



COAG Health Council

Communiqué

12 February 2020

Review of National Registration and Accreditation Scheme Governance

The COAG Health Council has released the *Review of Governance of the National Registration and Accreditation Scheme (NRAS)* (the Governance Review).

The Governance Review was established following Health Ministers' response to the independent NRAS review (the Snowball Review conducted in 2014) to examine ministerial accountability in relation to achievement of statutory objectives and efficiency and effectiveness of NRAS entities in achieving those objectives

In response to the Snowball Review Health Ministers accepted that improvements to governance, reporting and reform arrangements were necessary to enhance the transparency and accountability of the National Scheme and that such improvements can be achieved through existing structures including the Agency Management Committee, which provides governance and oversight to the operations of the Australian Health Practitioner Regulation Agency (AHPRA).

The Governance Review final report finds that the governance of the NRAS is generally working well, but makes 14 recommendations for improvement. Health Ministers agreed to accept all 14 recommendations.

The final report recommends clarification of the role of the Australian Health Practitioner Regulation Agency in the Health Practitioner Regulation National Law and identifying indicators for annual reporting on achievement of NRAS objectives. The report also recommends changing the name of the AHPRA Agency Management Committee to better reflect its role and removing National Law provisions establishing the Australian Health Workforce Advisory Council, which is in abeyance and not required for the governance of the scheme. A National Law amendment to allow health ministers to delegate, with safeguards, their approval of National Board registration standards is also recommended.

The final report also made several recommendations about the functions of the AHPRA Jurisdictional Advisory Committee and arrangements for State, Territory and Regional Boards. The review's final report is available at: www.coaghealthcouncil.gov.au/Projects/Health-Practitioner-Regulation-National-Law

A summary of Health Ministers' response to the recommendations and implementation actions is below.

COAG Health Council response to Governance Review recommendations

Governance Review recommendation	Position	Implementation action
<p>1. The National Law should explicitly provide for AHPRA’s function of providing advice and information to the Ministerial Council on the operations and achievements of National Scheme entities and the achievement of the statutory objectives of the National Scheme. The current power in paragraph 25(j) of the Law should be amended to specifically articulate these functions. Relevant National Scheme entities should have the function of providing information and advice to AHPRA to enable it to exercise this function.</p>	Accepted	Refer to NRAS review Legislation Committee for amendment to the National Law
<p>2. The National Law should provide for AHPRA to have a concomitant power to the power of the National Boards under paragraph 35(1)(q) of the National Law. That is, AHPRA should be given the power to “do anything else necessary or convenient for the effective and efficient operation of the National Registration and Accreditation Scheme”.</p>	Accepted	Refer to NRAS review Legislation Committee for amendment to the National Law
<p>3. AHPRA and the Agency Management Committee should annually provide Ministers and jurisdictions with a “short form” report on achievement of National Scheme objectives. This could be incorporated in the current reporting framework.</p>	Accepted	Refer to AHPRA for action
<p>4. AHPRA and the Agency Management Committee should develop KPIs based on the NRAS Strategy 2015-2020.</p>	Accepted	Refer to AHPRA for action
<p>5. The name of the Agency Management Committee should be amended to reflect its role as the governing body or “board” of AHPRA.</p>	Accepted	Refer to NRAS review Legislation Committee for amendment to the National Law
<p>6. The provisions establishing the Australian Health Workforce Advisory Council should be deleted from the National Law.</p>	Accepted	Refer to NRAS review Legislation Committee for amendment to the National Law
<p>7. The Ministerial Council should consider an amendment to the National Law to insert a</p>	Accepted	Refer to NRAS review Legislation Committee for

Governance Review recommendation	Position	Implementation action
power of delegation in relation to s12 of the National Law allowing it to delegate its powers of approval of registration standards.		amendment to the National Law following implementation of recommendations 8 to 10
8. The relevant delegate under the instrument of delegation should be AHPRA or the Agency Management Committee. The delegation should be subject to the condition that jurisdictions agree to each exercise of the delegation. In the absence of agreement, the registration standard should proceed through AHMAC to the Ministerial Council for approval.	Accepted, with further advice requested from the Australian Health Ministers' Advisory Council (AHMAC) on an appropriate delegate	Refer to the Workforce Regulation Project Reference Group of the Health Services Principal Committee to confirm a recommended delegate for approval by the COAG Health Council
9. The AHPRA Jurisdictional Advisory Committee should prepare advice for AHMAC and the Ministerial Council on whether the delegation should be: <ul style="list-style-type: none"> a. total (in relation to all registration standards including amendments and withdrawals) or partial (in relation only to amendments); and b. subject to any additional conditions. 	Accepted	Refer to the Workforce Regulation Project Reference Group of the Health Services Principal Committee to coordinate Jurisdictional Advisory Committee advice on delegation scope for approval by the COAG Health Council
10. A process should be developed for reporting back to the Ministerial Council on approvals made under the delegated power.	Accepted	Refer to the Workforce Regulation Project Reference Group of the Health Services Principal Committee to coordinate advice on a report-back process for approval by the COAG Health Council
11. Jurisdictions should be able to refer a particular code or guideline to AHPRA's Jurisdictional Advisory Committee for endorsement prior to being made by a National Board, with the ability to escalate strong jurisdictional disagreements to	Accepted	Refer to the Workforce Regulation Project Reference Group of the Health Services Principal Committee to establish a process for referral of codes and

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AHMAC and the Ministerial Council where they cannot otherwise be resolved.		guidelines to the AHPRA Jurisdictional Advisory Committee and escalation to COAG Health Council, in consultation with National Boards
12. Members of the Jurisdictional Advisory Committee should review the Committee's effectiveness in relation to improving communications between jurisdictions, AHPRA and National Boards, after 12-18 months of the Committee's operation.	Accepted	Refer to the AHPRA Jurisdictional Advisory Committee for action
13. The responsible Minister for the participating jurisdiction should continue to appoint State, Territory and Regional Board members under s36 of the National Law.	Accepted	No action required
14. National Boards that establish State, Territory or Regional Boards should have mechanisms in place to monitor their performance, including variations in practice across jurisdictions. Performance issues and variations should be managed by the relevant National Board.	Accepted	Refer to AHPRA and National Boards for action