Students with criminal convictions

Section 16(c) of the Health Practitioners Competence Assurance Act 2003 states that no applicant for registration may be registered as a health practitioner if he or she has been convicted by any court in New Zealand or elsewhere of any offence punishable by imprisonment for a term of 3 months or longer, and he or she does not satisfy the responsible authority that, having regard to all the circumstances, including the time that has elapsed since the conviction, the offence does not reflect adversely on his or her fitness to practise as a health practitioner of that profession.

If you have, or acquire during the programme, a criminal conviction (except for minor traffic convictions) you are required to declare this. Most schools of nursing require this at the time of application. It is in your best interests to discuss the nature of the conviction confidentially with the Head of Nursing as soon as you are able, to ensure you fully understand what is required of you, such as being ‘trouble-free’ throughout the programme. The Nursing Council will not make any definitive decisions regarding registration until such time as students with criminal convictions are ready to apply for registration.

If you have declared a criminal conviction, you need to provide details of:

- two referees who are aware of the criminal conviction; and
- the charge(s) upon which you were convicted, any mitigating circumstances, the penalty the offence carried and the actual penalty handed down by the court; and
- any personal information held by the Ministry of Justice about you.

The Registrar / Registration Committee of the Nursing Council considers each student who has declared a criminal conviction. It will take into account the information provided by you, the Head of Nursing and the referees. The Registration Committee may request an interview with you, which means you will be required to attend a meeting in Wellington at your own expense.

State Final Examination

The examination is held on the third Tuesday of March, July and November of each year. It consists of one 90-minute paper containing 90 multiple-choice questions. Each question has four answer choices. You will be allowed 10 minutes of reading time before beginning the paper.

To achieve a pass in the Examination, you must pass with 60% in each of the:

Four key categories:

- physiological knowledge
- psychosocial / communication
- clinical skills / knowledge
- ethical / legal safety

Cultural safety is integrated across the examination in a range of settings, and is therefore not assessed as a specific category.

No nursing student may sit the State Final Examination on more than three occasions. Students must sit and pass the examination within one year of completion of their programme.
Role of the Nursing Council

The Nursing Council of New Zealand (‘the Nursing Council’) is a statutory body that functions under, and administers the Health Practitioners Competence Assurance Act 2003.

The Nursing Council’s role is to protect the public interest by being accountable to the public for maintaining standards of registration of nurses. To this end, the Nursing Council has both a statutory legislative role and also a facilitating, guiding role for the profession of nursing.

Requirements for registration

Under the Health Practitioners Competence Assurance Act 2003, students seeking registration as an enrolled nurse must meet the following requirements:

1. complete the theoretical and clinical experience requirements of an accredited programme in the enrolled nurse scope of practice.
2. demonstrate competency against the Nursing Council’s Competencies for the enrolled nurse scope of practice.
3. is deemed to be fit for registration (section 16, Health Practitioners Competence Assurance Act 2003).
4. pass the State Final Examination for enrolled nurses.

The Nursing Council has a statutory role in determining if students can be registered.

Time requirements

Hours
Students are required to complete a minimum of 900 theory hours and 900 clinical experience hours.

Recognition of prior learning
Any reduction in these hours would be through recognition of prior learning (also known as assessment of prior learning) that has been approved by the nursing school/department, and where required by the Nursing Council.

Maximum time for completion
Where three years have elapsed since a student’s first enrolment in the programme, approval from the Nursing Council must be sought before any further enrolment.

Taking leave from the programme
Students who take leave from programmes are required to demonstrate current knowledge and competency so the point of re-entry into the programme can be identified. In other words, there are no assurances that you will be able restart a programme where you left.

Clinical experience requirements

As nursing is a practice-based profession, meeting the prescribed clinical experience requirements is essential for registration. Clinical experience requirements include a mixture of:

- time requirements in designated clinical experience settings
- attainment of knowledge, skills and competencies necessary for practice as an enrolled nurse
- demonstrating safe practice and professional behaviour at all times
- demonstrating competence throughout the programme.

Restriction on re-enrolling in practice papers
No student is allowed more than two opportunities to enrol in a clinical experience paper. Where extenuating circumstances exist, the Head of Nursing may submit details of the extenuating circumstances to the Nursing Council and seek Nursing Council approval of an individual programme extension.

‘Fitness for Registration’ – what does this mean?
Nurses often work with people in vulnerable situations requiring a high level of integrity and trust. Through the process of registration, the Nursing Council undertakes its statutory obligation and responsibility to the public by ensuring all persons placed on the register are ‘fit for registration’.

When applying for registration and to sit the examination, both the student and the Head of Nursing are required to declare that the student(s):
- is able to communicate effectively in order to practice nursing;
- is able to communicate in and comprehend English sufficiently to protect the health and safety of the public;
- does not have a physical or mental condition that means the student is unable to practice as a registered nurse / enrolled nurse;
- is not the subject of disciplinary proceedings or a disciplinary order in New Zealand or in any other country;
- registration would not endanger public health or safety; and
- the information provided is true and accurate.

The application for registration form also asks students to declare if they have been convicted against the law. The Nursing Council also requires each candidate to provide any information which is held by the Ministry of Justice related to convictions.

Examination misconduct

Examination misconduct is not tolerated. This includes:
- copying from or inappropriate communication with another person during the examination
- possession of any unauthorised material during the examination

If examination misconduct is reported to the Nursing Council, an investigation will be undertaken by the Council. Once the investigation is complete, a candidate may be invited to meet with the Registration Committee of the Nursing Council to determine whether the candidate will be registered.

Appendix 9 Requirements for registration as an enrolled nurse - Information for Students