



Mr Martin Fletcher
Chief Executive Officer
AHPRA

By email: standard.consultation@ahpra.gov.au

Dear Mr Fletcher

Re: Public consultation on common registration standards - English language skills registration standard

We refer to the public consultation papers issued by the Australian Health Practitioner Regulation Agency (AHPRA) on 25 October 2014: review of *Criminal history registration standard* and *English language skills registration standard*.

The Australian Nursing and Midwifery Federation (ANMF) welcomes the opportunity to provide comment on these registration standards common to the National Boards. Given the ANMF has in excess of 230,000 members, we have a strong interest in the development of registration standards and finding the balance between protection of the public and being fair and equitable for health professionals, in particular nurses and midwives.

Review of English language skills registration standard

The ANMF notes the NMBA's English language skills registration standard is not due for review until September 2014, however:

NMBA will consider modifications to provide additional flexibility without compromising the protective purpose of the standard, consistent with best available evidence and the outcomes of all the Boards review. (Consultation paper, p. 11 of 26)

Options proposed by AHPRA

1. Status quo

Continue with the existing registration standard with skills test required unless the applicant qualifies for an exemption.

2. Proposed revised standard – (Recommended as the National Boards' preferred option)

"The proposed revised standard provides more options for applicants to demonstrate their English language skills" (*Consultation paper*, p. 12 of 26); it extends the period for which the test outcome is valid; and proposes testing can occur at more than one sitting, in some circumstances. Further, the Option 2 statement asserts that the proposed changes in the revised standard maintain "an appropriate focus on public safety" (p 12 of 26).

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The ANMF supports Option 1, retention of the status quo, with qualification. We make comments regarding recognised countries and English language skills testing exemptions and have commented on Option 2. The ANMF does not support lists of recognised countries, as stated in our previous submissions to reviews of this registration standard. We discuss this issue in detail later in this response.

Issues for discussion as outlined in the *Consultation paper*

The ANMF provides the following comments on the benefits of Option 2 suggested by AHPRA (*Consultation paper*, p12 of 26)

- While the proposed changes may make for a more flexible process, it is not necessarily a more user-friendly option. The options, as presented, are confusing.
- Protection of the public is not enhanced by the proposed changes, rather requirements are relaxed in comparison to the current NMBA standard. In particular, any change to IELTS scores of less than 7 on any component; taking the IELTS test in more than one sitting; and life-span of IELTS results raised to more than three years (for any reason) is not supported by our membership.
- Costs may or may not be reduced – there is no evidence to support the contention in the *Consultation paper* that there will be a reduction in costs to the individual.
- The re-wording provided is not simpler or clearer than the current NMBA standard.

The costs of the preferred Option (2)

The final dot point in the *Consultation paper* is inaccurate as many (not some) applicants seeking nursing and midwifery registration will continue to be required to sit an English language skills test.

Expanding the list of recognised countries

The summary of research outcomes provided (*Consultation paper*, pp24-26 of 26) does not give conclusive evidence to support expanding the list of recognised countries for exemption from English language skills testing.

The ANMF recommends removal of the recognised countries list from the Standard. Instead those countries where applicants have been taught and assessed in English in the entry to practice nursing and/or midwifery program and can demonstrate the completion of five years (full-time equivalent) education taught and assessed in English, should be considered to have met the English language skills requirement.

Accepting test results from multiple sittings

IELTs is designed so that three components (reading, writing and listening) are taken on the same day with no breaks between them. Speaking can be taken on the same day as the other three tests, or up to seven days before or after that, dependent on the test centre. Offering testing over multiple sittings is not desirable. Clearly, the test must be undertaken in the manner and for the purpose it was designed. Failing to do so may interfere with reliability, robustness and validity of results. Further, potential for confound arises when comparing results from those who take the test in one sitting with those who undertake the same test at multiple sittings.

The ANMF supports the status quo in the current NMBA requirement for a minimum score of 7 on all four components on the IELTS exam, rather than dropping any one component and therefore having an overall minimum band score of 7.

Questions posed by the *Consultation paper* for consideration

1. **From your perspective, how is the current registration standard working?**

The current registration standard on English language skills testing appears to be working.

2. **Should the countries recognised in the standard be consistent with those recognised by the Department of Immigration and Citizenship for exemption from English language testing? If so, should the recognition of South Africa in the National Boards' English language skills registration be phased out?**

The *Consultation paper* does not provide reasons for the proposition.

3. **Is there any evidence to assist the National Boards to assess whether there are any additional countries that should be recognised in their English language skills registration standard?**

Please see our discussion about expanding the list of recognised countries, page 3.

4. **Do you have comments on how the National Boards should approach test results that are very close to, but slightly below, the current standard?**

The ANMF considers the NMBA should maintain its current approach – a minimum score of 7 on each of the four components. No consideration should be given to a “nearly there” score of 6.5 on any

single module. Any relaxation in determination on score may lead to “creep”, whereby further pressure will be placed on the NMBA to then consider an even lower score on any or all components. Clearly, any deterioration in English language skills cannot guarantee to protect the public.

5. Should National Boards accept results from more than one sitting or is there a better way to address this issue, such as the approaches described above?

The ANMF supports the use of the IELTS General Training. Tests should be administered, undertaken, scored and reported in the manner intended by the test developers. Any deviation from those requirements may result in inconsistencies and inadequacies in assessment. Further, all candidates should be subjected to the same testing conditions to ensure consistency in comparison of results.

6. Is the content of the draft revised registration standard helpful, clear, relevant and more workable than the current standard?

The information in this draft standard is not particularly clear, possibly because of the layout where certain professions are directed to attachments for specific proposals.

Further, after comparing Option 2 with the existing NMBA registration standard, we contend that many of the proposed changes are not improvements.

7. Is there any content that needs to be changed or deleted in the revised draft registration standard?

The revised draft standard is not supported by the ANMF. On that basis, we would not suggest any changes, rather support Option 1: status quo, with removal of lists of recognised countries.

8. Is there anything missing that needs to be added to the revised draft registration standard?

The ANMF does not make any suggestions regarding inclusions into the draft standard as we support Option 1: status quo, with qualifications as discussed.

9. Do you have any other comments on the revised registration standard?

The ANMF is concerned about the statement made on page 17 of the draft registration standard:

The Board reserves the right at any time to revoke an exemption and/or require an applicant to undertake a specified English language test

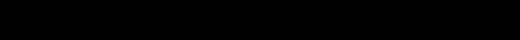
This appears to give the Board excessive powers and no limit on the circumstances in which it might exercise this power. The right to revoke an exemption or request testing appears to ignore the principles of natural justice. An example of when the Board might need to exercise this power would be beneficial.

While the ANMF fully understands the IELTS testing process is not the remit of the National Boards, ANMF members have pointed out significant issues with testing procedures and processes. We outline these issues as reported to the ANMF, for the interest of AHPRA:

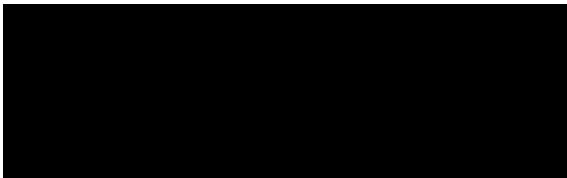
- Equipment failure or malfunction, in particular head-phones that do not work or do not work adequately for the test candidate to hear the exam material.
- Collection of passports during the testing process. Passports are collected from candidates during the test in some examination centres. Many candidates are anxious about having their passports removed and concerned these will not be returned. This is particularly worrying for candidates, and in addition to this valid concern, it may be their only form of identification.
- Undertaking the test is expensive, particularly for candidates who need to repeat tests in order to address a particular component. Members point out that they are working to improve their employment and professional standing, for example assistants in nursing aiming at a diploma or degree. While they understand and agree with the need to demonstrate their English language skills, improving their place in health care is paramount. AINs have limited income to spend on repeat testing. National Boards might keep a weather eye on the costs of the tests required for entry to the health professions.
- IELTS offers no feedback to candidates who do not achieve a score of 7 on an element. Candidates are therefore unable to focus on the area of weakness in their results in order to improve their performance on the next test.

- While the elements of IELTS are designed to be undertaken together, it appears that this model is not suitable for many candidates. The Boards may have an ability to require IELTS to develop a version of its testing specifically designed to be undertaken and scored as single elements for the Australian context. Failing this, a suitable alternative English language test should be required by the Boards.
- IELTS does not test for proficiency in English language in a health setting. Candidates may have had years of experience as AINs and have experience in health-related English, however health-specific language skills are not being tested.

We recommend that research be conducted by the NMBA in partnership with the ANMF to evaluate the efficacy of current English language skills tests conducted in Australia. The research should address the ability of nurses and/or midwives to demonstrate English language competency in the practice setting following successful completion of the testing requirements. This work should be undertaken prior to the NMBA review of the current registration standard scheduled for September 2014.

Should you require further information on this matter please contact Julianne Bryce, Senior Federal Professional Officer, ANMF Federal Office Melbourne, or 

Yours sincerely



Lee Thomas
Federal Secretary