



Nurses, Midwives and Health Visitors Act 1979

1979 CHAPTER 36

The National Boards and their relationship to the Central Council

5 Constitution of National Boards

- (1) England, Wales, Scotland and Northern Ireland shall each have a National Board for Nursing, Midwifery and Health Visiting, and the Boards shall be corporate bodies.
- (2) Each of the National Boards shall have the number of members prescribed by the Secretary of State by order, the maximum being, in the case of the National Board for Northern Ireland, 35 members and, in the case of the other National Boards, 45 members.
- (3) Until the appointed day, the members of each National Board shall be persons appointed by the Secretary of State for a term of office ending not later than that day.
- (4) With effect from the appointed day, each of the Boards shall consist—
 - (a) of members directly appointed by the Secretary of State; and
 - (b) of elected members, that is to say members appointed by him on being elected under an electoral scheme to be prepared and approved as set out in Part I of Schedule 2 to this Act;

and, in the case of each Board, the numbers of members who are directly appointed and of elected members shall be as prescribed for that Board by the Secretary of State by order, but so that the elected members form a majority on the Board.

- (5) In the case of each Board—
 - (a) the majority of those appointed under subsection (3) shall be persons who are nurses, midwives or health visitors; and
 - (b) the Secretary of State's direct appointments under subsection (4)(a) shall be made from among persons who either—
 - (i) are nurses, midwives, health visitors or registered medical practitioners, or

- (ii) have such qualifications and experience in education or other fields as, in his opinion, will be of value to the Board in the performance of its functions.
- (6) The Secretary of State shall have especially in mind the need to secure that qualifications and experience in the teaching of nurses, midwives and health visitors are adequately represented on each Board.
- (7) Each of the Boards shall have a chairman and a deputy chairman appointed from among its members.
- (8) The chairman shall—
 - (a) until the appointed day, be a person appointed by the Secretary of State;
 - (b) on and after that day, be a person appointed by the Board ;and the deputy chairman shall at all times be a person appointed by the Board.
- (9) Part II of Schedule 2 to this Act shall have effect with respect to the constitution and administration, etc. of the National Boards.
- (10) In this section and in Schedule 2, "the appointed day" means a day appointed by the Secretary of State by order, which must be not more than three years from the coming into force of this section.

6 Functions of Boards

- (1) The National Boards shall in England, Wales, Scotland and Northern Ireland respectively—
 - (a) provide, or arrange for others to provide, at institutions approved by the Board—
 - (i) courses of training with a view to enabling persons to qualify for registration as nurses, mid-wives or health visitors or for the recording of additional qualifications in the register ; and
 - (ii) courses of further training for those already registered;
 - (b) ensure that such courses meet the requirements of the Central Council as to their content and standard;
 - (c) hold, or arrange for others to hold, such examinations as are necessary to enable persons to satisfy requirements for registration or to obtain additional qualifications ;
 - (d) collaborate with the Council in the promotion of improved training methods; and
 - (e) carry out investigations of cases of alleged misconduct, with a view to proceedings before the Central Council or a committee of the Council for a person to be removed from the register.
- (2) The National Boards shall discharge their functions subject to and in accordance with any applicable rules of the Council and shall have proper regard for the interests of all groups within the professions, including those with minority representation.

7 Standing committees of Boards

- (1) The Secretary of State shall for each of the National Boards by order constitute as standing committees of the Board a Midwifery Committee and a Finance Committee.

- (2) Of the members of the Board's Midwifery Committee the majority shall be practising midwives.
- (3) Each Board shall consult its Midwifery Committee on all matters relating to midwifery and the Committee shall, on behalf of the Board, discharge such of the Board's functions as are assigned to them by the Board or by the Secretary of State by order.
- (4) In particular, the Board, when consulted by the Central Council with respect to matters dealt with in a report of the latter's Midwifery Committee, shall seek the views of its own Midwifery Committee on those matters.
- (5) Each Board shall consult its Finance Committee on all financial matters.
- (6) In the case of any Board, the Secretary of State may by order constitute other standing committees of the Board and (to the extent prescribed by the order) require the Board to consult them on, or empower the committee to discharge functions of the Board with respect to, any other matters including any of those mentioned in section 3(3).
- (7) An order constituting a standing committee of a National Board—
 - (a) may provide for persons who are not members of the Board to be appointed as members of that committee; and
 - (b) shall provide for a majority on the committee to be persons who work or have worked in the professional field with which it is primarily concerned.

8 Joint committees of Council and Boards

- (1) The Secretary of State shall by order constitute a joint committee of the Central Council and the National Boards, called the Health Visiting Joint Committee.
- (2) Of the members of the Health Visiting Joint Committee, the majority shall be practising health visitors.
- (3) The Council and each of the Boards shall consult the Joint Committee on all matters relating to health visiting and shall not act on any such matters before receiving a recommendation of the Joint Committee which shall be made within such period of time as the Council or Board shall specify; and the Committee shall, on behalf of the Council or of any Board, discharge such of the functions of the Council or the Board as are assigned to it by the body otherwise charged with those functions, or by the Secretary of State by order.
- (4) The Secretary of State may by order constitute other joint committees of the Council and the National Boards and (to the extent prescribed by the order)—
 - (a) require the Council and the Boards to consult the appropriate joint committee on such matters as may be assigned to it; and
 - (b) authorise any such committee to discharge functions of the Council or a Board with respect to any matters including any of those mentioned in section 3(3).
- (5) There may in particular be constituted under subsection (4) a joint committee to be concerned with district nursing.
- (6) Joint committees shall be constituted from members of the Council and of the Boards, in such numbers and proportions as the Secretary of State's order may specify; and his order—

- (a) may provide for persons who are not members of the Council or of any Board to be appointed as members of the joint committee ;
- (b) shall provide for a majority on the joint committee to be persons who work or have worked in the professional field with which it is primarily concerned.

9 Local training committees

- (1) The Secretary of State may by order provide for the constitution of training committees of the Boards for such areas of England, Wales, Scotland and Northern Ireland as the order may prescribe.
- (2) The committees shall be charged with assisting the Boards in the exercise of their training functions, being the functions specified in section 6(1)(a) to (c) above.
- (3) The committees shall discharge the training functions of the Boards to such extent and in such cases as may be prescribed or (subject to orders under this section) the Boards may direct.
- (4) The committees shall carry out their functions in accordance with directions given to them by the Boards.
- (5) Orders under this section may make provision for persons who are not members of a Board to be appointed as members of any of its training committees.
- (6) Before making an order under this section, and before varying or revoking such an order, the Secretary of State shall consult the Central Council and have regard to any proposals made by the Council after it has consulted the Boards for the parts of the United Kingdom affected.