



Aboriginal and Torres Strait  
Islander Health Practice  
Chinese Medicine  
Chiropractic  
Dental  
Medical  
Medical Radiation Practice  
Nursing and Midwifery  
Occupational Therapy  
Optometry  
Osteopathy  
Pharmacy  
Physiotherapy  
Podiatry  
Psychology

Australian Health Practitioner Regulation Agency

## Response template: Public consultation - revised *Guidelines for mandatory notifications*

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National Boards and the Australian Health Practitioner Regulation Agency (AHPRA) are seeking feedback about the revised *Guidelines for mandatory notifications*.

This response template is an alternative to providing your response through the **online platform available on the consultation website**.

### IMPORTANT INFORMATION

#### Privacy

Your response will be anonymous unless you choose to provide your name and/or the name of your organisation.

The information collected will be used by AHPRA to evaluate the revised guidelines. The information will be handled in accordance with AHPRA's privacy policy available [here](#).

#### Publication of responses

Published responses will include the name (if provided) of the individual and/or the organisation that made the response.

You must let us know if you do **not** want us to publish your response.

Please see the [public consultation papers](#) for more information about publication of responses.

#### Submitting your response

Please send your response to: [AHPRA.consultation@ahpra.gov.au](mailto:AHPRA.consultation@ahpra.gov.au)

Please use the subject line: Feedback on guidelines for mandatory notifications

Responses are due by: **6 November 2019**

### General information about your response

Are you responding on behalf of an organisation?	
<b>Yes</b>	<b>Federation of Chinese Medicine &amp; Acupuncture Societies of Australia Ltd (FCMA)</b>
<b>No</b>	<b>N/A</b> Are you a registered health practitioner? Yes/No If yes, which profession(s)? Are you a student? Yes/No If yes, which profession?
We may need to contact you about your response. Please write your name and contact details below. <b>(Skip if you wish to remain anonymous)</b>	
Name (optional)	
Contact details (optional)	

## Public consultation questions

Please ensure you have read the [public consultation papers](#) before providing feedback as the questions are specific to the revised Guidelines for mandatory notifications.

Use the corresponding text boxes to provide your responses. You do not need to answer every question if you have no comment.

### 1. How easy is it to find specific information in the revised guidelines

**The Guidelines for Practitioners is very clear and logical – the charts make the process “error-proof”**

**There is some need for clarification in the Guidelines for Students - in the sections describing behaviour that is notifiable conduct for practitioners but not for students (see #3 below).**

### 2. How relevant is the content of the revised guidelines?

**Relevant and useful**

### 3. Please describe any content that needs to be changed or deleted in the revised guidelines.

In the **Guidelines for Students**, there are several informative and useful sections that are pertinent only to practitioners and not students. Although the Guidelines for Practitioners include clarifying statements in regard to students, the Guidelines for Students have no similar clarifying reminder that mandatory student notifications to AHPRA/CMBA relate not to the behaviour described in that section, but only to *“a reasonable belief of impairment that may place the public at substantial risk of harm”*, with a note that other concerns should be managed by the relevant education provider or health service provider.

A statement to this effect could be added to 1.5, and other parts as shown below:

- Much later in the document (page 11), 141A speaks to sexual misconduct and in the context of the document being Student Guidelines, it could be understood that that might refer to students. A clarifying statement would be useful. It might also be useful to include the statement from 141B (1) (c) that uses the words: *“in a way that constitutes a significant departure from expected professional standards”*.
- Similarly, 14B (a) pertains to student notifications, but (b) does not. It may be that (c) is a useful statement for both students and practitioners.
- Par 141B (2) on page 12 might also include a clarifying reference to students, as is done in 141B(3)
- Par 142 (page 13) relates to employer notifications – there may be circumstances where this is also pertinent to students as well as practitioners.

**4. Should some of the content be moved out of the revised guidelines to be published on the website instead?**

**If yes, please describe what should be moved and your reasons why.**

A summarised version – perhaps in the form of charts would be a useful resource – but with a link to the full document. And, it would be good for the charts to remain in the full document.

**5. How helpful is the structure of the revised guidelines?**

The structure is logical – and it is good to have the separate documents for practitioners and students.

**6. Do the revised guidelines clearly explain when a mandatory notification is required and when it is not?**

**Please explain your answer.**

Clearly explained by having discussed the various categories and issues separately. However, the Student Guidelines could be less ambiguous with clarifying statement as mentioned in #3 above.

**7. Are the flow charts and diagrams helpful?**

**Please explain your answer.**

Charts make a visually accessible summary – helpful and easily skimmed through.

**8. Are the risk factor consideration charts helpful?**

**Please explain your answer.**

Yes. Examples are good and are the best way to provide that information.

**9. Are the examples in the revised guidelines helpful?**

**Please explain your answer.**

Yes. Examples are good and are the best way to provide that information.

**10. Should there be separate guidelines for mandatory notifications about students or should the information be included in guidelines about practitioners and students (but as a separate section)?**

**Please explain your answer.**

An alternative format would be to add separate relevant explanations in each section (under each heading) in the Practitioner Guidelines. The advantage would be to avoid the possibility of referring only to the Practitioner Guideline document, which is the principal document with most detail.

*The revised guidelines explain that it is not an offence to fail to make a mandatory notification when required, but a National Board may take disciplinary action in this situation.*

**11. Is this made clear in the revised guidelines?**

**Please explain your answer.**

It is explained clearly, but is not given separate emphasis, and could get lost in the other information which is considerable.

It appears on p 9 of the Guidelines for Students and, in the Practitioner Guidelines, there are explanations on pp 11, 19 and 25 for treating practitioners, non-treating practitioners and employers, respectively. All in a plain paragraph at the end.

It might be effective to make a separate cautionary statement at the beginning of each document – however, the current references/explanations should still remain.

**12. Is there anything that needs to be added to the revised guidelines?**

Please see suggestion in #3.

**13. It is proposed that the guidelines will be reviewed every five years, or earlier if required.**

**Is this reasonable?**

**Please explain your answer.**

This seems reasonable in view of the fact that the law can change, as can circumstances surrounding practice and study.

**14. Please describe anything else the National Boards should consider in the review of the guidelines.**

N/A

**15. Please add any other comments or suggestions for the revised guidelines.**

**Thank you!**

**Thank you for participating in the consultation.**

Your answers will be used by the National Boards and AHPRA to improve the Guidelines for mandatory notifications.