

No. R. 1047

14 December 2011

NURSING ACT, 2005 (ACT No. 33 of 2005)**Regulations relating to the Approval of and the Minimum Requirements for the Education and Training of a Nurse leading to Registration as a Staff Nurse**

The Minister of Health intends in terms of section 58(1)(f) of the Nursing Act, 2005 (Act No. 33 of 2005), after consultation with the South African Nursing Council, to make regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Public Entities and Management), within two months of the date of publication of this notice.

SCHEDULE**Definitions**

1. In this schedule "the Act" means the Nursing Act, 2005 (Act No. 33 of 2005), and any expression to which a meaning has been assigned in the Act shall bear such meaning, and, unless the context otherwise indicates—

"academic year" means a period of at least 44 weeks of learning in any calendar year;

“assessment” means a structured process for the gathering of evidence and making judgements about a learner’s performance in relation to the prescribed requirements for the staff nurse education and training programme.

“assessment method” means the act that the assessor engages in utilising a variety of assessment strategies;

“integrated assessment” means forms of assessment which permits the learner to demonstrate applied competence and which uses a range of formative and summative assessment methods.

“assessor” means a practitioner registered as such with the Council who will be responsible for the assessment of the learner achievement of learning outcomes for the staff nurse education and training programme;

“clinical accompaniment” means a structured process by the Nursing Education Institution to facilitate assistance and support to the student by the nurse educator at the clinical facility to ensure the achievement of the programme outcomes;

“clinical facility” means a health facility whose primary purpose is the provision of care to patients and is also used to teach clinical skills to learners and students;

“clinical learning opportunities” means the range of learning experience available in a health care settings for a learner to gain required clinical skills;

“clinical placement” means the period spent by a learner in clinical and other experiential learning sites to ensure that the purpose of the staff nurse education and training programme is achieved;

“clinical supervision” means assistance and support extended to the students by the professional nurse or midwife at the clinical facility with an aim of developing a competent , independent practitioner;

“competence” The ability of a practitioner to integrate the professional attributes including, but are not limited to, knowledge, skill, judgment, values and beliefs, required to perform as a staff nurse in all situations and practice settings;

“external moderation” means a process of verifying whether the assessment by the Nursing Education Institution delivering the staff nurse education and training programme complies with the principles of assessment and is conducted by the moderator appointed by the Council;

“fees” means an amount of money as determined by the Council from time to time and published by notice in a gazette;

“integrated assessment” means forms of assessment which permit the learner to demonstrate applied competence and which uses a range of formative and summative assessment methods;

“internal moderation” means processes that assess whether the assessment in a single nursing education institution delivering the staff nurse education and training programme comply with the principles of assessment and is conducted by a moderator appointed by the Nursing Education Institutional;

“learner/student” means a person registered with the Council in terms of section 32 of the Act;

“moderation” means the process conducted by an independent moderator, which ensures that assessment of the outcomes prescribed for the staff nurse education and training programme is fair, valid and reliable;

“moderator” means a practitioner registered as such with the Council who will be responsible for the moderation of assessment conducted by nursing education institutions for the staff nurse education and training programme;

“programme” means a purposeful and structured set of learning experiences and outcomes that leads to registration as a staff nurse;

“programme outcomes” means the equivalent of the exit level outcomes of the qualification;

“qualification” planned combination of learning outcomes with a defined purpose that is intended to provide qualifying learners with applied competence for meeting the staff nurse qualification that is registered on the National Qualifications Framework (NQF) which meets the prescribed requirements for registration as a staff nurse;

“recognition of prior learning” means the comparison of the previous learning and experience of a learner against the learning outcomes required for the staff nurse education and training programme and the acceptance of such previous learning and experience for purposes of granting credits towards the staff nurse qualification;

“section” means a section of the Act.

Conditions and requirements for registration as a Staff nurse

2. (1) A person shall be registered as a staff nurse in terms of section 31(c) if—

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- (a) She or he received education and training at a nursing education institution that is accredited to provide the programme;
- (b) she or he was registered as a learner in terms of section 32 and regulations relating to registration of learners, for the duration of the programme;
- (c) she or he has successfully completed the accredited programme and has met all requirements for the award of the prescribed qualification;
- (d) she or he has been assessed and found competent in all exit level outcomes of the programme;
- (e) she or he has complied with any other conditions or requirements as determined by the Council.
- (2) the head of the nursing education institution where the learner was registered for the programme has submitted the following requirements to Council—
- (a) a record of theoretical education and training ;
- (b) a record of all clinical education and training;
- (c) a record of summative level assessments conducted by the Nursing Education Institution, including recognition of prior learning where applicable;
- (d) a declaration certifying that the learner has met the prescribed educational requirements and is competent for registration as a staff nurse, signed by the responsible for the programme appointed) and the head of the nursing education institution, in a format as determined by the Council; and
- (e) any other information as may be required by Council.
- (3) The application for registration as a staff nurse must be in accordance with the Regulations relating to the particulars to be furnished to the Council for keeping of the register for nursing practitioners, the manner of effecting alterations to the register, and certificates that may be issued by the Council published in the Government Notice No. R195 of 19 February 2008.
- (4) In case of a learner that was never registered in terms of subregulation 2 (1) (b), education and training undergone during this period shall not be recognised by Council.

Conditions for the accreditation of a nursing education institution to offer the programme

3. (1) An institution may be accredited to offer the programme leading to registration as a staff nurse if the institution—
- (a) is accredited as a nursing education;
 - (b) is registered in terms of applicable legislation with the Department of Education and is a juristic person, if it is a private institution;
 - (c) is established or deemed or recognized as a higher education or further education and training institution by the relevant Department of Education, in terms of applicable legislation, if it is a juristic person or a public entity;
 - (d) has access to clinical facilities that are appropriate and relevant for achievement of the outcomes of the programme;
 - (e) has a designated person as head of the Nursing Education Institution, who—
 - (i) is registered with the Council as a professional nurse ;
 - (ii) holds at least a Bachelors degree in nursing and an equivalent qualification that is recorded at a level higher on the National Qualifications Framework than the highest qualification offered by the nursing education institution;
 - (iii) has an additional qualification in nursing education;.and
 - (iv) is in possession of a relevant management qualification;
 - (f) has demonstrated that there is a need for such education and training programme; and
 - (g) provides evidence of availability of infrastructure and resources that are adequate and appropriate for the achievement of the programme outcomes.
- (2) The institution must be accredited by the Council to offer the programme prior to commencement of such programme.
- (3) The programme must meet all the Council's prescribed accreditation conditions; requirements, criteria and any standards for nursing education and training as may be determined by the Council from time to time.

Admission requirements to the staff nurse education and training programme

4 (1) In order to be admitted to the programme, a person must—

- (a) be in possession of at least a National Senior Certificate or recognized equivalent qualification; or
- (b) registered as an auxiliary nurse or enrolled nursing auxiliary.

Minimum requirements staff nurse education and training programme

5 (1) The requirements of the programme must be read and applied in conjunction with the directives of such a programme, as determined by the Council. Such directives may be published by notice in the *Gazette*.

(2) Learners are required to achieve all exit level outcomes of the programme.

(3) The duration of the programme is three academic years of full time study.

(4) A learner shall throughout the programme receive integrated education and training to achieve both theoretical and clinical outcomes.

(5) A learner shall comply with all clinical placement requirements of the programme as determined by the Council.

(6) The maximum period that a learner may spend in a simulated learning environment must comply with the conditions determined by Council, which may be gazette at the discretion of the Council.

Exit level outcomes for the Programme

6. (1) The programme must achieve the following outcomes for the provision of nursing care—

- (a) Provide nursing care throughout the lifespan in various healthcare settings;
- (b) Render nursing care within a legal and ethical framework;
- (c) Apply knowledge of natural and biological sciences in the practice of nursing;
- (d) Apply knowledge of psycho-social science in the practice of nursing;
- (e) Apply knowledge of pharmacology in nursing practice;
- (f) Use and maintain healthcare information systems for nursing practice;
- (g) Manage a healthcare unit by implementing the management process; and

- (h) Provide reproductive health care to promote and maintain optimum health of individuals and families.

Clinical education and training

7. (1) Clinical educational training must only be provided in clinical facilities that are appropriate and relevant for the achievement of the programme outcomes.
- (2) Clinical learning must take place in a range of clinical settings and other learning site that will facilitate the achievement of the programme outcomes.
- (3) The nursing education institution must set clinical learning outcomes for each of the learning areas of the programme.
- (4) Processes, procedures and responsibilities must be negotiated and formalized by both the nursing education institution and the health establishment.
- (5) The nursing education institution must take responsibility and provide evidence for clinical accompaniment.
- (6) The clinical facility must take responsibility for and take responsibility for clinical supervision.
- (7) The nursing education institution is accountable for clinical accompaniment and clinical supervision.
- (8) Clinical education and training shall include learning experience at night, not within the first six months of the programme and shall not exceed two months of an academic year.

Assessment of learning Outcomes

8. (1) Assessment of learning by a nursing education institution must comply with the following—
- (a) The learner must be assessed and found competent in all learning outcomes of the programme, in line with the assessment criteria outlined in the qualification registered on the National Qualifications Framework;
- (b) a minimum of 60% of formative clinical assessment activities must be done in real life situations;
- (c) They must be evidence of continues assessment throughout the period of study;
- (d) Records of assessment must be kept by the nursing education institution for a period as prescribed by relevant legislation and be produced on request by Council;
- (e) Summative assessment must be conducted at the end of learning period as determined by institutional policies including the end of the programme; and
- (f) Any other requirements as may be determined by the Council;

(2) Notwithstanding the provisions in subregulation (1) the Council may conduct assessment activities in respect of this programme or delegate the assessment functions to any person or organization

Moderation of assessment

9. (1) Moderation of assessment must comply with the following requirements—

(a) There must be evidence of internal moderation system; and

(b) Records of moderation of assessment must be kept by the nursing education institution, for a period prescribed by relevant legislation and must be produced on request by the Council.

(2) Notwithstanding provisions of subregulation (1) the Council may conduct external moderation to verify assessment practices of the nursing education institution or delegate this function to a person or organization.

Completion and Termination of and re-admission into the programme

10. (1) Upon successful completion of the prescribed education and training period for the programme by the learner, the head of the nursing education institution must submit to Council—

(a) a declaration of such completion within thirty days of such completion of the programme in a format determined by Council;

(b) a record of all education and training that the learner has undergone, in a format determined by the Council;

(c) the requirements for registration as a staff nurse in terms of regulation 2; and

(d) any other additional document of information as may be required by Council.

(2) For a learner who terminates training for any reason without having completed the programme or complied with the requirements for registration in terms of regulation 2, the head of nursing education institution must submit to the Council—

(a) a notice of termination of education and training in a format determined by the Council;

(b) a record of all education and training undergone in a format determined by the Council; and

(c) any other additional document or information as may be required by the Council.

(3) In case of a learner who transfers to another nursing education institution the head of the nursing education institution transferring the learner must—

(a) submit to the receiving Nursing Education Institution ,on request, a record of all education and training that the learner has undergone; and

(b) submit to the Council—

(i) a record of education and training undergone by the learner, in a format determined by the Council; and

(ii) a notice of termination of education and training in a format determined by the Council.

(4)The nursing education institution receiving the transferred learner referred to in subregulation

(3) must submit to the Council an application for re-admission of the learner into the programme in terms of section 32 and in accordance with prescribed requirements.

DR A MOTSOLEDI, MP

MINISTER OF HEALTH: