

Submission

Draft Data strategy

Thank you for inviting the Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG) to make a submission to Australian Health Practitioner Regulation Agency (Ahpra) and the National Boards on the Draft Data strategy consultation (Draft Strategy).

RANZCOG is the lead standards body in women's health in Australia and New Zealand, with responsibility for postgraduate education, accreditation, recertification and the continuing professional development of practitioners in women's health, including both specialist obstetricians and gynaecologists, and GP obstetricians.

Background

National Registration and Accreditation Scheme (National Scheme) was established with the aim to centralise collection, management and availability of comprehensive national data about registered health practitioners, students, and graduates. The data collected under the National Scheme are unique and assists the Ahpra & the National Boards to perform their regulatory functions under the Health Practitioner Regulation National Law (the National Law), as in force in each state and territory.ⁱ

As majority of the data collected are personal information about individual practitioners and notifiers; thus, sensitive in nature, evokes a number of legal and ethical obligations on the part of Ahpra, to adhere to strict privacy and confidentiality obligations when sharing the information publicly. The Draft Strategy enumerates the current and projected data related activity of Ahpra including the public register and data to be available to external groups and stakeholders. Thus, RANZCOG would like to provide the following specific feedback to Ahpra for consideration.

Specific Feedback

Focus area 1: The public register

The public register includes current registration information and active restrictions. Nevertheless, it excludes previous registration or restriction information.ⁱⁱ Therefore, RANZCOG is of the view that it is important to strike a balance between the information that is 'reasonable' to be shared in public domain for the protection and in the interest of public to make informed choices, with the privacy, confidentiality, and unreasonable prejudice on the part of practitioners.

The Draft Strategy proposes to include additional information in the Public Register, such as additional training undertaken by the practitioners, including cultural safety training and history of disciplinary action taken against them. Thus, RANZCOG would like to flag the following points in light of the proposed additions.

In RANZCOG's view, it is unclear whether the disciplinary action on the public register (i.e. maintaining historical notifications on the public domain) is indefinite or if there is a set time frame/ duration after which the information will not be privy to the general public.

In addition, RANZCOG proposes that the consumer comments should not be made available to the public on the public register. RANZCOG notes that publicising the consumer comments may present a risk of abuse, by both vindictive persons and manipulative health practitioners.

Furthermore, RANZCOG feels that the listing of historical actions should also not be available to the general public as once the 'action' is complete, the retribution for the offence is served. Moreover, the practitioner is obliged to declare these events on various legal documents with remedies, if this is not honestly performed. Nevertheless, RANZCOG notes that listing of historical actions should be made available to the court, in a court proceeding for full disclosure. (but not before to solicitors seeking settlement, as it would prejudice the subsequent process).

RANZCOG acknowledges with thanks, the contribution of [REDACTED] for this submission.

Yours sincerely,

[REDACTED]

Dr Benjamin Bopp
President

References

ⁱ Ahpra & National Boards. Public consultation on a draft Data strategy. November 2022. Available at: <https://www.ahpra.gov.au/News/Consultations.aspx>

ⁱⁱ Ibid, p8.