



NURSING AND MIDWIFERY BOARD OF IRELAND

MIDWIVES COMMITTEE

COMMITTEE TERMS OF REFERENCE

Approved by the Board on 24 November 2021

1. ROLE AND MANDATE

- 1.1** The role of the Midwives Committee is to provide advice to the Board in relation to all matters pertaining to midwifery practice, which the Board shall consider when performing functions in relation to midwifery practice.
- 1.2** The Committee is to assist the Board so that the Board is effective and able to operate in the best interests of the public and the members of the professions of nursing and midwifery; and, in doing so, the Committee shall work and liaise with other Board committees, as appropriate.

2. MEMBERSHIP

- 2.1** The Committee shall consist of ten members to include the following:

(a) two registered midwives, each of whom is a member of the Board;

(b) at least 8 other persons appointed by the Board, including the following persons:

(i) 3 midwives, including one who may be a self-employed community midwife;

(ii) a registered medical practitioner registered in the Specialist Division in relation to obstetrics and gynaecology under the Medical Practitioners Act 2007 ;

(iii) a registered nurse who is a member of the Board;

(iv) three persons, each of whom, in the opinion of the Board, is representative of the public interest and each of whom is not and never has been a registered nurse or registered midwife in the State or a nurse or midwife in another jurisdiction.

This membership includes the eight members to be appointed in accordance with section 24(3) of the Nurses and Midwives Act 2011 and two others.

- 2.2** The Board may appoint suitably qualified external members (i.e. non-Board members) to the Committee, subject to the specific requirements laid out in section 24(3) of the Act.



2.3 New members who are not members of the Board will be appointed for a three year term (or part thereof), which may be renewed for a further and final three years by the Board.¹ No new member shall serve longer than two terms (i.e. six years) continuously on the Committee.

2.4 The term of office of Board members on committees shall coincide with their term of office on the Board.

3. CHAIR

3.1 The Chair of the Committee must be a member of the Board holding current registration as a midwife with NMBI and is appointed by the Board from amongst its members.

3.2 The President shall not be eligible for appointment as Chair of the Committee.

3.3 The term of office of the Chair appointed by the Board shall be three years (or part thereof), which may be extended to five years by the Board.² No newly appointed Chair shall serve longer than five consecutive years as Chair of the Committee. The existing Chair - at the point of the approval of these terms of reference by the Board – may exceed this five year limit, but shall not serve longer than his/her term of office on the Board as Chair.

4. SECRETARY

4.1 The Secretary to the Committee shall be a member of staff of the Midwifery Directorate, and shall be appointed by the Chief Executive Officer, following consultation with the Director of Midwifery, the Committee Chair and the President.

5. MEETINGS

5.1 The Committee shall hold as many meetings as it deems necessary to fully and properly execute its functions, but shall, in any event, meet no fewer than four times per annum.

5.2 The Chair will consult with the Director of Midwifery and Secretary in determining the dates and frequency of Committee meetings. Where possible, a schedule of meeting dates shall be agreed by the Committee in advance of the start of each calendar year.

5.3 Only members of the Committee shall be entitled to attend Committee meetings. They will typically be joined by the Chief Executive Officer, the Director of Midwifery, and the Secretary to the Committee. At the discretion of the Chair, other individuals may be invited to attend all or part of a meeting when appropriate and necessary – including members of NMBI staff and external advisers.

¹ A member appointed to the Committee whilst a member of the Board will cease to be a member of the Committee on the expiry of his/her term on the Board – i.e. Committee membership cannot outlast Board membership.

² Subject to his/her term of office on the Board not having expired before that time.



- 5.4** The Chair has the discretion to hold part of a Committee meeting in ‘private session’, whereby only Committee members have the right to attend. The Chair may determine that the Secretary attends for the purpose of minute taking of the proceedings of the private session.
- 5.5** The Chair shall seek declarations of conflicts of interest at the start of every meeting and the Secretary shall record these in the minutes.
- 5.6** Meetings of the Committee will be conducted with all members physically or virtually present – either by video or teleconference – or a combination of both, this to be decided in advance of each meeting by the Chair. Members participating virtually are considered to be present at the meeting and shall be counted in the quorum.
- 5.7** The Committee may act in the absence of members if a quorum is achieved. If members cannot attend all or part of a meeting, they should notify the Secretary to the Committee in advance of the meeting.
- 5.8** The quorum for meetings is 39% of Committee members, which shall include at least two Board members, and meetings shall start on time when a quorum is present. Should a quorum not be present within 15 minutes of the scheduled start time, the Chair may postpone the meeting.
- 5.9** Members must use their best endeavours to attend all Committee meetings each year. All members must attend a minimum of 50% of meetings in a rolling twelve month period, and that save for exceptional circumstances, a member who fails to meet this minimum attendance requirement may be removed from the Committee by the Board. The Secretary will support the Committee Chair and President in monitoring member attendance.
- 5.10** Meetings are chaired by the Chair. If the Chair is not in attendance or is prevented from acting as Chair by virtue of a conflict of interest, the members present shall nominate another member to act as Chair – subject to the requirement that the member is also a member of the Board.
- 5.11** Decisions will typically be reached by consensus. In the event that a vote is required or sought, each member present shall have one vote. If there is an equal division of votes, the Chair shall have a second and casting vote.
- 5.12** It may be necessary for the Committee to take urgent decisions between Committee meetings. With the agreement of the Chair, this may be done by either a) convening an extraordinary meeting of the Committee or b) using the written decision procedure as approved by the Board. In either case, a quorum must be reached. A report on the urgent matter and the decision reached must be recorded in the minutes of the meeting or, in the case of a written decision, presented in a report at the next meeting of the Committee.

6. MINUTES OF MEETINGS

- 6.1** The Secretary shall minute the proceedings of all Committee meetings reflecting information presented, decisions taken and action items, or the conclusions reached by the Committee



and timescales to complete tasks. The minutes shall include the names of those present, apologies (where received) and details of any conflicts of interest.

6.2 Draft minutes are prepared by the Secretary and submitted to the Chair for review as soon as is practicable. The Chair will review and revert with any comments and suggested changes. Thereafter, the Secretary will circulate the revised draft to the members for review. Members should review and revert with any comments within five working days of receipt. Any material changes by members will require the approval of the Chair. The draft minutes, as reviewed by the Chair and members, shall be circulated with the papers for the next meeting of the Committee, where they shall be formally adopted – subject to any suggested changes at that point – and signed by the Chair. Approved minutes can be signed using either a “wet signature” or electronically. If an electronic signature is used, the prior agreement of the chair must be obtained. A straightforward e-signature can be used i.e. a simple scanned copy of the signature, and “Signed electronically” noted on the signing line.

6.3 The Secretary shall be responsible for securely storing the minutes of all meetings.

7. AGENDA AND MEETING PAPERS

7.1 An agenda of the business proposed for the meeting shall be circulated with the papers for the meeting. The Chair, in consultation with the Secretary (and the Chief Executive Officer and Director of Midwifery), shall determine the items for the agenda.

7.2 Notice of each meeting confirming the venue, time and date, and teleconferencing details, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee, any other person required to attend, no later than five working days before the date of the meeting. Late papers will not be accepted, unless in exceptional circumstances and with the approval of the Chair. Supporting papers shall be sent to Committee members and to other attendees as appropriate, at the same time.

8. COMMITTEE FUNCTIONS

8.1 To provide advice to the Board in relation to all matters pertaining to midwifery practice and education, which the Board shall consider when performing functions in relation to midwifery practice and education.

8.2 With a view to ensuring the effectiveness of the Committee’s output and minimising duplication of effort, the Committee, through its Chair and the Director of Midwifery, shall liaise with the Chair(s) of the relevant Committee(s), making them, as well as the Board, aware of the Midwives Committee’s deliberations and advice on relevant matters.

8.3 The work of the Committee shall be supported by an annual work plan agreed by the Committee prior to 1 January each year.



9. CONFLICTS OF INTEREST AND CODE OF CONDUCT

- 9.1** Members of the Committee will be required to meet their obligations under the Code of Conduct for Board and Committee Members, the NMBI Act 2011 and the Code of Practice for the Governance of State Bodies, 2016, as appropriate. This includes declaring any real or potential conflict of interest in a matter before the Committee, and safeguarding confidential information received whilst a member of the Committee.
- 9.2** At the commencement of each meeting, members will declare any real or potential conflict of interest in any agenda item. A written declaration regarding the conflict shall be submitted to the Secretary for safekeeping. The member will withdraw from the meeting while the item is considered and will not vote or act on the matter.
- 9.3** Members of the committee are required not to disclose any information received by them while performing their duties, even after their duties have ceased. Members are reminded that the disclosure of confidential information (which may be either particular information or information of a particular class or description) is an offence under the Nurses and Midwives Act 2011.

10. REPORTING RESPONSIBILITIES

- 10.1** The Chair shall report, either verbally or in writing, to the Board on the Committee's recent meeting(s) and key outcomes. A report in writing will be on an agreed Committee update template and should reflect the key points in the minutes of the Committee's meeting(s). The agreed minutes of all Committee meetings shall be made available to the members of the Board.
- 10.2** The Committee shall make whatever recommendations to the Board it deems appropriate on any area within its remit and/or where required. As per 8.2 above, the Committee's advice and recommendations should also be made known to the relevant Committee(s) in a timely manner.
- 10.3** The Committee shall produce a report to be included in the Board's annual report about its activities.

11. WORKING GROUPS

- 11.1** The Committee may, in exceptional circumstances, and with the approval of the Board, appoint working groups from time to time to perform a function or functions under its remit.
- 11.2** The Board may, if it considers it appropriate, appoint additional persons to be members of any such working group; and it shall approve the terms of reference and appoint the Chair of any such working group.
- 11.3** Any duly established working group should report on progress to each meeting of the Midwifery Committee.



11.4 The Committee may at any time dissolve a working group, with the approval of the Board.

11.5 The acts of a working group are subject to confirmation by the Committee.

12. GENERAL PROVISIONS

12.1 The Committee shall have access to sufficient resources to carry out its duties, including access to the employees of NMBI for assistance as required, and access to independent professional advice where the Board agrees that such advice is necessary for the Committee to discharge its responsibilities.

12.2 The Committee may have access to independent legal or professional advice where the committee agrees that such advice is necessary for the committee to discharge its responsibilities. Any such advice can only be sought in line with the procedures approved by the Board in May 2020.

12.3 The Committee shall ensure that all members undertake an appropriate induction programme to ensure that they are fully informed about the strategic and key issues affecting the Board and the regulation of the professions of nursing and midwifery. The Committee shall ensure that new members shall receive guidance as to their duties and responsibilities as a Committee member.

12.4 The Committee should review its own performance annually at the last meeting of the Committee in the calendar year. This review should be led by the Director and Chair of the Committee. Any recommended changes following this review should initially be considered by the Board at its end-of-year meeting. Any actions/recommendations agreed by the Board, should be brought should be placed on the agenda at the first meeting of the following year with specified timelines for completion. Any recommendations for changes to the committee's functions/terms of reference arising from the Committee's review of its own effectiveness must be approved by the Board.

13. AUTHORITY

13.1 The Board authorises the Committee to carry out the functions set out in these terms of reference and to have unrestricted access to NMBI documents and information. Any request for legal advice or other professional advice by the Committee shall be channelled through the Office of the Chief Executive and shall be approved by the Board.

13.2 The Board authorises the Committee to seek any information it requires relating to its functions from any employee of NMBI, and all such employees will be directed to co-operate with any request made by the Committee.

Approved by the Board at its meeting on 24 November 2021