review of the literature relating to professional conduct and ethics for nurses and midwives
- To identify any relevant legislation, national policy and professional guidance proposed by and/or undertaken by other key stakeholders regarding professional conduct and ethical behaviour
- To develop draft guidance/standards for professional conduct for nurses and midwives
- To conduct consultation activities with the public, profession and other stakeholders
- To prepare, publish and disseminate the revised code.

An Bord Altranais have commenced a process to review The Code of Professional Conduct for Each Nurse and Midwife. Updates about the review including the consultation process will be available on An Bord Altranais website at www.nursingboard.ie

Mrs. Anne Carrigy elected President of FEPI

The President of An Bord Altranais, Mrs. Anne Carrigy, has been elected President of the European Council of Nursing Regulators (FEPI). At a meeting held in Rome on 12th November 2009, FEPI’s members elected a new six-member Executive Board responsible for setting FEPI’s strategic direction.

Speaking after her election as President, Mrs. Carrigy said “I am delighted to be appointed President of FEPI. The ultimate role of the regulator is protection of the public and this presidency gives me an opportunity to promote and enable the process of regulation across Europe. As we are all conscious of the patient safety agenda, an organisation like FEPI has a key role to play to this end. There are many challenges to be met and I look forward to addressing them over the coming years”.

Best wishes are extended to Mrs. Carrigy for her term of office.

Revision of Guidance to Midwives

An Bord Altranais Practice Standards for Midwives is nearing completion. The Midwifery Committee is overseeing the revision of professional guidance for midwives. Over the past few months extensive consultation through survey, focus group and interview methods has been undertaken with the public, practitioners, directors of midwifery and others. The guidance document is being constructed around nine Practice Standards building upon the definition, philosophy and scope of practice of midwifery.

An Bord Altranais would like to thank all who have contributed to-date with the revision.
An Bord Altranais Board Meetings Open to the Public

An Bord Altranais invites nurses, midwives and members of the public to attend its Board meetings in its premises at 18–20 Carysfort Avenue, Blackrock, Co. Dublin.

Meetings are scheduled for 10.00 hours on the following dates in 2010:

- Monday, 19th April
- Thursday, 17th June
- Thursday, 16th September
- Thursday, 18th November

People attending will be given observer status 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.

All matters dealing with Fitness to Practise will be held in private. There will be an opportunity to make comments or ask the Board questions when the meeting has concluded.

The Board will accommodate approximately 20 persons on a first come first served basis.

Any person interested in attending a meeting should contact Ms. Mary Flynn, Tel: (01) 639 8528 or email: mflynn@nursingboard.ie

An Bord Altranais Archives

In July 2007 An Bord Altranais entered into a partnership agreement with University College Dublin (UCD) to transfer its archive material to the UCD Archive, which is part of the UCD School of History and Archives. An Bord Altranais is pleased to announce that work on the cataloguing and preservation of the material is now complete.

An Bord Altranais Archives contains information dating back to the 1890s and includes data not only from annals of its own history but also that of its predecessor organisations i.e. the Central Midwives Board (1918 – 1950) and the General Nursing Council (1919 – 1950), as well as from professional bodies such as the Queen Victoria Jubilee Institute for Nurses and the Queen’s Nurses Irish Branch.

Access to the Archive

A copy of the Archive Catalogue and the Access Policy and Procedure are available on An Bord Altranais website at www.nursingboard.ie

Further information on the Archive is also available from www.ucd.ie/archives

Nursing Care of Older People Information Leaflet

An Bord Altranais has recently published a leaflet - Nursing Care of Older People. This leaflet is aimed at the public and describes what a person should expect from a nurse caring for the older population. It also provides a reference for people if they have a concern about nursing care. The link between this leaflet and the Professional Guidance for Nurses Working with Older People (An Bord Altranais, 2009) reinforces the strong commitment An Bord Altranais has in protection of the public and providing guidance for safe quality professional practice.

The leaflet was presented to Mr. Paul Gallagher, Director of Nursing, St. James’s Hospital, by Mrs. Anne Carrigy, President, An Bord Altranais, at Care of the Older Person Nursing Conference held in St. James’s Hospital on 4th February 2010. Dr. Anne-Marie Ryan, Chief Education Officer, An Bord Altranais, delivered a paper entitled Professional Guidance for Nurses Working with Older People at the conference.

Nursing Care of Older People is being widely distributed to health centres, general practitioner practices, retail pharmacies, public libraries and citizen information centres. It can be downloaded from An Bord Altranais website: www.nursingboard.ie

Advanced Nurse Practitioners & Advanced Midwife Practitioners

On the 11th January 2010 Ms. Mary Harney, T.D., Minister for Health and Children, signed into law Statutory Instrument(S.I.) No. 3 of 2010:

HEALTH (AN BORD ALTRANAIS) (ADDITIONAL FUNCTIONS) ORDER 2010.

This S.I. assigns additional functions to An Bord Altranais in relation to the accreditation of Advanced Nurse Practitioner and Advanced Midwife Practitioner posts and the registration of Advanced Nurse Practitioners in an Advanced Nurse Practitioner Division of the Register and Advanced Midwife Practitioners in an Advanced Midwife Practitioner Division of the Register in accordance with criteria set down by the National Council for the Professional Development of Nursing and Midwifery. A copy of the S.I. is available on the website of the Department of Health and Children at http://www.dohc.ie/legislation/statutory_instruments/pdf/si20100003.pdf

An Bord Altranais and the National Council for the Professional Development of Nursing and Midwifery are engaged in on-going collaboration with a view to An Bord Altranais implementing these additional functions in a timely manner.

Further information will be posted on the websites of both organisations as it becomes available – www.nursingboard.ie and www.ncnm.ie.

Contacts:

Kathleen Walsh, Professional Officer Standards of Practice and Guidance, Education Department, An Bord Altranais. kwalsh@nursingboard.ie or Tel: (01) 639 8502.

Kathleen Mac Lellan, Head of Professional Development, National Council for the Professional Development of Nurses and Midwives. kmacellan@ncnm.ie or Tel: (01) 882 5300.
Congratulations to Dr. Eugene Donoghue

The President, Board Members and Staff of An Bord Altranais extend their warmest congratulations to Eugene Donoghue, Chief Executive Officer, on being conferred with a Doctorate in Governance at a recent ceremony in Queen’s University, Belfast. His thesis was entitled Self-regulation and the Public Interest: A Question of Confidence. The study included interviews with union leaders and leaders of patient representative groups and focus groups with nurses and patient representatives. It examined whether the statutory fitness to practise framework for nurses as provided for in the Nurses Act, 1985 operated in the public interest. The thesis can be viewed in An Bord Altranais Library.

Decisions following Fitness to Practise Committee Inquiries

1. Name: Mr. Teddy C. Manalo, P.I.N. 83446
   FINDING OF THE FITNESS TO PRACTISE COMMITTEE: PROFESSIONAL MISCONDUCT
   Sanction: Pursuant to Section 39 (1) of the Nurses Act, 1985, Mr. Manalo’s name was erased from the Register. The decision to erase Mr. Manalo’s name from the Register was confirmed by the High Court on 14th December, 2009.

2. Name: Ms. Mary O’Brien, P.I.N. 88983
   FINDING OF THE FITNESS TO PRACTISE COMMITTEE: PROFESSIONAL MISCONDUCT
   Sanction: Pursuant to Section 41 (1) of the Nurses Act, 1985, Ms. O’Brien was censured in relation to her professional conduct and pursuant to Section 40 (1) of the Act, conditions were attached to the retention of her name in the Register. The decision to attach conditions to the retention of Ms. O’Brien’s name in the Register was confirmed by the High Court on 14th December, 2009.

3. Name: Mr. Joel Reyes Vallejo, P.I.N. 84315
   FINDING OF THE FITNESS TO PRACTISE COMMITTEE: PROFESSIONAL MISCONDUCT
   Sanction: Pursuant to Section 39 (1) of the Nurses Act, 1985, Mr. Vallejo’s name was erased from the Register. The decision to erase Mr. Vallejo’s name from the Register was confirmed by the High Court on 14th December, 2009.

4. Name: Ms. Enjoy Villanueva Ronquillo Berey, P.I.N. 96715
   FINDING OF THE FITNESS TO PRACTISE COMMITTEE: PROFESSIONAL MISCONDUCT
   Sanction: Pursuant to Section 41 (1) of the Nurses Act, 1985, Ms. Berey was censured in relation to her professional conduct.

5. Name: Mr. Allan Ray Ramos Bal, P.I.N. 84205
   FINDING OF THE FITNESS TO PRACTISE COMMITTEE: PROFESSIONAL MISCONDUCT
   Sanction: Pursuant to Section 41 (1) of the Nurses Act, 1985, Mr. Bal was censured in relation to his professional conduct.

6. Name: Ms. Vinaya C. Augustine, P.I.N. 109007
   FINDING OF THE FITNESS TO PRACTISE COMMITTEE: PROFESSIONAL MISCONDUCT
   Sanction: Pursuant to Section 41 (1) of the Nurses Act, 1985, Ms. Augustine was censured in relation to her professional conduct.

PUBLICATIONS OF INTEREST TO NURSES AND MIDWIVES

Health Services Intercultural Guide
The Health Service Executive (HSE) launched the Health Services Intercultural Guide in November 2009. It was developed under the HSE National Intercultural Health Strategy 2007 – 2012 in response to the needs of diverse religious communities and cultures in healthcare settings. The publication, primarily targeted at in-patient settings, explains best practice in person-centred intercultural care and offers guidance to health service providers on working with people from diverse religions and cultures. It provides important information on the approach to intercultural healthcare and outlines the needs of 25 different groups. A copy of the Guide is available on the HSE website www.hse.ie/eng/services/Publications

Headspace Toolkit
The Mental Health Commission has published Headspace Toolkit, a self advocacy and rights based toolkit for young people availing of in-patient mental health services in Ireland. It provides information on what they can expect when they go into hospital, what their rights are, who they can talk to and how to speak for themselves. A website version of the toolkit is available on www.headspaceireland.ie
An Bord Altranais Library

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

LIBRARY CONTACT DETAILS:
Catherine Rooney, Librarian
Telephone: (01) 639 8511 Fax: (01) 639 8596
E-mail: library@nursingboard.ie

LIBRARY ARTICLES 560 – 565

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Mailed directly to all Nurses and Midwives on the live Register.
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