

# Nurses Board of Victoria

## **Guidelines: Scope of Nursing & Midwifery Practice**



**NBV**

Nurses Board of Victoria



The Nurses Board of Victoria acknowledges the work undertaken by the Queensland Nursing Council, the Nurses Board of Western Australia, the Nurses Board of South Australia and the Australian Nursing and Midwifery Council. The NBV Guidelines have been developed in the context of practice in Victoria, however, the information contained has been based on and is consistent with the Australian Nursing and Midwifery Council National Framework (June 2006, unpublished draft document)

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# 1.0

## Introduction to the NBV Guidelines

These Guidelines establish a framework to assist nurses and midwives to make decisions about their current practice and whether to expand their scope of practice. Traditionally, scope of practice decision-making has often been reactive and unplanned. This has resulted in decisions being made that led nursing and midwifery practices to vary between settings and, in some cases, between individual nurses and midwives.

The Guidelines also provide a consistent approach and guidance to individual nurses, midwives and the nursing profession about if and when it is appropriate to delegate aspects of health consumer care to others.

The NBV will take the Guidelines into account when investigating complaints about registered nurses, and conducting disciplinary hearings into unprofessional conduct.

**Note:** The term health consumer used throughout the document includes clients, patients and residents.

The title registered nurse refers to midwives and nurses registered in divisions 1,2,3,4 or 5.

## 2.0

# Purpose of the Guidelines

The principal function is to guide nurses and midwives in making decisions about everyday practice and changes to their practice over time. At another level, the purpose is to facilitate planning, negotiation and implementation of practice change for individuals or groups of nurses and midwives to meet the needs of health consumers and the health industry.

The Guidelines also:

- Acknowledge that the reasons for practice change are in the best interests of the health consumer and the promotion/maintenance of best quality health service for the community.
- Enable and promote diversity, flexibility and responsiveness in the nursing and midwifery workforces.
- Recognise and include all areas of nursing and midwifery practice.
- Recognise that practice for all health workers is continually evolving from the point of entry to practice through:
  - negotiation amongst professional groups, or with employers
  - the emergence of new practice areas or the need to develop new practice capabilities
  - delegation.
- Contribute to safety and quality when they are integrated with other organisational approaches for managing professional practice risks. These include risk management strategies, quality and safety protocols and service and performance management systems.
- Recognise the need to consider determinants of practice and how they may need to be altered to enable practice change. These determinants are:
  - legislation and regulation
  - professional standards
  - evidence for practice
  - individual knowledge, skill and competence
  - contextual/organisational support.

## 3.0

# Principles to guide nursing and midwifery scope of practice decisions

The following Principles provide guidance to nurses, midwives and others about the processes to be followed when making decisions about nursing or midwifery practice and about whether to delegate activities to others.

### Activity

An activity is a service provided to consumers as part of a nursing or midwifery plan of care. Activities may be clearly defined individual tasks, or more comprehensive care. The term can also refer to interventions or actions taken by a health worker to produce a beneficial health consumer outcome. These actions may include, but are not limited to, direct consumer care, monitoring, teaching, counselling, facilitating and advocating.

### Context of Nursing and Midwifery Practice

Context refers to the environment in which nursing or midwifery is practised. It refers to the type and complexity of services required by people. It could also include the resources available, the physical setting or health facility, the amount of clinical support and/or supervision from nurses or midwives and access to other health care professionals (QNC, 1998).

### Principle 1:

The primary motivation for any decision about a care activity is to meet the consumer's health needs or to enhance health outcomes.

### Explanatory statement:

Decisions about activities are made:

- In partnership with the health consumer and, where possible, their families and support network and in collaboration with members of the multidisciplinary health care team.
- Based on a comprehensive assessment of the needs of the health consumer.

There is a justifiable, evidence-based reason to perform the activity and potential risks/hazards associated with the care activity, and strategies to avoid them, are identified.

### Principle 2:

Nurses and midwives are accountable for making professional judgements about when an activity is beyond their own capacity or scope of practice and for initiating consultation with, or referral to, other members of the health care team.

### Explanatory statement:

Judgements are made in a collaborative way, through consultation and negotiation with other members of the health care team, and are based on considerations of:

- Legislation, common law and regulations.
- Compliance with evidence, professional standards, policies and guidelines.
- Which discipline should provide the education and competence assessment for the activity.
- The context of practice and the service provider/employer policies & procedures.

Nurses or midwives wishing to integrate activities into their own practice that are not currently part of the accepted scope of nursing or midwifery practice must ensure that:

- They have the necessary educational preparation and experience to do so safely.
- Their competence has been assessed by a qualified, competent health professional or health service provider (who may be a more experienced/qualified registered nurse or midwife).
- They are confident of their ability to perform the activity safely.
- They have any necessary authorisations or certifications & organisational support.

**Principle 3:**

Registered nurses and midwives are accountable for making decisions about who is the most appropriate person to perform an activity from the nursing or midwifery plan of care. Refer to NBV Guidelines: Delegation and Supervision for Registered Nurses and Midwives (January, 2007).

**Explanatory statement:**

Decisions about nursing and midwifery practice are made by registered nurses or midwives to ensure that the right person is in the right place to provide the right service for the health consumer at the right time.

Decisions are based on consideration of whether:

- Decisions can be justified and supported, by confirming compliance with legislation, regulations, appropriate organisational policies and resources, and that education, competence assessment, supervision and evaluation of outcomes occurred.
- The registered nurse or midwife has assessed the health consumer's needs and determined with the consumer that the activity should be performed by a particular category of health professional or health care worker.
- There is an organisational requirement for an authority/certification/credential to perform the activity.
- The level of education, knowledge, experience, skill and assessed competence of the person who will perform an activity delegated to them by a registered nurse or a midwife from a nursing or midwifery care plan have been ascertained by the registered nurse or a midwife.
- The person is competent, confident of their ability to perform the activity safely, is ready to accept the delegation and understands their level of accountability.
- The appropriate level of clinically focused supervision can be provided by a registered nurse or a midwife for a person performing an activity delegated to them.
- The organisation in which the nurse or midwife works has an appropriate policy, quality and risk management framework, sufficient staffing levels and appropriate access to other health professionals to support the person performing the activity, and to support the decision-maker in providing support and clinically focused supervision.

**Principle 4:**

Nursing and midwifery practice decisions are best made in a collaborative context of planning, risk management and evaluation.

**Explanatory statement:**

Employers/managers, registered nurses and midwives share a joint responsibility to create and maintain:

- Environments (including resources, education, policy, evaluation and assessment) that support safe decisions and competent, evidence-based practice to the full extent of the scope of nursing or midwifery practice.
- Processes for providing continuing education, skill development and appropriate clinically focused supervision.
- Infrastructure that supports and promotes autonomous and interdependent practice, transparent accountability and ongoing evaluation of care outcomes.

## 4.0

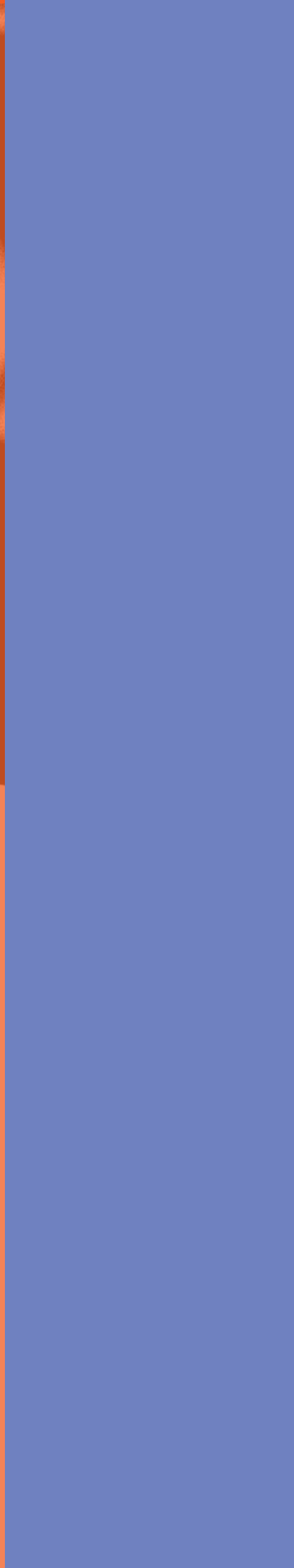
# Scope of practice

### 4.1 How do I know what my current scope of nursing or midwifery practice is?

The following issues and questions should be considered before you undertake a nursing or midwifery activity:

|                                                                                                                                                                                                                                                     |    |                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Improved Outcomes:</b><br>Am I confident in my ability to achieve a beneficial outcome for the health consumer?                                                                                                                                  | No | If no to any – further planning and consultation are needed and referral may be necessary in the meantime.                                                                                                                                                                                                                                                                                                |
| Yes                                                                                                                                                                                                                                                 |    |                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Statutory authorisation and certification:</b><br>Will the activity comply with relevant statutory and regulatory standards?<br>Will the activity comply with professional standards?<br>Do I have the appropriate certification (if available)? | No | If no to any – further planning and consultation are needed and referral may be necessary in the meantime.                                                                                                                                                                                                                                                                                                |
| Yes                                                                                                                                                                                                                                                 |    |                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Organisational support:</b><br>Have I considered any potential risks and developed strategies to avoid them?<br>Are there policies and procedures as part of an organisational risk management framework that supports this practice?            | No | If no to any – further planning and consultation are needed and referral may be necessary in the meantime. If you have received the education and have been assessed as competent, <b>but</b> are not confident to perform the activity – consider whether you <b>could</b> perform the activity with the support and supervision of a more experienced nurse or midwife. <b>If not – do not proceed.</b> |
| Yes                                                                                                                                                                                                                                                 |    |                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Competent and confident:</b><br>Do I have the educational preparation?<br>Do I have the clinical practice experience?<br>Am I competent to perform the activity safely?<br>Am I confident to perform the activity safely?                        | No | Consult with the NBV, professional organisations and relevant people within your organisation.                                                                                                                                                                                                                                                                                                            |
| Remain Unsure                                                                                                                                                                                                                                       |    |                                                                                                                                                                                                                                                                                                                                                                                                           |
| Yes                                                                                                                                                                                                                                                 |    |                                                                                                                                                                                                                                                                                                                                                                                                           |
| Proceed with the activity.                                                                                                                                                                                                                          |    |                                                                                                                                                                                                                                                                                                                                                                                                           |

If 'Yes' to all, then the activity is within your scope of nursing or midwifery practice and it is appropriate to proceed.  
 If 'No' to any, then the activity is outside your scope of nursing or midwifery practice. Education, clinical supervision and assessment of competence for the activity will be required.



#### 4.2 What if I am asked to undertake an activity outside my current nursing or midwifery scope of practice?

As a registered nurse or midwife you are accountable for your practice, as well as to the health consumer to whom you provide nursing services and the service provider who employs you.

If you are asked to undertake an activity outside current nursing or midwifery scope of practice, inform the person who assigned the activity that you are not able to do so and refer the activity to an appropriate health practitioner or health care provider and collaborate for ongoing care.

If you decide that you would like to integrate this activity into your own nursing or midwifery practice, refer to 'How can I expand my scope of nursing or midwifery practice?' in this document.

Substantial penalties apply to anyone who directs or incites a registered nurse or midwife to do anything in the course of professional practice that would constitute unprofessional conduct or professional misconduct.

#### 4.3 How can I expand my scope of nursing or midwifery practice?

Expansion to scope of nursing and midwifery practice occurs when you assume responsibility for a health care activity which is currently outside your scope of nursing or midwifery practice in your particular setting. Expanded practice may include areas of practice that have not previously been within the realm of nursing or midwifery practice and have traditionally been the responsibility of other health professionals.

This expanded scope of practice can occur only when a nurse or midwife **wants** to expand their scope of practice and the employer is satisfied they can demonstrate an appropriate model to support this role expansion. Registered nurses or midwives working in the organisation should understand that they may not be able to undertake the expansion to practice in another organisation.

Expanded practice is not intended to supplement or replace other health professionals but recognises the ability of the nurse or midwife to further enhance consumer health outcomes and fill niches in health service delivery.

Expanded scope of practice may include:

- The use of new technology.
- Increasingly autonomous roles.
- The integration of complementary care.
- Shared activities with other health professionals.

Issues and questions for expansion of nursing practice **apply equally** to registered nurses in all divisions and midwives within the boundaries of legislation, regulation and professional standards.

**Prescribing abilities are limited to those registered nurses who are endorsed on the register as a Nurse Practitioner.**

Before expanding their scope of practice, a nurse or midwife needs to decide whether they want to integrate this activity into their nursing or midwifery practice. If they don't then they need to refer to an appropriate health practitioner or health care provider and collaborate for ongoing care.

If the nurse or midwife decides they wish to integrate the activity into their nursing or midwifery practice, the following will need to be considered.

1. The primary motivation to expand the scope of practice for registered nurses or midwives is to meet the health needs of consumers and to improve health outcomes.
2. Expansion of the scope of practice is based on appropriate consultation, planning, education and/or assessed competence. Consider whether relevant stakeholders (e.g. registered nurses, midwives, special interest groups, nurse regulatory authorities, consumers, other health professionals) have been consulted and their concerns addressed.

The following should be included:

- Policies and procedures approved by the organisation are reflective of the expanded scope of practice.
- The organisation is encouraged to establish a scope of practice committee that is responsible for the application for the expansion to the scope of practice.

The committee would need to determine:

- the acceptable level of educational preparation required
- the acceptable level of theory and supervised clinical practice
- which discipline should provide the education and competence assessment for the activity
- identification of who is responsible for the assessment of competence
- a method to ensure maintenance of knowledge and competence
- the systems required that monitor compliance and risk identification, and the level of supervision required.

3. Any expansion to the scope of practice enhances existing aspects of professional practice.

4. The expanded practice is:

- Consistent with relevant legislation, regulation and organisational insurance.
- Appropriate for the context.
- Consistent with standards acceptable to the discipline of nursing or midwifery .
- Consistent with policy requirements of the service provider.

5. The registered nurse or midwife expanding their practice:

- Has the appropriate education.
- Is assessed as competent.
- Understands the degree of accountability.
- Is confident to perform the activity safely.

6. Assessment of competence for expanded practice is carried out by a competent registered nurse, midwife or qualified professional.

## Expanding scope of nursing and midwifery practice

Before considering the expansion of your practice the following issues and questions should be considered in a collaborative manner by both the nurse and the employer:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |               |                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Is there any legislation, national or local policy or professional standards to support this role/activity?                                                                                                                                                                                                                                                                                                                                                                                                        | No            | If no to any, further planning and consultation are needed and referral may be necessary in the meantime.                                                                                                                                                                                                                                                         |
| Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                                                                                                                                                                                                                                                                                                                                                   |
| Is there evidence that the expansion of scope of nursing or midwifery practice will improve the health outcome of the health consumer?                                                                                                                                                                                                                                                                                                                                                                             | No            | Refer to appropriate health practitioner or health care provider and collaborate for ongoing care.                                                                                                                                                                                                                                                                |
| Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                                                                                                                                                                                                                                                                                                                                                   |
| <ul style="list-style-type: none"> <li>Have I considered any potential hazards and developed strategies to avoid them?</li> <li>Are there policies and procedures as part of an organisational risk management framework that supports this practice?</li> <li>Will the organisational culture accept the change?</li> </ul>                                                                                                                                                                                       | No            | If no to any, further planning and consultation are needed and consider what needs to occur for these to be developed.                                                                                                                                                                                                                                            |
| Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                                                                                                                                                                                                                                                                                                                                                   |
| <ul style="list-style-type: none"> <li>Have the following been determined: <ul style="list-style-type: none"> <li>– acceptable level of educational preparation required?</li> <li>– acceptable level of theory &amp; supervised clinical practice?</li> </ul> </li> <li>Has a process been established: <ul style="list-style-type: none"> <li>– to assess competencies for expanded practice?</li> <li>– for ongoing education to maintain competence for the expanded scope of practice?</li> </ul> </li> </ul> | No            | If no to any, further planning and consultation are needed and consider what needs to occur for these to be developed.                                                                                                                                                                                                                                            |
| Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Are you educationally prepared and competent to perform the activity?</p> <p>Are you confident of your ability to perform the activity safely?</p>                                                                                                                                                                                                                                                                                                                                                              | No            | If you have received the education & have been assessed as competent, <b>but</b> you are not confident to perform the activity, consider whether you <b>could</b> perform the activity with the support & supervision of a more experienced nurse or midwife. If not, further planning and consultation are needed and referral may be necessary in the meantime. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Remain Unsure | Consult with the NBV, professional organisations and relevant people within your organisation.                                                                                                                                                                                                                                                                    |
| Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |                                                                                                                                                                                                                                                                                                                                                                   |
| Proceed with the activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |                                                                                                                                                                                                                                                                                                                                                                   |

If 'Yes' to all, then it is appropriate to proceed with the expansion to practice but if the context changes the issues and questions must be reapplied.

If 'No' to any, the situation requires review, further planning and consultation. Referral may be necessary in the meantime.



**Self and peer assessment involves registered nurses and midwives taking responsibility for monitoring and making judgements about aspects of their own or peers' learning.**

## 5.0

# Assessment of competence

### 5.1 How do nurses and midwives assess their own and peer competence?

Self and peer assessment involves registered nurses and midwives taking responsibility for monitoring and making judgements about aspects of their own or peers' learning. Registered nurses and midwives can learn directly by constructively critiquing their own and others' work.

The focus should be on improvement rather than judgement. Health care facilities, in conjunction with all registered nurses and midwives in their employ, need to identify ways of addressing weaknesses and plan appropriate action.

Registered nurses and midwives should use the following competencies as a baseline when self and peer assessing:

- Australian Nursing and Midwifery Council National Competency Standards for the Midwife (2006): [www.anmc.org.au](http://www.anmc.org.au)
- Australian Nursing and Midwifery Council National Competency Standards for the Registered Nurse (2006): [www.anmc.org.au](http://www.anmc.org.au)
- Australian Nursing and Midwifery Council National Competency Standards for the Enrolled Nurse (2002): [www.anmc.org.au](http://www.anmc.org.au)
- Australian Nursing and Midwifery Council National Competency Standards for the Nurse Practitioner (2006): [www.anmc.org.au](http://www.anmc.org.au)
- Australian and New Zealand College of Mental Health Nurses Inc Standards of Practice for Mental Health Nursing in Australia (1995): [www.anzcmhn.org](http://www.anzcmhn.org)
- Royal College of Nursing Australia position statement 'Continuing professional development' (1996): [www.rcna.org.au](http://www.rcna.org.au)
- Royal College of Nursing Australia position statement 'Professional Self-Regulation' (2000): [www.rcna.org.au](http://www.rcna.org.au)
- Incorporation of evidence-based theory and practice.
- Qualifications conferred, and the level of practice for which the course is recognised.
- Recognition of prior learning.
- Availability of ongoing professional development.
- A process to assess competencies for the expansion of scope of practice.
- A process for ongoing education to maintain competence for the expanded scope of practice.

### 5.2 What is meant by an acceptable level of education?

Registered nurses and midwives are expected to function within the limits of their education and competence and to consult or refer where necessary.

Registered nurses and midwives who wish to expand their scope of practice are responsible for acquiring and maintaining current knowledge and competence.

**When choosing to undertake a course, or when an organisation is considering developing a course, consider the following factors:**

- The quality of the education, e.g. course materials, duration of the course and teacher qualifications.
- An acceptable level of theory and supervised clinical practice.
- Accreditation or approval of the course by a relevant professional organisation or regulatory authority.

## 6.0

# What is the role of the health care organisation/ employer in using these Guidelines?

### **Duty of care**

- Organisations have a duty to provide a safe environment, qualified staff and policies to support staff.

### **Responsibilities and accountability of the organisation**

- Be familiar with these Guidelines and the Principles.
- Establish a scope of practice committee, if one is not already established.

- Be aware of the staff mix of the organisation and ensure that consumers' health needs are met and that there is adequate supervision for registered nurses, midwives and non-registered staff.
- Educate all staff in the organisation on the Guidelines.
- Trial the expanded scope of practice for a specific time, evaluate and amend before full introduction of the change.

- Offer ongoing/continuing education to all staff.

### **Policies**

- Ensure that policies are developed to support any change in the scope of practice of registered nurses or midwives.
- Establish criteria for staff to self and peer assess and a process to follow if there is an issue related to competence.

**Organisations have a duty to provide a safe environment, qualified staff and policies to support staff.**

## 7.0

# What is the NBV's role in investigating complaints relating to scope of practice?

When the NBV investigates a complaint about professional conduct, the registered nurse or midwife must be able to provide evidence of the process followed in undertaking their current or expanded

scope of practice. This evidence is required to confirm that legislation, regulations, professional standards, organisational needs, as well as the registered nurse's or midwife's education, competency

assessment and continued evaluation of current or expanded practice have been addressed.

## 8.0

# Other documents to use with these Guidelines

### **Nurses Board of Victoria**

- NBV Guidelines: Delegation & Supervision for Registered Nurses and Midwives (2007)
- NBV Guidelines for Registered Nurses, Undergraduate Student Nurses and Pharmacists regarding the use of Dose Administration Aids for Clients in Care in Victoria (2006)

### **Professional standards:**

- Australian Nursing & Midwifery Council, National Competency Standards for the Registered Nurse (2006)

- Australian Nursing and Midwifery Council, National Competency Standards for the Midwife (2006)
- Australian Nursing and Midwifery Council, National Competency Standards for the Nurse Practitioner (2006)
- Australian Nursing and Midwifery Council, National Competency Standards for the Enrolled Nurse (2002)
- Australian Nursing and Midwifery Council, Code of Ethics (2002)
- Australian Nursing and Midwifery Council, Code of Professional Conduct (2003)

- Australian and New Zealand College of Mental Health Nurses Inc Standards of Practice for Mental Health Nursing in Australia (1995)

### **Legislation:**

- Relevant registered health professional Acts
- *Drugs, Poisons and Controlled Substances Act* 1981 and Regulations (2006)

You will also need to use the policies and guidelines within your organisation.

## 9.0

# Additional NBV resources to use with these Guidelines

The NBV can provide a copy of these Guidelines, the Guidelines: Delegation and Supervision for Registered Nurses and Midwives and additional supporting resources. These are available from:

### **Website**

[www.nbv.org.au](http://www.nbv.org.au)

### **Nurses Board of Victoria:**

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## Disclaimer

The health and safety of health consumers are of paramount importance. Nothing in this document should be interpreted as authorising the substitution of non-nurses when the competence of a registered nurse or midwife is required.

These Guidelines are neither exhaustive nor prescriptive. They cannot encompass every conceivable episode of care.

It is recommended that independent advice be obtained for individual circumstances by contacting the NBV.

The NBV does not accept any responsibility for an employee, employer or health service provider who uses these Guidelines incorrectly without seeking advice from the Board.

These Guidelines are intended to establish the standards of the nursing and midwifery profession pursuant to the relevant health professional Act. They are not a substitute for legal advice in determining whether your practices, processes, protocols and policies comply with the relevant legislation. It is recommended you seek your own legal advice on these matters.

## References

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- Australian Nursing & Midwifery Council (June 2006, unpublished). Draft – A national framework for the development of decision-making tools for nursing and midwifery practice, Canberra, Australian Capital Territory
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