



## Information sheet for mentors

### Introduction

This information sheet is to help you, as an approved mentor, better understand your role and responsibilities when mentoring the professional development of another 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 mentor the professional development of another health practitioner with a restriction is an important responsibility. A National Board has delegated responsibility to you, to ensure the person you are mentoring develops their practice to the expected standard.

Your service to the community and support of your colleague, by undertaking the mentoring, is appreciated.

### When should I decline to act as a mentor?

A mentor must be able to provide an independent report of the mentoring outcomes and must be willing to report to AHPRA immediately if any practice of the practitioner is placing the public at risk. 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 mentor and having the ability to direct the mentoring process.
- Having a shared financial or other interest with the practitioner being mentored 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 mentor.
- 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 practitioner being mentored 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.

### What is a mentor expected to do?

In undertaking the mentoring, the National Board expects that you will:

- mentor the professional development of the practitioner to address the specified concerns of the Board
- immediately inform AHPRA of any significant concerns identified through the mentoring where any of the practitioner's practice or conduct is placing the public at risk
- provide a written report of the mentoring to the Board, and
- notify the Board if you intend to withdraw from the role of mentor.

## What information is to be included in the mentoring report?

A written report of the mentoring is to be provided at the conclusion of the mentoring relationship. The information in the report should be sufficient for the Board to determine whether or not the issues which gave rise to the imposition of the restriction requiring mentoring have been addressed. The report is 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 mentoring relationship
- description of mentoring activities undertaken
- whether the practitioner's professional development 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 practitioner, and
- any recommendations for the Board to consider, for example, changes required in how the practitioner practises the profession, education or upskilling.

## How will the mentoring report be used?

The mentoring report will be used by the National Board to determine whether the practitioner has successfully developed their practice to the expected standard.

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

All costs associated with the mentoring and the provision of the report is the responsibility of the practitioner.

Further information regarding AHPRA's privacy policy is available at [www.ahpra.gov.au](http://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 mentor?

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

### General duties

You must undertake the mentoring:

- 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 mentor 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 mentor. You must not disclose protected information unless:

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

All information provided to you, as a mentor, 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 mentoring 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 mentoring.

### **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](http://www.ahpra.gov.au).