



Delegation by registered nurses and midwives guidance note

1. Purpose

This guidance note provides guidance to registered nurses, enrolled nurses, assistants in nursing and employers about their responsibilities when aspects of nursing care are to be delegated. It should be read with *Delegating personal care work* where relevant.

2. Definitions

Delegation occurs when a registered nurse (the delegator) entrusts an enrolled nurse or assistant in nursing (the delegate) to perform an aspect (or aspects) of nursing care that the delegator would or could do themselves.¹

3. Context

Only registered nurses or midwives can delegate aspects of nursing care. This is because registered nurses and midwives are responsible for assessing the care needs of all people in their care and developing and documenting a care plan for them.

The registered nurse or midwife always remains accountable for any aspects of nursing care they delegate.

4. Guidance

Registered nurse and midwife delegation responsibilities

When to delegate

1. When delegating an aspect of nursing care to an enrolled nurse or assistant in nursing, a registered nurse or midwife must follow the Nursing and Midwifery Board of Australia (NMBA) *Decision-making framework for nursing and midwifery*.² This framework guides registered nurses and midwives through the issues they should consider.

When not to delegate

2. A registered nurse or midwife must not delegate aspects of nursing care to an enrolled nurse or assistant in nursing when:
 - they reasonably believe the skill or competency of the enrolled nurse or assistant in nursing is inadequate
 - they reasonably believe the nursing care is outside the scope of practice of the enrolled nurse or assistant in nursing
 - they cannot provide direct or indirect supervision to the enrolled nurse or assistant in nursing
 - they will not be available to evaluate the care provided.

¹ In this guidance note, *assistants in nursing* refers to people employed to provide direct care and aspects of nursing care under various titles including *assistants in nursing*; *health assistants in nursing*; *personal care assistants*; *personal care workers*; and *personal carers*.

² Nursing and Midwifery Board of Australia. 2020. Decision-making framework for nursing and midwifery. Melbourne: NMBA. Available at <https://www.nursingmidwiferyboard.gov.au/Codes-Guidelines-Statements/Frameworks.aspx>



Enrolled nurses and assistants in nursing responsibilities

3. At all times, enrolled nurses and assistants in nursing must work:
 - within a nursing care plan developed by a registered nurse
 - under the supervision (direct or indirect) of a registered nurse.
4. Enrolled nurses and assistants in nursing may assist registered nurses by providing delegated aspects of nursing care within the limits specified by their education, training and experience, and in accordance with legislation.
5. Enrolled nurses and assistants in nursing must advise the delegating registered nurse if they are not confident or competent to provide any aspect of the delegated nursing care or if the care is not within their scope of practice or role.
6. In accepting a delegated nursing activity, the enrolled nurse or assistant in nursing is undertaking to personally perform that activity. They must not re-delegate it to another person.

Employer responsibilities

7. Employers are responsible for ensuring:
 - all employees, including enrolled nurses and assistants in nursing, are competent to carry out the role for which they have been employed
 - workplace policies, protocols and practices in relation to delegation are in line with state and territory legislation, industrial instruments, and the NMBA Decision-making framework for nursing and midwifery
 - registered nurses and midwives have access to information regarding the safety and competence for practice of each enrolled nurse and assistant in nursing to whom they may delegate aspects of nursing care
 - registered nurses and midwives are not required to delegate aspects of nursing care to enrolled nurses or assistants in nursing where:
 - this is expressly prohibited by or contrary to state or territory laws or regulations, professional standards or guidelines, industrial instruments
 - the registered nurse or midwife considers the enrolled nurse or assistant in nursing is not competent to provide the required aspects of nursing care.

Learn more

8. For more detailed information, please read:
 - the NMBA Guide to delegation decisions³
 - the ANMF position statements *Role of assistants in nursing and Delegating personal care work*.

5. Guidance note management

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³ See Guide to delegation decisions in *Decision-making framework for nursing and midwifery*, p 9. Melbourne. Available at <https://www.nursingmidwiferyboard.gov.au/Codes-Guidelines-Statements/Frameworks.aspx>.