



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

Agency Management Committee - Decisions and Actions

Meeting number: 2013/08

Meeting date: 30 August 2013

Meeting time: 09.30am – 2:40pm

Meeting venue: Melbourne Convention and Exhibition Centre,
South Wharf, Melbourne

Members present

Mr Peter Allen, Chair

Professor Con Michael

Mr Ian Smith

Mr Michael Gorton

Ms Karen Crawshaw

In attendance

Mr Martin Fletcher – Chief Executive Officer

Mr Jim O'Dempsey – Director, Business Improvement and Innovation

Ms Dominique Saunders – General Counsel (not present for items 1.1, 2.1 and 2.2)

Mr John Illott – Director, Finance and Corporate Operations

Mr Chris Robertson – Director, National Board Services and Queensland (not present for items 4.5.1, 4.5.2, 5.1.3, 5.1.4, 5.2, 5.3, 5.4, 5.5 and 5.6)

Ms Kym Ayscough, National Coordinator, Regulatory Operations and NSW State Manager

Ms Deena Jones - Executive Assistant to Mr. Martin Fletcher, Minute Secretary

Mr Geoff Linton, Chair, Audit and Risk Committee (for item 6.3)

Apologies

Professor Merrilyn Walton

Professor Genevieve Gray

Part One

Item 1 Welcome and general overview

The Chair opened the meeting at 9.30am.

Item 1.1 Disclosure of any conflicts of interest in relation to agenda items

In accordance with Clause 8 of Schedule 2 of the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law), members declared any possible conflict of interest in relation to agenda items for consideration by the Committee.

Mr Michael Gorton declared a possible conflict of interest at item 3.1 in relation to advice about the referral of certain matters from the Australian Crime Commission. No decision was required in relation to this item.

Item 2 Record of previous minutes

Item 2.1 Record of Decisions and Actions arising from last meeting

Committee members confirmed the Decisions and Actions document from the 23 July 2013 meeting as a true and accurate record of that meeting.

Item 2.2 Action Summary

Committee members noted the Action Summary for August 2013.

Item 3 Current Situation

Item 3.1 Update from Chair, CEO and Members

Committee members noted the update provided by Mr Allen including:

- Issues arising from the National Board Chairs meeting held on Thursday, 29 August 2013 including:
 - the need for a continued focus on performance in management of notifications
 - proposed expansion of Notifications Taskforce to include Chairs of the Nursing and Midwifery Board of Australia and the Psychology Board of Australia
 - timeliness of financial reporting to Boards
 - further steps to build ongoing, strong relationships with National Boards with clear roles and responsibilities and clear accountabilities for performance.

Committee members noted the update provided by Mr Fletcher including:

- The on-going Victorian Parliamentary Inquiry into the Performance of AHPRA by the Standing Committee on Legal and Social Issues. AHPRA is monitoring evidence presented to the Committee and will prepare responses to the issues being raised.
- An update on the Health Ombudsman Bill 2013 including projected timing of transition to the Health Ombudsman model. KPMG has been engaged by Queensland Health to facilitate the transition process.
- The changeover in the Chair of the Forum of National Board Chairs. Mr Steve Marty, Chair, Pharmacy Board of Australia, has completed his term; Ms Mary Russell, Chair, Occupational Therapy Board of Australia has been selected as the new Chair by the Chairs Forum.
- The status and management plan for referrals received from the Australian Crime Commission (ACC) in relation to drugs in sport issues.

Item 4: Performance Reporting and Risk Management

Item 4.1 Operational Update

Members:

- noted the Quarterly Report – 4th Quarter 2013 (All Professions)
- noted the End of Cycle Reporting (Nurse & Midwife, Occupational Therapy, Medical Radiation).

Item 4.1.1 Reporting and Accountability Framework

Committee members noted the overview provided by Mr Fletcher and discussed organisational accountabilities in relation to performance and legal services. Members noted:

1. current organisational accountabilities
2. additional guidance that aims to support these accountabilities, responsibilities and the escalation processes
3. the regulatory data reports which are currently provided routinely and reviewed within each state and territory office
4. that until KPI reports are available in their new format, bi-monthly reports will be provided within AHPRA, to the Management Committee and National Boards as follows:
 - analysis of all open notification by stage by state and by profession
 - analysis of all open registration applications by state and by profession
5. the intention of the CEO to initiate further work on optimal organisational design.

Item 4.2 Improving notifications performance

Item 4.2.1 Open Notifications Report

Members:

1. noted the following reports:
 - Notification Timeframes Open by Stage, by State and by Profession
 - Notification Analysis by State and Territory
 - Australian Capital Territory
 - Northern Territory
 - South Australia
 - Tasmania
 - Victoria
 - Western Australia
2. noted the key issues identified and how these are being managed.

The Management Committee sought additional advice about the monitoring of compliance with registration conditions and the timeliness of referral of matters to tribunals.

The CEO undertook to provide advice on the proposed establishment of a Performance Committee of the Agency Management Committee.

Item 4.2.2 Dental Board of Australia

Mr Fletcher provided members with an overview of the concerns of the Dental Board of Australia and the actions underway to address these issues. Members noted the concerns and AHPRA's response.

Members noted they will be informed about any additional concerns that may arise and further actions which may be undertaken.

The Management Committee requested that a regular update on progress on the action plan be reported at future meetings.

Item 4.2.3 Health Complaints Entities (HCE) Update

Members:

1. Noted that all State and Territory Managers have assessed the working relationship with their local HCE as positive and report that the joint consideration process is working.
2. Noted that the issues identified in Tasmania, Victoria and the Northern Territory are not significantly impacting the working relationship in these jurisdictions.
3. Noted the progress of the HCE/AHPRA Working Group in developing a best practice approach to joint consideration.

Item 4.3 Queensland Update

Members noted:

1. the update provided by Mr Robertson
2. the update provided in the Queensland Notifications Improvement Project June 2013 report
3. the update on the progress of the Health Ombudsman Queensland Bill 2013
4. correspondence from the Queensland Minister of Health to the Chair of the Agency Management Committee.

Item 4.4 Business Improvement Portfolio report

Members noted the programme report.

Item 4.4.1 Business Improvement Portfolio 2013/14 (presentation)

Members noted the presentation at item 4.4.1 would be deferred to the 8 October 2013 meeting.

Item 4.5 Final year reports

Item 4.5.1 Health Profession Agreements

Members noted the report on performance against the Health Profession Agreement (HPA) performance standards for the fourth quarter of 2012/13.

The Committee requested that future quarterly reports provide a dashboard overview of performance.

Item 4.5.2 Business Plan 2012/13

Members noted the report: *Performance against the 2012/13 business plan.*

Item 5 Business Items

Item 5.1 National Board issues

Item 5.1.1 Issues arising, July Board meetings

Members noted the update provided by Mr Robertson.

Item 5.1.2 Consultation update

Members:

1. noted the August 2013 consultation update
2. agreed to the joint response from AHPRA and National Boards to the Australian Commission on Safety and Quality in Health Care's consultation paper on health literacy.

Item 5.1.3 National Boards, Gifts and Benefits Policy

Members approved the proposed National Board Gifts, Benefits and Hospitality Policy. Mr Allen will write to National Board Chairs to advise that the policy has been formally adopted by the Management Committee.

Item 5.1.4 Protocol for dealing with Notifications about Board members

Members noted the update provided by Mr Fletcher including that National Board Chairs endorsed, in principle, the protocol for dealing with notifications about board members. Members:

- noted the draft: *Guideline for boards and committees: members subject to complaints or notifications*
- approved the draft protocol for consultation with all National Boards during September 2013.

Item 5.2 Options for Management Committee Effectiveness Review

Members:

1. agreed to undertake a formal board effectiveness review process as the Agency Management Committee with a primary focus on reviewing Committee processes, relationships and meeting effectiveness
2. endorsed the engagement of Ms Lynnette Glendinning as the consultant to work with the Agency Management Committee to undertake the review.

Committee members noted a further paper documenting the accountability framework for the National Scheme to articulate governance related roles will be prepared.

Item 5.3 Issues paper – 3 year review

Members noted:

- the update provided by Mr Fletcher,
- the approach AHPRA is proposing to take in conjunction with National Boards to manage the opportunities and risks associated with the review and
- action underway in preparation for AHPRA's contribution to the review.

Committee members endorsed the draft (preliminary) action plan, which provides an initial strategy for the response to the NRAS review and noted that there have been no public announcements either about the approved Terms of Reference for the review or the review process

Members noted the proposal to further discuss the 3 year review with National Board Chairs during the 2014 Chairs Forum.

Item 5.4 Approval of 2013/14 Health Profession Agreements

Members noted that the Chair of the Agency Management Committee has invited Board Chairs to discuss any issues or concerns with the performance of AHPRA with him, prior to agreeing to their 2013-14. Health Profession Agreements. To date, two Chairs have taken up the offer.

Committee members:

1. Approved the 2013-14 Health Profession Agreements.
2. Authorised the Chief Executive Officer to sign on behalf of the Agency Management Committee.

Item 5.5 Data Access and Research Policy

Members:

1. Noted that a draft *NRAS Data Access and Research Policy* was released for preliminary/targeted consultation in April 2012. After submissions were received and analysed, a second version of the draft policy was presented to all national boards in September 2012 for consideration and feedback. This feedback informed a third version of the draft policy, which was then published for a six-week public consultation period from 22 February to 5 April 2013.
2. Noted that from the public consultation process, 33 submissions were received from external stakeholders, the majority of which expressed in-principle support for the draft policy's intent and operational approach.
3. Noted the draft policy was put to all National Boards for final approval at their July 2013 meetings, and all boards, except the Nursing and Midwifery Board of Australia, approved the policy.
4. Noted the NMBA provided the following feedback:
 - (a). feedback and decision on a research proposal should be a decision of the National Board rather than the Chair of the National Board and the draft policy should reflect this approach
 - (b). the role of the National Board in the decision making process should be overt in the policy and carry equal weight to AHPRA
 - (c). AHPRA's CEO should not have the ability to override a National Board decision where there may be a difference in view. Negotiation is required between both parties where there is not agreement.
3. Noted that the NMBA have been advised that the policy will be amended to include the following statement:
"Complex requests for release of non-publicly available data for profession-specific research will not be approved without the endorsement of the relevant National Board."
4. Approved the policy.

Item 5.6 NSW Co-Regulatory System

Members noted the financial aspects of the NSW co-regulatory system, particularly the impact on fee setting mechanisms for both National Boards and NSW Councils.

Close

There being no further business, the Chair thanked the members for their participation and declared the meeting closed at 2.40pm.

Next meeting

The next meeting of the Agency Management Committee will be held on Tuesday 8 October 2013 at the AHPRA National Office, Level 7, 111 Bourke Street, Melbourne, commencing at 10:00am.

Workplace Health and Safety Seminar

Immediately following the August meeting of the Agency Management Committee Mr Barry Bennett, Risk and Compliance Manager and Mr Stephen Harvey from Harvey Risk Management briefed members of the Agency Management Committee on their roles and responsibilities in relation to Workplace Health and Safety.