



## Information sheet for auditors

### Introduction

This information sheet is to help you, as an approved auditor, better understand your role and responsibilities when auditing the practice of 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 audit the practice 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 auditing is practising to the expected standard.

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

### When should I decline to act as an auditor?

An auditor must be able to provide an independent report of the audit of practice 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 auditor and having the ability to direct the audit of practice.
- Having a shared financial or other interest with the practitioner being audited 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 an auditor.
- 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 audited 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 an auditor expected to do?

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

- develop a written audit plan for Board approval outlining the form the audit(s) will take and how the area of concerns for the Board will be addressed in the audit
- undertake the audit as per the approved plan
- immediately inform AHPRA of any significant concerns identified through the audit where any of the practitioner's practice or conduct is placing the public at risk
- provide a written report of the audit to the Board, and
- notify the Board if you intend to withdraw from the role of auditor.

## What information is to be included in an audit report?

The information which is to be included in an audit report should be sufficient for the Board to determine whether or not the issues which gave rise to the imposition of the restriction requiring the audit have been addressed. 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 audit
- confirmation that all audit activities detailed in the approved audit plan have been completed
- whether the practitioner's practice 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 audit reports be used?

The audit report(s) will be used by the National Board to determine whether the practitioner is practising to the expected standard.

The report(s) will not be routinely released to the practitioner. However, if the National Board relies on the report(s) to take any further regulatory action in relation to the practitioner, 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 audit and the provision of reports (if any) 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 an auditor?

As an auditor 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 audit, you are confirming that you are aware of the following rights and obligations, and that you must notify AHPRA and withdraw from the audit if you cannot meet these obligations. You may also, for any other personal reason, withdraw from the audit at any time by notifying AHPRA.

### General duties

You must undertake the audit:

- 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 auditor 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 an auditor. You must not disclose protected information unless:

- it is necessary to carry out the audit

- is required by law, or
- the person the information relates to consents to the disclosure.

All information provided to you, as an auditor, 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 audit 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 audit.

### **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).