



The Nursing & Midwifery Council Order 2001 schedule 4 Article 2 requires the Strategic Health Authority (SHA) to undertake the Local Supervising Authority (LSA) function of the statutory supervision of midwives in England and Wales. Secondary legislation (NMC Midwives rules and standards 2004 – rule 13) requires that each SHA appoint a LSA Midwifery Officer (LSAMO) who exercises this function on behalf of the SHA.

The purpose of this document is to set out the responsibilities of the LSAMO in meeting the NMC Rules of which there are 16, and the standards of which 54 criteria apply to the LSA. In considering whether there are sufficient LSAMO resources to deal with the size and complexities of the Yorkshire and the Humber area, priorities need to be agreed to minimise and manage risk in the event of there being insufficient LSAMO resources. The NMC standards 'are considered necessary for safe and effective practice' (Article 5 2 a) and requires notification to the NMC when the LSA/SHA identifies it will be unable to meet the requirements of the legislation.

In order for the LSAMO to discharge these functions in an economical and timely fashion the LSA resources need reviewing to ensure a minimum requirement is identified to meet the standards in an efficient and effective manner. The current resource is one full time LSAMO, 0.8 full time LSA Support Officer and 4 unpaid (by the LSA/SHA) Link supervisors (experienced supervisors of midwives with substantive posts in organisations within the LSA/SHA) to assist the LSAMO and deputise accordingly.

This document sets out key activities of the LSAMO responsibilities pertaining to the NMC Midwives rules and standards and so that publication should be read in conjunction with this document. The activities are prioritised in the context of maintaining public safety, with: **Red** denoting urgent/immediate attention required; **Amber** denoting early attention required; **Green** denoting a degree of flexibility in the timing. An indication is also given to those duties that may be delegated by the LSAMO.

Carol Paeglis LSA Midwifery Officer, September 2008

NMC Rule 4 p12: Notifications (ITP) by Local Supervising Authority

SHA standard to be achieved

In order to meet the statutory requirements for the supervision of midwives, a local supervising authority will:

- i) Publish annually the name and address of the person to whom the notice must be sent
- ii) Publish annually the date by which it must receive intention to practise forms from midwives in its area
- iii) Ensure accurate completion and timely delivery of intention to practise data to the NMC by the 20th of April each year
- iv) Ensure intention to practise notifications given after the annual submission, are delivered to the NMC by the 20th of each month

1. (Rule 4) Supervisory systems to meet statutory requirements			
Key Area	Frequency	Who	Effect if not done
1.1 Publish guidance on ITP process	Annually	LSAMO and LSA Support Officer	Will not meet LSA standard
1.2 Respond to NMC error reports on weekly ITP upload	Weekly	LSAMO and LSA Support Officer	Compromise public protection
1.3 Quality assure the LSA database	Ongoing	LSAMO and LSA Support Officer	Compromise public protection

Suspension from Practice by a Local Supervising Authority (Rule 5)

To demonstrate there are mechanisms for the notification and investigation of allegations of a midwife's impaired fitness to practise, a local supervising authority will:

- i) Publish how it will investigate any alleged impairment of a midwife's fitness to practise
- ii) Publish how it will determine whether or not to suspend a midwife from practice
- iii) Ensure that midwives are informed in writing of the outcome of any investigation by a local supervising authority
- iv) Publish the process for appeal against any decision

2. (NMC Rule 5) Mechanisms for notification and investigation of midwives' impairment of fitness to practise			
Key Area	Frequency	Who	Effect if not done
2.1 Publish guidelines and policies on LSA investigation, suspension and appeals process	Annually	LSAMO	NMC/LSA standards will not be met
2.2 Support supervisors through investigation procedure	Ad hoc	LSAMO	Compromise public protection
2.3 Receive and respond to reports of supervisory investigations	Ad hoc	LSAMO	Compromise public protection
2.4 Approval of and involvement with programmes of supervised practice	Ad hoc	LSAMO	Compromise public protection
2.5 LSA investigation, report writing and referral to NMC	Ad hoc	LSAMO	Compromise public protection

2.6 Preparation and submission of statements for NMC hearings	Ad hoc	LSAMO	Will not meet NMC standard
2.7 Meetings with NMC solicitors	Ad hoc	LSAMO	Will not meet NMC standard
2.8 Appearance at NMC hearings	Ad hoc	LSAMO	Contempt of court
2.9 Appearance at Coroner's Court	Ad hoc	LSAMO	Contempt of court
2.10 Provide feedback to relevant parties of investigation outcomes identifying any lessons to be learned	Ad hoc	LSAMO	Compromise public protection
2.11 Address education needs of supervisors arising from investigations	Ad hoc	LSAMO	Compromise public protection
2.12 Administer LSA incident database and keep file-notes updated	Ad hoc	LSAMO and LSA Support Officer	Will not meet NMC standard

Records (Rule 9)

To ensure the safe preservation of records transferred to it in accordance with the Midwives rules, a local supervising authority will:

- i) Publish local procedures for the transfer of midwifery records from self-employed midwives
- ii) Agree local systems to ensure supervisors of midwives maintain records of their supervisory activity
- iii) Ensure supervisors of midwives records, relating to the statutory supervision of midwives, are kept for a minimum of seven years
- iv) Arrange for supervision records relating to an investigation of a clinical incident to be kept for a minimum of 25 years
- v) Publish local procedures for retention and transfer of records relating to statutory supervision

3. (Rule 9):Preservation of records			
Key Area	Frequency	Who	Effect if not done
3.1 Publish guidelines and review annually in the light of NMC guidance	Annually	LSAMO or alternate	Will not meet NMC standard
3.2 Provide secure storage of confidential supervisory records for up to 25 years when this cannot be provided locally	Ad hoc	LSAMO	Contravene NMC rules
3.3 Administration and maintenance of the LSA website and database, liaising with national LSA database steering group	Ongoing	LSAMO and LSA Support Officer	Compromise public protection and inability to benchmark across Yorkshire and the Humber

Eligibility for Appointment as a Supervisor of Midwives (Rule 11)

In order to ensure that supervisors of midwives meet the requirements of Rule 11 a local supervising authority will:

- i) Publish their policy for the appointment of any new supervisor of midwives in their area
- ii) Maintain a current list of supervisors of midwives
- iii) Demonstrate a commitment to providing continuing professional development and updating for all supervisors of midwives for a minimum of 6 hours per year

The Supervision of Midwives (Rule 12)

To ensure that a local framework exists to provide equitable, effective supervision for all midwives working within the local supervising authority, and that a supervisor of midwives is accessible at all times a local supervising authority will:

- i) Publish the local mechanism for confirming any midwife's eligibility to practise
- ii) Implement the NMC's rules and standards for the supervision of midwives
- iii) Ensure that the supervisor of midwives to midwives ratio reflects local need and circumstances (will not normally exceed 1:15)

4. (NMC Rules 11 and 12) Eligibility for appointment and ongoing development of supervisors:			
Key Area	Frequency	Who	Effect if not done
4.1 Monitor the ratio of supervisors to midwives to maintain the NMC recommended ratio	Ongoing	LSAMO or LSA Support Officer	Unable to meet NMC standard
4.2 Receive nominations from supervisory teams	6 monthly	LSAMO	As above
4.3 Review supporting written documentation from applicants	6 monthly	LSAMO	Applicants may not be eligible

4.4 Convene and hold LSA selection panels	6 monthly	LSAMO and LSA Support Officer	Will not meet HEI deadlines for access to preparation courses
4.5 Input to curriculum development, delivery and evaluation of preparation courses in 2 HEIs	Monthly	LSAMO	Contravene NMC validation of course approval
4.6 Meet with and appoint those who successfully complete the programme of preparation	6 monthly and ad hoc	LSAMO	NMC ratio will not be maintained
4.7 Record newly appointed supervisors on LSA database	6 monthly and ad hoc	LSAMO / LSA Support Officer	NMC records will not be updated
4.8 Administer bi-annual Preparation programme partnership meeting	6 monthly	LSAMO / LSA Support Officer	Lack of quality assurance of the provision, delivery, results, quality and management of the programmes
4.9 In the case of a supervisor who does not fulfil the NMC requirements of the role, investigate and deselect when appropriate.	Ad hoc	LSAMO	Compromise public protection
4.10 Upload appointment and de-selection of supervisors to NMC each month	Monthly	LSAMO / LSA Support Officer	NMC records will not be updated
4.11 Audit supervisory PREP compliance	6 monthly	LSAMO and LSA Support Officer	NMC standard will not be met
4.12 Organise 2 conferences and 2 full day LSA days on contemporary issues yearly	Ongoing	LSAMO and LSA Support Officer	NMC standard will not be met
4.13 Provide 4 Network meetings annually to develop and maintain supervisory skills	Ad hoc	LSAMO	NMC / LSA standards will not be met

The Supervision of Midwives (Rule 12)

To ensure there is support for the supervision of midwives the local supervising authority will:

- viii) Monitor the provision of protected time and administrative support for supervisors of midwives
- ix) Promote woman-centred, evidenced-based midwifery practice
- x) Ensure that supervisors of midwives maintain accurate data and records of all their supervisory activities and meetings with the midwives they supervise

A local supervising authority shall set standards for supervisors of midwives that incorporate the following broad principles:

- xi) Supervisors of midwives are available to offer guidance and support to women accessing maternity services
- xii) Supervisors of midwives give advice and guidance regarding women-centred care and promote evidence-based midwifery practice
- xiii) Supervisors of midwives are directly accountable to the local supervising authority for all matters relating to the statutory supervision of midwives
- xiv) Supervisors of midwives provide professional leadership
- xv) Supervisors of midwives are approachable and accessible to midwives to support them in their practice
- x) Student midwives will be supported by the supervisory framework

The Local Supervising Authority Midwifery Officer (Rule 13)

In order to discharge the local supervising authority supervisory function in its area through the local supervising authority midwifery officer, the local supervising authority will:

- i) Use the NMC core criteria and person specification when appointing a local supervising authority midwifery officer
- ii) Involve a NMC nominated and appropriately experienced midwife in the selection and appointment process
- iii) Manage the performance of the appointed local supervising authority midwifery officer
- iv) Provide designated time and administrative support for a local supervising authority midwifery officer to discharge the statutory supervisory function
- v) Arrange for the local supervising authority midwifery officer to complete an annual audit of the practice and supervision of midwives within its area to ensure the requirements of the NMC are being met

5. (NMC Rules 12 and 13) Audit of LSA standards for supervision and midwifery practice:			
Key Area	Frequency	Who	Effect if not done
5.1 Administer LSA audit group meetings with service user involvement to produce and publish LSA audit process, tool and documents	Bi-monthly	LSAMO and LSA Support Officer	Key stakeholders will be uninformed and lack of ownership of process among supervisors
5.2 Plan a programme of audit visits for each year and notify 14 supervisory teams	Annually	LSA Support Officer	NMC / LSA standards will not be met
5.3 Undertake 14 audit visits with identified supervisors from other work places and 14, six month follow up visits	28 times annually	LSAMO	NMC / LSA standards will not be met
5.4 Monitor the provision of protected time and administration support for supervisors	28 times annually	LSAMO	NMC standard will not be met
5.5 Promote evidence-based, woman centred midwifery care	28 times annually and at all forums	LSAMO	Contravene statute
5.6 Ensure student midwives are supported by the supervisory framework through focus groups at audit visits and by LSAMO attendance at key HEI curriculum planning forums	28 times annually and at HEI forums	LSAMO	NMC / LSA standards will not be met

5.7 Produce report of audit outcome for the LSA / SHA and Trust audited	28 times annually	LSAMO	Key stakeholders will be uninformed
5.8 Make ad hoc visits as required or as requested	Ad hoc	LSAMO	Compromise public protection
5.9 Where issues raising concern about the safety of the practice environment are identified provide ongoing support mechanisms and monitoring and refer to other stakeholders as indicated	Ad hoc	LSAMO	Compromise public protection

The Supervision of Midwives (Rule 12): To ensure a communications network, which facilitates ease of contact and the distribution of information between supervisors of midwives and other local supervising authorities, a local supervising authority will:

- iv) Set up systems to facilitate communication links between and across local supervising authority boundaries
- v) Enable timely distribution of information to all supervisors of midwives
- vi) Provide a direct communication link, which may be electronic, between each supervisor of midwives and the local supervising authority midwifery officer
- vii) Provide for the local supervising authority midwifery officer to have regular meetings with supervisors of midwives to give support and agree strategies for developing key areas of practice

Publication of Local Supervising Authority Procedures (Rule 15): To ensure incidents that cause serious concern in its area relating to maternity care or midwifery practice are notified to the local supervising authority midwifery officer, a local supervising authority will:

- i) Develop mechanisms with NHS authorities and private sector employers to ensure that a local supervising authority midwifery officer is notified of all such incidents
- ii) Publish the investigative procedure
- iii) Liase with key stakeholders to enhance clinical governance systems

Annual Report (Rule 16): Written, annual local supervising authority report will reach the Midwifery Committee of the NMC, in a form agreed by the Nursing and midwifery Council, by the 30th of September of each year. Each local supervising authority will ensure their report is made available to the public. The report will include but not necessarily be limited to:

- i) Numbers of supervisor of midwives appointments, resignations and removals
- ii) Details of how midwives are provided with continuous access to a supervisor of midwives
- iii) Details of how the practice of midwifery is supervised
- iv) Evidence that service users have been involved in monitoring supervision of midwives and assisting the local supervising authority midwifery officer with the annual audits
- v) Evidence of engagement with higher education institutions in relation to supervisory input into midwifery education
- vi) Details of any new policies related to the supervision of midwives
- vii) Evidence of developing trends affecting midwifery practice in the local supervising authority
- viii) Details of the number of complaints regarding the discharge of the supervisory function
- ix) Reports on all local supervising authority investigations undertaken during the year

6. (NMC Rules 12, 15 and 16) Communication and Networking:			
Key Area	Frequency	Who	Effect if not done
6.1 Systems of communication and networking between all supervisors, all LSAMOs and key stakeholders, including Directors of Nursing Network meetings	2 monthly and ad hoc	LSAMO	Will not meet NMC standards
6.2 Appraise Associate Director Clinical Engagement, Maternity and Children's Lead and Integrated Governance issues pertinent to maternity	Monthly and ad hoc	LSAMO	Will not meet LSA standard
6.3 :Provide and receive professional information with NMC	Ad hoc	LSAMO	Compromise important information sharing – possible adverse impact on public protection
6.4 Bi-annual Contact supervisors workshops and bi-annual Independent midwives workshops	6 monthly 6 monthly	LSAMO and LSA Support Officer	As above
6.5 LSAMO Forum UK meetings	2 days Bi-monthly	LSAMO	As above
6.6 Provide and receive professional advice to and from the RCM and the RCOG	Ad hoc	LSAMO	Negative impact on multi-professional working
6.7 Attend Yorkshire and the Humber Heads of Midwifery meetings	Monthly	LSAMO	Loss of opportunity to influence maternity service agenda and to provide professional support

6.8 Attend Maternity Services Liaison meetings	Ad hoc	LSAMO	Key stakeholders will be uninformed
6.9 Attend key HEI meetings	Ad hoc	LSAMO	Will not meet LSA standard
6.10 Administer: LSA Guidelines meetings LSA Strategy Group meetings LSA Link supervisors meetings	Quarterly Bi-monthly Bi-monthly	LSAMO and LSA Support Officer	Lack of ownership among supervisors
6.11 Provide professional advice	Daily	LSAMO	Compromise public protection
6.12 Read and respond to email and written correspondence	Daily	LSAMO and LSA Support Officer	Compromise public protection
6.13 Establish systems that ensure the LSAMO is informed of incidents that cause serious concerns	Ad hoc	LSAMO	Compromise public protection
6.14 Download and analyse reports from LSA database and LSA incident database. Liaise with SHA staff e.g. Integrated governance, Maternity and Children's Lead, Workforce: - Supervisory investigations - LSA investigations - NMC referrals - Unit closures / suspension of services - Serious untoward incidents - Maternal deaths	Monthly	LSAMO and LSA Support Officer	Compromise public protection

6.15 Publish and review procedure for complaints against supervisors	Annually	LSAMO	Will contravene NMC rule 15
6.16 Undertake investigation of complaints against supervisors	Ad hoc	LSAMO	Will contravene NMC rule 15
6.17 Liaise with key stakeholders on issues of Clinical Governance	Ad hoc	LSAMO	Compromise public protection
6.18 Locate and summarise key local, regional and national material. Produce and circulate monthly electronic LSA Briefing	Ongoing and monthly	LSAMO and LSA Support Officer	Will not meet NMC/LSA standards
6.19 Data collection for annual report	Ongoing	LSAMO and LSA Support Officer	Will contravene NMC rule 16
6.20 Compile and publish annual report to the NMC meeting the nine standards	Annually	LSAMO	As above
6.21 Present key messages from LSA annual report to: - SHA Board - Key stakeholders e.g. supervisory teams; HOMS; PCTs; MSLCs	Annually and ad hoc	LSAMO	Compromise public protection Key stakeholders will be uninformed

Rule 15 continued: This section is out-with the responsibility of the LSAMO.

To confirm the mechanisms for the notification and management of poor performance of a local supervising authority midwifery officer or supervisor of midwives, the local supervising authority will:

- iv) Publish the process for the notification and management of complaints against any local supervising authority midwifery officer or supervisor of midwives
- v) Publish the process for removing a local supervising authority midwifery officer or supervisor of midwives from appointment
- vi) Publish the process for appeal against the decision to remove
- vii) Ensure that a local supervising authority midwifery officer or supervisor of midwives is informed of the outcome of any local supervising authority investigation of poor performance, following its completion
- viii) Consult the NMC for advice and guidance in such matters.

7. Managing complaints against LSAMO			
Key Area	Frequency	Who	Effect if not done
7.1 Publish and review procedure for managing complaints about the LSAMO	Annually	LSA	
7.2 Publish the process for removing an LSAMO	Annually	LSA	
7.3 Investigate poor performance by LSAMO	Ad hoc	LSA	
7.4 Publish and review the process of repeal	Annually	LSA	
7.5 Consult the NMC for advice and guidance in such matters	Ad hoc	LSA	