

## Procedures for the development of accreditation standards

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### **Purpose of this document**

Ahpra has established these procedures under section 25 of the Health Practitioner Regulation National Law as in force in each state and territory (the National Law). One of the key functions of the accreditation authorities is to develop or review accreditation standards. These procedures aim to ensure good regulatory practice when accreditation authorities are developing new or revised accreditation standards.<sup>1</sup> Good regulatory practice includes being responsive to changing needs and these procedures are intended to be implemented through approaches that respond to relevant context and need.

### **Wide-ranging consultation**

Accreditation authorities must consult widely<sup>2</sup> on any proposed change to the content of existing accreditation standards, and content of any new accreditation standards. The education sector, the profession, patient safety bodies, education regulatory bodies<sup>3</sup>, relevant community and consumer groups, healthcare consumer bodies and governments will be consulted as a minimum. The authority will publish information about how to respond to the consultation on its website. The authority will also publish information about feedback received, the submissions (except where confidentiality is requested or required) and how the proposed new or revised accreditation standards address key issues raised in the feedback.

### **Regulatory Impact Assessment**

The accreditation authority will contact the Office of Best Practice Regulation (the OBPR) before public consultation to seek an assessment of the potential regulatory impacts of the proposed new or revised accreditation standards and whether it is necessary to do a regulatory impact statement. Early contact is recommended. If the proposed new or revised accreditation standards substantially change between first contact and finalisation of the documents, the accreditation authority may need to confirm the original assessment with the OBPR before submitting the final proposed new or revised accreditation standards to the National Board for approval.

### **Proposal to the National Board**

When submitting proposed new or revised accreditation standards to the National Board for approval, an accreditation authority will:

1. describe how the proposed new or revised accreditation standards
  - 1.1 take into account the objectives and guiding principles in the National Law<sup>4</sup>
  - 1.2 draw on available evidence, including relevant international standards and statements relating to education and training in the profession, and the accreditation standards applied in countries with comparable education and practice standards for the profession

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<sup>1</sup> See section 42(a) of the National Law.

<sup>2</sup> See section 46(2) of the National Law

<sup>3</sup> Includes Tertiary Education Quality and Standards Agency and Australian Skills Quality Authority

<sup>4</sup> See section 3(2) and (3) of the National Law

2. describe how the proposed new or revised accreditation standards support or contribute to:
  - 2.1 improving patient safety, effective care and health outcomes, including for vulnerable members of the community and Aboriginal and Torres Strait Islander Peoples
  - 2.2 preparing practitioners who have the knowledge, skills and professional attributes to deliver culturally safe care, as defined in the [Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020-2025](#)
  - 2.3 preparing practitioners who understand the health system in Australia and their roles, responsibilities and ethical conduct when working within the system
  - 2.4 embedding interprofessional education and preparing practitioners who have the knowledge, skills and professional attributes to engage in interprofessional collaborative practice
  - 2.5 addressing health and workforce priorities such as family and domestic violence, noting that information about new priorities may be published as they emerge
  - 2.6 avoiding duplication and minimising regulatory burden
3. outline steps taken during the development of the proposed accreditation standards to:
  - 3.1 achieve greater consistency within the national scheme (for example, by adopting any available template, guidance or good practice approaches used by national scheme bodies)
  - 3.2 meet the consultation requirements in the National Law and these procedures
  - 3.3 address the following principles:
    - a) whether the proposal is the best option to achieve the proposal's stated purpose and protect the public
    - b) whether the proposal results in an unnecessary restriction of competition among health practitioners or education providers
    - c) whether the proposal results in an unnecessary restriction of consumer choice
    - d) whether the overall costs of the proposal to members of the public and/or education providers and/or registrants and/or governments are reasonable in relation to the benefits to be achieved
    - e) whether the proposal's requirements are clearly stated using 'plain language' to reduce uncertainty, enable the public to understand the requirements, and enable understanding and compliance by education providers, and
    - f) whether the accreditation authority and National Board have procedures in place to ensure that the proposed standards remain relevant and effective over time.
4. provide any feedback on regulatory impacts (including advice on the assessment by the OBPR) that has been provided in the consultation process or identified in developing the proposed new or revised accreditation standards
5. indicate that the accreditation authority is seeking the National Board's approval of the proposed new or revised accreditation standards under the National Law
6. for proposed revised accreditation standards, describe the nature of the changes made and the rationale for these changes
7. for proposed new accreditation standards, describe the rationale for developing the new standards, and

8. recommend when the accreditation authority considers the proposed new or revised accreditation standards should take effect and, if the recommended date is later than the date of publication on the National Board's website, explain the reason for the recommended date and outline what implementation or transition arrangements the accreditation authority intends to put in place.

### **Decision by National Boards**

When it receives proposed new or revised accreditation standards from the accreditation authority, the National Board must comply with section 47 of the National Law.

### **Referral to Ministerial Council**

Section 11 of the National Law provides that the Ministerial Council may give directions to a National Board about a particular proposed new or revised accreditation standard only if:

- a) in the Council's opinion, the proposed new or revised accreditation standards will have a substantive and negative impact on the recruitment or supply of health practitioners, and
- b) the Ministerial Council has first given consideration to the potential impact of the Council's direction on the quality and safety of health care.

When a National Board considers, based on the accreditation authority's advice and/or its own analysis, that the proposed new or revised accreditation standards will have a substantive and negative impact on the recruitment or supply of health practitioners, the National Board:

- a) will advise the Ministerial Council of its view and the reasons for it so that the Ministerial Council can consider whether to give the National Board a direction under s11 of the National Law, and
- b) will not make a decision to approve (or not approve) the new or revised accreditation standards until the Ministerial Council provides its view to the Board.

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Chair  
Agency Management Committee

**Date of issue:** 16 June 2020

**Date of review:** These procedures will be reviewed from time to time as required. This will generally be at least every 3 years