

**Agency Management Committee
Meeting Number 4
23 July 2009**

21 Hamilton Street, Subiaco

Final decisions and actions arising

Members present

Mr Peter Allen, Chair

Mr Michael Gorton

Professor Genevieve Gray

Professor Constantine Michael

Associate Professor Marilyn Walton

In attendance

Dr Louise Morauta, Project Director, National Registration and Accreditation
Implementation Project (NRAIP)

Ms Del Stitz, Director Implementation, NRAIP

By teleconference for part of meeting

Ms Leanne O'Shannessy, Director, Legal and Legislation, and General Counsel,
NSW Department of Health

Item 1: Record of previous meeting

1. Final minutes of the last meeting held on 22 June were noted by the Committee.

ACTION: Nil

Item 2: Disclosure of any conflicts of interest in relation to agenda items

1. In accordance with Section 6(1) of Schedule 2 of the *Health Practitioner Regulation (Administrative Arrangements) National Law Act 2008* (the Act), members declared any possible conflict of interest in relation to agenda items for consideration by the Committee.
2. No conflicts of interest were noted.

ACTION: Nil

Item 3: Consideration of discussion with Western Australian boards

1. Members noted that Western Australian boards were engaging constructively on the detail of implementation. Contractor issues needed to be resolved with the smaller boards and the nurses board may be able to assist. Boards are anxious for the detailed structure which cannot be provided until after consultation with national boards.
2. Members agreed that the Chair would write to presidents and propose that presidents meet to continue the dialogue. Con Michael will convene the first meeting and then hand over to one of the presidents.
3. The Chair will write to boards with a copy to CEOs in relation to the consultation meeting. A letter of thanks for hosting the meeting will also be sent to the Pharmaceutical Council of Western Australia.

ACTION: Chair and NRAIP

Item 4: Funding and administrative arrangements for NSW

1. Members noted the papers prepared by the NSW Department of Health at Attachment A and the NRAIP team at Attachment B of the paper.
2. Members discussed the papers with Leanne O'Shannessy by teleconference.
3. Members noted that NSW will operate under NSW legislation in relation to complaints including conduct, performance and health. A meeting next Monday with the project team will consider slight adjustments to Bill B to make this simpler.
4. NSW agrees that all staff need to be in one spot. Whilst flexible on administrative options, the NSW Minister has expressed a preference for staff to remain with NSW. The Agency Management Committee prefers for staff to be under the direct management control of AHPRA. NSW will explore options for divisions of government service or secondment of public sector staff. NSW would like an indication of organisation design on a confidential basis.
5. NSW will require financial and reporting accountability to the NSW Minister. Members noted that all Ministers will need responsiveness from AHPRA and national boards but this will be more important when operating under NSW legislation. Members proposed that Ministers should talk to State board presidents on matters within the State.
6. NSW proposes to appoint NSW State boards to exercise powers under NSW legislation. Where small professions don't have State boards, then powers could be exercised by the national board for the profession.
7. Members noted that national fees would be set based on the experience in all other States and Territories. The actual cost of the scheme in NSW would be charged to NSW registrants and the difference described as a NSW government subsidy.
8. NSW is comfortable for the project team to explore detailed IT design issues with NSW boards.
9. It was agreed that the Chair will write to NSW setting out the proposals.

ACTION: Chair and NRAIP

Item 5: Current situation

Item 5.1 Update from Chair and members

1. Members noted the letter from David Roberts offering assistance from Health CEOs to select the AHPRA CEO. However, no Health CEOs are available for interviews on 31 July. The Chair will discuss the CEO selection with Health CEOs before finalisation.
2. Members noted that it would be desirable to meet twice a year with Health CEOs to discuss issues of mutual interest.
3. The Chair has been invited to visit Tasmania and is looking for a date.

ACTION: Chair

Item 5.2 Progress report from project team

1. Members noted the matters reported in the paper.
2. Dr Morauta reported that she was cautiously optimistic that Ministers may agree national board composition in early August.
3. Members noted that about 564 submissions had been received in response to Bill B. A series of minor policy issues had been raised, including who pays for the Public Interest Assessor. In terms of drafting, complaints is the most difficult area and will require further work.

ACTION: Nil

Item 6: Financial matters

- [REDACTED]
1. [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]

ACTION: NRAIP

Item 7: Employment matters

Item 7.1 Proposed national office positions for 2009-10

1. Members agreed in principle to the national office positions to be created in the Agency as of 1 July 2010, subject to consultation with the CEO and agreement with national boards on top structure organisation design.
2. Members noted the timing proposed for recruitment to national office positions, if possible, given the availability of funds.

3. [REDACTED]

ACTION: NRAIP

Item 7.2 Legal advice on industrial relations matters

1. [REDACTED]

2. Members noted that the implications for staff seeking to remain in defined benefit superannuation schemes is still to be determined.

3. [REDACTED]

4. Members expressed the view that governments would want an agency such as AHPRA to be considered a national employer.

5. Members agreed that the project team explore the options further with the Department of the Prime Minister and Cabinet (PM&C) and the Department of Education, Employment and Workplace Relations (DEEWR).

6. Members agreed that the EBA be distributed in parallel to CEOs and unions and noted the advice that it be sent both to ACTU and to CPSU to meet Fair Work Act requirements.

ACTION: NRAIP

Item 7.3 Performance pay for senior executive staff

1. Members noted the pros and cons associated with performance pay.

2. Members agreed not to include a performance-related incentive payment in the contract negotiated with the CEO and other persons appointed on individual senior executive contracts.

3. Members agreed to allow for an annual salary review in which adjustments of a variety of kinds could be made without setting out what those adjustments will be.

4. Members noted that the Department of Health and Ageing (DoHA) pay rates for SES positions quoted in previous papers would need to be adjusted for removal of performance pay.

ACTION: NRAIP

Item 8: Accommodation matters

1. Members noted that further work will be required to assess the Victorian accommodation.

ACTION: NRAIP

Item 9: Support to national boards

Item 9.1 Agenda for the first meeting of national boards

1. Members noted the proposed approach to the agenda for the first meeting of national boards:
 - a. common background papers on all main issues be provided to all boards
 - b. there be a briefing on the common papers on the Saturday afternoon so that all boards can ask questions and get advice on background, and
 - c. board-specific papers be provided on a minority of matters such as the registration transition plan.
2. Members provided comments on the working draft agenda at Attachment A of the paper:
 - a. Chair to speak on role of the Agency Management Committee during induction
 - b. presentation on legal duties of boards desirable
 - c. emphasise role in relation to protecting public safety
 - d. distribute background reading on roles and responsibilities
 - e. workshop discussion of issues in mixed groups is desirable
 - f. a community representative discussing role on boards useful
 - g. add item 4.7 on other policy matters raised by profession
 - h. add 4.8 on nature of consultation, and
 - i. add correspondence.
3. Members agreed that the Committee review all overview papers for discussion with national boards.
4. Members agreed that a notice should go on the Agency website inviting any correspondence to the national boards to be addressed to the Chair, [Profession] Board of Australia, c/- NRAIP@dhs.vic.gov.au.
5. Members agreed to email the Chair about matters they would like to discuss during the induction.
6. The Chair will approach Minister Andrews to open the induction.

ACTION: Chair, members and NRAIP

Item 9.2 Venue for the first meeting of national boards

1. Members noted that the number of board members is likely to be increased to 108 and therefore Lancemore Hill is not large enough.
2. Members agreed that, subject to the timing of Ministerial appointments, the first meeting of boards be held at the Aitken Hill conference centre starting 18 September.
3. Members agreed that they should be available during the national board meetings on Sunday, but would not attend.

ACTION: NRAIP

Item 9.3 Amended draft procedures for development of standards

1. Members considered the amended draft procedures for the development of standards related to registration at Attachment A of the paper.
2. Members considered the amended draft procedures for the development of standards related to accreditation at Attachment B of the paper.
3. Members agreed to provide the draft procedures as agreed by the Committee to the boards at their first meetings for consideration, prior to finalisation.
4. Members agreed that the draft procedures for accreditation can be discussed with relevant accreditation authorities once Bill B has been settled.

ACTION: NRAIP

Item 10: Approach to September progress report for Ministerial Council

1. Members provided comments on the notes in the paper so that a paper can be brought to them at the next meeting for agreement:
 - a. the report should comment on broader milestones rather than just those delivered by the Committee. It should provide reassurance that issues are being addressed, and
 - b. key messages should include: working together; listening; participating in consultations; the scheme will be better for the public and the profession; tight timelines; lean and mean approach; help stakeholders 'see the goldfish in the pond'; strengthen the professions to protect the public.
2. The Chair will review the draft before the next meeting.

ACTION: Chair and NRAIP

Item 11: Communications issues

Item 11.1: Draft statement to be issued following meeting

1. Members agreed a draft statement.

ACTION: Chair and NRAIP

Item 12: IT strategy and program

Item 12.1 Information sharing policy for the NRAS and the healthcare identifiers service

1. Members noted the information sharing policy for the National Registration and Accreditation Scheme for the Health Professions (NRAS) and the healthcare identifiers service at Attachment A of the paper.
2. Members noted the policy is to be considered for endorsement by the Australian Health Ministers' Conference in September 2009.

ACTION: Nil

Item 12.2 IT progress report

1. Members noted the progress that has been made on the IT strategy and program.

ACTION: Nil

Item 13: Business procedures

Item 13.1 Banking services for AHPRA

1. Members agreed in principle to use the whole of Victorian Government Banking Services Contract with Westpac until September 2011.

ACTION: NRAIP

Item 13.2 Development of business procedures

1. Members noted the draft list of business procedures at Attachment A of the paper.
2. Members agreed to move immediately to appoint an auditor.

ACTION: NRAIP

Item 14: Correspondence

1. Members noted the correspondence register distributed.
2. For consistency, the Chair will write to the Nursing and Midwifery Board of Australia concerning accreditation.

ACTION: Chair and NRAIP

Item 15: Proposed 2010 meeting dates

1. Members agreed to commence meeting on Tuesday, 12 January and meet subsequently on Tuesdays in 2010.
2. NRAIP will propose meeting dates for national boards in 2009.

ACTION: NRAIP

Item 16: Other business

1. Members wish to discuss unintended consequences at each meeting.
2. CEO interviews will be held on 31 July at the Holiday Inn. Candidate presentations will be distributed in hard copy. The Chair will distribute the list of candidates and times.

ACTION: Chair

Item 17: Next meeting

1. Members noted the next meeting – Monday, 24 August in Adelaide, preceded by the meeting with the SA boards at 8:00am.

ACTION: Nil