



STATUTORY INSTRUMENTS.

S.I. No. **XXX** of 2020

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NURSES AND MIDWIVES (EDUCATION AND TRAINING) (AMENDMENT) RULES  
2020

(Prn. [ • ])

NURSES AND MIDWIVES (EDUCATION AND TRAINING) (AMENDMENT) RULES  
2020

The Nursing and Midwifery Board of Ireland, in exercise of the powers conferred on it by section 13 of the Nurses and Midwives Act 2011 (No. 41 of 2011), with the approval of the Minister for Health, hereby makes the following rules:-

*Citation and collective citation*

1. (1) These Rules may be cited as the Nurses and Midwives (Education and Training) (Amendment) Rules 2020.

(2) The Principal Rules and these Rules may be cited together as the Nurses and Midwives (Education and Training) Rules 2018 and 2020.

*Definition*

2. In these Rules “Principal Rules” means the Nurses and Midwives (Education and Training) Rules 2018 (S.I. No. 218 of 2018).

*Amendment of Rule 4(2) of Principal Rules*

3. Rule 4(2) of the Principal Rules is amended by substituting “any number of” for “maximum of two”.

*Amendment of Rule 5 of Principal Rules*

4. The Principal Rules are amended by substituting for Rule 5 the following:

*“Return to practice programmes*

5. A person seeking admission to a return to practice education and training programme for nurses or midwives must be registered, or have been previously registered, as a nurse or midwife with the Board.”.

*Amendment of Rule 6 of Principal Rules*

5. Rule 6 of the Principal Rules is amended—

(a) by substituting for paragraph (1) the following:

*“Post-registration education and training programmes*

6. (1) A person seeking admission to a post-registration education and training programme leading to registration in the midwives division of the register of nurses and midwives must be registered in the general nurses division of the register.”, and

(b) in paragraph (2), by substituting “a post-registration education and training programme” for “an education and training programme”.

*Amendment of Rule 9 of Principal Rules*

6. Rule 9 of the Principal Rules is amended—

- (a) in paragraph (3), by substituting “an inspection of” for “a visit to”, and
- (b) by substituting for paragraphs (4) and (5) the following paragraph:

“(4) A decision of the Board to approve an education and training programme under section 85(2)(a) of the Act, including approval with conditions, shall be published in the prescribed manner.”.

*Amendment of Rule 10 of Principal Rules*

7. Rule 10 of the Principal Rules is amended—

- (a) in paragraph (1)—
  - (i) by substituting “section 85(2)(a) of the Act” for “Rule 9”, and
  - (ii) by substituting “that section” for “Rule 9(4)”, and
- (b) in paragraph (2), by substituting “section 85(2)(a) of the Act” for “Rule 9”.

*Amendment of Rule 11 of Principal Rules*

8. Rule 11 of the Principal Rules is amended—

- (a) in paragraph (1)—
  - (i) by substituting “section 85(2)(a) of the Act” for “Rule 9”, and
  - (ii) by substituting “that section” for “Rule 9(4)”, and
- (b) in paragraph (2)—
  - (i) by substituting “section 85(2)(a) of the Act” for “Rule 9”, and
  - (ii) by substituting “that section” for “Rule 9(4)”.

*Amendment of Rule 12 of Principal Rules*

9. The Principal Rules are amended by substituting for Rule 12 the following:

*“Inspections of bodies and healthcare providers*

12. (1) The Board shall appoint a team of persons with relevant knowledge and experience (“a site inspection team”) to visit bodies delivering, or seeking to deliver, education and training programmes, and their associated training facilities and healthcare providers, for the purposes of—

- (a) assessing applications under Rule 9,
- (b) carrying out reviews under Rule 11(1), and

(c) carrying out monitoring under Rule 11(2).

(2) A person appointed to a site inspection team under paragraph (1) shall not have an interest that is likely to influence the outcome of the application under Rule 9, the review under Rule 11(1) or the monitoring under Rule 11(2), as the case may be.

(3) A site inspection team shall not interfere with the delivery of the education and training programme in the course of its inspection.

(4) A site inspection team shall, having carried out an inspection, report in writing to the Board.

(5) A report pursuant to paragraph (4) may recommend that the Board—

- (a) grant its approval of a proposed education and training programme,
- (b) continue its approval of an education and training programme,
- (c) grant its approval of a proposed education and training programme subject to certain specified conditions,
- (d) continue its approval of an education and training programme subject to certain specified conditions,
- (e) defer its decision on continued approval of an education and training programme pending the resolution, to the satisfaction of the Board, of specified issues of concern arising from the inspection,
- (f) refuse to grant approval of a proposed education and training programme on the basis of specified reasons, or
- (g) withdraw approval of an education and training programme on the basis of specified reasons.”.

*Amendment of Rule 13 of Principal Rules*

10. Rule 13 of the Principal Rules is amended—

(a) by substituting for paragraph (1) the following:

*“Responses and resolutions following reporting of inspections*

13. (1) The Board, on receipt of a report of a site inspection team under Rule 12, shall forthwith send a copy of the report to the body concerned and such body may, within such period (not being less than one month) as the Board may specify from time to time, submit to the Board its comments and observations on the factual accuracy of the report.”,

(b) in paragraph (2)—

- (i) by substituting “inspection” for “visit” in both places in which it occurs, and
  - (ii) by substituting “withdraw” for “refuse to continue its”, and
- (c) in paragraph (3), by substituting “withdrawing” for “refusing to continue its”.

I, SIMON HARRIS, Minister for Health, approve of the making of the foregoing Rules.

L.S. GIVEN under my Official Seal,  
[DATE] [MONTH] 2020.

SIMON HARRIS,  
Minister for Health.

L.S. GIVEN under the Official Seal of the Nursing and Midwifery Board of Ireland,  
[DATE] [MONTH] 2020.

ESSENE CASSIDY  
President

SHEILA MCCLELLAND  
Chief Executive Officer

## **EXPLANATORY NOTE**

*(This note is not part of the Instrument and does not purport to be a legal interpretation).*

These Rules amend the Nurses and Midwives (Education and Training) Rules 2018.