

# Royal College of Nursing

## RCN Office Holder Eligibility Regulations

### 1. Background

These Regulations are made by the Council pursuant to clause 16 of the RCN's Royal Charter and supplement the provisions of the Standing Orders with respect to elections and appointments to governance roles within the RCN.

### 2. Eligibility in all RCN elections

To be eligible for election to any position within RCN, a candidate must:

- 2.1 Have been a member of the RCN for three years continuously immediately prior to the close of nominations except for students (no minimum requirement) and candidates for the role of RCN President and Deputy President (five years continuously), unless otherwise agreed by Council in respect of a specific election.
- 2.2 Not have held a permanent salaried contract of employment or a fixed term/zero hours contract with the RCN for longer than six months' duration (WTE) during the two years prior to the election period. Meet any eligibility criteria set out in the terms of reference adopted by the Council for the committee in question.
- 2.3 Not have served more than the maximum terms of office as specified in paragraph 3 of these Regulations, and a person cannot be elected or appointed to a role if their election or appointment would cause them to exceed the maximum number of years permitted for that role.
- 2.4 Not be ineligible for the role to which they are elected or appointed by virtue of holding another RCN governance role, as specified in these Regulations. If at the time of standing for election a person would be ineligible on account of holding another role, they must, if elected, resign that other role before taking up the new role.
- 2.5 Have their workplace address in the area specified, unless they are a student or a retired member or a member with no permanent workplace address (for example an agency worker) in which case it is dependent on the area in which their branch is located (as students may opt to choose their branch dependent on their place of study or placement, and retired members may choose their branch dependent on their home address or a former workplace and members, who are not students or retired members, and have no permanent workplace address will be in a branch located according to their home address).

- 2.6 Be paying a full payment plan in the appropriate membership category and not be in arrears in respect of that plan.
- 2.7 Not hold office in or be a member of any organisation which:
  - 2.7.1 competes with the RCN for members or which, in the opinion of RCN Council, propounds policies which conflict with the main objects in the RCN's Royal Charter and its overall philosophies or have any association with other organisations (including other Trade Unions) or individuals which may have an interest or influence in the College's work;
  - 2.7.2 competes with the RCN in the manner in which the RCN furthers the main objects set out in its Royal Charter; or
  - 2.7.3 seeks to influence the RCN to adopt any particular policy or practice with respect to furthering the main objects set out in its Royal Charter.
- 2.8 Declare their willingness and commitment, if elected, to fulfil the role and commitments as set out in the role description and to adhere to all RCN policies.
- 2.9 In the case of Nurse members, be on the NMC register and not have any active NMC cautions against their name, not be currently subject to any NMC sanction, and not be subject to any ongoing disciplinary proceedings with any of their employers or professional disciplinary proceedings before the NMC.
- 2.10 In the case of Nursing Support Worker members who are Nursing Associates, not have any active NMC cautions against their name, not be currently subject to any NMC sanction, and not be subject to any ongoing disciplinary proceedings with any of their employers or professional disciplinary proceedings before the NMC.
- 2.11 In the case of Nursing Support Worker members who are not Nursing Associates, not be currently subject to a sanction from a regulator or any ongoing disciplinary proceedings with any of their employers or a regulator; and, if previously on the NMC register, not have any active NMC cautions against their name, nor be currently subject to any NMC sanction.
- 2.12 In the case of Students, not be subject to any university disciplinary proceedings and not have been subject to any university disciplinary sanction.
- 2.13 Not be subject to ongoing disciplinary proceedings in respect of any role they hold at the RCN, and not currently be subject to any RCN disciplinary sanction.
- 2.14 Meet the criteria in the RCN's Regulation on Fit and Proper Persons and, as required in that Regulation:

- 2.14.1 declare that they have the support of their employer (if employed) to carry out the role, as well as the time and availability; and
- 2.14.2 commit to uphold the Nolan Principles of Public Life.
- 2.15 Not be prohibited by law from being a Council member, if standing for election to Council.
- 2.16 Meet any further criteria applying to the specific election.
- 2.17 Make a written declaration that:
  - 2.17.1 They comply with the eligibility requirements in these Regulations;
  - 2.17.2 They know of no reason why they cannot stand for election; and
  - 2.17.3 They will stand down from their role should they fail to settle arrears on their payment plan after being requested to do so, fail to meet any other of the above criteria, or any additional criteria specific to a particular role, during their term of office.
- 2.18 A member who has been removed from any of the governance roles referred to in this regulation may not (unless such removal is successfully appealed) serve any further term of office in any such governance role. 'Removed' does not include resignation or retirement but shall be deemed to include resignation if the person resigns while subject to any disciplinary proceedings instituted against them by the RCN or the Nursing and Midwifery Council.

### **3. Maximum terms of office**

#### *Transitional provision*

- 3.1 This paragraph 3 shall not apply to any person until they are next due for election or appointment to any of the roles mentioned after 1 January 2026, at which point, past service in any role shall count towards the maximum number of years for which such person may serve in such role.
- 3.2 In relation to a member of Council in office on the date these Regulations are adopted, if such member of Council has served a two year term of office at any time during their tenure on Council, they may be elected for one extra term of four years (taking the maximum period in office to ten years) even if that will mean they exceed the maximum number of appointments otherwise permitted by these Regulations.

#### *Roles to which this Regulation applies*

- 3.3 This Regulation applies to the following governance roles within the RCN:

- 3.3.1 President and Deputy President;
- 3.3.2 Chair of Congress;
- 3.3.3 **Tier 1:** the Council;
- 3.3.4 **Tier 2:** the Professional Nursing Committee and the Trade Union Committee;
- 3.3.5 **Tier 3:** Country Boards; Regional Boards; the Nursing Support Worker Committee; the International Committee; the Agenda Committee; and the Equity, Diversity and Inclusion Committee;
- 3.3.6 **Tier 4:** UK Health and Safety Representatives Committee; UK Stewards Committee; UK Learning Representatives Committee; Fellows Co-ordinating Committee; and Forum Steering Committees;
- 3.3.7 **Other roles:** Other RCN Committees that have governance functions: the Students Committee; the Forum Governance Group.

#### ***President and Deputy President***

- 3.4 The terms of office for President and Deputy President are two years and a person may serve up to two terms in each role.
- 3.5 A person who has served as President may not subsequently serve as Deputy President.
- 3.6 Except for a Deputy President being elected President, a person who has served on the Council may not be elected President or Deputy President until at least two years have passed since they ceased to be a member of Council.
- 3.7 A person who has served as President or Deputy President may not be elected or appointed to the Council (other than a Deputy President being elected President) until at least two years have passed since they ceased to hold the office of President.

#### ***Chair and Vice Chair of Congress***

- 3.8 The terms of office for Chair and Vice-Chair of Congress run from the start date of their term and finish at the end of the second Congress following that date. A full term as Chair or Vice-Chair of Congress is therefore deemed, for the purposes of these regulations, to be a two year term. A person may serve up to two terms in each role.
- 3.9 A person who has served as Chair of Congress may not subsequently serve as Vice Chair of Congress.

3.10 Appointments and terms served as Chair of Congress shall count towards the maximum number appointments to and maximum number of years on Council. So, a person who has served two full terms of two years as Chair of Congress could be elected or appointed only once more to serve one term of four years on Council.

***Provisions affecting all of Tiers 1-4***

3.11 Except as provided otherwise in these Regulations, full terms of office in each of Tiers 1-4 (except for the Agenda Committee and the Student Member of Council) are four years.

3.12 A person may serve a term shorter than four years, for example because they are appointed to fill a vacancy or they resign part way through a full term. In such cases, a person may serve for up to three terms provided that their election or appointment would not cause them to serve more than the maximum number of years permitted for the role. Exceptions to this rule are provided for in paragraphs 3.13 (casual vacancies of one year or less) and 3.26 (Country Boards and Regional Boards).

3.13 A term of one year or less served to fill a casual vacancy shall not count towards the maximum number of years permitted in any role, nor the maximum number of appointments permitted.

3.14 Except in the case of a term served in an ex officio capacity, no one may serve simultaneously in any of the governance roles in Tiers 1-4. In this Regulation 3, the term '**ex officio**' means:

3.14.1 Holding one office simply because of holding another (for example, the President, Deputy President and Chair of Congress are ex officio members of the Council, the latter in a non-voting capacity); and

3.14.2 Appointed to an office where the appointee is required to hold another office (for example, there are two places reserved for Council members on the Equity, Diversity and Inclusion Committee).

3.15 Except in the case of the Chair of Congress serving on the Council, terms served in an ex officio capacity shall not count towards the maximum number of years that a person may serve on any committee.

3.16 A person who has served as chair of a committee or Council may not subsequently serve as deputy or vice chair of that committee or of Council.

***The Council***

3.17 No one may serve for more than eight years in total on the Council.

- 3.18 Service on the Council as President, Deputy President or as a student member of Council does not count towards the maximum period of office on or number of elections to the Council.
- 3.19 Paragraph 3.10 applies in relation to service on the Council as Chair of Congress.
- 3.20 A Council member may not serve simultaneously as chair or deputy chair of a Country Board or Regional Board, nor as a member of a Branch Committee, although they may be appointed as a non-voting link person acting in an advisory capacity for a Branch Committee.
- 3.21 The terms of office for Chair and Vice-Chair of Council are two years each and a person may serve up to two terms in each role.
- 3.22 The term of office for the Student Member of Council are two years and a person may serve up to two terms in that role.

***Tier 2***

- 3.23 Except in the case of someone serving in an ex officio capacity, no one may serve for more than eight years in total in the Tier 2 governance roles. For example, a person may serve one term of four years on the Professional Nursing Committee and one term of four years on the Trade Union Committee or two terms of four years on one of those committees but then can never again be appointed to either of them.
- 3.24 No member of the Professional Nursing Committee or the Trade Union Committee may serve simultaneously as chair or deputy chair of a Country Board or Regional Board, nor as a member of a Branch Committee, although they may be appointed as a non-voting link person acting in an advisory capacity for a Branch Committee.

***Tier 3***

- 3.25 Subject to paragraph 3.26, no one may serve for more than eight years in total in the Tier 3 governance roles. For example, a person may serve one term of four years on the International Committee and one term of four years on a Regional Board or two terms of four years on any one Tier 3 committee but then can never again be appointed to another Tier 3 committee.
- 3.26 If a person has served for two terms on a Country Board or a Regional Board where those terms amount to a total of six years or less, that person may serve for one further term of either two years or four years on such Country Board or Regional Board.

- 3.27 The Chair of Congress serves ex officio as Chair of the Agenda Committee. Terms of office for all other Agenda Committee members (including the Vice Chair of the committee) run from the start date of their term and finish at the end of the second Congress following that date. A full term as an Agenda Committee member is therefore deemed, for the purposes of these regulations, to be a two year term.
- 3.28 A person serving in a Tier 3 governance role may not simultaneously serve on a Branch Committee, although they may be appointed as a non-voting link person acting in an advisory capacity for a Branch Committee.

#### ***Tier 4***

- 3.29 No one may serve for more than eight years in total on any of the Tier 4 committees.
- 3.30 There is no limit on the number of Tier 4 committees on which a person may serve.

#### ***Other roles***

##### ***Students Committee***

- 3.31 Except for ex officio members, terms of office on the Students Committee are two years and a person may serve up to two terms.

##### ***Forums Governance Group***

- 3.32 The terms of office of the elected Fellow on the Forums Governance Group are two years and a Fellow may serve up to two terms. All other members of the Forums Governance Group are ex officio members.

#### ***Other committees***

- 3.33 This Regulation does not affect any committee or structure not specified in it. For example, the rules preventing a person from serving simultaneously on more than one committee do not apply to committees that are not specified.
- 3.34 The terms of office for External Advisers serving on Scrutiny or Advisory Committees are four years. A person may serve a maximum of eight years on any committee as an External Adviser with a maximum of three appointments.

Approved by RCN Council on 10 April 2025

The Regulations will replace the RCN Regulation on Terms of Office on 1 January 2026