Information Statement

Public Authority: Bermuda Nursing and Midwifery Council

Table of Contents

Section A: Organizational structure of the authority and governing legislation
Section B:
1. Legislated functions, powers and duties of the Authority
2. Obligations under PATI
Section C: Services and programmes
Section D: Documents: Records held
Section E: Documents: Administrative manuals/ guidelines
Section F: Documents: Decision making
Section G: Contact details for the Information Officer
Section H: Further information (includes financial)
Section I: Other Information (as prescribed)
Section J: Locations of the Information Statement

Introduction

This document is the Information statement for the Bermuda Nursing and Midwifery Council (the Council). In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority, and a right to amend their personal information held by a public authority if it is incorrect or misleading. However, several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. All exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [for more information see sections 21 to 40, PATI Act].

How to make a request
Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer (see Section G for contact details). A request must identify the record, the subject and time period, and may specify the manner in which access is preferred. Please note there is a small fee levied for reproducing materials (as per the Government Fees Regulations 1976, and as listed on the application form).

Key, including definitions
- Act means Nursing and Midwifery Act 1997
- Council means the Bermuda Nursing and Midwifery Council
- Ministry means the Ministry of Health
Section A: Structure, Organization and Governing Legislation

Insert structure of Authority (text, and figure if latter useful):

The Council consists of ten members [Schedule 1, the Nursing and Midwifery Act]:

a) the Chief Nursing Officer is the member ex officio;

b) three members are general nurses, of whom—
   i) one is appointed by the Association; and
   ii) two shall be appointed by the general nurses of Bermuda;

c) one member is a nurse specialist appointed by the nursing specialists of Bermuda;

(ca) one member shall be an advanced practice nurse appointed by the Advanced Practice nurses;

d) one member is a nursing associate appointed by the nursing associates of Bermuda;

e) one member is a registered medical practitioner appointed by the Bermuda Medical Doctors Association

(ea) One member shall be a midwife appointed by the registered midwives;

f) one member is a person appointed by the Minister who—
   i) is not a nurse or a nursing associate or a registered medical practitioner; and
   ii) is in the minister’s opinion qualified by training and or experience to assist the Council in matters of a legal or ethical nature.

The chair is appointed (initially) by the Minister from among council members. The deputy chair is appointed by the Council from among the Council’s members [section 3(5), part I, Schedule 1, the Act]

Insert Governing Legislation:

Nursing and Midwifery Act, 1997 and Nursing and Midwifery Rules 2010

Section B1: Legislated Functions, powers, duties of the Authority [s5(1)b]

Insert power, duties and function of the authority (cite Act or Policy):

Legislated functions, powers, duties of the Council under the Nursing Act

The functions of the Council are [section 4, the Act]—

(a) to promote the art and science of nursing;
(b) to develop and maintain high standards in the practice of nursing and midwifery;
(c) to advise the Minister on matters related to nursing and midwifery;
(d) to administer the system of nursing and midwifery registration as instituted by the Act;
(e) to carry out enquiries into complaints, and enquiries on its own initiative, concerning nurses, midwives and nursing associates.

Section B2: Obligations under PATI Act [s5(1)b]

(same for all public authorities)
Obligations of the Authority under the PATI Act

1. To provide an information statement for the public and promulgate it [s5],
2. To provide other information to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
   a. General information, e.g. activities of the Authority
   b. Log of all information requests and their outcome
   c. Quarterly expenditure (upon request) [s6(5)]
   d. Contracts valued at $50,000 or more.
3. To respond to information requests in a timely manner [s12-16]
4. To track information requests, and provide this data to the Info Commissioner [s5(8)3]
5. To respond to requests from the Information Commissioner [s9]
6. To amend personal information held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
7. To conduct an internal review if formally requested [part 5]
8. To give evidence for review by the Information Commissioner [part 6, 47(4)], or for judicial review [s49], if required
9. To provide an annual written report to the Information Commissioner of the status of information requests [s58(3)].
10. To do anything else as prescribed under the PATI Act and Regulations [s59, 60], including:
    a. Managing Fees for Requests for information
    b. Management and maintenance of records
    c. Following procedures for administering the Act
11. To train staff and make arrangements so as to facilitate compliance with the Act [s61]
12. To designate an officer to be the person to whom requests are directed [s62]

Section C: Services and Programmes provided

Insert a summary of services and programmes provided by the authority:

The Council is the regulatory body for nurses (advanced practice nurses, registered nurses, psychiatric nurses, nurse specialists, midwives and nursing associates) in Bermuda. The Council is governed by the Nursing and Midwifery Act Legislation.

Services
1. Promote nursing and midwifery
2. The registration of Nurses, Midwives & Nursing Associates.
3. Investigation of complaints (if initiated by council) and adjudication of complaints against practitioners and administer discipline when indicated.
4. Develop and maintain high standards in the practice of Nursing and Midwifery consistent with Best Practice
5. Regulations of Nursing and Midwifery Practice.
6. Advise minister of health on matters relating to Nursing and Midwifery

Programmes
1. Nursing scholarship/ Provides a scholarship for Nursing and Midwifery students. See the BNC website for more information.
Section D: Decision-making documents (all public access) [s5(1)f]

*Insert list and description of all policies and guidelines for decision making in respect to any person. Note “person” includes any company or association or body of persons, whether corporate or unincorporate; [Interpretation Act, 1951]*


**Regulatory documents that have been updated and replaced**


Section E: Administration (all public access) manuals [s5(1)e]

*Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:*

The following guidelines are used by the Council and Registrar for administering the Act:

1. *Terms of Reference for the Council.* (Revised 2018) Bermuda Nursing and Midwifery Council. (Public Access). Describes the mandate and procedures of the Council and its committees, including: voting, AGMs, minutes, annual reports. Intended for use by members of the Councils and the Committees. The Committees are:
   - Credentials Committee – the committee that reviews and approves registration applications. Reviews application from providers of Continuing Education and awards CEU hours. When necessary reviews re-registration application.
   - Practice, Regulation and Education Committee – the committee that sets standards of practice and standards of education. Reviews nursing regulations and makes recommendation for amendments to the Nursing and Midwifery Act & Rules when indicated. Interviews applicants and awards educational grants to nursing and midwifery students.
   - Council adjudicates complaints referred to it by Nursing and Midwifery Professions Complaints committee, may conduct investigations into complaints on its own initiative. When indicated makes an order for discipline.
   - Nursing and Midwifery Professions Complaints Committee - the committee that investigates complaints against practitioners and determines whether a complaint ought to be referred to council for decision.

3. *Administrative Manual* (Revised 2013*). Bermuda Nursing Council. (Public Access). Describes all procedures, including: standards; scholarships; registrar processes; Professional Conduct; disciplinary procedures; unfit to practice and nursing education. *1st edition was dated in the 1990s. In the process of revision*

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**Section F: Records held [s5(1)d]**

[List and describe the classes of records held by the authority:]

The following records in respect of this public authority are held:

**Registration Records**

1. *The Nursing and Midwifery Council Register.* (active records for the last 10 years*). (public access). The Register is a list of current practitioners authorized to practice in Bermuda. It is an electronic database, Current registrants can also be verified on website www.bnc.bm an official notice of locations where copies are located is Gazetted every year. Official copy is at the Bermuda Nursing and Midwifery Council Offices. * records date from 1997 but are archived

2. *Registration Applications.* (active records for the last 10 years*). (Exempt under s23 – Personal Information). Records application information such as qualifications and work experience


**Activities of the Council (public access)**


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**Section G: The Information officer**

*Insert name and contact information:*

Requests for information shall be in writing and submitted to the Ministry Information Officer; from where they will be directed to the Council.

Contact

P ATI Information Officer,
Mrs. Gaynell Hayward-Caesar
Re: Bermuda Nursing and Midwifery Council

Mail to

P.O. Box1195, Hamilton HM EX, Bermuda
<table>
<thead>
<tr>
<th>Visit</th>
<th>Ministry of Health, Continental Building, 25 Church Street, Hamilton HM 12</th>
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<tbody>
<tr>
<td>Email</td>
<td><a href="mailto:info@bnc.bm">info@bnc.bm</a> Add subject line: PATI request re BNMC</td>
</tr>
<tr>
<td>Tel</td>
<td>292-0774 / 278-4910</td>
</tr>
</tbody>
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### Section H: Any Other Information

*Insert any other information that you think might be useful for the public to know, so as to decrease requests for information [s6]:*

**Further information**

- **About us** is available on the Council’s website at: [www.bnc.bm](http://www.bnc.bm)
- The **legislation** listed in this document may be found at Bermuda Laws Online [www.bermulalaws.bm](http://www.bermulalaws.bm)

### Financial Information

- The fees for services and the remuneration of board members for service is governed by the following legislation, respectively:
  - **Government Fees Act, 1965; and the Government Fees Regulations, 1976.** The Act governs the charging of fees to applicants for services. The Regulations lists the fees for the services.
  - **Government Authorities (Fees) Act, 1971.** The Act governs the remuneration of body members for services. In brief: the Chair receives $100, and other members receive $50, per meeting. Public Officers receive no monies.

### Section I: Any Other Information As Prescribed? [s5(1)ii]?

*At Oct 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:*

1. **Log of PATI information access requests:** To be provided upon request and with personal identifiers deleted.
2. **Contracts:** Any contracts entered into, with a value greater than or equal to $50,000 [s6(6)]. Note for this authority, there is no power to enter into any contracts.
3. **Expenditure:** Quarterly expenditure will be provided upon request.
4. **Salaries:** The Minister responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

### Section J: Information Statement: Copies and Updates  [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times at [s5(2-5), PATI Act]:

**Locations of Information Statement (Confirm copies of Information Statement are available at):**

- Office: Ministry of Health, Continental building, 25 Church Street, Hamilton, HM 12 Y
• The Bermuda National Library  
• The Bermuda Archives  
• Available electronically at:  
  • PATT website http://www.gov.bm/ Select Cabinet Office from the Government tab  
  • Council website www.bnc.bm  
• With the Information Commissioner.

Have you published a notice in the Gazette indicating the places where the information statement is available for the public? N

Date Information Statement was updated: Date: December 31, 2019

Sign: 🖋️

Name: Gaynell Hayward-Caesar,

Post: Ex-officio, Bermuda Nursing Council

Ends