

# Midwifery 100 Years:

**What is good regulation of a profession.**

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# The 3 Pillars of a strong midwifery profession

**Pillar 1: Education → competent practitioners**

**Pillar 2: Regulation**

**Pillar 3: A strong professional midwifery association**

*International Confederation of Midwives.*



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# What is Regulation?

**“Regulation is designed to safeguard the interests of service users and the public; assist the subjects of regulation to enhance their performance and create public confidence in the services provided by them.”**

**“Regulation occurs when an external agency imposes standards or rules on the behaviour and actions of others ... associated with the licensing or accreditation of professionals ...”**

*Framework for Public & Service User involvement in Health and Social Care Regulation in Ireland, Health and Social Care Regulatory Forum, 2009.*

# Regulation of midwives – what is it about?

- **Setting and monitoring standards for midwifery education programmes**
- **Requirements & Standards for access to and maintenance on the Register, incl. protection of title**
- **Professional standards & guidance**
  - Code of Professional Conduct & Ethics*
  - Scope of Practice Framework*
  - Practice standards*
- **Mechanisms to address breaches of standards**



# What happens if there is no regulation of midwives?

- **Anyone can call themselves a midwife**
- **No requirement for any education or competence**
- **No standards for education programmes**
- **No standards for practice**
- **No mechanism to deal with poor practice or behaviour – except the criminal law**

→ **Women and their babies AT RISK.**



# The Benefits of Regulation of Midwives

- The provision of care by educated and regulated midwives leads to improved outcomes for women and babies.  
*The Lancet Midwifery Series 2014*
- Professional standards are upheld
- Confidence in the profession



# What is Good Regulation?

**A balance between under & over regulating:**

**- *Regulating Better, Department of the Taoiseach, 2004***

**- *Right-touch Regulation (Revised), Professional Standards Authority, 2015***

**- *Global Standards for Midwifery Regulation, International Confederation of Midwives, 2011***



# Principles of Good Regulation

- **Necessity:** Is the regulation necessary?
- **Effectiveness:** Is the regulation going to be properly complied with and enforced?
- **Proportionality:** Do the advantages outweigh the disadvantages of the regulation?
- **Transparency:** Have we consulted with stakeholders?
- **Accountability:** Who is responsible to whom and for what?
- **Consistency:** Are we applying best practice developed in one area when regulating other areas?

*(Regulating Better, 2004)*



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# Right-touch Regulation

- **Proportionate:** Only intervene when necessary.
- **Consistent:** Rules and standards joined up and implemented fairly.
- **Targeted:** Regulation should be focussed on the problem.
- **Transparent:** Regulator should be open and keep regulations simple and user friendly.
- **Accountable:** Regulator should be able to justify decisions, and be subject to public scrutiny.
- **Agile:** Look forward and be able to adapt and to anticipate change.

*(Right-touch Regulation, 2015)*



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# ICM Global Standards for Midwifery Regulation

**The purpose of the standards is to describe the regulatory framework necessary for effective midwifery regulation.**

**The elements of midwifery regulation are set out in the standards document.**

**Founding values and principles.**

**Principles of good regulation.**



# ICM Global Standards for Midwifery Regulation

**The ICM standards provide a benchmark for global standardisation of midwifery regulation.**

**Two purposes:**

- 1. The basis for review of existing regulatory frameworks.**
- 2. Provide guidance and direction to countries seeking to establish regulatory frameworks for midwifery where none currently exist.**



# Midwifery Regulation in Ireland – where are we?

**Re-establishing the midwifery identity:**

***“For the avoidance of doubt, it is hereby declared and recognised that midwifery is a separate profession to nursing.”***

**Section 2(2) of the Nurses and Midwives Act 2011.**



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# Midwifery Regulation - NMBI

- **Fully respect the separate identity of midwifery**
- **‘Midwifery proof’ all we do**
- **Strengthen midwifery within the organisation**
- **Benchmark against models of good regulation**
- **Support the development of the profession – but know our scope of practice as a regulator**



**Thank you**

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