



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

Application guide – community members of National Boards

18 October 2014

This application guide includes information on:

- the role of a community member of a National Board under the Health Practitioner Regulation National Law as in force in each state and territory (the National Law),
- board member attributes that are used for short listing,
- the selection process,
- sitting fees and remuneration information, if application is successful, and
- relevant sections of the National Law. (Appendices)

Please also refer to the application documents:

- application form with declarations,
- national criminal history check consent form, and
- national private interests declaration

Information for potential candidates

Applications are invited from suitably qualified and experienced persons to be appointed as a **community member** on a **National Board** by the Australian Health Workforce Ministerial Council (the Ministerial Council).

All appointments are made by the Ministerial Council under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

For this recruitment round, there are **102 practitioner and community member vacancies** arising across 12 National Boards, including for nine National Board Chairs. Current appointed members are eligible to seek reappointment.

Under the National Law, to be eligible for the community member vacancies you **must** not at any time have been registered as a health practitioner in the health profession for which the National Board is established. A community member is not eligible to apply for appointment as Board Chair.

Applications are invited from suitably qualified and experienced persons to be appointed as a **community member** on a **National Board** by the Australian Health Workforce Ministerial Council.

The vacancies are for community members on the:

- Chinese Medicine Board of Australia
- Chiropractic Board of Australia
- Dental Board of Australia
- Medical Board of Australia
- Nursing and Midwifery Board of Australia
- Occupational Therapy Board of Australia.
- Optometry Board of Australia
- Osteopathy Board of Australia
- Pharmacy Board of Australia
- Physiotherapy Board of Australia
- Podiatry Board of Australia
- Psychology Board of Australia.

Australian Health Practitioner Regulation Agency

National Boards are supported by the Australian Health Practitioner Regulation Agency (AHPRA). AHPRA has a national office based in Melbourne and offices in every state and territory to support local boards and committees.

AHPRA provides the administrative and policy level support to the national, state and territory boards and committees. Further information can be obtained on the AHPRA website: www.ahpra.gov.au

National Boards

There are 14 National Boards established under the National Law to regulate the corresponding health professions:

- Aboriginal and Torres Strait Islander Health Practice Board of Australia
- Chinese Medicine Board of Australia
- Chiropractic Board of Australia
- Dental Board of Australia
- Medical Board of Australia
- Medical Radiation Practice Board of Australia
- Nursing and Midwifery Board of Australia
- Occupational Therapy Board of Australia
- Optometry Board of Australia

- Osteopathy Board of Australia
- Pharmacy Board of Australia
- Physiotherapy Board of Australia
- Podiatry Board of Australia
- Psychology Board of Australia.

Potential applicants may be interested in accessing the AHPRA and National Board Annual Reports, which provide information and data on the National Scheme, including extensive data on health practitioner registration and regulation. The annual reports are accessible from the AHPRA website: www.ahpra.gov.au/Legislation-and-Publications/AHPRA-Publications.aspx

Role of boards

National Boards

Part 5 and Schedule 4 of the National Law set out the provisions relating to National Boards. The functions of a National Board include:

- registering practitioners and students in the relevant health profession,
- developing standards, codes and guidelines for the relevant health profession,
- investigating notifications and complaints,
- where necessary, conduct panel hearings and refer serious matters to tribunal hearings,
- assessing overseas trained practitioners who wish to practise in Australia, and
- approving accreditation standards and accredited courses of study.

Each National Board has a website, which is accessible via www.ahpra.gov.au. If you are interested in these vacancies, we encourage you to visit the relevant Board's website.

Role and responsibilities of all board members

Board members are required to act within the powers and functions set out in the National Law.

Under the National Law, board members are required to act impartially and in the public interest in the exercise of their functions and put the public interest before the interests of particular health practitioners or any entity that represents health practitioners.

In addition to the obligations outlined in the National Law, board members should adhere to the following fundamental principles that define the standards of conduct expected of a board member:

- **Act with honesty and integrity**
This includes:
 - being open and transparent in all dealings associated with the board,
 - using power responsibly,
 - not placing yourself in a position of conflict of interest, and
 - striving to earn and sustain public trust of a high level.
- **Act in good faith in the best interests of the board**
This includes:
 - demonstrating accountability for your actions,
 - accepting responsibility for decisions, and
 - not engaging in activities that may bring you or the board into disrepute.
- **Act fairly and impartially**
This includes:
 - avoiding bias, discrimination, caprice or self-interest; and demonstrating respect for others by acting in a professional and courteous manner.

- **Use information appropriately**

This includes:

- ensuring information gained as a board member is only applied to proper purposes and is kept confidential, and
- confidential information received by a board member in the course of exercising their duties as a board member should not be disclosed unless the disclosure has been authorised by the board; or the person from whom the information is provided; or is required by law.

- **Use the position appropriately**

This includes:

- not using the position as a board member to seek an undue advantage for yourself, family members or associates, or to cause detriment to the board, and
- declining gifts or favours that may cast doubt on your ability to apply independent judgement as a member of the board.

- **Exercise due care, diligence and skill**

This includes:

- ascertaining all relevant information,
- making reasonable enquiries,
- understanding the financial, strategic and other implications of decisions, and
- demonstrating leadership and stewardship

Appointment of board members

National Board members are appointed by the Ministerial Council in accordance with the National Law. See **Appendix 1** to this guide for relevant provisions of the National Law.

The term of appointment for the National Board may be for a period of up to three years, with eligibility for reappointment.

For these vacancies, we anticipate that the terms of appointment/reappointment will start from May or August 2015 (depending on the expiry of current terms). However, this is subject to the completion of this selection process and the decisions of the Ministerial Council. This indicative timing is provided for guidance purposes only.

Membership of other organisations or professional bodies

Board members may also be members of other organisations or professional bodies that may, from time-to-time, express a view on the work of the board or the National Scheme. Although the National Law does not preclude a board member's participation as part of other organisations or professional bodies, due regard should be given to any potential conflicts – particularly if you are an office bearer with decision-making responsibilities.

Managing conflict of interest and bias

The National Law includes extensive provisions in relation to conflict of interest. The National Boards have business rules and processes in place to manage real and/or perceived conflicts of interest and to record of conflict of interest.

As a general rule, board members must declare any actual and possible conflict of interest in relation to matters to be considered at a meeting. All board members must also declare and exclude themselves from decision-making in relation a matter in which they are biased, or might be perceived to be biased.

Statutory protections

Under section 236 of the National Law, members of the National Boards and state, territory and regional boards are provided with appropriate statutory immunities for exercising their functions in good faith.

Commitment of board members

This information is provided to help inform applicants about the commitment that is generally required of all board members appointed by the Ministerial Council to the roles. The time commitment can vary from board to board, and also depends on the demands on your time and your location.

All board members need to be able to give an active commitment to the work of the board.

Board members receive an iPad and access AHPRA's secure information sharing platform to manage meetings, access board papers and view board member resources and policies.

Meetings may be held face-to-face, via teleconference or videoconference, or out-of-session. The majority of National Boards have scheduled monthly face-to-face meetings (usually 11 per year) and many members need to travel from interstate and/or regional areas. The **Podiatry Board of Australia** is alternating between face-to-face and teleconference meetings for a trial period in 2014.

Meetings are usually held in the AHPRA Office in the Melbourne CBD. Interstate applicants or those from outside of Melbourne are asked to consider travel time as well as time spent at the meeting. Reasonable travel costs (including accommodation and air fares where necessary) are met by the National Boards and AHPRA.

Committees of the National Boards will meet as agreed by the National Boards. It is usual for board members to also be a member of at least one committee. Meetings are scheduled on an as needed basis and convened as appropriate to the needs of the Board.

There is also preparation required for each board and/or committee meeting (including pre-reading of the agenda and comprehensive agenda papers provided for each meeting).

In practice, this will mean that your commitment as a National Board member will often take around two or three full days per month, and may be more, in addition to travel time to and from the meetings.

Board members are expected, as far as practical, to attend all meetings, including teleconferences and video conferences and may be required to attend different types of meetings, including:

- Scheduled board meetings, which are routinely held in the AHPRA National Office in Melbourne, during business hours;
- Additional board meetings which are held between scheduled board meetings when additional matters need to be considered or urgent decisions need to be made;
- Committee meetings: different committees may meet to consider particular issues and then report back to the board;
- Retreats or planning days: these are often held away from the normal meeting location for a full day or weekend. They allow board members to take part in deeper discussions about strategic challenges and directions for the next year or beyond.

If a board member cannot attend a meeting, they are required to request leave of absence from the Board Chair prior to the meeting. In the unlikely event that a board member is absent without being granted leave by the board for three or more consecutive meetings, the office of the board member may be declared vacant, in accordance with schedule 4, clause 4(1)(d) of the National Law.

Each National Board publishes a Communiqué, following its scheduled board meetings. You are encouraged to visit the relevant Board's website for the communiqués to gain a better understanding of the work of the board and current issues under consideration.

For these vacancies, the Communiqués are available from:

- <http://www.chinesemedicineboard.gov.au/News/Communiques.aspx> (CMBA)
- <http://www.chiropracticboard.gov.au/News/Communiques.aspx> (CBA)
- <http://www.dentalboard.gov.au/News/Communiques.aspx> (DBA)
- <http://www.medicalboard.gov.au/News/Communiques.aspx> (MBA)
- <http://www.nursingmidwiferyboard.gov.au/News/Communiques-from-Board-meetings.aspx> (NMBA)
- <http://www.occupationaltherapyboard.gov.au/News/Communiques.aspx> (OTBA)
- <http://www.optometryboard.gov.au/News/Communiques.aspx> (OTBA)
- <http://www.osteopathyboard.gov.au/News/Communiques.aspx> (OsteoBA)
- <http://www.pharmacyboard.gov.au/News/Communiques.aspx> (PharmBA)
- <http://www.physiotherapyboard.gov.au/News/Communiques.aspx> (PhysioBA)
- <http://www.podiatryboard.gov.au/News/Communiques.aspx> (PodBA)
- <http://www.psychologyboard.gov.au/News/Communiques.aspx> (PsychBA)

Remuneration

The remuneration for members of a National Board is determined by the Australian Health Workforce Ministerial Council having regard to the remuneration generally applied to regulatory bodies with a substantial influence on the health industry.

The current remuneration (daily sitting fee) is as follows:

Role	Attendance – daily sitting fees (includes preparation and up to 4 hours travel time)
Board Chair	\$740 (for more than 4 hours)
Board member	\$607 (for more than 4 hours)
For meetings that are less than four hours, half the daily fee is payable.	

Business rules for the payment of sitting fees and expenses are set by AHPRA.

As a general guide, the daily fee applies for board member attendance in person or by telephone at a scheduled Board meeting. The daily fee includes meeting preparation time for the scheduled Board meeting and up to four hours of travel time. Where Board meetings are held in between scheduled Board meetings, they are usually conducted by teleconference or out-of-session and are of a shorter duration (less than four hours). As such, half the daily fee is payable.

The fee includes meeting preparation time. Board members are entitled to reimbursement of any reasonable out-of-pocket expenses incurred during the course of undertaking Board business.

Eligibility requirements

Community board member

A community member must not at any time have been registered as a health practitioner in the health profession for which the National Board is established. For example, if you are a former or current medical practitioner, you are not eligible to be appointed to the Medical Board of Australia as a community member.

A person is not eligible to be appointed as a member of a National Board if the person has at any time, been found guilty of an offence (whether in a state or territory or elsewhere) that in the opinion of the Ministerial Council, renders the person unfit to hold the office of member.

National Board member and Chair skills, experience and attributes

In accordance with the National Law, in deciding whether to appoint a person as a practitioner member or Chair of a board, the Minister must have regard to the skills and experience of the person that are relevant to the board's functions.

A practitioner member will bring to the board sound experience in the health profession for which the board is established and will have an appreciation and understanding of the role of the board.

With a sound understanding of health issues and services, a community member will represent the views and opinions of members of the community or communities.

Under the National Law, all board members must act impartially and in the public interest.

The National Law does not define required attributes of board members and Chairs. The following have been agreed for use across the National Registration and Accreditation Scheme, including this recruitment and appointment round.

All applicants are invited to carefully consider these attributes the relevant attributes in your application. If you are only applying for a community member vacancy, you only need to address attributes 1 to 7 below.

National Board Member and Chair Attributes

All members (practitioner and community members)

There are six **board member** attributes:

1. **Displays Integrity:** is ethical, committed, diligent, prepared, organised, professional, principles-based and respectful, values diversity, and shows courage and independence.
2. **Thinks critically:** is objective and impartial, uses logical and analytical processes, distils the core of complex issues and weighs up options.
3. **Applies Expertise:** actively applies relevant knowledge, skills and experience to contribute to decision-making.
4. **Communicates constructively:** is articulate, persuasive and diplomatic, is self-aware and reflects on personal impact and effectiveness, listens and responds constructively to contributions from others.
5. **Focuses strategically:** takes a broad perspective, can see the big picture, and considers long term impacts.
6. **Collaborates in the interests of the scheme:** is a team player, flexible and cooperative, creates partnerships within and between boards and AHPRA.

Community member applicants are asked to address this additional attribute:

7. **Strong community connection:** can demonstrate a strong community connection/s and an ability to bring a public/lay perspective and voice to the regulatory work of National Boards.

National Board Chairs are expected to demonstrate the following **in addition** to 1 to 6 above:

8. **Demonstrates leadership:** is confident, decisive and acts without fear or favour, is at the forefront of professional regulation, drives reform and facilitates change.
9. **Engages externally:** is the spokesperson for the Board and advocate for the Scheme, defines the nature and tone of engagement, builds and sustains stakeholder relationships.
10. **Chairs effectively:** establishes and follows well organised agendas, facilitates input from all members, builds consensus, distils core issues, summarises discussion and confirms decisions ensuring they are accurately recorded.

Applicants are also required to provide information on whether they are current members of other government or statutory bodies as part of the application form.

Selection process

A selection advisory panel may be convened as part of this process to provide advice on the most suitable candidates for appointment, for consideration by the Ministerial Council.

Decisions to appoint or reappoint persons to the National Boards, and the length of time of appointment, are made by the Ministerial Council.

Shortlisted applicants may be interviewed or otherwise assessed to ensure that they have the necessary qualifications, skills and experience.

Shortlisted applicants will undergo probity checks, which include:

- A national criminal history check by CrimTrac,
- An Australian Securities and Investments Commission disqualification register check (ASIC), and
- A National Personal Insolvency Index check conducted through the Australian Financial Security Authority (AFSA).

The national criminal history check will be processed by a suitably trained AHPRA officer.

AHPRA may also ask shortlisted applicants to complete and return a national declaration of private interests form.

Where the position is that of a practitioner member, board records will be checked to ensure the practitioner is registered and of good standing.

Referee reports may also be obtained for shortlisted applicants. Applicants are asked to nominate three referees who can support the application relevant to the board member attributes and duties of the position.

Applying for appointment to the vacant positions

Please refer to the application form for detailed instructions on submitting your full application.

It may take at least six months from the closing date for applications to be submitted, before a decision is made on appointments. Your patience is appreciated. Should you have queries about whether or not a decision has been made, please contact AHPRA on boardappoint@ahpra.gov.au

Thank you for your interest in applying for this vacancy on the National Board.

Appendix 1

Extract of relevant provisions from the *Health Practitioner Regulation National Law Act (National Law)* as in force in each state and territory

3 Objectives and guiding principles

- (1) The object of this Law is to establish a national registration and accreditation scheme for:
 - (a) the regulation of health practitioners; and
 - (b) the registration of students undertaking:
 - (i) programs of study that provide a qualification for registration in a health profession; or
 - (ii) clinical training in a health profession.
- (2) The objectives of the national registration and accreditation scheme are:
 - (a) to provide for the protection of the public by ensuring that only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered; and
 - (b) to facilitate workforce mobility across Australia by reducing the administrative burden for health practitioners wishing to move between participating jurisdictions or to practise in more than one participating jurisdiction; and
 - (c) to facilitate the provision of high quality education and training of health practitioners; and
 - (d) to facilitate the rigorous and responsive assessment of overseas-trained health practitioners; and
 - (e) to facilitate access to services provided by health practitioners in accordance with the public interest; and
 - (f) to enable the continuous development of a flexible, responsive and sustainable Australian health workforce and to enable innovation in the education of, and service delivery by, health practitioners.
- (3) The guiding principles of the national registration and accreditation scheme are as follows:

- (a) the scheme is to operate in a transparent, accountable, efficient, effective and fair way;
- (b) fees required to be paid under the scheme are to be reasonable having regard to the efficient and effective operation of the scheme;
- (c) restrictions on the practice of a health profession are to be imposed under the scheme only if it is necessary to ensure health services are provided safely and are of an appropriate quality.

National Board members

The following sections of the National Law set out the legislative requirements for appointment of National Board members:

33 Membership of National Boards

- (1) A National Board is to consist of members appointed in writing by the Ministerial Council.
- (2) Members of a National Board are to be appointed as practitioner members or community members.
- (3) Subject to this section, the Ministerial Council may decide the size and composition of a National Board.
- (4) At least half, but not more than two-thirds, of the members of a National Board must be persons appointed as practitioner members.
- (5) The practitioner members of a National Board must consist of—
 - (a) at least one member from each large participating jurisdiction; and
 - (b) at least one member from a small participating jurisdiction.
- (6) At least 2 of the members of a National Board must be persons appointed as community members.
- (7) At least one of the members of a National Board must live in a regional or rural area.
- (8) A person cannot be appointed as a member of a National Board if the

person is a member of the Agency Management Committee.

- (9) One of the practitioner members of the National Board is to be appointed as Chairperson of the Board by the Ministerial Council.
- (10) Schedule 4 sets out provisions relating to a National Board.
- (11) In this section—

large participating jurisdiction means any of the following States that is a participating jurisdiction—

- (a) New South Wales;
- (b) Queensland;
- (c) South Australia;
- (d) Victoria;
- (e) Western Australia.

small participating jurisdiction means any of the following States or Territories that is a participating jurisdiction—

- (a) the Australian Capital Territory;
- (b) the Northern Territory;
- (c) Tasmania.

34 Eligibility for appointment

- (1) In deciding whether to appoint a person as a member of a National Board, the Ministerial Council is to have regard to the skills and experience of the person that are relevant to the Board's functions.
- (2) A person is eligible to be appointed as a practitioner member only if the person is a registered health practitioner in the health profession for which the Board is established.
- (3) A person is eligible to be appointed as a community member of a National Board only if the person—
 - (a) is not a registered health practitioner in the health profession for which the Board is established; and
 - (b) has not at any time been registered as a health practitioner in the health profession under this Law or a corresponding prior Act.
- (4) A person is not eligible to be appointed as a member of a National Board if—
 - (a) in the case of appointment as a practitioner member, the person has ceased to be registered as a health

practitioner in the health profession for which the Board is established, whether before or after the commencement of this Law, as a result of the person's misconduct, impairment or incompetence; or

- (b) in any case, the person has, at any time, been found guilty of an offence (whether in a participating jurisdiction or elsewhere) that, in the opinion of the Ministerial Council, renders the person unfit to hold the office of member.

The following clauses in **Schedule 4** of the National Law are also relevant to the appointment of National Board members:

2 Terms of office of members

Subject to this Schedule, a member holds office for the period (not exceeding 3 years) specified in the member's instrument of appointment, but is eligible (if otherwise qualified) for reappointment.

3 Remuneration

A member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Ministerial Council may from time to time determine with respect to the member.

4 Vacancy in office of member

- (1) The office of a member becomes vacant if the member—
 - (a) completes a term of office; or
 - (b) resigns the office by instrument in writing addressed to the Chairperson of the Ministerial Council; or
 - (c) is removed from office by the Chairperson of the Ministerial Council under this clause; or
 - (d) is absent, without leave first being granted by the Chairperson of the Board, from 3 or more consecutive meetings of the National Board of which reasonable notice has been given to the member personally or by post; or
 - (e) dies.
- (2) The Chairperson of the Ministerial Council may remove a member from office if—
 - (a) the member has been found guilty of an offence (whether in a participating jurisdiction or elsewhere) that, in the opinion of the Chairperson of the

Ministerial Council, renders the member unfit to continue to hold the office of member; or

- (b) the member ceases to be a registered health practitioner as a result of the member's misconduct, impairment or incompetence; or
- (c) the member ceases to be eligible for appointment to the office that the member holds on the National Board; or
- (d) the member becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with member's creditors or makes an assignment of the member's remuneration for their benefit; or
- (e) the National Board recommends the removal of the member, on the basis that the member has engaged in misconduct or has failed or is unable to properly exercise the member's functions as a member.

5 Vacancies to be advertised

- (1) Before the Ministerial Council appoints a member of a National Board, the vacancy to be filled is to be publicly advertised.
- (2) The National Agency may assist the Ministerial Council in the process of appointing members of a National Board, including in the advertising of vacancies.
- (3) It is not necessary to advertise a vacancy in the membership of a National

Board before appointing a person to act in the office of a member.

Note. The general interpretation provisions applicable to this Law under section 6 confer power to appoint acting members of a National Board.

6 Extension of term of office during vacancy in membership

- (1) If the office of a member becomes vacant because the member has completed the member's term of office, the member is taken to continue to be a member during that vacancy until the date on which the vacancy is filled (whether by reappointment of the member or appointment of a successor to the member).
- (2) However, this clause ceases to apply to the member if—
 - (a) the member resigns the member's office by instrument in writing addressed to the Chairperson of the Ministerial Council; or
 - (b) the Chairperson of the Ministerial Council determines that the services of the member are no longer required.
- (3) The maximum period for which a member is taken to continue to be a member under this clause after completion of the member's term of office is 6 months.