

No. 491

12 June 2015

**SOUTH AFRICAN QUALIFICATIONS AUTHORITY (SAQA)**

In accordance with the National Qualifications Act, Act No 67 of 2008, the Directorate for Registration and Recognition at SAQA invites comment from interested parties on its intention to recommend the recognition of the following professional body and the registration of its designation on the NQF for the purposes of the said Act.

The application of the professional body was evaluated against the *Policy & Criteria for Recognising a Professional Body and Registering a Professional Designation for the Purposes of the National Qualifications Framework Act, Act 67 of 2008* as approved by the SAQA Board. The evaluation focused on the following key areas as set out in the criteria:

- Governance, Management and Sustainability
- Disciplinary Matters and Accountability
- Data Management
- Continuing Professional Development
- Awarding of Professional Designations

SOUTH AFRICAN NURSING COUNCIL (SANC)

Designation Title
Enrolled Nursing Auxiliary
Enrolled Nurse
Midwife
Registered Nurse

The complete application is available for viewing at SAQA.

Comment regarding the application should reach SAQA at the address below **no later than 30 days after publication in the Government Gazette**. All correspondence should be marked and addressed to:

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**PROFESSIONAL BODY RECOGNITION AND PROFESSIONAL DESIGNATION
REGISTRATION****EVALUATION REPORT****1. NAME OF BODY: SOUTH AFRICAN NURSING COUNCIL (SANC)**

- 1.1 The South African Nursing Council applied to SAQA for recognition as a Professional Body and for the registration of four (4) Professional Designations on the NQF in terms of the NQF Act, Act 67 of 2008.
- 1.2 The Directorate for Registration and Recognition (DRR) evaluated the application against the *Policy and Criteria for Recognising a Professional Body and Registering a Professional Designation for the Purposes of the National Qualifications Framework Act, Act 67 of 2008*.

2. BACKGROUND INFORMATION ON THE PROFESSIONAL BODY

- 2.1 The South African Nursing Council is a statutory body established in terms of Section 2 of the Nursing Act No. 50 of 1978, and continues to exist as per section 2 of the Nursing Act No. 33 of 2005.

The main objectives of SANC are to:

- Protect the public in matters involving health services generally and nursing services in particular;
- Perform its functions in the best interest of the public and in accordance with National Health Policy as determined by the Minister of Health;
- Promote the provision of nursing services to the inhabitants of the Republic that complies with universal norms and values;
- Establish, improve, control conditions, standards and quality of nursing education and training within the ambit of the Nursing Act 33 of 2005 and any other applicable laws;
- Maintain professional conduct and practice standards for practitioners' within the ambit of any applicable law;
- Promote and maintain liaison and communication with all stakeholders regarding nursing standards, and in particular standards of nursing education and training and professional conduct;
- Advise the minister on the amendment or adaptation of the Nursing Act 33 of 2005 regarding matters pertaining to nursing;
- Be transparent and accountable to the public in achieving its objectives and in performing its function;

2.2 SANC Registered Persons

- Subject to the provisions of Section 37, no person may practise as a practitioner unless he or she is registered to practice in at least one of the following categories:
 - Professional Nurse
 - Midwife
 - Staff Nurse
 - Auxiliary Nurse or
 - Auxiliary Midwife
- A person who is registered in one of the categories contemplated in Section 31 may use the title "Registered Professional Nurse", "Registered Midwife", "Registered Staff Nurse", "Registered Auxiliary Midwife", or "Registered Auxiliary Nurse".
- A receipt issued by or on behalf of the Council in respect of the payment of registration fees will be proof, in legal proceeding, that such person is registered according to the provisions of this Act.

2.3 SANC Affiliations

National Affiliations

SANC does not have any national affiliations.

International Affiliations

SANC is in the process of finalising affiliation with the East, Central and Southern Africa College of Nursing (ECSACON)

2.4 Education and Training

The South African Nursing Council (SANC) and the Council on Higher Education (CHE) will be responsible for evaluation and accreditation of the following:

- Nursing Education Institutions
- Nursing Education Programmes
- Clinical Facilities

3. EVALUATION AGAINST SAQA CRITERIA

3.1 Governance, Management and Sustainability

- The Council consists of not more than 25 members, of whom 14 must be registered in terms of Section 31(1) (a) and (b), appointed by the Minister taking into account their expertise in nursing education, nursing, community health, primary health care, occupational health and mental health.
- Of the 25 members:
 - One person must be an officer of the national department;
 - One person must have special knowledge of the law;
 - One person must have special knowledge of financial matters;
 - One person must have special knowledge of pharmacy;
 - One person must have special knowledge of education;
 - One person must have knowledge of consumer affairs.
 - Three persons must represent the communities;
 - One person must be registered in terms of Section 31(1)(c) and
 - One person must be registered in terms of Section 31(1)(d)
- The members are appointed by the Minister on the basis of nominations made by interested parties, after publication in the Gazette inviting nominations for new members.
- If the Minister receives no nominations or an insufficient number of nominations within the period specified in the invitation, the Minister may appoint the required number of persons who qualify to be appointed in terms of subsection (1).
- A member holds office for a period not exceeding five years reckoned from the date of his appointment.
- The names of the members of the Council, the dates of commencement of their terms of office and the periods for which they have been appointed must be published by the Minister by notice in the Gazette as soon as possible after their appointment.
- The Minister may reappoint a member whose term of office has expired, for one further period exceeding five years.
- Section 14(1) of the Act provides for the establishment of an Executive Committee (EXCO) comprising the Chairperson, the Vice-Chairperson, three persons appointed in terms of section 5(1)(a), (section 5(1)(b)(i)), and if a person is appointed in terms of section 5(1)(b)(vii). The term of office for the executive committee is 20 months.
- The Council may from time to time establish such committees, including professional conduct committees and education committees as they may think necessary to investigate and report to the Council on any matter falling within their scope of its functions.

- The office of the Registrar is responsible for the management, administration and execution of the Council's day-to-day operations and the implementation of SANC's policies relative to its statutory roles and functions.
- SANC is on a financially sound footing to meet its financial obligations and deliver on its statutory mandate.

3.2 Disciplinary Matters and Accountability

- The Council may institute an inquiry into any complaint, charge or allegation of any unprofessional conduct against a practitioner or a director, manager or owner of any agency registered in terms of the Act.
- On finding such a person guilty of such conduct, the Council may impose the following penalties:
 - A caution or a reprimand or both;
 - Suspension for a specified period from practising or, in the case of a learner nurse or a learner midwife, extension of suspension for a specified period of the prescribed period of education and training;
 - Removal of his/her name from the register;
 - Prescribed fine; or
 - Payment of the costs of the proceedings.
- In the absence of a complaint, charge or allegation, the Council may institute an inquiry into any alleged unprofessional conduct that comes to its notice.
- If the Council doubts whether an inquiry should be held in connection with a complaint, charge or allegation, it may consult with or seek information from any person against whom the complaint, charge or allegation has been lodged, to determine whether an inquiry should be held.

Appeals

- A person aggrieved by a decision of the Council may within the prescribed period and in the prescribed manner appeal against such a decision to an appeals committee appointed by the Minister.
- The appeals committee consists of:
 - A retired judge or magistrate or an advocate or attorney of the High Court of South Africa who has practiced as such for a period of at least five years, and who must be the chairperson of such committee; and
 - A nurse
- The appeal committee must ensure that the appellant as well as the Council are informed of the date, place and time fixed by the appeal committee at least 14 days before such an appeal is heard.
- The disciplinary appeal committee has the power to vary, confirm or set aside a finding of a disciplinary committee established in terms of subsection (1) or refer the matter back to the disciplinary committee with such instructions as it may consider fit.
- Where a matter has been considered by a disciplinary appeal committee, its decision is binding from the date determined by the disciplinary appeal committee unless appealed against to the Council.

3.3 Data Management

The Registrar keeps in the appropriate registers of practitioners the name, physical address, qualifications, date of initial registration and such other particulars, including, where applicable, the details of the category of practitioner.

3.4 Continuing Professional Development (CPD)

- Each Practitioner will be expected to accumulate a total of 15 CPD points per year.
- Any practitioner who is found non-compliant will be unable to renew his or her Annual Practising certificate.
- Any Practitioner who is aggrieved by finding of and remedial action imposed by SANC CPD Committee may appeal to Council in terms of section 57 of the Nursing Act (33 of 2005)

- The proposed CPD activities for all registered nurses and midwives are as follows:

Nursing Category	Ethical & legal domain	Areas of Practice	Leadership/ Management	Teaching/ Research	Total
Prof Nurse	4	6	3	2	15
Midwife	4	6	3	2	15
Staff nurse	4	6	3	2	15
Staff Nurse (Enrolled Nurse)	3	9	1	2	15
Auxiliary Nurse	3	10	1	1	15

- CPD points are allocated to a given activity based on the level of complexity and participation of the activities undertaken, i.e. CPD weighting.
- These are defined as "packaged Point Allocation" (PPA) and are allocated regardless of the time spent on the activity.

CPD Allocation Criteria

Packaging Point Allocation(PPAs)	Definition	Points
Observation & attendance	Refers to a "situation where the Practitioner is part of an audience or is receptive to knowledge or information" (e.g. Theory and practice)	1
Actioning	Refers to a "situation where the Practitioner takes charge and leads the activity" (e.g. spot teaching)	2
Development	Refers to a "situation where a practitioner develops a product or gives maximum level of output" This requires a maximum level of engagement	3

4. PROFESSIONAL DESIGNATIONS

4.1 Designation Awarding Process

- Applicants should have completed an accredited training programme through the Nursing Education Institutions (NEIs) accredited by SANC and the Department of Health (DHET) processes.
- After completion the NEIs submits a validated comprehensive and detailed training record to SANC.
- If registration criteria for a specific designation in accordance with laid down rules and regulations have been met, the applicant is registered in the relevant register and the corresponding license certificate is awarded.
- In cases where applicants write a national SANC examination, successful candidates who have complied with all the regulatory requirements are registered and issued with a corresponding practicing license.
- SANC is in the process of establishing a national licensing examination (professional registration assessment system) which will be prerequisite for all practitioners prior to the issuing of a practicing license.
- NEIs submit declarations before registration and SANC certification is awarded.
- Where SANC examinations are conducted, the applicants should have passed the examination and fulfilled all requirements related to the programme.
- In accordance with the Nursing Act, 2005, certification can be revoked if there is fraud or misrepresentation.

4.2 Designations to be registered

Designation Title: Enrolled Nursing Auxiliary (ENA)

Underlying Qualification (s)	<ul style="list-style-type: none"> Certificate at NQF Level 3
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Experimental Learning and Practical Experience	<p>The following principles of Work Integrated Learning are followed:</p> <ul style="list-style-type: none"> • Designing activities that require the integration of disciplinary and workplace- relevant knowledge and skills. • Bringing professional practice to the core of WIL curricula to act as the organizer for both disciplinary(theoretical) and practical learning • Using student placements in authentic professional contexts.
Board/ Admission Examination/ Assessment	SANC Assessment
Continuing Professional Development (CPD) Requirements	45 CPD points per 3year cycle
Application of Recognition of Prior Learning (RPL)	The portfolio of evidence that need to be submitted in order to demonstrate the applicant's capability in each of the required competencies against the RPL Policy.

Designation Title: Enrolled Nurse (EN)

Underlying Qualification	<ul style="list-style-type: none"> • 2 year certificate Level 4
Experimental Learning and Practical Experience	<p>The following principles of Work Integrated Learning are followed:</p> <ul style="list-style-type: none"> • Designing activities that require the integration of disciplinary and workplace- relevant knowledge and skills. • Bringing professional practice to the core of WIL curricula to act as the organizer for both disciplinary(theoretical) and practical learning • Using student placements in authentic professional contexts.
Board/ Admission Examination/ Assessment	SANC Assessment
Continuing Professional Development (CPD) Requirements	45 CPD points per 3 year cycle
Application of Recognition of Prior Learning (RPL)	The portfolio of evidence that need to be submitted in order to demonstrate the applicant's capability in each of the required competencies against the RPL Policy.

Designation Title: Designation Title: Midwife (M)

Underlying Qualification	<ul style="list-style-type: none"> • One year Diploma or • Advanced Diploma in Midwifery and Neo-natal Science (registered on the NQF)
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Experimental Learning and Practical Experience	The following principles of Work Integrated Learning are followed: <ul style="list-style-type: none"> • Designing activities that require the integration of disciplinary and workplace- relevant knowledge and skills. • Bringing professional practice to the core of WIL curricula to act as the organizer for both disciplinary(theoretical) and practical learning • Using student placements in authentic professional contexts.
Board/ Admission Examination/ Assessment	SANC Assessment
Continuing Professional Development (CPD) Requirements	45 CPD points per 3year cycle
Application for Recognition of Prior Learning (RPL)	The portfolio of evidence that need to be submitted in order to demonstrate the applicant's capability in each of the required competencies against the RPL Policy.

Designation Title: Registered Nurse (RN)

Underlying Qualification	<ul style="list-style-type: none"> • Bachelor Degree: Professional Nurse LevelLevel8 • Master Degree: Advanced Nurse Practitioner Level 9 • Doctor of Nursing Level 10 • Diploma in a specialisation e.g Primary Health Care
Experimental Learning and Practical Experience	The following principles of Work Integrated Learning are followed: <ul style="list-style-type: none"> • Designing activities that require the integration of disciplinary and workplace- relevant knowledge and skills. • Bringing professional practice to the core of WIL curricula to act as the organizer for both disciplinary(theoretical) and practical learning • Using student placements in authentic professional contexts.
Board/ Admission Examination/Assessment	SANC Assessment
Continuing Professional Development (CPD) Requirements	45 CPD points per 3 year cycle
Application of Recognition of Prior Learning (RPL)	The portfolio of evidence that need to be submitted in order to demonstrate the applicant's capability in each of the required competencies against the RPL Policy.