

Regulatory Performance Committee annual report 2021/22

Introduction from the Chair

The Regulatory Performance Committee (the Committee) provides an important forum for Ahpra to work in partnership with National Boards to support development of new ways of working and improve the efficiency and effectiveness of our regulatory work.

The year commenced with a change of Committee chair following the resignation of Dr Peggy Brown AO from the Ahpra Board. The Committee acknowledged her remarkable dedication, commitment to Ahpra and the National Scheme in her five years of service as a member of the Ahpra Board and Chair of the Committee.

During 2021/22, the Committee focused on the continuing increase in the regulatory workload of the National Scheme and the impact of the COVID-19 pandemic on regulatory functions.

Throughout the year the Committee considered quarterly regulatory performance reports as well as several quality assurance reports of regulatory functions. These quality reviews provided a comprehensive overview and analysis of specific aspects of our regulatory performance. The Committee also considered regular reports of administrative complaints received and noted the commencement of a new internal Complaint Learning Framework.

Several members were amongst the 60 National Board members who attended the first Regulatory Performance Seminar in November 2021.

Following the completion of *Operation Reset* in early 2021, the Committee continued to monitor the performance in managing investigations, in addition to addressing aged notifications. The Committee is aware that there has been a significant increase in matters referred to Tribunal creating a backlog, and while outside of the control of the Ahpra and National Boards, the Committee is actively monitoring this.

The Committee has been actively engaged with monitoring regulatory performance within the cosmetic surgery space and will continue to do so as recommendations of the *Independent review of the regulation of medical practitioners who perform cosmetic surgery* are implemented.

Thank you to Committee members and Ahpra staff for their contribution to the important work of the Committee.

Dr Susan Young, Chair, Regulatory Performance Committee

Role of the Committee

The Regulatory Performance Committee is a committee of the Ahpra Board. The Committee has been established to provide advice and oversight in 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
- regulatory performance and strategies to address policy and performance issues
- regulatory performance reporting to National Boards and external stakeholders.

Functions and responsibilities of the Committee

The Committee's functions are to:

- oversee 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

Powers of the Committee

The Committee has no formal delegated power from the Board. The Committee functions in an oversight and review role and makes recommendations to the Board.

Membership

Membership is appointed by the Board and consists of:

- up to four members of the Board
- at least five chairs of National Boards (including the high-volume Boards and one lower volume Board),
- a community member of a National Board

In addition, meetings were attended by:

- Ahpra CEO
- Ahpra Executive Director, Regulatory Operations
- Ahpra senior management, as and when required.

Membership

Name	Membership status during 2021/22
Dr Susan Young - Chair	Agency Management Committee – July 2021 to June 2022
Adjunct Professor Karen Crawshaw PSM	Agency Management Committee – July 2021 to June 2022
Emeritus Professor Arie Freiberg AM	Agency Management Committee – July 2021 to June 2022
Dr Anne Tonkin	Chair, Medical Board of Australia – July 2021 to June 2022
Adj Assoc Professor Veronica Casey AM	Chair, Nursing and Midwifery Board of Australia – July 2021 to June 2022
Mr Ian Bluntish	Chair, Optometry Board of Australia – July 2021 to November 2021
Ms Kim Gibson	Chair, Physiotherapy Board of Australia – May 2022 to July 2022
Ms Rachel Philips	Chair, Psychology Board of Australia – July 2021 to June 2022
Mr Brett Simmonds	Chair, Pharmacy Board of Australia – July 2021 to June 2022
Dr Murray Thomas	Chair, Dental Board of Australia – July 2021 to June 2022
Ms Tiina-Liisa Sexton	Community Member, Paramedicine Board of Australia – July 2021 to June 2022

Ahpra regular attendees

Name	Membership status during 2021/22
Mr Martin Fletcher, CEO	Ahpra attendee – July 2021 to June 2022
Ms Kym Ayscough, Executive Director, Regulatory Operations	Ahpra attendee – July 2021 to June 2022
Mr Matthew Hardy, National Director Notifications	Ahpra attendee – July 2021 to June 2022
Mr Jason McHeyzer, National Director, Compliance	Ahpra attendee – July 2021 to June 2022
Ms Catherine Miedecke, National Director, Registration	Ahpra attendee – July 2021 to June 2022
Ms Amanda Watson, National Complaints Manager	Ahpra attendees – July 2021 to July 2022
Dr Jamie Orchard, General Counsel	Ahpra attendee – July 2021 to June 2022
Ms Sangeetha Masilamani, Program Manager, Government Relations	Ahpra attendee – July 2021 to June 2022 (Secretariat)

Meetings

- The Committee held four scheduled meetings in 2021/22
- Quorum was achieved for every meeting.

Meeting dates	Attendance
5 August 2021	Dr Susan Young (Chair), Mr Ian Bluntish, Adjunct Associate Professor Veronica Casey AM, Adjunct Professor Karen Crawshaw PSM, Emeritus Professor Arie Freiberg AM, Ms Rachel Philips, Ms Tiina-Liisa Sexton, Mr Brett Simmonds, Dr Murray Thomas, Dr Anne Tonkin, Mr Martin Fletcher, Ms Kym Ayscough, Mr Matthew Hardy, Ms Amanda Watson, Mr Jason McHeyzer and Ms Sangeetha Masilamani
4 November 2021	Dr Susan Young (Chair), Mr Ian Bluntish, Adjunct Professor Karen Crawshaw PSM, Ms Annette Symes, Emeritus Professor Arie Freiberg AM, Ms Rachel Philips, Ms Tiina-Liisa Sexton, Mr Brett Simmonds, Dr Murray Thomas, Dr Anne Tonkin, Ms Kym Ayscough, Mr Matthew Hardy, Ms Amanda Watson, Mr Jason McHeyzer, Ms Catherine Miedecke and Ms Sangeetha Masilamani
3 February 2022	Adjunct Professor Karen Crawshaw PSM (Acting Chair), Adjunct Associate Professor Veronica Casey AM, Emeritus Professor Arie Freiberg AM, Ms Rachel Philips, Ms Tiina-Liisa Sexton, Mr Brett Simmonds, Dr Murray Thomas, Dr Anne Tonkin, Mr Martin Fletcher, Ms Kym Ayscough, Mr Matthew Hardy, Ms Amanda Watson, Mr Jason McHeyzer, Ms Catherine Miedecke and Ms Sangeetha Masilamani
5 May 2021	Dr Susan Young (Chair), Adjunct Associate Professor Veronica Casey AM, Adjunct Professor Karen Crawshaw PSM, Emeritus Professor Arie Freiberg AM, Ms Kim Gibson, Ms Rachel Philips, Ms Tiina-Liisa Sexton, Mr Brett Simmonds, Dr Murray Thomas, Dr Anne Tonkin, Mr Martin Fletcher, Ms Kym Ayscough, Mr Matthew Hardy, Ms Amanda Watson, Mr Jason McHeyzer, Ms Catherine Miedecke, Dr Jamie Orchard and Ms Sangeetha Masilamani

Reporting to the Ahpra Board and Forum of National Chairs

The Committee submitted records of each meeting to the next meeting of the Board.

To strengthen linkages with all National Boards, the Chair of the Regulatory Performance Committee now provides a verbal update to the Forum of NRAS Chairs following each Committee meeting.

Committee activities for reporting period 1 July 2021 – 30 June 2022

Matters of note considered by the Committee included:

- the continuing impacts of COVID-19 on regulatory functions
- notifications involving cosmetic surgery
- continued monitoring of outcomes following Operation Reset
- supporting the early review of implementation of the Ahpra Framework for identifying and dealing with vexatious notifications
- the increasing rate of new notifications
- noted the final report on staff health and wellbeing support services for vicarious trauma and the proposed management response
- commencement of the Multi-profession Registration and Notifications Committee.

Regulatory performance

- Regular scrutiny of quarterly regulatory performance reports
- Provided feedback on the revised quarterly performance report
- Considered periodic quality assurance reviews of regulatory functions.

Registration

The committee has been pleased to note the sustained improvement in timeframes for the assessment of registration applications. Careful forecasting and matching of resources to anticipated volumes have supported noticeably improved performance in the peak registration periods and renewal campaigns. With

increasing external concern about maintaining Australia's health workforce, the Committee will take an active role in monitoring registration performance, particularly as it relates to internationally qualified practitioners.

Notifications

- Regular reviewing of the notifier and practitioner engagement dashboards.
- Considered and agreed to an action plan to deal with aged notifications.
- Noted the increasing number of open matters which are before a tribunal
- Endorsed the further evolution of the notification team operating model

Monitoring and compliance

Considered the performance review of monitoring of aged restrictions.

Administrative complaints

- Regularly reviewed and scrutinised the administrative complaints dashboard and agreed an annual report on complaints with insights and analysis be provided to the Board.
- Noted the commencement of the Complaint Learning Framework to support organisation-wide learning and improvement

Other

- Received presentations on the Risk assessment and control framework and next steps
- Reviewed the Committee charter.
- Agreed to an effectiveness survey of the Committee

Significant issues

There were no significant issues considered during the 2021/22 reporting period which could not be handled through routine Committee procedures.

Looking ahead

The Committee has highlighted the following key areas:

- Continued focus on reducing the number of aged notifications
- Monitoring administrative complaints and opportunities for learning and improvement
- Implementation of commitments following the *Independent review of the regulation of medical practitioners who perform cosmetic surgery*
- The risks, benefits and impacts for performance as Ahpra implements the Transformation Program will be an area of specific focus for the Committee in the coming year(s). Particularly around two core functions of registration and notifications.