# NHS Wales Nursing and Midwifery Council Revalidation and Registration Policy

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**Sponsoring Executive Director:** Rhiannon Beaumont-Wood, Executive Director of Quality, Nursing and Allied Health Professionals  
**Who will present:** Rhiannon Beaumont-Wood  
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**Committee/Groups that have received or considered this paper:** Quality and Safety Committee

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**Date:** 18 April 2016  
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1 Introduction

This paper provides the Board with a copy of the NHS Nursing and Midwifery Council Revalidation and Registration Policy which has been agreed and adopted at a national level following the introduction of nursing and midwifery revalidation from 1 April 2016.

2 Background

From 1 April 2016 all registered nurses and midwives will have to apply for revalidation to the Nursing Midwifery Council (NMC) every three years at the time that their annual registration fee becomes payable for that year.

3 Timing

Revalidation of nurses and midwives comes into place on 1 April 2016.

4 Description

The purpose of this policy, which has been written by Welsh Government for adoption across Wales, is to set out a framework for ensuring that effective systems are in place within each organisation to verify the revalidation and registration status of all staff employed as nurse and midwives.

5 Financial Implications

It is not anticipated that there are any financial costs to the organisation for the implementation of the Policy.

6 Recommendation(s)

The Board is asked to approve the All Wales policy for formal adoption.
NHS Wales
Nursing and Midwifery Council Revalidation and Registration Policy

N.B. Staff should be discouraged from printing this document. This is to avoid the risk of out of date printed versions of the document. The Public Health Wales Intranet should be referred to for the current version of the document.

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POLICY AIM

1. There is a legal and contractual requirement for all individuals employed as a registered nurse or midwife within NHS Wales to be revalidated and registered with the Nursing and Midwifery Council (NMC). The purpose of this policy is to set out a framework to ensure that effective systems are in place within Public Health Wales to verify the revalidation and registration status of all staff employed as nurses and midwives.

POLICY STATEMENT

2. The primary purpose of revalidation is to improve public protection by making sure that registered nurses and midwives can demonstrate their continued ability to practise safely and effectively throughout their careers.
3. Revalidation gives registered nurses and midwives in Wales the opportunity to continue to develop their professional knowledge and show their professionalism to those with whom they come into contact throughout their working lives.
4. From April 2016 all registered nurses and midwives will have to apply for revalidation every three years at the time that their annual registration fee becomes payable for that year. Health boards and trusts will need to demonstrate they have robust internal processes that ensure their employees meet the requirements of the NMC revalidation process.
5. The NMC hold a register of every nurse and midwife who has fulfilled the NMC registration requirements and is therefore eligible to practice in the UK.
6. Failure to successfully complete the revalidation and registration process will result in the registered nurse or midwife being lapsed from the NMC Register.
7. Both the individual practitioner and Public Health Wales have a responsibility to ensure that individuals practising as a registered nurse or midwife has the necessary qualifications and registration to perform their role. This policy/guidance:
   - Makes explicit the personal responsibility of individual nurses and midwives to maintain revalidation and registration with the NMC
   - Sets out the overarching responsibilities for nurse/midwife managers as to the revalidation and registration status of individuals employed as nurses or midwives within their wards and teams.
- Details the Senior Nurse/Midwife Managers (or equivalents) responsibility to have in place systems and processes to assure the Executive Director of Nursing of the revalidation and registration status of all individuals employed as registered nurses or midwives in their area of accountability.

**CONTEXT**

8. The NMC is the regulator of nursing and midwifery in England, Wales, Scotland, Northern Ireland and the Islands. The NMC exists to safeguard people (the public) who use or need the services of registered nurses and midwives. The NMC is a statutory body and its responsibilities are set out in the Nursing and Midwifery Order 2001.

9. The NMC fulfils its public protection role through a number of functions.

**REVALIDATION OVERVIEW**

10. Revalidation is an NMC requirement. Completing the revalidation process is the responsibility of each registered nurse and midwife themselves. They are the owners of their own revalidation.

11. Every registered nurse and midwife will be required to take part in the revalidation process. Failure to successfully do so will result in the registered nurse or midwife being lapsed from the register and it will then be illegal for them to be employed as a registered nurse or midwife.

12. This policy statement along with systems and processes which support it ensure that any risks associated with individual registered nurses or midwives failing to comply with the process are mitigated.

13. The NMC requirements for revalidation are set out in appendix 1 to this policy. Staff should be clear when they are expected to revalidate and prepare accordingly. The collection of appropriate evidence should be a continual process and be taking place over the whole three year cycle prior to each revalidation date. Registered nurses and midwives will therefore be expected to produce evidence in relation to revalidation at each annual appraisal.

14. Staff will be required to follow all local arrangements that support the revalidation process. The local arrangements for Public Health Wales are set out in appendix 2.

15. Revalidation is not an assessment of a registered nurse or midwives fitness to practice. Any fitness to practice issues must be addressed as soon as they are identified, according to existing NMC and Public Health Wales processes and policies.
16. By law, registered nurses and midwives can keep their portfolio and revalidation evidence in Welsh if they wish. They can request in advance that their reflective discussion and confirmation is undertaken through the medium of Welsh. If the identified line-manager is unable to facilitate this then an appropriate substitute must be identified by the line-manager.

17. Health Boards and Trusts will record the minimum data set of renewal and revalidation information on the registered nurse or midwives Electronic Staff Record (ESR), as required by the NMC.

18. To access the NMC service to check registration, individual managers of registered nurses and midwives will need a personal ‘caller code’. Caller codes are individually assigned by the NMC and are not transferable.

**REVALIDATION PROCESS**

**The Reflective Discussion**

19. The NMC require that every registered nurse and midwife must discuss their five written reflective accounts with an NMC registered nurse or midwife in order to comply with this element of the revalidation requirements. If the registered nurse or midwife’s line manager is an NMC registered nurse or midwife then the five reflective discussions can take place at the same time as the confirmation, if the registered nurse or midwife’s line manager is NOT an NMC registered nurse or midwife then the five reflective discussions MUST take place before the confirmation. Where possible the Reflective discussion and Confirmation should be part of the registered nurse or midwife’s appraisal.

20. Whilst the NMC has stated that it is up to the individual registered nurse or midwife to decide the most appropriate person to have their reflective discussion with. Within Public Health Wales it is expected that any employee who undertakes the reflective discussion with another registered nurse or midwife employee:-

21. Must be on the NMC register but does not need to be on the same part of the register (a registered nurse can have a reflective discussion with a midwife and vice versa).

And

- Should ideally be the registered nurse or midwife’s line manager/professional lead.

And
• Be recognised by Public Health Wales as being suitable to fulfil the role of professional discussion partner.

And

• Should work with the registered nurse or midwife frequently or be from a professional network or learning group, although they do not need to work with them on a daily basis or undertake the same type of practice.

Or

• Should be senior to, or more experienced than the registered nurse or midwife.

And

• Must be able to facilitate a critically reflective discussion with the registered nurse or midwife.

And

• Must agree to be contacted by the NMC to provide further information if necessary for verification purposes.

22. The record of the reflective discussion should be kept stored either in the practitioner's professional portfolio, on ESR or electronically and a copy should be retained in their personal file.

23. If the registered nurse or midwife facilitating the reflective discussion knowingly makes a false declaration about the conduct or process of the discussion then they may be subject to internal disciplinary processes. They may also be referred to and investigated by the NMC for alleged breaches of the Code, which may involve fitness to practice proceedings being instigated against the registered nurse or midwife.

**Confirmation**

24. Every registered nurse and midwife must obtain confirmation that they have demonstrated, through the production of the required evidence, their compliance with the revalidation requirements.

25. In most cases the confirmer will be an NMC registered nurse or midwife, although the NMC specify that this is not an essential requirement. Within Public Health Wales the confirmation process will form part of the role responsibilities of all line-managers of registered nurses and midwives. Should there be circumstances whereby this approach is not felt to be appropriate, a registered nurse or midwife can make a formal request to the Public Health Wales to be assigned to
a different confirmer. Similarly, confirmers can make a formal request for their staff member to be assigned to a different confirmer. It is anticipated that such a situation will only arise in exceptional circumstances.

**The Process Of Confirmation**

26. The process of obtaining confirmation every three years will ordinarily take place during the existing appraisal process.

27. Confirmation can take place at any point in the 12 months prior to the registered nurse or midwife’s revalidation date, providing all other requirements of the revalidation process have been met.

28. There is no expectation that the confirmer will seek external verification of the evidence that the registered nurse or midwife provides. The confirmer is expected to act honestly and in good faith, and neither Public Health Wales nor the NMC will take action against a confirmer who inadvertently provides information that later proves to be incorrect.

29. Any registered nurse or midwife who is on long term sick can have their confirmation discussion as part of their regular meetings in line with the long term sickness policy. If the practitioner is too unwell to participate in the confirmation process and their revalidation date is approaching then the NMC can be contacted to consider an extension to the registered nurse or midwife’s renewal date. It is expected that the line manager will support the registered nurse or midwife with this extension application process.

30. Where staff know they will be on maternity leave and their revalidation date falls within the period where they are expected not to be in work, preparation is essential. The registered nurse or midwife should arrange with their confirmer to complete the process before their maternity leave commences or as part of the arrangements for the ‘keeping-in-touch’ days.

31. Similar arrangements may apply to staff who take career breaks. Registered nurses or midwives who take a career break of sufficient length not to be able to meet the 450 practice hour requirement will need to undertake a Return to Practice course.(see appendix 1 for dual registration requirements)

32. Where a registered nurse or midwife is suspended from duty or undergoing a disciplinary investigation or been referred to the NMC when their confirmation is due, this should not affect their confirmation and appropriate arrangements must be put into place by Public Health Wales.
33. All registered nurses or midwives have the right to appeal to Public Health Wales if they feel that an incorrect decision has been made about their confirmation. This appeal must be made in writing within two weeks of the original decision. Public Health Wales will be required to make arrangements for a senior member of staff to investigate the appeal. This investigation should be undertaken in a time frame that is mindful of the nurse or midwives revalidation date.

34. If a registered nurse or midwife does not submit a revalidation application before their renewal date then their registration will lapse. They will then need to either complete a re-admission (which can take between 2 and 6 weeks) or undertake a return to practice course before they can work again as a registered nurse or midwife.

The Health Board or Trusts Register of Confirmers

35. All Staff who act in the role of a confirmer must complete the appropriate preparation as determined by Public Health Wales, only after successfully completing the preparation will they be identified by Public Health Wales as a confirmer.

36. Employers may decide to hold registers of prepared confirmers. This should be held in the electronic staff record.

37. Only registered nurses or midwives or other line managers who have undertaken preparation and are on the Health Board or Trust register (where one exists) may act as confirmers for another Health Board or Trust employee.

VERIFYING REVALIDATION AND REGISTRATION STATUS OF NURSES AND MIDWIVES

Pre-employment/enrolment

38. All prospective employees of Public Health Wales are required to provide details of their professional qualifications and registration details as part of the application process. The Appointing Officer is responsible for verifying the identity and professional revalidation and registration status of a successful applicant prior to offering a nursing or midwifery position within Public Health Wales.

39. A copy of the NMC registration confirmation must be placed in the individual’s personal file.

_N.B. An individual cannot commence a position where the role is dependent on them being a registered nurse or midwife within Public Health Wales until confirmation of registration is obtained._
Renewal Of Revalidation And Registration

40. The NMC will inform registered nurses and midwives that their three yearly revalidation is due 60 days before the revalidation date.

41. The NMC will also inform registered nurses or midwives at least six weeks before their annual fee payment and registration renewal date is due.

42. Consequently, Public Health Wales is not obliged to inform registered nurses or midwives that either their revalidation and registration is due. It is the responsibility of the individual to maintain their revalidation and registration during their employment with Public Health Wales, and this includes during any break of employment such as maternity leave, sick leave and/or career break.

Continuous Verification Of Revalidation And Registration Status

43. Employers of registered nurses and midwives are required to verify the revalidation and registration status of all nurses and midwives they employ. This is a key component of public protection. Nurses and midwives may also hold recordable qualifications e.g. allowing them to prescribe, and these should also be verified.

44. Each manager of registered nurses and midwives must maintain or have access to a record of the NMC annual registration renewal date and three yearly revalidation date of each registered nurse or midwife that they manage.

*N.B. Individual nurses and midwives may be liable to prosecution for claiming to be registered when they are not as this could be considered to be a criminal offence and as such may be reported to the Police and/or Counter Fraud.*
Responsibility of Registered Nurses and Midwives

45. Registered nurses and midwives are personally responsible for renewing their registration with the NMC annually. Registered midwives who have a statutory requirement to notify the Local Supervising Authority (LSA) annually of their intention to practice.

46. Registered nurses and midwives are required to notify Public Health Wales at the earliest opportunity of any factors that might impact on their registration status including delay in renewal of registration, payment of fees, completion of revalidation requirements, or referral by any party to the NMC.

Responsibility of Ward Sisters, Charge Nurses, Team Leaders, Senior Midwives, Professional Leads and Operational Team Leaders

47. Ward sisters, charge nurses, team leaders, senior midwives, professional leads and operational team leaders have responsibility to ensure their staff are aware of the requirements of revalidation and where appropriate (when the line manager) act as the Confirmer. Where appropriate registrants can also undertake the Professional Discussion.

Senior Nurses/Midwives

48. The senior nurse (or equivalent) has delegated responsibility for undertaking the Confirmer role where appropriate (when the line manager) and where appropriate registrants can also undertake the Professional Discussion.

Divisional Nurses/Midwives

49. The divisional nurse (or equivalent) has delegated responsibility for undertaking the Confirmer role where appropriate (when the line manager) and where appropriate registrants can also undertake the Professional Discussion.

Executive Director of Nursing and Midwifery

50. The Executive Director of Nursing and Midwifery has Board level responsibility for establishing processes to ensure that all registered nurses and midwives employed by Public Health Wales have the necessary qualifications and registration to perform their role.
Legal Requirements For Registration

51. Continuing to work as a registered nurse or midwife while not on the NMC register is illegal (article 44 of the Nursing and Midwifery Order 2001). Any registered nurse or midwife who is found to have been working whilst unregistered is required to be referred to the NMC Registrar's Advisory Group, and may be subject to a Fitness to Practise investigation.

52. Where an individual’s registration has lapsed for whatever reason and the individual has continued to work a file note must be included in the nurse/midwife’s personal file to record the period of time that they practised as a registered nurse or midwife whilst not on the NMC register. They may be subject to investigation under the All Wales Disciplinary Policy.

FAILURE TO REVALIDATE AND LAPSED REGISTRATION

53. Revalidation and Registration is not an assessment of fitness to practice. Any fitness to practice issues must be addressed as soon as they are identified, according to the existing NMC and Public Health Wales process and policies.

54. Any registered nurse or midwife who is found to have deliberately falsified evidence or made a false declaration may be subject to internal disciplinary processes and will be referred to the NMC who may subsequently investigate the registered nurse or midwife for alleged breaches of the Code. This may involve fitness to practice proceedings being instigated against the registered nurse or midwife by the NMC.

55. The deadline for registered nurse or midwife to submit their application for revalidation on line via the NMC website is the 1st day of the month in which their renewal date falls. E.G. If the renewal date is 31.03.17 then the deadline for submitting the on line application for revalidation is 01.03.17. Any registered nurse or midwife who allows their registration to lapse will need to make a formal application to the NMC for re-admission to the register. This process can take between two and six weeks.

56. In addition to the NMC notification sent to a registered nurse or midwife, Health Boards and Trust may decide locally to issue communications outlining the requirement for revalidation to be met to their registered nurse or midwife and their managers ahead of their revalidation month.
**Breach Of Contract Of Employment**

57. The All Wales Disciplinary Policy states the following as an example of gross misconduct which might lead to summary dismissal:

Any fundamental breach of the Contract of Employment, which makes continuation of employment impossible. This category may include:

- Failure to meet statutes concerning Professional Registration.

58. Failure to revalidate and/or maintain registration as set out in the NMC Code of Conduct is a clear example of a fundamental breach of the Contract of Employment. In some cases the result may be summary dismissal without notice or payment in lieu of notice.

59. An alternative method of dealing with this disciplinary offence is ‘other form of action short of dismissal’. This will be considered by Public Health Wales on a case by case basis and may include an emergency application of unpaid leave by the nurse or midwife.

60. Nurses, midwives and their employers must all ensure that they communicate regularly with each other during this period of lapsed registration.

61. The employee would have the opportunity to consider this option and respond in writing within 7 calendar days accepting this variation in their terms and conditions as an alternative to dismissal.

**Process for Dealing With Lapsed Registered Nurse Or Midwife**

62. A registered nurse or midwife who fails to meet their revalidation deadline, or fails to renew their registration within the specified timescales, may be disciplined under the All Wales Disciplinary Policy for failing to maintain registration that allows them to practice as a registered nurse or midwife.

63. Where registration is a requirement of their role, any registered nurse or midwife who elects not to revalidate will be deemed to have terminated their contract of employment with immediate effect, and similarly, this will be without payment in lieu of notice.
Health Board/Trusts’ Support For Registered Nurse Or Midwives At Risk Of Lapsing From The Register

64. If a registered nurse or midwife is at risk of lapsing from the NMC register they should seek advice from their Manager and Human Resources at the earliest opportunity prior to their registration lapsing.

65. If a registered nurse or midwife believes that the NMC exceptional circumstances guidance applies to their situation, they should apply to the NMC for an extension to their renewal date. This process should be facilitated by their line-manager.

66. Registered nurse or midwife who is unable to meet the requirements for re-registration due to any reason and are therefore at risk from lapsing from the register should seek advice from their Manager and Human Resources at the earliest opportunity prior to registration lapsing.

67. The subsequent return to the registered nurse or midwife post of the member of staff and/or the resumption of pay will be subject to the availability of confirmation of verification of revalidation or registration status.
NMC REQUIREMENTS FOR REVALIDATION

Every three years all registered nurses or midwives must:

- Have practised for a minimum of 450hrs per registration (450hrs nursing and/or 450hrs midwifery). This is not limited to clinical practice, and includes work in non-clinical roles such as management, policy, education & research. NMC registered nurse or midwife within the Health Board or Trust who are not employed as nurses or midwives, but who nevertheless wish to remain on the NMC register, can meet the practice hours requirement if, in their roles (or for parts of it), they rely on their skills, knowledge and experience of being a registered nurse or midwife and can demonstrate this.

- Complete 35hrs of continuing professional development (CPD), of which at least 20hrs must be participatory learning.

- Obtain five pieces of practice-related feedback.

- Complete a minimum of five written reflective accounts (relating to their practice, their CPD activity or their practice related feedback).

- Participate in a reflective discussion with another NMC registered nurse or midwife about their written reflective accounts.

- Provide a health and character declaration.

- Declare that they have appropriate cover under a professional indemnity arrangement.

- Obtain confirmation of compliance with the NMC revalidation requirements from their line-manager by demonstrating to them that they have undertaken/completed the requirements.

- Further detail of the Revalidation requirements are to be found on the NMC website at: http://revalidation.nmc.org.uk/
LOCAL PROTOCOL FOR SUPPORTING REVALIDATION

- All registrants have received training on revalidation
- All line managers of registrants have received training on the Confirmer role
- All registrants are aware of their Confirmer (line manager)
- All registrants will have identified the registrant with whom they will have their Professional Discussion. If a registrant is unable to identify a suitable registrant then they will need to contact the Executive Director of Nursing’s Team for support
- Once a registrant receives confirmation from the NMC that they have successfully achieved revalidation the appropriate line manager needs to be informed
- If a registrant requires support or has any query in relation to revalidation they will need to contact the Executive Director of Nursing’s Team
- Additional information is available on the Public Health Wales Nursing & Midwifery intranet pages: http://howis.wales.nhs.uk/sitesplus/888/page/59795
REFERENCES


http://revalidation.nmc.org.uk/download-resources/guidance-and-information/