



To: Australian Health Practitioner Regulation Agency
From: SA Dental Service
Date: 17th August 2012
Re: Australian Health Practitioner Regulation Agency (AHPRA)– Consultation document titled “International Criminal History Checks”

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SA Dental Service has considered the Australian Health Practitioner Regulation Agency (AHPRA) – Consultation document titled “*International Criminal History Checks*” paper and requests consideration of the following feedback.

As highlighted in the paper, 4 options were presented for consideration.

- Option 1: Applicant declaration only.**
- Option 2: Applicant provides criminal history clearance evidence with application.**
- Option 3: AHPRA obtains clearance/information from jurisdictions outside Australia when processing application.**
- Option 4: Applicant makes declaration and AHPRA undertakes random sample audit**

SA Dental Service fully agrees Option 3 is the most robust affording the greatest level of protection for the Australian public. However, also acknowledges this Option is resource intensive.

Option 1, which retains the current status quo, is worthy of consideration although it does not fully address the objectives of National Registration and has some associated risks for the public.

As a state funded public dental provider SA Dental Service is required to comply with SA Health Directives. Currently SA Health requirements for criminal offender checks and clearance certificates align most closely with Option 2. This practice has been in place for some years and has worked effectively and not proven to be too onerous for prospective employees.

If AHPRA were to adopt Option 2 the main benefits from SA Dental Service perspective are:

- a consistent and national approach which is seen as desirable
- potentially a reduced administrative burden on employers.

However, the main obstacles to Option 2 being nationally accepted are:

- jurisdictional variation as to the appropriate criteria that would constitute an ‘all clear’ check
- concerns with respect to confidentiality regarding the release criminal offender results to third parties such as prospective employers.

SA Dental Service notes Option 4 provides additional safeguards when compared with Option1.

Should AHPRA adopt Option 4, SA Dental Service will continue to require all new employees to supply Criminal Certificate Clearances as a condition of employment.

In summary, SA Dental Service believes:

- Option 1 has associated risks and is therefore not the preferred option.
- Option 3 is the most stringent but acknowledges this is also resource intensive and may be associated with delays.
- Option 2 is achievable and offers a good degree of confidence.
- Option 4 is acceptable, albeit it with slightly higher levels of risk when compared with Options 2 and 3.
- Many employers will continue to require new employees to produce Criminal Clearance Certificates regardless of which Option AHPRA adopts.