STATUTORY INSTRUMENTS

1980 No. 1837

NURSES, MIDWIVES AND HEALTH VISITORS

The Nurses and Enrolled Nurses (Amendment) Rules Approval Instrument 1980

Made - - - -	*2nd December* 1980
Laid before Parliament	*11th December* 1980
Coming into Operation	*2nd January* 1981

The Secretary of State for Social Services, in exercise of powers conferred by section 32 of the Nurses Act 1957(**a**), and now vested in him(**b**), and of all other powers enabling him in that behalf, hereby approves the rules made by the General Nursing Council for England and Wales as set out in Schedules 1 and 2 hereto.

This instrument may be cited as the Nurses and Enrolled Nurses (Amendment) Rules Approval Instrument 1980, and shall come into operation on 2nd January 1981.

Patrick Jenkin,
Secretary of State for Social Services.

2nd December 1980.

SCHEDULE 1

THE GENERAL NURSING COUNCIL FOR ENGLAND AND WALES

The Nurses Acts 1957 to 1969

The General Nursing Council for England and Wales, in exercise of the powers conferred upon them by sections 2(1)(*a*), 3(1), 4, 7(1), 10 and 30 of the Nurses Act 1957 and of all other powers enabling them in that behalf, having consulted with the General Nursing Council for Scotland and the Northern Ireland Council for Nurses and Midwives hereby make the following rules:—

Citation and interpretation

1. These rules, which may be cited as the Nurses (Amendment) Rules 1980, shall be read as one with the Nurses Rules 1969(**c**), (hereinafter referred to as "the principal rules").

(**a**) 1957 c. 15.
(**b**) *See* Secretary of State for Social Services Order 1968 (S.I. 1968/1699), Art. 2.
(**c**) S.I. 1969/1675.

Amendment of rule 13 of the principal rules

2. For rule 13 there shall be substituted the following rule—

"13.—(1) Subject to the next following rule, the training required of a person entering for the examination for the general part of the register shall be not less than 142 weeks and not more than 148 weeks training in accordance with the syllabus adopted by the Council from time to time for training in an institution approved by the Council.

(2) The full periods of training referred to above and in subsequent rules shall be exclusive of annual leave and statutory holidays but inclusive of an aggregate of up to 21 days absence on sick, maternity or compassionate leave.

(3) The reduced periods of training referred to in subsequent rules shall be exclusive of annual leave and statutory holidays but inclusive of a proportionately reduced number of days' absence on sick, maternity or compassionate leave.

(4) Within the above limits it shall be for the Council to determine the length of training.".

Amendment of rule 14 of the principal rules

3. For rule 14 there shall be substituted the following rule—

"14. The period of weeks referred to in the preceding rule may be reduced to:—

(*a*) a minimum of 78 weeks for a person who is already registered in another part of the register;

(*b*) a minimum of 104 weeks for a person who is already an enrolled general nurse;

(*c*) a minimum of 130 weeks for a person who is an enrolled mental nurse or an enrolled nurse for the mentally subnormal;

(*d*) a minimum of 143 weeks for a person who begins training before 1st January, 1982, and is at the time she begins training a certified midwife, or is qualified in ophthalmic or orthopaedic nursing.".

Amendment of rule 15 of the principal rules

4. For rule 15 there shall be substituted the following rule—

"15.—(1) Subject to the next following rule, the training required of a person entering for the examination for the part of the register for mental nurses shall be not less than 142 weeks and not more than 148 weeks.

(2) Within the above limits it shall be for the Council to determine the length of training.".

Amendment of rule 16 of the principal rules

5. For rule 16 there shall be substituted the following rule—

"16. The period of weeks referred to in the preceding rule may be reduced to:—

(*a*) a minimum of 52 weeks for a registered nurse for the mentally subnormal;

(*b*) a minimum of 78 weeks for a person who is already a registered nurse other than a registered nurse for the mentally subnormal;

(*c*) a minimum of 102 weeks for an enrolled mental nurse or an enrolled nurse for the mentally subnormal;

(*d*) a minimum of 130 weeks for an enrolled general nurse."

Amendment of rule 17 of the principal rules

6. For rule 17 there shall be substitued the following rule—

"17.—(1) Subject to the next following rule, the training required of a person entering for the examination for the part of the register for nurses for the mentally subnormal shall be not less than 142 weeks and not more than 148 weeks.

(2) Within the above limits it shall be for the Council to determine the length of training.".

Amendment of rule 18 of the principal rules

7. For rule 18 there shall be substituted the following rule—

"18. The period of weeks referred to in the preceding rule may be reduced to:—

(*a*) a minimum of 49 weeks for a registered mental nurse;

(*b*) a minimum of 73 weeks for a person who is already a registered nurse other than a registered mental nurse;

(*c*) a minimum of 97 weeks for an enrolled mental nurse or an enrolled nurse for the mentally subnormal;

(*d*) a minimum of 122 weeks for an enrolled general nurse.".

Amendment of rule 19 of the principal rules

8. For rule 19 there shall be substituted the following rule—

"19.—(1) Subject to the next following rule, the training required of a person entering for the examination designed to qualify a person for inclusion in both the general part of the register and in the part of the register for sick children's nurses shall be not less than 169 weeks and not more than 178 weeks.

(2) Within the above limits it shall be for the Council to determine the length of training.".

Amendment of rule 20 of the principal rules

9. For rule 20 there shall be substituted the following rule—

"20.—(1) Except under the preceding rule, only a person already registered in a part of the register shall be entitled to enter for the examination designed solely for qualification as a sick children's nurse under a scheme of training approved by the Council in a training institution for registered sick children's nurses.

(2) The training of a person already registered in the general part of the register, entering for the examination referred to in the preceding paragraph, may be reduced to a minimum of 53 weeks.

(3) The training required of a registered mental nurse or a registered nurse for the mentally subnormal entering for the examination referred to in paragraph (1) of this rule, may be reduced to a minimum of 73 weeks.".

Amendment of rule 21 of the principal rules

10. For rule 21 of the principal rules there shall be substituted the following rule—

"*Council's professional disciplinary procedure in respect of student nurses*

21.—(1) Should it come to the notice of the Council that a student nurse (including a student nurse who has discontinued and wishes to resume training) has while in training been convicted of a criminal offence or been guilty of alleged misconduct which, if she had been a registered nurse, would have subjected her to investigation by the Investigating Committee, the Council may, after making such investigations as they consider necessary and after giving the candidate the opportunity of stating her case orally or in writing at her option, impose conditions on or disallow the continuance or resumption of her training or her admission to the register, as they think fit.

(2) If the continuance or resumption of a student nurse's training has been disallowed or her admission to the register has been refused, she may, after a minimum period of one year, apply to the Council for the ban on the continuance or resumption of her training or on her admission to the register to be removed. The applicant may make representations to the Council in writing or orally at her option and if the Council grant the application they may do so subject to such conditions as they think fit.".

Amendment of rule 22 of the principal rules

11. Rule 22 of the principal rules shall be further amended as follows—

(*a*) after paragraph (1) and before paragraph (2) there shall be inserted the following paragraph:—

"(1A) Examinations shall be held by the Council at such times and subject to such conditions as the Council may from time to time determine."

(*b*) for sub-paragraph (*a*) of paragraph (3) there shall be substituted the following sub-paragraph:—

"(*a*) that on the day of the examination she has no more than 8 weeks to complete of the training appropriate to her case specified in this part of these rules; and."

Amendment of rule 23 of the principal rules

12. For rule 23 of the principal rules there shall be substituted the following rules—

"*Interruption of training*

23. A person whose training is interrupted by sick, compassionate or maternity leave of not less than 12 weeks and not more than 5 years shall, in addition to completing her outstanding period of training, be required to do 1 week of additional training for each 4 weeks of the interruption, but in no case shall she be required to undergo more than 16 weeks of additional training.

Transfers

23A.—(1) A student nurse may, on grounds acceptable to the Council, transfer to another training institution, provided the gap between leaving the one institution and starting at the other does not exceed 12 weeks.

(2) A student nurse who has begun training in Scotland or Northern Ireland may transfer to a training institution in England and Wales on similar grounds and conditions.

Breaks in training

23B.—(1) A person who has discontinued training (whether in England and Wales, Scotland or Northern Ireland) shall be entitled to resume training in England and Wales for the same part of the register:—

(*a*) within 3 years of discontinuance, when, in addition to completing her outstanding period of training, she will be required to do 1 week of additional training for each 4 weeks which have elapsed since discontinuance up to a maximum of 16 weeks.

(*b*) within 3 to 5 years of discontinuance, at the discretion of the Council, who may require her to do such additional training, or to recommence training from the beginning, as they think fit.

(2) A person who has had a break in training of more than 5 years shall be required to apply for entry to training afresh."

Amendment of rule 24 of the principal rules

13. In rule 24 of the principal rules, paragraph (2) shall be omitted.

Amendment of rule 30 of the principal rules

14. For rule 30 of the principal rules there shall be substituted the following rule—

"*Conditions of admission of nurses trained abroad excluding those covered by section 3A(1) of the Act of 1957*

30. A nurse applying for registration under section 4 of the Act of 1957 shall do so on a form supplied by the Council and shall pay such application fee as the Council may, with the approval of the Minister, from time to time determine. On being accepted for registration, the nurse shall pay a registration fee of the same amount as is from time to time payable by a person applying for admission who has been trained in England and Wales.".

Amendment of rule 33 of the principal rules

15. In rule 33 of the principal rules, for the words "under this part of these rules to be registered" there shall be substituted the words "to be registered under this part of these rules or under section 3A(1) of the Act of 1957"; and for the words "section 3(3) of the Act of 1957" there shall be substituted the words "section 3(3) of the said Act".

Addition of rule 50A to the principal rules

16. After rule 50 of the principal rules there shall be added the following rule—

"Procedure in relation to nurses rendering nursing services while visiting the United Kingdom

50A. If it is brought to the notice of the Council that a national of a member State of the European Communities who has been authorised to render services in the United Kingdom under Article 6 of the Nursing Qualifications (EEC Recognition) Order 1979(**a**) has, while visiting the United Kingdom, been convicted of a crime or has been guilty of conduct which in the case of a person registered in the general part of the register could lead to the removal of her name therefrom; or she has rendered services other than those specified in the declaration given by her under paragraph (2) of Article 6; such matters shall be dealt with in accordance with the procedure provided for in this part of these rules (so far as applicable) for a case where a crime or allegations of misconduct on the part of a registered nurse have come to the notice of the Council."

Amendment of rule 74 of the principal rules

17. In paragraph (5) of rule 74 of the principal rules for the word "eleven" there shall be substituted the word "fifteen".

Amendment of Schedule 1 to the principal rules

18. Schedule 1 to the principal rules shall be amended as follows—

(*a*) for paragraph (5) there shall be substituted the following paragraph:—

"(5) Qualifications; when and where trained (if in England and Wales), how qualified and for which part or parts of the register.".

Z. E. Oxlade,
Chairman of the Council.

L.S.

The seal of the General Nursing Council for England and Wales was hereunto affixed on 28th November 1980.

M. Storey,
Registrar.

L.S.

SCHEDULE 2

THE GENERAL NURSING COUNCIL FOR ENGLAND AND WALES

The Nurses Acts 1957 to 1969

The General Nursing Council for England and Wales in exercise of the powers conferred upon them by sections 3(1) and 30 of the Nurses Act 1957(**b**) and of all other powers, enabling them in that behalf, having consulted with the General Nursing Council for Scotland and the Northern Ireland Council for Nurses and Midwives, hereby make the following rules:—

Citation and interpretation

1. These rules, which may be cited as the Enrolled Nurses (Amendment) Rules 1980, shall be read as one with the Enrolled Nurses Rules 1969(**c**).

(**a**) S.I. 1979/1604.
(**b**) 1957 c. 15.
(**c**) S.I. 1969/1674.

Amendment of rule 11 of the principal rules

2. For rule 11 there shall be substituted the following rule—

"11.—(1) Subject to the next following rule, the training required of a person entering for the examination for the general part of the roll shall be not less than 96 weeks and not more than 100 weeks training in accordance with the syllabus adopted by the Council from time to time for training in an institution approved by the Council.

(2) The full periods of training referred to above and in subsequent rules shall be exclusive of annual leave and statutory holidays but inclusive of an aggregate of up to 14 days absence on sick, maternity or compassionate leave.

(3) The reduced periods of training referred to in subsequent rules shall be exclusive of annual leave and statutory holidays but inclusive of a proportionately reduced number of days' absence on sick, maternity or compassionate leave.

(4) Within the above limits it shall be for the Council to determine the length of training.".

Amendment of rule 12 of the principal rules

3. For rule 12 there shall be substituted the following rule—

"12. The period of weeks referred to in the preceding rule may be reduced to:—

(*a*) in the case of a person who has undergone training for the part of the register for registered mental nurses or the part of the register for registered nurses for the mentally subnormal—

(i) where the period of such training was not less than 98 weeks, a minimum of 25 weeks; or

(ii) where the period of such training was not less than 49 weeks, a minimum of 49 weeks;

(*b*) in the case of a person who has undergone not less than 49 weeks training for the general part of the register or for the part of the register for sick children's nurses, a minimum of the difference between 98 weeks and the training undergone;

(*c*) in the case of a person who is an enrolled mental nurse or an enrolled nurse for the mentally subnormal, a minimum of 49 weeks;

(*d*) in the case of a person who begins training before 1st January 1982, and is at the time she begins training qualified in ophthalmic or orthopaedic nursing, a minimum of 49 weeks;

(*e*) in the case of a person who begins training before 1st January 1982, and is at the time she begins training a certified midwife, a minimum of 73 weeks.".

Amendment of rule 13 of the principal rules

4. For rule 13 there shall be substituted the following rule—

"13.—(1) Subject to the next following rule, the training required of a person entering for the examination for the part of the roll for enrolled mental nurses shall be not less than 96 weeks and not more than 100 weeks.

(2) Within the above limits it shall be for the Council to determine the length of training.".

Amendment of rule 14 of the principal rules

5. For rule 14 there shall be substituted the following rule—

"14. The period of weeks referred to in the preceding rule may be reduced to:—

(*a*) in the case of a person who has undergone training for any part of the register other than the part for registered mental nurses:—

(i) where the period of such training was not less than 98 weeks, a minimum of 25 weeks; or

(ii) where the period of such training was not less than 49 weeks, a mininum of 49 weeks;

(*b*) in the case of a person who has undergone not less than 49 weeks training for the part of the register for registered mental nurses, a minimum of the difference between 98 weeks and the training undergone;

(*c*) in the case of a person who is an enrolled nurse for the mentally subnormal, a mininum of 36 weeks;

(*d*) in the case of a person who is an enrolled general nurse, a minimum of 49 weeks.".

Amendment of rule 15 of the principal rules

6. For rule 15 there shall be substituted the following rule—

"15.—(1) Subject to the next following rule, the training required of a person entering for the examination for the part of the roll for nurses for the mentally subnormal shall be not less than 96 weeks and not more than 100 weeks.

(2) Within the above limits it shall be for the Council to determine the length of training.".

Amendment of rule 16 of the principal rules

7. For rule 16 there shall be substituted the following rule—

"16. The period of weeks referred to in the preceding rule may be reduced to:—

(*a*) in the case of a person who has undergone training for any part of the register other than the part for registered nurses for the mentally subnormal—

(i) where the period of such training was not less than 98 weeks, a minimum of 25 weeks; or

(ii) where the period of such training was not less than 49 weeks, a mininum of 49 weeks;

(*b*) in the case of a person who has undergone not less than 49 weeks training for the part of the register for registered nurses for the mentally subnormal, a minimum of the difference beween 98 weeks and the training undergone;

(*c*) in the case of a person who is an enrolled mental nurse, a minimum of 36 weeks;

(*d*) in the case of a person who is an enrolled general nurse, a minimum of 49 weeks.".

Amendment of rule 16A of the principal rules

8. For rule 16A of the principal rules there shall be substituted the following rule—

"16A.—(1) A person who has completed the required period of training for a part of the register shall be treated as having completed the required period of training for the corresponding part of the roll.

(2) A person who has passed the written examination for a part of the register shall be exempt from passing the written examination for the corresponding part of the roll.

(3) A person who has passed some or all of the practical tests for a part of the register shall be exempt from passing such of the practical tests for the corresponding part of the roll as the Council, having regard to the nature of the practical tests she has passed, shall determine.".

Amendment of rule 17 of the principal rules

9. Rule 17 of the principal rules shall be further amended as follows—

(*a*) in paragraph (1) there shall be added a new sub-paragraph as follows:—

"(*e*) that on the day of the examination she has no more than 20 weeks to complete of the training appropriate to her case specified in this part of these rules.";

(*b*) paragraph (2) shall be omitted.

Amendment of rule 18 of the principal rules

10. For rule 18 of the principal rules there shall be substituted the following rule—

"Council's professional disciplinary procedure in respect of pupil nurses

18.—(1) Should it come to the notice of the Council that a pupil nurse (including a pupil nurse who has discontinued and wishes to resume training) has while in training been convicted of a criminal offence or been guilty of alleged misconduct which, if she had been an enrolled nurse, would have subjected her to investigation by the Investigating Committee, the Council may, after making such investigations as they consider necessary and after giving the candidate the opportunity of stating her case orally or in writing at her option, impose conditions on, or disallow the continuance or resumption of her training or her admission to the roll, as they think fit.

(2) If the continuance or resumption of a pupil nurse's training has been disallowed or her admission to the roll has been refused, she may, after a minimum period of one year, apply to the Council for the ban on the continuance or resumption of her training or on her admission to the roll to be removed. The applicant may make representations to the Council in writing or orally at her option and if the Council grant the application they may do so subject to such conditions as they think fit.".

Amendment of rule 19 of the principal rules

11. In rule 19 of the principal rules paragraph (5) shall be omitted.

Amendment of rule 20 of the principal rules

12. For rule 20 of the principal rules there shall be substituted the following rules—

"Interruption of training

20. A person whose training is interrupted by sick, compassionate or maternity leave of not less than 12 weeks and not more than 5 years shall, in addition to completing her outstanding period of training, be required to do 1 week of additional training for each 4 weeks of the interruption, but in no case shall she be required to undergo more than 11 weeks of additional training.

Transfers

20A.—(1) A pupil nurse may on grounds acceptable to the Council transfer to another training institution, provided the gap between leaving the one institution and starting at the other does not exceed 12 weeks.

(2) A pupil nurse who has begun training in Scotland or Northern Ireland may transfer to a training institution in England and Wales on similar grounds and conditions.

Breaks in training

20B.—(1) A person who has discontinued training (whether in England and Wales, Scotland or Northern Ireland) shall be entitled to resume training in England and Wales for the same part of the roll:—

(*a*) within 3 years of discontinuance, when, in addition to completing her outstanding period of training, she will be required to do 1 week of additional training for each 4 weeks which have elapsed since discontinuance up to a maximum of 11 weeks;

(*b*) within 3 to 5 years of discontinuance, at the discretion of the Council, who may require her to do such additional training, or to recommence training from the beginning, as they think fit.

(2) A person who has had a break in training of more than 5 years shall be required to apply for entry to training afresh.".

Amendment of rule 21 of the principal rules

13. In rule 21 of the principal rules, paragraph (2) shall be omitted.

Z. E. Oxlade,
L.S. Chairman of the Council.

The seal of the General Nursing Council for England and Wales was hereunto affixed on 28th November 1980.

M. Storey,
L.S. Registrar.

EXPLANATORY NOTE

(This Note is not part of the Instrument.)

The Rules approved by this Instrument further amend the Nurses Rules 1969 and the Enrolled Nurses Rules 1969. They provide for:—

(*a*) the introduction of defined minimum and maximum training periods for full training, and for minimum periods for reduced training;

(*b*)(i) Council to have the power to disallow student nurses and pupil nurses whose training has been discontinued (associated with professional disciplinary action) from continuing or resuming training;

(ii) such student and pupil nurses to be allowed to apply for the above ban on continuance or resumption of training to be removed;

(*c*) definitions of breaks and interruptions in training, and reduction to 5 years in the period of validity of any previous incomplete training;

(*d*) an increase in the size of the Disciplinary Committee;

(*e*) allegations of misconduct against visiting EEC nurses to be dealt with in accordance with the procedure for registered nurses so far as practicable;

(*f*) fees payable by persons trained outside the United Kingdom to be the same as that from time to time payable by persons trained in England and Wales;

(*g*) revision of the means by which a person who commenced training for the register can subsequently be admitted to the corresponding part of the roll;

(*h*) some minor and consequential amendments.

SI 1980/1837
ISBN 0-11-007837-3

