

## Public consultation on a draft Data strategy

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### Submission template

The Australian Health Practitioner Regulation Agency (Ahpra) is inviting feedback on our draft Data strategy. The Data strategy will guide how we use data that we collect and store.

We are inviting responses to specific questions about our future use of this data and general comments on the draft Data strategy.

In addition to the Data strategy on page 4 of the consultation paper, we are consulting on the future directions for three focus areas:

- the public register of health practitioners
- data sharing, and
- advanced analytics.

### Publication of submissions

We publish submissions at our discretion. We generally publish submissions on our [website](#) to encourage discussion and inform the community and stakeholders about consultation responses. Please let us know if you do not want your submission published.

We will not place on our website, or make available to the public, submissions that contain offensive or defamatory comments or which are outside the scope of the subject of the consultation. Before publication, we may remove personally identifying information from submissions, including contact details.

We can accept submissions made in confidence. These submissions will not be published on the website or elsewhere. Submissions may be confidential because they include personal experiences or other sensitive information. A request for access to a confidential submission will be determined in accordance with the *Freedom of Information Act 1982* (Cth), which has provisions designed to protect personal information and information given in confidence. Please let us know if you do not want us to publish your submission or if you want us to treat all or part of it as confidential.

**Published submissions will include the names of the individuals and/or the organisations that made the submission unless confidentiality is expressly requested.**

Do you want your responses to be published?

- Yes I want my responses to be published
- No I do not want my responses to be published

### Your contact details

Name: [REDACTED]

Organisation: Chiropractic Australia

Contact email: [REDACTED]

### How to give feedback

Please email your submission in a Word document (or equivalent) to [AhpraConsultation@ahpra.gov.au](mailto:AhpraConsultation@ahpra.gov.au) by 31 January 2023.

## Submission template

Please read the public [consultation paper](#) (including the draft Data strategy) before responding. The draft Data strategy can be found on page 7 of the consultation paper.

Draft Data strategy
1. Does the draft Data strategy cover the right issues?
Chiropractic Australia welcomes the opportunity to contribute to this important consultation process undertaken by Ahpra to develop a robust data strategy. We believe that the strategy does address the key issues currently being faced and is forward thinking in its approach to broaching issues that may arise in the future. It is important to take into consideration the rapid pace that data analytics is moving to ensure that there is sufficient flexibility to address future scenarios in this evolving field.
2. Do you think that anything should be added to or removed from the draft Data strategy?
We believe that the 'high-level' guiding framework and the domains and objectives address the major issues involved in developing a data strategy.
Focus area 1: The public register
3. Do you agree with adding more information to the public register?
<ul style="list-style-type: none"><li>• If yes, what additional information do you think should be included?</li><li>• If no, please share your reasons</li></ul>
We believe that adding additional information to the public register is appropriate if it facilitates improved matching a patient with the most suitable practitioner to meet their healthcare needs. Information that assists this process as described in point 29 is considered reasonable, but without including information on the practitioner's regulatory history such as end dates of suspensions, conditions or undertakings
4. Do you agree with adding health practitioners' disciplinary history to the public register?
<ul style="list-style-type: none"><li>• If yes, how much detail should be included?</li><li>• If no, please share your reasons</li></ul>
Chiropractic Australia does not agree with adding the full disciplinary history of a practitioner to the public register. As outlined in the consultation paper, there needs to be a careful assessment to balance the competing needs of the public interest and the professional reputation, livelihood and wellbeing of the practitioner involved. In general terms, finding relating to unprofessional conduct should not remain on the public register once the practitioner has met their obligation following disciplinary action. In respect to more serious offences involving professional misconduct, such as the practitioner having a health impairment such as illicit substance abuse or having been found guilty of sexual misconduct, these should be assessed on the extent of the offence and the determination as to whether the practitioner remains a fit and proper person to hold a registration. A practitioner who has met these obligations should not have their disciplinary history visible on the public register. Striking a balance between public safety, public interest and the practitioner's rights should be a major consideration. The regulatory processes undertaken by Ahpra, and the respective Boards are designed to ensure that practitioners are safe to return to practice following

their disciplinary action. Recalcitrant practitioners and repeat offenders will in turn be removed from the public register if their registration is cancelled.

5. How long should a health practitioner's disciplinary history be published on the public register?

- 0 to 1 year
- 1 to 4 years
- 5 to 10 years
- 10 to 20 years
- As long as the practitioner is a registered health practitioner
- Disciplinary history should not be published on the public register. Only current conditions or limits on practise should be published on the public register.
- Other, please describe: The disciplinary history should be removed upon having met the requirements of their disciplinary actions.

6. Who should be able to add additional information to the public register?

We believe that to ensure the integrity and robustness of the data on the public register only Ahpra should be able to add or remove information on the public register.

7. Are there other ways to enhance the effectiveness and value of the public register for the public and/or practitioners?

It is suggested that providing a high-quality search functionality that allows for advanced search functions is included in the register. As an example, might be, if someone is seeking a chiropractor who is in a particular region that speaks a specific language and practices acupuncture, this should be searchable on the register.

Similarly, it would be helpful to include on the public register whether the practitioner is a member of a recognised peak body and their membership status (with practitioner/member consent).

### Focus area 2: Data sharing

8. The [Health Practitioner Regulation National Law](#) enables us to share data with some other organisations in certain situations. Do you have suggestions about how Ahpra could share data with and/or receive data from other organisations to benefit the public, practitioners and/or our regulatory work?

As a peak body representing chiropractic, we believe that it would be advantageous for Chiropractic Australia to share data about or members with Ahpra to assist in providing enriched data for the public register. Similarly, with the permission of the practitioner, we would welcome the opportunity of having access to practitioners' contact details to assist in the dissemination of information relevant to the practice of chiropractic to practitioners who are not already a member of Chiropractic Australia.

### Focus area 3: Advanced analytics

9. Do you have any suggestions about how Ahpra should approach using advanced analytics and machine learning technologies?

As noted above, the rapid development of advanced analytics and machine learning will potentially greatly impact on the role data plays in all aspects of healthcare and regulation. Chiropractic Australia believes that advice on this area should be sought from experts in the field, especially in view of the complexities of data analytics. This field has the potential to influence all aspects of data collection and as a result will influence the practice of healthcare, and potentially also impact negatively on healthcare in the areas of fraud and waste. As such, we believe that it is important to involve all relevant stakeholders in regularly reviewing and managing the evolving field. It is recommended that a working group be established including experts in data analytics and machine learning as well as all relevant stakeholders including Ahpra, government departments and agencies (federal and state) involved in healthcare as well as representatives from the health professions and peak bodies to monitor and provide advice to Ahpra on this important area.

Other

10. Please describe anything else Ahpra should consider in developing the Data strategy.

Nil further.

### Thank you

Thank you for participating in this consultation. Your feedback will support Ahpra and the National Boards to use data to improve public safety.

Please email your submission to [AhpraConsultation@ahpra.gov.au](mailto:AhpraConsultation@ahpra.gov.au) by 31 January 2023.

Ahpra acknowledges the Traditional Owners of Country throughout Australia and their continuing connection to lands, waters and communities. We pay our respect to Aboriginal and Torres Strait Islander cultures and Elders past, present and emerging.