

Regulatory Performance Committee Charter

October 2020

1. Introduction

- 1.1** This charter has been adopted by the Agency Management Committee (the Board) to set out the role of the Regulatory Performance Committee (the Committee).
- 1.2** The Committee's function is to:
- provide oversight of Ahpra's management of regulatory performance, including registration, notifications and compliance matters
 - provide advice on regulatory performance measures and Key Performance Indicators on timeliness, cost and quality
 - review Ahpra's quarterly performance reports for registration, notifications and compliance and provide advice to the Board and National Boards on regulatory performance
 - provide a forum for discussion, review and advice on significant issues of regulatory operational policy
- 1.3** The Committee has no formal delegated power from the Board. The Board may, from time to time, authorise a committee to undertake certain functions on behalf of, and in the name of, the Board if the power or function is of an administrative necessity and is routine in nature. Any authorisation must be made in writing by the Board. The Board cannot delegate to a committee a power or function that is stated in the National Law to be a power or function of the Board.
- 1.4** This Charter has effect from the date nominated by the Board until it is subsequently amended and approved by the Board.

2. Purpose

- 2.1** The Board has established the Committee to provide advice and recommendations on the following areas:
- strategic regulatory operational policy informed by Ahpra and the National Boards
 - risk settings and management, including mitigation strategies and triggers for action and escalation
 - Ahpra's regulatory performance and strategies of addressing policy and performance issues
 - regulatory performance reporting to National Boards and external stakeholders.
- 2.2** The Committee must follow a lawful direction given to it by the Board, and those directions override all provisions of this Charter.
- 2.3** In order to ensure that it provides effective and timely advice to the Board, the Committee will:
- advise on and review of Ahpra's policy and procedural documents relating to the management of registration, notifications and compliance and discuss their effectiveness
 - review and monitor the reported quarterly performance of AHPRA in relation to agreed performance outcomes and measures for registration, notifications and compliance
 - report quarterly on performance through the Board and to National Boards and advise on reporting to external parties, including governments and public reporting
 - report to the Board on any issue identified in a performance report that may amount to a significant risk to the scheme that would require the specific attention of the Board

- e. report annually to the Board on whether the regulatory performance management framework meets the needs of the scheme and external stakeholders, and
- f. report to the Board following each meeting.

2.4 The Committee Chair will meet with the Chair of the Finance, Audit and Risk Management Committee (FARMC) annually prior to the strategic internal audit plan being finalised to develop a shared understanding of the planned audits for the year and enable feedback to be provided on any systemic issues arising from second line reviews considered by the RPC. The RPC will also have an opportunity to comment on any terms of reference for proposed internal audits of regulatory operations.

3. Members of the Committee

3.1 Members of the Committee are appointed by the Board for a term not exceeding three years. Members may be re-appointed for two additional terms.

3.2 The Committee's membership will consist of:

- a. Up to four members of the Board
- b. At least five chairs of National Boards (including the high-volume Boards and one lower volume Board¹), and
- c. A community member of a National Board.

3.3 The Chair is appointed by the Board and must also be a member of the Board.

3.4 Secretariat and professional support will be provided by Ahpra.

3.5 The Board will consider the range and mix of skills necessary to enable the Committee to fulfil its function. The Board recognises the following skills as important for the success of the committee and will look to make sure the Committee's membership reflects these competencies:

- a. A sound understanding National Registration and Accreditation Scheme governance and the core functions of Ahpra
- b. Knowledge and experience of Ahpra and the National Boards' management of registration, notifications and compliance matters, and
- c. Experience in performance reporting and measurement.

3.6 The Board can fill a casual vacancy in the Committee and must ensure that the Committee has a Chair at all times.

4. Meetings of the Committee

4.1 The Committee will hold at least four scheduled meetings per calendar year.

4.2 In addition to the scheduled meetings, a meeting of the committee must be held if requested by either:

- a. The Board, or
- b. The CEO of Ahpra.

4.3 Five members of the Committee, three of whom must also be members of the Board, are required for a quorum.

4.4 The Committee, through the Ahpra CEO, may request at any of its meetings the provision of:

- a. Ahpra performance data,
- b. independent professional advice and/or
- c. the attendance of any member of Ahpra staff.

¹ High volume [of notifications] boards are MBA, NMBA, DBA, PharmBA & PsyBA

- 4.5 The Committee may invite the National Health Practitioner Ombudsman and Privacy Commissioner (NHPOPC) to attend a meeting from time to time.
- 4.6 If an appointed member is unable to attend a meeting in exceptional circumstances, the member may nominate an alternate to attend as an observer. In these circumstances, the agreement of the Chair is to be sought and the secretariat is to be advised at the earliest convenience.

5. Reporting to the Board

- 5.1 The Committee must submit the minutes of each meeting to the next possible meeting of the Board and the Chair will provide a verbal update after each meeting.
- 5.2 The Committee will conduct a review of its activities prior to the end of each financial year and provide a summary of the review to the next meeting of the Board.
- 5.3 The Committee will produce a report annually of its activities for consideration by the Board and circulation to National Boards.
- 5.4 The Committee must also provide any reports requested of it by the Board.

6. Accountability and Review

- 6.1 The Board will review this charter annually.

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