

EXPLANATORY MEMORANDUM TO
THE NURSING AND MIDWIFERY COUNCIL (MIDWIVES)
(AMENDMENT) RULES ORDER OF COUNCIL 2007

2007 No.1887

1. This explanatory memorandum has been prepared by Department of Health and is laid before Parliament by Command of Her Majesty.
2. **Description**
 - 2.1. This Order, which is made under the Nursing and Midwifery Order 2001, approves rules made by the Nursing and Midwifery Council (NMC), which amend the Nursing and Midwifery Council (Midwives) Rules 2004 (the Principal Rules).
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1. None.
4. **Legislative Background**
 - 4.1. The NMC makes the following Rules in exercise of its powers conferred under articles 42, 43(2) and 47(2) of the Nursing and Midwifery Order 2001

The NMC has consulted in accordance with articles 41(2) and 47(3) of that Order..
 - 4.2. The NMC is required by the Nursing and Midwifery Order 2001 to establish and maintain a register of qualified nurses and midwives, and from time to time to establish standards of proficiency to be met by applicants to different parts of the register. These standards are considered necessary for safe and effective practice. The Order also requires the NMC to set rules and standards for midwifery and for the Local Supervising Authorities responsible for the function of statutory supervision of midwives.
5. **Extent**
 - 5.1. This instrument applies to the United Kingdom.
6. **European Convention on Human Rights**
 - 6.1. As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.
7. **Policy background**

Policy

7.1 The NMC is the UK regulator for nurses and midwives.

7.2 The role of a supervisor of midwives is to protect the public by empowering midwives and midwifery students to practise safely and effectively. Supervisors are accountable to the local supervising authority for all supervisory activities. The success of supervision reflects the ability of those who do it and it is, therefore, important to get the right person into the role. To become a supervisor of midwives, a midwife will need to go through a selection process set by the local supervising authority, which meets the standards set by the NMC. These amendment rules make changes to the criteria which make a midwife eligible to be appointed as a supervisor.

Consultation

7.3 The consultation on the policy underlying this amendment formed part of a wider consultation undertaken during the preparation of what have since been published as the NMC *Standards for the preparation and practice of supervisors of midwives*.

7.4 The consultation was carried out by means of a series of meetings with six focus groups throughout the UK. A total of 134 people attended the meetings with attendances ranging from 13 to 30. Attendees were provided with a copy of the consultation document prior to the event and, at the end, each was asked to complete a questionnaire to provide quantitative data for analysis. A total of 125 completed questionnaires were returned.

7.5 Overall there was a high level of support for the new standards with 85% supporting the policy proposals associated with a midwife's first appointment as a supervisor of midwives and 83% supporting those relating to a subsequent appointment.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as there is no impact on business, charities or voluntary bodies.

8.2 There are no identified costs to either the public or the Exchequer arising from this instrument.

9. Contact

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