

**Please note:**

Each regulated activity requires a separate registration – you may need to register for more than one

## Maternity and midwifery services

### Description

This regulated activity covers **maternity and midwifery services** where they are carried out by, or under the supervision of, a registered health care professional.

Organisations that provide advice, support or information related to childbirth and parenting are not included in this regulated activity, so long as the provision of health care (other than that advice, information and support) is not their main purpose.

This means that a hospital provider would not become exempt if providing advice, because its main purpose is health care. But an organisation that is not primarily a health care provider and that provides this advice (such as the National Childbirth Trust) would not have to register, even if the advice is provided by a health care professional employed by such an organisation.

### Exemptions

Services by midwives are exempt in the following specific circumstances:

- The midwife must be acting on their own behalf (i.e. self-employed rather than acting for a partnership or organisation), **and**
- Providing non-NHS care (e.g. not under contract for an NHS service), **and**
- Providing services to their patients **only** in the patients' homes (e.g. not as part of a hospital or clinic based service).

This exemption would not apply unless **all** of the circumstances set out above are met.

For the avoidance of doubt, this activity does not cover arrangements that local social services authorities may make under the NHS Act 2006, for the care of pregnant women and women who are breastfeeding.

### Antenatal care or postnatal care

Where antenatal or postnatal services are provided as part of primary medical care, the primary medical provider should register for this activity. Where maternity services are provided as a community or outreach service, the provider is likely to need to register.

The current exemptions that apply to independent midwives providing services in a woman's own home are expected to be changed by the Department of Health at some point in the future. In addition to these changes, it is expected that the new EU Directive requiring indemnity insurance to be in place for all healthcare provision will be implemented in October 2013. The Department of Health has indicated that regulations to remove the exemption from registration will therefore be taken forward as part of their response to the EU Directive. We will publish additional information about this as it becomes available.

[http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Consultations/Responsestoconsultations/DH\\_133119](http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Consultations/Responsestoconsultations/DH_133119)

## Decision tree for 'maternity care and midwifery'

