



NURSING and MIDWIFERY PROFESSION COMPLAINTS COMMITTEE (NMPCC)

Nursing and Midwifery Profession Complaints Committee is a Statutory Committee as set out in the Nursing and Midwifery Act 1997

TERMS OF REFERENCE:

This Panel is made up of two (2) nurses who are not members of Bermuda Nursing and Midwifery Council (BNMC), recommended to the Minister of Health by BNMC and Bermuda Nurses Association (BNA) and (one) 1 Lawyer appointed by the Minister of Health.

THE GENERAL PURPOSE IS:

1. To receive and investigate, or cause to be investigated, complaints against any registered person including any allegation that-Protect confidential information
 - i) the person's registration was improperly obtained
 - ii) the person is guilty of professional misconduct,
 - iii) the person is unfit to practice by reason of conviction of an indictable offense or adverse [physical or mental health, or
 - iv) The person is otherwise unfit to practice or to be registered;
 - v) may investigate any complaints based on matters alleged-
 - vi) to have occurred- Inside or outside Bermuda or
 - vii) at any time, whether or not at a time when the person was a registered person.
 - viii) Receive complaints made on behalf of a child or one who is physically or mentally unable to make the complaint.
 - ix) If the conduct complained of relates to a person who is dead, then the committee will receive complaints by the person's executor or personal representative.
 - x) To perform such other functions as may be prescribed.

All complaints shall be in writing, and addressed to the Committee giving as much details and including contact information for all mentioned including complainant.

The Committee may require that the complaint be in a form approved by the Committee.

INVESTIGATIVE PROCESS

- i) To consider whether there is a misunderstanding or do the facts support the allegation against the registrant as in section 1 above.
- ii) If the committee finds that there is no case to answer the committee may dismiss the case and notify the complainant in writing of its decision and give reason/s.
- iii) Where the Committee finds that there are grounds to investigate a complaint further, the Committee will notify the person who is the subject of the complaint, in writing that a complaint has been made, together with a summary of the matters alleged in the complaint.
- iv) Request the person who is the subject of the complaint to respond in writing within a specified time after the notice of a complaint is given, explaining why the matter should not be placed before the Council for determination.
- v) Afford the registered person every opportunity to appear before the committee.
- vi) May take evidence from witnesses on oath or affirmation, administered by the Chairman.
- vii) If the committee determines that a complaint ought to be referred to the Council for decision, the matter shall be referred to Council as soon as is practical.