

No. R. 1048

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 an Auxiliary 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 the 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 three 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 auxiliary nurse education and training programme;

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

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

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

“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 experiences available in a health care setting or other experiential learning sites 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 auxiliary nurse education and training programme is achieved;

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

“competence” means 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 an auxiliary nurse in all situations and practice settings;

“core learning” means compulsory learning required for the auxiliary nurse education and training programme;

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

“fee” means an amount of money as determined by the Council from time to time and published by notice in the *Gazette*;

“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;

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

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

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

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

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

“section” means a section of the Act.

Conditions and requirements for registration as an auxiliary nurse

2. (1) A person shall be registered as an auxiliary nurse in terms of section 31(1) (d) if—
- (a) she or he received education and training at a nursing education institution that has been accredited to the programme;
 - (b) she or he was registered with the Council as a learner nurse in terms of section 32 of the Act and prescribed requirements for the duration of the programme;
 - (c) she or he has successfully completed the accredited programme, has met all requirements of the programme for the award of the prescribed qualification; and
 - (d) she or he has been assessed and found competent in all exit level outcomes of the programme.
- (2) The head of nursing education institution where the learner was for the programme has submitted to the Council—
- (i) a record of theoretical education and training;
 - (ii) a record of clinical education and training;
 - (iii) a record of summative level assessments, conducted by the Nursing Education Institution, including recognition of prior learning where applicable;
 - (iv) a declaration certifying that the learner has met the prescribed educational requirements and is competent for registration as an auxiliary nurse, signed by the person responsible for the programme and the head of the nursing education institution in a format determined by the Council; and
 - (v) any other documents and information as may be determined by the Council.
- (3) The application for registration as an auxiliary 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. R. 195 of 19 February 2008.

- (4) In the case of a learner that was never registered with the Council as a learner, education and training undergone during the period shall not be recognized by Council.

Conditions for the accreditation of a nursing education institution to offer the auxiliary nurse education and training programme

3. (1) An institution may be accredited to offer the programme leading to registration as an auxiliary nurse if the institution—
- (a) is accredited as a nursing education institution;
 - (b) is registered in terms of applicable legislation with the Department of Education, 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 Department of Education in terms of applicable legislation, if it is a juristic person or public entity;
 - (d) has access to clinical facilities that are appropriate and relevant for the achievement of the outcomes of the programme;
 - (e) has a designated person as head of the nursing education institution who—
 - (i) is registered as a professional nurse with the Council;
 - (ii) holds at least a Bachelor degree in nursing or a qualification that is recorded at a level higher on the National Qualifications Framework than the highest qualification offered by the 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 a programme.
- (3) The programme must meet all the Council's prescribed accreditation conditions, requirements, criteria and any standards, as may be determined by the Council from time to time.

Admission requirements to the auxiliary nurse education and training programme

4. (1) In order to be admitted to programme, a person must—
 - (a) have successfully completed twelve years of formal schooling; or
 - (b) have successfully completed a relevant health related qualification at NQF level 4.

Minimum requirements auxiliary nurse education and training programme

(The requirements of the programme must be read in conjunction with directives or guidelines of such a programme, as determined by the Council. Such directives may be gazetted at the discretion of the Council)

5. (1) Learners are required to achieve all exit level outcomes of the programme.
 - (2) The duration of the programme is one academic year of full time study.
 - (3) A learner shall through the programme receive integrated education and training to achieve both theoretical and clinical outcomes.
 - (4) A learner shall comply with all clinical placement of the programme as determined by the Council.
 - (5) The maximum period that a learner may spend in a simulated environment must comply with the requirements as determined by , which may be gazetted at the discretion of the Council.

Exit Level outcomes

6. (1) The auxiliary nurse education and training programme must achieve the following outcomes for the provision of elementary nursing care—

- (a) Apply basic knowledge of anatomy, physiology, biophysics, introductory pharmacology and microbiology in the provision of nursing care;
- (b) Communicate effectively in a variety of ways in a nursing context;
- (c) Use a scientific approach to address the basic needs of individuals and groups in a variety of health care settings ;
- (d) Participate in addressing the needs of individuals and groups in a community;
- (e) Participate in the implementation of basic nursing care;
- (f) Demonstrate an understanding of appropriate methods of interacting sensitively and professionally with people with diverse backgrounds; and
- (g) Maintain professionalism in nursing practice within the ethical and legal framework.

Clinical training

7. (1) Clinical education and 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 sites that will facilitate the achievement of the programme outcomes.
- (3) The nursing education institution must set clinical learning outcomes for each learning area of the programme.
- (4) Processes, procedures and responsibilities must be negotiated and formalized by both the Nursing Education Institution and the clinical facilities.
- (5) The Nursing Education Institution must take responsibility for and provide evidence of clinical accompaniment.
- (6) The clinical facility must take responsibility for and provide evidence of 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 not exceeding two months of the academic year of study.

Assessment of learning Outcomes

8. (1) Assessment of learning conducted by a nursing education institution must comply with the following—
- (a) It must be conducted by an assessor registered with the Council;
 - (b) 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;
 - (c) A minimum of 60% of Formative Clinical assessment activities must be done in real life situations.
 - (d) There must be evidence of continuous assessment throughout the period of study.
 - (e) 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 the Council.
 - (f) Summative assessment must be conducted at the end of learning period as determined by institutional policies, including the end of the programme.
 - (g) 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 nursing education institutions or delegate this function to a person or organisation.

Completion and termination of training

10. (1) Upon successful completion of the prescribed education and training period for the programme by the learner, the head of 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 professional nurse in terms of regulation 2; and
- (d) any other additional document or information as may be required by Council.

(2) For a learner who terminates training 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 form 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 Council.

(3) In case of a learner who transfers to another nursing education institution, the head of 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 achieved, and
- (b) submit to Council;

- (i) a record of all education and training undergone in a format as determined by the Council;
- (ii) a notice of termination of education and training in a form determined by the Council; and
- (iii) any other additional document or information s may be required 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.

Transitional arrangements

11. Learners registered in terms of Regulations published in the Government Notice No. R. 2176 of 19 November 1993 will continue to be regulated until the date of termination of the programme.
12. Regulations published in the Government Notices No. R2176 of 19 November 1993 will remain in force until a date published by the Council in a government notice.
13. The Council will cease to accredit any new nursing education institution to offer the education and training programme leading to enrolment as a nursing auxiliary in terms of Regulations published in the Government Notices No. R2176 of 19 November 1993.
14. Nursing education institutions accredited for education and training programmes in accordance with the Regulations published in the Government Notices No. R2176 of 19 November 1993 will cease to offer the education and training for such a programme on a date to be determined by the Council and published in the Gazette.
15. The nursing education institutions referred to in regulation 22 must ensure that all education and training programmes that commenced prior to the date referred to in regulation 22 are completed within the prescribed periods.
16. The nursing education institutions referred to in regulation 22 must make provision for the education and training of learners that do not meet the prescribed training period for an additional period not exceeding two years.

17. No person may, after the published date referred to in Regulation 22, be registered as a student for the first time education and training programmes in terms of Regulations published in the Government Notices No. R 2176 of 19 November 1993.
18. A nurse educator that does not meet the requirements of sub-regulations 3 (1)(e) and 15 (1) and (2) may continue to provide education and training in nursing education institutions referred to regulation 22 for a period not exceeding two years.

DR A MOTSOLEDI, MP

MINISTER OF HEALTH: