



Ahpra
& National
Boards

Manual for National Boards and their committees

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Contents

Resources	2
Glossary	2
Introduction	3
Part 1 – Governance	3
The National Law	3
Objectives and guiding principles	3
Regulatory principles for the National Scheme	3
Agency Management Committee	4
AHPRA	4
Finance	4
Risk	4
Reporting	5
National Boards and their committees	5
Code of conduct	6
Speaking on behalf of the Board	6
Correspondence	6
Orientation	6
Performance review, training and development	6
Part 2 – Procedures	7
Meetings	7
Delegations	7
Internal communications	8
External communications	8
Part 3 – Administration	9
Remuneration	9
Special assignment fees	9
Travel time	9
Expenses	9
Private vehicle usage	9
Valet car parking	9
Hospitality	9
Alcohol	9
Payment	9
Travel	9
Accommodation	10
Other transport	10
Indemnity and insurance	10

Resources

The following documents are available in the Diligent Global Resource Centre in the *Member guides and policies* folder.

- Key contacts
- [Guidelines for Board and committee members with respect to duty of confidentiality](#)
- [Guidelines for Board and committee members with respect to conflict of interest](#)
- [Guidelines for Board and committee members with respect to the exercise of delegated functions](#)
- [Schedule of fees for Board, committee and panel members](#)
- [Sitting fee business rules](#)
- [Board travel policy and travel information](#)
- [Information and IT acceptable use policy – Board and committee members ISO10](#)
- Insurance guidelines
- [NRAS governance charter](#)
- [NRAS Board member attributes](#)
- [Gifts, benefits and hospitality policy and declaration form](#)
- [Procedure for board or committee members subject to complaints or notifications and record of disclosure form](#)
- [Protocol for management of threats to board members](#)
- AHPRA consultation and publication process
- Regulatory principles for the National Scheme
- Health Practitioner Regulation National Law
- COAG Guide to NRAS for health professionals April 2005

Glossary

AHMAC

Australian Health Ministers Advisory Council

AHPRA

Australian Health Practitioner Regulation Agency

AManC

Agency Management Committee

ATO

Australian Tax Office

Board

All Boards inclusive of National Boards and their committees

Board member/s

All Board members inclusive of National Boards, state, territory and regional Boards, and all committees

Chair

Chair of a National Board, state, territory or regional Board, or a committee (or as referred to in the document)

HPA

Health Profession Agreement

Ministerial Council

The COAG Health Council, or a successor of the Council by whatever name called, constituted by Ministers of the governments of the participating jurisdictions and the Commonwealth with portfolio responsibility for health.

National Board member/s

Members of the National Health Practitioner Board/s

National Law

Health Practitioner Regulation National Law

National Scheme

National Registration and Accreditation Scheme (NRAS)

National Scheme bodies

National Boards (inclusive of National Boards, state, territory and regional Boards, and all committees), the Agency Management Committee and the Australian Health Practitioner Regulation Agency

Ombudsman and Privacy Commissioner

The Office of the National Health Practitioner Ombudsman and Privacy Commissioner established under the National Law

Introduction

This guide provides information on the National Registration and Accreditation Scheme for Board and committee members.

Part 1 – Governance

The National Law

The National Registration and Accreditation Scheme (NRAS) was established on 1 July 2010 (1 October 2010 in WA). The guiding principle of the National Scheme is to protect the Australian public by regulating the standards of health care expected by those health practitioners in the professions in the Scheme.

NSW and Queensland are known as co-regulatory jurisdictions. In NSW notification matters (complaints) are managed by the Health Care Complaints Commission and the NSW Councils. AHPRA and National Boards deal only with registration and accreditation matters.

In Queensland the Health Ombudsman receives all notifications and complaints about registered health practitioners and students and deals with the most serious matters. The Health Ombudsman may then refer the less serious matters to AHPRA and the National Boards.

The [National Law](#) restricts the use of protected titles (rather than the 'acts' a practitioner may undertake in the course of their chosen scope of practice – except for four specific acts as proscribed in the law). This means that it is unlawful for someone to knowingly or recklessly take or use a title to make someone believe they are registered in one of the health professions listed in the [National Law](#), as well as other practices including using a specialist title when the person does not have specialist registration. This is often referred to as unlawfully 'holding out' to be registered.

It is also unlawful for someone to lead someone to believe that another person is registered in a health profession regulated under the [National Law](#). These are 'statutory offences' and are dealt with via a different section of the [National Law](#) (section 7) than considerations of conduct and performance (section 8).

Objectives and guiding principles

The objectives of the Scheme are to:

- protect the public by ensuring only practitioners who are suitably trained and qualified to practise ethically and competently are registered
- facilitate workforce mobility across Australia and remove red tape for practitioners
- facilitate the provision of high quality education and training and rigorous and responsive assessment of overseas trained practitioners
- have regard to the public interest in promoting access to health services
- have regard to the need to enable the continuous development of a flexible, responsive and sustainable Australian health workforce and enable innovation in education and service delivery.

The objectives and guiding principles are set out in section 3 of the [National Law](#).

Regulatory principles for the National Scheme

The Boards and AHPRA have also adopted the following regulatory principles. These principles underpin the work of the Boards and AHPRA in regulating Australia's health practitioners, in the public interest. They shape our thinking about regulatory decision-making and have been designed to encourage a responsive, risk-based approach to regulation across all professions.

1. The Boards and AHPRA administer and comply with the Health Practitioner Regulation National Law. The scope of our work is defined by the [National Law](#).
2. We protect the health and safety of the public by ensuring that only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered.
3. While we balance all the objectives of the National Registration and Accreditation Scheme, our primary consideration is to protect the public.
4. When we are considering an application for registration, or when we become aware of concerns about a health practitioner, we protect the public by taking timely and necessary action under the [National Law](#).
5. In all areas of our work we:
 - identify the risks that we are obliged to respond to
 - assess the likelihood and possible consequences of the risks, and
 - respond in ways that are proportionate and manage risks so we can adequately protect the public.

This does not only apply to the way in which we manage individual practitioners but in all of our regulatory decision-making, including in the development of standards, policies, codes and guidelines.

6. When we take action about practitioners, we use the minimum regulatory force appropriate to manage the risk posed by their practice, to protect the public. Our actions are designed to protect the public and not to punish practitioners.

While our actions are not intended to punish, we acknowledge that practitioners will sometimes feel that our actions are punitive.

7. Community confidence in health practitioner regulation is important. Our response to risk considers the need to uphold professional standards and maintain public confidence in the regulated health professions.
8. We work with our stakeholders, including the public and professional associations, to achieve good and protective outcomes. We do not represent the health professions or health practitioners. However, we will work with practitioners and their representatives to achieve outcomes that protect the public.

Agency Management Committee

The role of the AManC is to oversee the affairs of the Scheme, to decide its policies, and to ensure AHPRA functions properly, effectively and efficiently working with the National Boards.

The AManC provides oversight on the effectiveness of the corporate assurance framework and risk management, financial strategy including Health Profession Agreements (HPAs), internal audit functions and Scheme performance.

The members of the AManC are appointed by the Ministerial Council.

The current Committee consists of 8 people including:

- a Chair who is not a registered health practitioner and has not been a health practitioner in the last 5 years
- at least 2 people with expertise in health and/or education and training
- at least 2 people with business or administrative expertise who are not current or previous registered health practitioners

More information about the AManC and its committees can be found on the [AHPRA website](#) and in Part 4 of the [National Law](#).

AHPRA

AHPRA is the operational partner to the National Boards and supports the National Boards through its role of administering the National Scheme. AHPRA has a national office based in Melbourne and offices in every state and territory to support local boards and committees, and respond to local enquiries.

AHPRA has four directorates:

- **Strategy and Policy** coordinate and deliver policy advice, strategy and research capability, and governance, secretariat and accreditation services to the National Boards and their committees.
- **Business Services** is accountable for AHPRA's finances and business planning, corporate risk management and performance reporting and manages the Health Profession Agreements with Boards.
- **Regulatory Operations** manages regulatory functions (registration, notifications, compliance and legal services).
- **People and Culture** manages human resources to build a positive, engaging and inclusive workplace.

More information about the work AHPRA does to support the Scheme can be found on the [AHPRA website](#) and in Part 4 of the [National Law](#).

Finance

National Boards and AHPRA collaborate to establish and monitor annual budgets, which are set out in the HPA.

National Boards share indirect costs in agreed proportions and assist AHPRA in fulfilling its broader corporate financial management responsibilities.

Section 212 of the [National Law](#) sets out the financial management duties of AHPRA and the National Boards.

Risk

The risks to which National Boards are exposed include regulatory, reputational, legal and financial risks.

Each of the National Scheme's entities, as part of their annual planning, assess the broad domains of risk associated with their functions and develop appropriate risk management strategies.

If a National Board identifies a risk that has the potential to affect other National Scheme bodies, the matter will be referred to AHPRA to coordinate a Scheme-wide response.

Reporting

Each year AHPRA's annual report, based on the financial year, is submitted electronically to the Ministerial Council by its statutory deadline at the end of September. It is released on or around 15 November, after the report has been made public by it being tabled in one or more of the jurisdictions' Parliaments. Summary reports for each Board are also subsequently published online.

National Boards and their committees

Members of the following 10 National Boards were first appointed on 31 August 2009:

- Chiropractic Board of Australia
- Dental Board of Australia
- Medical Board of Australia
- Nursing and Midwifery Board of Australia
- Optometry Board of Australia
- Osteopathy Board of Australia
- Pharmacy Board of Australia
- Physiotherapy Board of Australia
- Podiatry Board of Australia
- Psychology Board of Australia

Members of the following four National Boards were first appointed on 18 July 2011:

- Aboriginal and Torres Strait Islander Health Practice Board of Australia
- Chinese Medicine Board of Australia
- Medical Radiation Practice Board of Australia
- Occupational Therapy Board of Australia

Members of the following National Board were first appointed 19 October 2017:

- Paramedicine Board of Australia

Terms of office

Members of National Boards and the AManC are appointed by the Ministerial Council for a term of up to three years. When a National Board establishes a state, territory and/or regional Board, the members are appointed by the responsible jurisdiction's health minister.

Consistent with the AHMAC-endorsed National Board succession principles, National Board members are eligible for re-appointment for a maximum of three consecutive terms. An exception to this may be considered if the need arises to support succession planning and transition for the role of Chair.

National Boards appoint members to all other committees that they set up to assist them with the exercise of their functions.

Further details about vacancies in office, removal of members from Boards and extensions of terms can be found in Schedule 4 the [National Law](#).

Powers

The powers of the National Boards are set out in section 32 of the [National Law](#).

Section 36 of the [National Law](#) provides for National Boards to establish committees and/or state, territory or regional Boards.

Section 37 of the [National Law](#) provides for a National Board to delegate any of its functions, other than the power of delegation, to a committee, AHPRA, a member of staff of AHPRA or a person engaged as a contractor by AHPRA. AHPRA may sub-delegate any function delegated to it by a National Board to a member of the AHPRA staff.

Functions

The functions of the National Boards and their committees as delegated are set out in section 35 of the [National Law](#).

This includes registration of suitably qualified and competent practitioners; developing standards, codes and guidelines for the profession; approving accredited programs of study; and assessing notifications made about practitioners.

Board member attributes

The desired attributes for all Board members are:

- **Displays integrity:** is ethical, committed, diligent, prepared, organised, professional, principles-based and respectful, values diversity, and shows courage and independence.
- **Thinks critically:** is objective and impartial, uses logical and analytical processes, distils the core of complex issues and weighs up options.
- **Applies expertise:** actively applies relevant knowledge, skills and experience to contribute to decision-making.
- **Communicates constructively:** is articulate, persuasive and diplomatic, listens and responds constructively to contributions from others.
- **Focuses strategically:** takes a broad perspective, can see the big picture, and considers long-term impacts.
- **Collaborates in the interests of the National Scheme:** is a team player, flexible and cooperative, creates partnerships within and between Boards and AHPRA.

In addition to the attributes that are expected for all Board members, National Board Chairs are expected to demonstrate the following attributes:

- **Demonstrates leadership:** is confident, decisive and acts without fear or favour; is at the forefront of professional regulation; drives reform and facilitates change.
- **Engages externally:** is the spokesperson for the Board and advocate for the National Scheme; builds and sustains stakeholder relationships.

All Chairs in the Scheme will possess the following attribute:

- **Chairs effectively:** establishes and follows well-organised agendas, facilitates input from all members, builds consensus, distils core issues, summarises discussion and confirms decisions ensuring they are accurately recorded.

Code of conduct

Board members have an obligation to:

Understand the Board's role and public duties

- Gain a clear understanding of the role or purpose of the Board, as well as the statutory and regulatory requirements of members carrying out their public duties.
- Develop an understanding of the political and social environment in which the Board operates.
- Stay informed about all relevant activities affecting the Board.
- Comply with legal obligations and implement the decisions taken by the Board.

Be active

- Attend all Board meetings – where attendance is not possible, Board members will submit an apology.
- Participate actively and work cooperatively with fellow members, AHPRA and other stakeholders to achieve agreed goals.
- Prepare for meetings by reading and considering papers circulated with the agenda.

Respect each other

- Be self-aware and treat each other with professionalism, courtesy and respect.
- Not improperly influence other Board members.
- Act loyally and in good faith.
- Consider a range of perspectives.
- Consider the views of stakeholders and affected parties about issues under consideration.
- Consider the operational impact across National Boards and on AHPRA.

Act ethically

- Constructively raise any concerns with respect to process.
- Express concerns to the Chair or other relevant authority about decisions or actions contrary to the Board's primary responsibility to act in the public interest.
- Disclose any information about actual or potentially corrupt or illegal activities to the Chair or, if necessary, the appropriate reporting body.

Speaking on behalf of the Board

Chairs of National Boards are the official spokespeople for their respective National Board. They are also expected to represent and advocate for the Scheme in general.

Board members may not comment publicly as individuals on the work of the Board or the National Scheme without securing the Chair's approval for the statement concerned or in accordance with specific National Board policy. Any comment must be consistent with the requirements of the [National Law](#).

Correspondence

Board members should not respond individually to letters or emails addressed to them individually on matters relating to the Board. Replies to such correspondence will be issued from the National Board Chair or AHPRA (on behalf of the Board), where relevant.

Orientation

Newly-appointed Board members and Board members re-appointed to different Boards (e.g. community members who move across Boards) will be provided with a comprehensive orientation program.

In recognition of the importance of the role of Chair, a specific program will be made available to incoming Chairs.

Performance review, training and development

Boards will formally review the performance of individual Board members on an annual basis within a three-year rolling program. Mini or informal reviews should be conducted in Years 1 and 3 of the cycle, with a more formal Board review in Year 2. The process is supported by AHPRA. Review outcomes will inform improvements to Scheme governance and performance as well as the professional development planning for individual members.

Part 2 – Procedures

Meetings

Meeting schedule

National Boards will generally meet at least every month. Other Boards and committees will meet as agreed by the National Boards.

Meetings will be scheduled on an 'as needs' basis and convened as appropriate to the needs of the Board. They may be held face-to-face, via teleconference or videoconference, or out-of-session.

Agenda items

There is a standard format for agendas and board papers, which usually contain background information, advice and recommendations from AHPRA. Board members can also propose items for the agenda. Nominations for Board agendas should be provided to the Chair as soon as possible, and no later than seven working days ahead of the meeting at which the matter is to be considered.

Meeting papers

If a Board member is submitting a paper on an agenda item or other material for a Board meeting, this must be provided to the Chair at least seven working days before the meeting.

Meeting papers will be provided to members five working days prior to the scheduled meeting.

Attendance

Board members are expected to attend all meetings. If a Board member cannot attend a meeting, either in person or by electronic means, they are required to advise the Chair prior to the meeting. If an absence is likely to extend for three consecutive meetings, Board members will need to request a leave of absence from the Chair.

Record of decisions and action items

Draft records of decisions will be circulated to members and any comments or proposed amendments to the draft should be advised within five working days.

The Chair will be responsible for accepting or rejecting amendments to draft decisions. Final decisions and actions will be distributed to the Board members by secure electronic means, prior to the next meeting.

A formal record of all meetings, including decisions and actions, will be held by the relevant Board secretariat.

Confidentiality

The papers, discussions and records of the Board are confidential unless otherwise agreed by the Board. A person who is, or has been, exercising functions under the [National Law](#) must not disclose any protected information to another person. The [National Law](#) includes penalties if this requirement is breached: \$5,000 for a contravention by an individual.

For further information in relation to confidentiality, refer to the *Guidelines for Board and committee members with respect to duty of confidentiality* in the Diligent Global Resource Centre in the *Member guides and policies* folder.

Conflict of interest and bias

Board members must declare any actual and possible conflict of interest in relation to matters to be considered at a meeting. For further detailed information in relation to conflict of interest, refer to the *Guidelines for Board and committee members with respect to conflict of interest* in the Diligent Global Resource Centre in the *Member guides and policies* folder

All Board members must also declare and exclude themselves from decision-making in relation to a matter in which they are biased, or might be perceived to be biased (refer to the National Scheme's *Governance Charter* for further detail).

Record of conflict of interest

The Chair, or AHPRA on behalf of the Chair, holds a copy of conflict of interest statements provided by Board members on their appointment to the Board. In addition, a record of conflict of interest discussions must be recorded at each meeting.

Delegations

The [National Law](#) empowers National Boards to delegate any of its functions, other than the power of delegation, to a committee, AHPRA or one of its staff, or a person engaged as a contractor by AHPRA. State, territory and regional Boards are committees of National Boards operating under delegated powers and accordingly can only carry out the functions that have been delegated to them by their National Board. The delegations are published on the AHPRA website [here](#).

National Board delegations are contained in the *Instruments of Delegation* that describe, define limits for and establish the accountabilities of delegates. *Instruments of Delegation* can be revised at any time by resolution of the National Board, and the signature of a person authorised by the National Board. When operating under delegated powers, the delegations are to be exercised in accordance with the delegating body's policies and requirements.

The National Boards have delegated the bulk of routine and administrative functions to AHPRA. For further information in relation to delegations, refer to the *Guidelines for Board and committee members with respect to the exercise of delegated functions* in the Diligent Global Resource Centre in the *Member guides and policies* folder.

Internal communications

Communication and reporting between National Boards and committees

Communication to and from National Board committees (including state, territory and regional Boards) is to be determined and managed by the National Board, with the assistance of AHPRA.

A variety of mechanisms is available to facilitate communication and reporting:

- provision of the record of decisions and actions from committee meetings to the National Board
- regular meetings between the Chairs of national committees and/or state/territory/ regional Boards and the National Board Chair or a representative
- standing items on committee agendas for issues raised by the National Board
- submission of papers from committees for consideration by the National Board
- executive officer post-meeting briefings for senior AHPRA staff and National Board committees
- consultation with other National Boards
- consultation with national directors or state managers on decisions with operational implications, and
- circulation of communiqués from National Board meetings to key stakeholders, including committees.

Communication and reporting between National Boards and AHPRA

Communication between National Boards and AHPRA is determined and managed using a variety of mechanisms:

- Forum of NRAS Chairs meeting which is held quarterly face-to-face
- standing items on National Board agendas including visits by senior AHPRA staff at each National Board meeting
- submission of papers from AHPRA for consideration by the National Board
- executive officer post-meeting briefings after each National Board meeting to AHPRA staff, and
- joint planning activities.

External communications

National Boards consult and communicate with their respective health practitioners, professions and the broader health workforce on the work of their National Board.

The objectives of communication and stakeholder engagement are to:

- support the achievement of National Board statutory obligations and strategic priorities
- increase community awareness of the role of the respective National Board and the Scheme more generally
- maintain (or establish) the confidence of the community, health professions and other stakeholders in the National Board, and
- build and protect the reputation of the National Board as an authoritative, trusted source of information and advice, and a fair and effective regulator within the National Scheme.

AHPRA manages the across-Scheme public and stakeholder engagement and communications strategy on behalf of AHPRA and the National Boards.

Part 3 – Administration

Remuneration

The remuneration for Board members is determined by the Ministerial Council having regard to the remuneration generally applied to regulatory bodies with a substantial influence on the health industry.

A schedule of fees payable to Board members is included in the *Schedule of fees for Board, committee and panel members* in the Diligent Global Resource Centre in the *Member guides and policies* folder. From September 2012 Ministers have applied an annual indexation to sitting fees based on CPI.

Board Members will be paid a sitting fee for their attendance at a meeting. The fee includes an allowance for up to four hours of travel to and from the meeting and for reading and preparation time.

The amount paid will depend on the length of the meeting, with meetings lasting over four hours being paid a full day fee and meetings under four hours being paid half of the daily fee. Where board members attend more than one meeting in a day, the sitting fee paid will not exceed the daily amount.

Stipend arrangements may be made available to National Board Chairs.

Special assignment fees

Special assignment fees are payable for Board member commitments that are not related to meetings. These include consultations, conferences, seminars, investigations or the writing of special reports by a Board member.

Dinners, functions, opening ceremonies and social engagements are not considered to be special assignments and therefore will not be paid.

Travel time

The daily fee includes up to four hours travel time directly from a Board member's home or workplace to and from the Board meeting or the special assignment.

If travel time is between four and eight hours, an additional half daily fee is paid. For travel that exceeds eight hours, an additional full daily fee is paid.

Expenses

Board members are entitled to reimbursement of any reasonable out-of-pocket expenses incurred while undertaking Board business.

Expenses must be submitted on the AHPRA claim form and original receipts, invoices and tickets must be attached.

If a receipt is lost or missing a statutory declaration must be supplied.

Private vehicle usage

AHPRA reimburses motor vehicle personal expenses using a per kilometre rate in accordance with the Australian Tax Office (ATO) rates.

Valet car parking

Valet parking fees cannot be claimed unless it is required for health reasons and is supported by the relevant National Board Chair and approved by the Executive Director, Strategy and Policy.

Hospitality

Arrangements to offer hospitality for the purpose of promoting the National Board's work must be approved by the National Board Chair prior to the event, or be in accordance with the AHPRA policy.

Alcohol

The reasonable cost of the purchase of alcohol for official functions may be approved in consultation with the Board Chair consistent with AHPRA's *Gifts, benefits and hospitality policy*.

Payment

Attendance, special assignment and travel fees are paid by AHPRA payroll service on a monthly basis. Tax will be deducted as per ATO requirements.

Payments can only be made to individual accounts to ensure compliance with ATO requirements and avoidance of tax minimisation schemes.

A superannuation guarantee contribution of 9.5% is paid when Board members receive more than \$450.00 in sitting fees per calendar month.

Salary sacrificing is available for all, or part of board fees and can be forwarded to a nominated superannuation fund. For details, email payrollboard@ahpra.gov.au.

Travel

Board members requiring travel can send their request to AHPRA's travel provider QBT via email at ahpra@qbt.travel or via phone on 1300 989 004. AHPRA booking forms should be used when requesting travel via email.

Economy class travel will be arranged by AHPRA and all itineraries are based on the most direct route to and from Board meetings from the Board member's designated place of residence or workplace.

Business class travel is available only when the flight time is greater than 4 hours for each flight or in total for connecting flights on the one journey. This requires the support of the National Board Chair and approval of the Executive Director Strategy and Policy. More information about arranging travel and the travel policy is available in the Diligent Global Resource Centre in the *Member guides and policies* folder.

Accommodation

Board members will be accommodated in preferred accommodation in line with the AHPRA travel policy and booked by AHPRA travel.

A charge-back voucher will be sent directly to the hotel on confirmation of accommodation booking. This voucher includes the cost of the room, breakfast, dinner (no alcohol), internet and parking. Mini bar items are not included in the charge-back voucher.

A credit card imprint or cash deposit may be required by the hotel to guarantee any charges not covered by the charge-back voucher.

Other transport

National Board members will be provided with a Cabcharge card for use for Board travel. Alternatives to Cabcharge, such as car rentals, chauffeured car hire, and rail may be used where there is no alternative, or if the overall cost to AHPRA is the same or lower.

Indemnity and insurance

Section 236 of the [National Law](#) provides protection from personal liability for Board members exercising their functions under the [National Law](#) in good faith.

In addition, the Scheme has directors and officers liability insurance and professional indemnity insurance to cover damages or defence costs in the event of a lawsuit for alleged wrongful acts while acting in their capacity as a Board member.

Board members are covered by appropriate levels of travel insurance when travelling on approved Board-related matters.

For more information on insurance cover see the *Insurance Guidelines* in the Diligent Global Resource Centre in the *Member guides and policies* folder.