



HEALTH
PROFESSIONS
ACCREDITATION
COLLABORATIVE
FORUM

Australia's accreditation authorities
for regulated health professionals

Health Professions Accreditation Collaborative Forum (the Forum) submission to the Health Chief Executives Forum – National Registration and Accreditation Scheme for the Health Professions; Consultation on the draft Health Practitioner Regulation National Law Amendment Bill

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Thank you for the opportunity to comment on proposed amendments to the operation of the National Registration and Accreditation Scheme (NRAS).

The Health Professions Accreditation Collaborative Forum (the Forum) is a coalition of the 15 accreditation authorities for the regulated health professions within the National Registration and Accreditation Scheme (the Scheme). The Forum is committed to a National Scheme that operates efficiently and effectively, and Forum members contribute individually and collectively to issues of national importance to the regulated health professions.

Updating the guiding principles and objectives of the National Scheme

The Draft Bill proposes to add two new guiding principles that are mirrored in similar objectives of the National Scheme. The intent and benefit of the proposal to include public protection and cultural safety as both guiding principles and objectives is unclear given that the objectives are Scheme-wide objectives and apply to all entities with functions under the National Scheme.

The Forum supports the proposed addition of cultural safety.

In relation to the proposed new paramount principle concerning public protection and public confidence in the safety of services provided by registered health practitioners and students, the proposed amendment refers to “services provided by registered health practitioners and students”, not “health services”.

The Forum has concerns relating to the inclusion of students in this definition, since students are not providing independent services. The current National Law definition of health services does not include services provided by students in a regulated health profession.

Governance and operations

Amendment to Ahpra's role and functions under the national law

The consultation document states that the National Law does not reflect Ahpra's central role in managing the National Scheme. The original Intergovernmental Agreement (2008) agreed to establish a national agency to administer the scheme and its resources, and the National Boards were to be responsible for regulation and accreditation for their specific profession.

The change proposed to add to Ahpra's functions under S25 to include a function to do anything else necessary or convenient for the effective and efficient operation of the Scheme significantly changes their role. The consultation document on the proposed Amendment Bill indicates that this change is to clarify the role of Ahpra. Rather than a clarification, the change increases the functions of Ahpra and would give Ahpra a function that now belongs to the National Boards.

The Forum believes this change is both unnecessary and has the potential to cause confusion about responsibilities and functions in the Scheme. We note that the NRAS Review of Governance (2018) argued for a change to give Ahpra a "necessary and convenient" power. Under s24 of the National Law, Ahpra already has the power to do "anything necessary or convenient to be done in the exercise of its functions".

The Forum supports the proposed change to the functions of Ahpra to broaden its capacity to provide advice to the Ministerial Council on matters relating to the National Scheme, not only matters that pertain to the Scheme's administration. The cross profession engagement and policy development that has been possible because of the National Scheme are important outcomes and Ahpra's role in facilitating and supporting this work is essential.

In February 2021, Ministers issued a policy directive to Ahpra and National Boards concerning the establishment of an independent accreditation committee to provide expert and independent advice on accreditation reform and National Scheme accreditation matters. The Forum therefore questions the inclusion of accreditation in the matters covered in the proposal to broaden Ahpra's advisory capacity given the establishment of an independent accreditation committee under this policy directive.

Role of Ministerial Council

The Forum supports the proposal that Ministerial Council will be able to delegate its power to approve registration standards to other entities to reduce bureaucracy and delay. The Forum supports the relevant National Board being able to approve registration standards which have had minor changes to them but recommends there be delegation criteria so the circumstances where this might occur are clear.

Amendment of Regulation

Oversight of accreditation functions by the National Health Practitioner Ombudsman

The Forum supports the increased responsibilities of the National Health Practitioner Ombudsman (NHPO) to have regard for accreditation functions for accountability, increased transparency and to increase consistency. However, the Forum notes as written the amendments will extend to include *all accredited programs under the NRAS*, and not just the training programs for the specialist medical colleges which is understood to be intent of this amendment.

The Forum understands that this provision could be interpreted to extend to the responsibility of a higher education provider in securing clinical placements under agreement with a private or public health service in accordance with the applicable accreditation standards for their profession. In this instance, the Forum questions what responsibility the NHPO could have in providing oversight of these arrangements which are generally between state and territory governments and education providers.

If this is not the intended outcome of these amendments, then the Forum suggests this is further qualified to be restricted to specialist medical colleges.

Thank you for the opportunity to comment.

Yours sincerely



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