



Information sheet for supervisors

Introduction

This information sheet is to help you, as an approved supervisor, better understand your role and responsibilities when supervising a practitioner (or student) with restrictions.

National Boards, panels and tribunals can place restrictions (conditions and undertakings) on a practitioner's registration when they consider it necessary to protect the public, such as during an investigation or at the end of a hearing.

Agreeing to supervise another health practitioner with a restriction is an important responsibility. A National Board has delegated responsibility to you, to ensure the person you are supervising practises within the terms of the restriction and that AHPRA is informed of any breaches.

Your service to the community and support of your colleague, by allowing them to continue to practise by providing supervision, is appreciated.

What are the possible types and levels of supervision?

A supervision restriction may apply:

- across the entire practice area
- for particular areas of practice (including a class of procedures), or
- for particular types of patients (such as women, children etc).

The level of supervision is specified in the restriction and may be one of the following:

Direct supervision: The supervisee must consult with you, as their approved supervisor, and follow your directions about the management of each patient before care is delivered. You must directly observe the practitioner during their practice and be physically present at all times.

Indirect supervision I: The supervisee must consult with you. You must always be physically present in the workplace and available to observe and discuss the management of patients and/or performance of the supervisee when necessary and otherwise at a specified frequency.

Indirect supervision II: The supervisee must consult with you. You must be accessible by phone or other means of telecommunication (such as Skype or Facetime) and available to attend the workplace to observe and discuss the management of patients and/or the performance of the supervisee, when necessary and otherwise at a specified frequency.

Remote supervision: The supervisee must consult with you. You must be accessible by phone or other means of telecommunication about the management of patients and/or performance of the supervisee, when necessary and at a specified frequency.

When should I decline to act as a supervisor?

A supervisor must be able to provide an independent report of the supervisee's compliance with the restriction and must be willing to report to AHPRA any breaches of compliance. Therefore, you must declare to AHPRA any actual or perceived conflicts of interest that may undermine the independence of your reporting.

A conflict of interest occurs when a fair-minded observer might reasonably think that your interest may result in a conflict with the proper performance of your duties and responsibilities.

Examples of situations that may result in a conflict of interest are:

- The practitioner being the employer of the supervisor and having the ability to direct the supervisory relationship
- Having a shared financial or other interest with the supervisee or if your friends or relatives have such an interest.
- Accepting a gift or benefit that may be seen as intending to influence how you act as a supervisor.
- Having a personal, philosophical, religious, moral or political belief or attitude that could be seen to affect your impartiality.
- Having or developing a personal relationship with the supervisee or their friend or relative that goes beyond the level of a professional working relationship.
- Providing reports to the National Board that result in your personal gain or advantage, particularly in the situation where you employ the person you are supervising.

What is a supervisor expected to do?

In providing supervision, the National Board expects that you will:

- be available to be consulted by the supervisee to review cases, answer questions and provide feedback and support
- be clear about how you can be contacted by the supervisee while they are practising
- be open to feedback from patients, staff and other registered health practitioners in the practice setting and discuss these concerns with the supervisee
- immediately inform AHPRA of any significant concerns about the supervisee's compliance with the restriction or if their performance, conduct or health is placing the public at risk
- verify that the supervisee is practising in accordance with any work arrangements approved by the Board and inform the Board if the supervisee is not doing so
- provide a written report if required by the Board
- discuss the supervisee's work performance or details of the supervision with AHPRA at any time when required, and
- notify the Board if you intend to withdraw from the role of supervisor.

What information is to be included in a supervision report?

The information which is to be included in a supervision report is usually specified in the restriction. The reports are to be forwarded to AHPRA (addressed to the compliance case officer, whose name and contact details will be provided to you). An example of what should be included in a report is as follows:

- date and duration of the supervision
- confirmation that you provided the level and type of supervision required by the Board
- whether the supervisee complied with the requirements of supervision and to what extent
- whether the supervisee's performance and conduct has or has not been satisfactory and additional information in support of this assessment
- whether there were areas for improvement noted and the feedback provided to the supervisee, and
- any recommendations for the Board to consider, for example, a higher level of supervision, lower level of supervision, education or upskilling.

How will supervision reports be used?

The supervisor's report(s) will be used by the National Board to determine whether the supervisee has complied with the restrictions on their registration and whether or not they are practising in a competent and ethical manner.

The report(s) will not be routinely released to the supervisee. However, if the National Board relies on the report(s) to take any further regulatory action in relation to the supervisee, they will need to release the report(s). AHPRA and the Board may also have to disclose a report if this is required by law.

All costs associated with the supervision and the provision of reports (if any) is the responsibility of the supervisee.

Further information regarding AHPRA's privacy policy is available at www.ahpra.gov.au: *Freedom of information and privacy*. The privacy policy explains:

- how you may access and seek correction of your personal information held by AHPRA or a National Board
- how to complain about a breach of your privacy, and
- how your complaint will be dealt with.

What are my rights and obligations as a supervisor?

As a supervisor you are performing an important function for the purposes of the National Law and this brings with it responsibilities and protections. In agreeing to provide the supervision, you are confirming that you are aware of the following rights and obligations, and that you must notify AHPRA and withdraw from the supervision if you cannot meet these obligations. You may also, for any other personal reason, withdraw from the supervision relationship at any time by notifying AHPRA.

General duties

You must provide the supervision:

- in good faith
- in a financially responsible manner, and
- with a reasonable degree of care, diligence and skill.

You must not use your position as supervisor or the information that comes to you through this position to gain an advantage for yourself or someone else or to cause damage to the operation of the National Registration and Accreditation Scheme.

Duty of confidentiality

Protected information is information that comes to your knowledge through your role as a supervisor. You must not disclose protected information unless:

- it is necessary to carry out the supervision
- is required by law, or
- the person the information relates to consents to the disclosure.

All information provided to you, as a supervisor, must be:

- securely stored to ensure confidentiality is maintained
- securely returned to AHPRA when asked, or
- destroyed when it is no longer needed to carry out the supervision unless you are legally required to keep it (such as record keeping obligations).

Protection from personal liability

AHPRA provides protection from personal monetary liability for anything done or omitted to be done in good faith in carrying out the supervision.

Mandatory reporting

As a registered health practitioner you have a mandatory reporting responsibility under the National Law. If in the course of practising your profession, you form a reasonable belief that another registered health practitioner has behaved in a way that constitutes 'notifiable conduct' you must notify AHPRA.

Notifiable conduct by registered health practitioners is defined as:

- practising while intoxicated by alcohol or drugs
- sexual misconduct in the practice of the profession
- placing the public at risk of substantial harm because of an impairment (health issue), or
- placing the public at risk because of a significant departure from accepted professional standards.

Further information on what constitutes 'notifiable conduct' and about how to make a mandatory report can be found at www.ahpra.gov.au.