

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

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 Midwives 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

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

Designation and issue of Badges

21. The designation of a certified midwife is "State Certified Midwife". The initial letters S.C.M. may be used in place of the designation.

22. A midwife, whether practising or not, shall immediately notify to the Council any change of name and/or address.

23. A badge shall be issued to midwives enrolled under Rules 17, 18, 19 and 20, provided that:—

- (a) application is made on the appropriate form; and
- (b) payment of the cost of the badge is received.

Particulars of the Roll and Records

24. The Roll shall show in respect of each midwife admitted the following particulars:—

- (a) enrolment number;
- (b) full name and maiden name, if appropriate;
- (c) permanent address;
- (d) date of enrolment;
- (e) Rule under which enrolment was granted; and
- (f) name of the training school and dates of training.

25. The records pertaining to the Roll shall show in respect of each midwife admitted the following particulars:—

- (a) date of birth;
- (b) sex;
- (c) notification of intention to practise, if appropriate; and
- (d) attendance at refresher course, if appropriate.

PART III

RULES REGULATING, SUPERVISING AND RESTRICTING WITHIN DUE LIMITS THE PRACTICE OF MIDWIVES

Notification of Intention to Practise

26. A midwife who intends to practise shall notify such intention to practise to every local supervising authority in whose area she intends to practise and shall give a like notice in January of each year in which she continues to practise. If she practises in an area to which she has not already notified her intention to practise she shall within 48 hours of having done so notify the local supervising authority concerned. Notification must be made on the appropriate forms approved by the Council from time to time.

27. Where a certified midwife has given notice of her intention to practise in compliance with Rule 26, and subsequently changes her address, she shall, within seven days after such change give notice of the change to every local supervising authority concerned. If she changes her name she shall, as soon as possible thereafter, give notice of the change to every local supervising authority concerned.

Control of Infection

28. A practising midwife shall notify, using the form prescribed at Schedule III, the supervisor of midwives in whose area she practises if she is liable to be a source of or to spread infection and if the supervisor of midwives deems it necessary the midwife shall allow herself to be medically examined and shall undertake such disinfection procedures as may be recommended. Where disinfection procedures are not appropriate it is the responsibility of the local supervising authority to suspend the midwife from practice to prevent the spread of infection.

Responsibility and Sphere of Practice

29. A practising midwife is responsible for the midwifery management and care of mothers and babies. She shall practise in co-operation with members of the other professions involved in the maternity services.

30. A practising midwife shall call in medical aid in any case where she detects deviation from normal in the mother or baby using the form prescribed in Schedule IV.

31. A practising midwife must not, except in an emergency, undertake any treatment which is outside her sphere of practice. The question whether in any particular case such treatment was justified will be judged on the facts and circumstances of the case.

32. The equipment which may be used by a practising midwife shall be specified by the local supervising authority. All equipment shall be properly maintained.

33. A practising midwife shall not, on her own responsibility, administer any controlled medicine, or any inhalational analgesic, unless she has received instruction in its use and the medicine or inhalational analgesic has been approved by Council as appropriate to the practice of midwifery.

34. A practising midwife shall not, except on the instructions and in the presence of a registered medical practitioner, administer an inhalational analgesic to a patient unless:—

- (a) she is satisfied from an examination of the patient by a registered medical practitioner during pregnancy that there is no contra-indication to the administration of the analgesic;
- (b) she has, either before or after enrolment, received at a training school approved by the Council for the purposes, instruction in the essentials of obstetric analgesia; and
- (c) the type of equipment to be used for administration of inhalational analgesia has been approved by the Council for use by midwives. Where relevant, a certificate of maintenance shall be provided by a recognised manufacturer.

35. Unless special exemption is given by the Council to enable a particular hospital to investigate new methods, a practising midwife must not administer any anaesthetic otherwise than on the instructions and in the presence of a registered medical practitioner.

36. (i) A practising midwife shall keep detailed records of the care given by her to all mothers and babies during pregnancy, labour and the post natal period. Such records shall be in accordance with the directives of an employer in the Health Services and midwives shall not destroy any such records.

(ii) A practising midwife outwith the employment of the Health Services shall keep detailed records of the care given by her to all mothers and babies during pregnancy, labour and the post natal period in the form approved by the Council from time to time. On ceasing to practise such a midwife shall transmit official records to the local supervising authority, and shall not destroy any such records.

37. If the mother or baby dies, or if the baby is stillborn, a practising midwife who was in attendance at the time of death or still birth or who was called in immediately afterwards must, whether or not a registered medical practitioner was present at the same time, notify the local supervising authority of the death or stillbirth, using for the purpose the form prescribed in Schedule V.

38. A practising midwife shall give to the supervisor of midwives every reasonable facility to inspect her methods of practice, records, equipment and premises.

39. A practising midwife required to attend a home confinement shall carry out the policy of the local supervising authority. Where she deems that home confinement is unsuitable, for any reason; she shall inform the mother's medical practitioner and the supervisor of midwives. She shall continue the midwifery care of the mother and baby unless otherwise instructed by the supervisor of midwives.

Supervisors of Midwives

40. (i) Each Health and Social Services Board shall appoint supervisors of midwives to exercise general supervision over all midwives practising within their area.
- (ii) Persons nominated by a Health and Social Services Board to become supervisors of midwives shall require to be approved by the Council and application for such approval shall be made on the appropriate form.

- (iii) A person appointed to be supervisor of midwives shall have undertaken an induction course within three years prior to appointment or within one year after appointment and shall attend at intervals of not more than five years a course of instruction approved by the Council.

41. *Refresher Courses*

- (i) Every midwife except those referred to in Rule 40(iii) who at any time after the 31st December 1987, gives notice of her intention to practise, shall, within twelve months of giving such notice, attend a course of instruction approved by the Council for the purpose of this Rule, unless she has within five years immediately preceding the date of giving such notice attended such a course, or passed the examinations for the time being prescribed by the Council for admission to the Roll, or attended a course referred to in Rule 41(iii).
- (ii) For midwives who notify their intention to practise on or before the 31st December 1987 and to whom Rule 41(iii) does not apply, the time interval referred to in Rule 41(i) shall be 7 years.
- (iii) A midwife returning to practice who has not notified her intention to practise for a period of 5 years or more or who has not had at least 6 months' practical midwifery experience within the 5 years prior to returning to practice shall, before being eligible to practise, attend a course of instruction approved by the Council.
- (iv) It shall be the duty of the supervisor of midwives to ensure that all midwives in her area attend the appropriate courses and if a midwife refuses or neglects to do so the matter shall be reported to the Council.
- (v) The Council may exempt a midwife from attendance at a course of instruction when evidence of recent appropriate education is received.

42. In February of each year every local supervising authority shall send to the Council a list of all midwives who have notified their intention to practise midwifery in their area. The list shall indicate those midwives who have attended during the previous year a course of instruction as laid down in Rule 41.

PART IV

Uniform and Badge

43. The badge issued by the Council may be worn with or without uniform.

44. The uniform shall be such as to satisfy the local supervising authority for the practice of midwifery.

PART V

Diploma in Midwifery

45. Entry to the course of instruction for the Diploma in Midwifery shall require that:—

- (a) the name of the applicant is on the Roll; and
 (b) she has had 2 years (whole time equivalent) practical midwifery experience at least 6 months of which must have been within the 2 years preceding the course.

46. The Council shall grant a Diploma in Midwifery to a midwife who:—

- (a) has completed a course of instruction approved by the Council from time to time; and
 (b) has passed the examinations prescribed by the Council from time to time.

47. Midwives who have obtained the Diploma in Midwifery shall be issued with a Certificate as prescribed in Schedule VI and may use the designation, Diploma in Midwifery.

PART VI

48. A midwife with approved professional preparation who is registered with the Council as a nurse tutor may use the title Registered Nurse Tutor (R.N.T.) or Midwife Teachers' Diploma (M.T.D.).

The Seal of the Northern Ireland Council for Nurses and Midwives was affixed hereto this 31st day of December 1982.

D. Moreland

Chairman

W. B. Baxter

Secretary

SCHEDULE I

THE NORTHERN IRELAND COUNCIL FOR NURSES AND MIDWIVES

Certificate of Enrolment as a Midwife

No.

Date

WE HEREBY CERTIFY THAT

.....
having passed the Examination of the Northern Ireland Council for Nurses and Midwives and having otherwise complied with the rules made in pursuance of the Nurses and Midwives Act (Northern Ireland), 1970, is entitled (by law) to practise as a MIDWIFE in accordance with the provisions of the said Act, and subject to the said rules.

.....
Chairman of Council

.....
Director of Nursing and Midwifery
Education

SCHEDULE II

THE NORTHERN IRELAND COUNCIL FOR NURSES AND MIDWIVES

Certificate of Enrolment as a Midwife

No.

Date

WE HEREBY CERTIFY THAT

.....

is entitled by law to practise as a MIDWIFE in accordance with the provisions of the Nurses and Midwives Act (Northern Ireland) 1970, and subject to the rules and regulations laid down in pursuance thereof, by virtue of holding a certificate in midwifery from

.....

.....

.....

.....

Chairman of Council

.....

Director of Nursing and Midwifery
Education

SCHEDULE III

THE NORTHERN IRELAND COUNCIL FOR NURSES AND MIDWIVES

Form of Notification of Liability to be a source of Infection

To theHEALTH AND SOCIAL SERVICES BOARD

I, the undersigned, being a midwife holding the Certificate No. of the Northern Ireland Council for Nurses and Midwives, hereby notify that on the day of 19

I was *in attendance upon, or *in contact with

Name

Address

a person suffering from a condition which is, or is suspected to be, infectious, viz. or I *am myself suffering from, or *have recently suffered from

.....
.....

Signed

State Certified Midwife

Address

Date

*Strike out words not applicable.

SCHEDULE IV

THE NORTHERN IRELAND COUNCIL FOR NURSES AND MIDWIVES

Form for sending for Medical Aid

No. Date

This notice is in respect of*

Address

Medical aid is sought by†
on account of

Date of confinement
‡The case is urgent

Sent or handed to (name of doctor or institution)
at (address)

Time of sending message
By telephone
By messenger

Signed
State Certified Midwife

Address

Note:—Information as to stage of labour and other particulars should be given.

*Here fill in name of Patient
†Here insert 'Me', 'Patient's Relative/Friend', as the case may be
‡If the case is not urgent, cross this out

SCHEDULE V

THE NORTHERN IRELAND COUNCIL FOR NURSES AND MIDWIVES

Form of Notification of Death or Still-birth

To theHEALTH AND SOCIAL SERVICES BOARD

I, the undersigned, being a midwife holding a Certificate No. of the Northern Ireland Council for Nurses and Midwives

notify that on the day of 19 at *a.m. / *p.m.

the following death occurred in my practice the arrival *before / *after

of the registered medical practitioner:

Name of deceased Age Address

or

Name Address

was delivered *by me / *before my arrival of a stillborn baby

Signed State Certified Midwife

Address Date

Note:—This form must not be used for burial purposes.

*Strike out words not applicable

SCHEDULE VI

NORTHERN IRELAND COUNCIL FOR NURSES AND MIDWIVES

IT IS HEREBY CERTIFIED THAT

.....

has successfully completed a post-certificate course

in

at

from to

Date of issue

.....

Director of Nursing
and Midwifery
Education

Chairman of Council

EXPLANATORY NOTE

(This note is not part of the Order.)

The Rules approved by this order supersede the Midwives Rules (Northern Ireland) 1965, No. 153, the Midwives (Amendment) Rules (Northern Ireland) 1967, No. 326, and the Midwives (Amendment) Rules (Northern Ireland) 1969, No. 315.

The new Rules make provision, among other things, for:—

- (a) changes in the procedure relating to the indexing of student midwives;
- (b) changes in the professional qualifications required for entry to midwifery training;
- (c) the prescription of a minimum period of 18 months training to replace the existing period of 12 months;
- (d) the admission to the Roll of midwives who are nationals of the European Community, and who meet the requirements of the Midwives Directives;
- (e) the reduction of the interval between refresher courses from 7 to 5 years; and
- (f) the inclusion of details relating to the Diploma in Midwifery.