



## Information guide - for appointment to a State and Territory Registration and Notifications Committees of the Dental Board of Australia

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March 2017

### Information for community and practitioner member applicants

This information package includes:

- information about the role of committee members under the Health Practitioner Regulation National Law as in force in each state and territory (the National Law)
- selection criteria
- selection process
- remuneration information, if application is successful, and
- relevant sections of the National Law (Appendix 1).

Please also refer to the application documents:

- application form with Privacy Statement to be signed
- private interests declaration form, and
- national criminal history check consent form.

**Closing date: Monday 24 April 2017**

## Information for potential applicants

Applications are sought from suitably qualified and experienced health practitioners and community members interested in being appointed, as a committee member to a state or territory Registration and Notifications Committees of the Dental Board of Australia under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

To be eligible for a community member vacancy you must **not** at any time have been registered as a health practitioner in the health profession for which the National Board is established.

The National Law provides for a National Board to establish a committee to exercise its functions in the jurisdiction in a way that provides an effective and timely local response to health practitioners and other persons in the jurisdiction. Some National Boards have state, territory or regional boards in each jurisdiction; some have state boards and multi-jurisdictional regional boards; and others do not have state or territory boards. However the Dental Board of Australia has established Registration and Notifications Committees (RNC) in each jurisdiction.

The RNCs make individual registration and notification decisions, based on national policies and standards set by the relevant National Board. The National Board delegates the necessary powers to these committees.

## Current vacancies

### Registration and Notifications Committee member vacancies

For this recruitment round, there are multiple committee member vacancies arising across eight jurisdictions: Australian Capital Territory, New South Wales, Northern Territory, Queensland, South Australia, Tasmania, Victoria and Western Australia. The application form provides information of the relevant jurisdiction however vacancies exist for practitioner members and community members.

## Background

The Registration and Notification Committee (RNC) is established by the Dental Board of Australia (the Board) pursuant to Schedule 4, clause 11 of the Health Practitioner Regulation National Law Act as in force in each state and territory (the National Law) to exercise any functions or powers delegated to the RNC under section 37 of this National Law.

The RNC has been established to decide applications for registration and to assist the Board in relation to the assessment and processing of complex applications such as those via grand parenting registrations or supervisory arrangements and other tasks, as required. The RNC is also responsible for assessing all notifications regarding dental practitioners. The RNC decides whether or not to investigate individual matters and whether to refer them to other agencies. Where the RNC decides to investigate a matter further, it defines the issues of concern and develops a strategy for the investigation, including whether a performance and/or health assessment is indicated.

The Dental Board of Australia has state and territory Registration and Notification and Immediate Action Committees.

## Understanding the National Registration and Accreditation Scheme (NRAS)

1. The Board and any of its Committees function under the National Law. The object of this Law is to establish a national registration and accreditation scheme for:
  - 1.1 The regulation of health practitioners.
  - 1.2 The registration of students undertaking:
    - 1.2.1 programs of study that provide a qualification for registration in a health profession; or
    - 1.2.2 clinical training in a health profession.
- 2 The objectives of the national registration and accreditation scheme are:

- 2.1.1 To provide for the protection of the public by ensuring that only health practitioners who are suitably trained and qualified to practice in a competent and ethical manner are registered.
  - 2.2 To facilitate workforce mobility across Australia by reducing the administrative burden for health practitioners wishing to move between participating jurisdictions or to practise in more than one participating jurisdiction.
  - 2.3 To facilitate the provision of high quality education and training of health practitioners.
  - 2.4 To facilitate the rigorous and responsive assessment of overseas-trained health practitioners.
  - 2.5 To enable the continuous development of a flexible, responsive and sustainable Australian health workforce and to enable innovation in the education of, and service delivery by, health practitioners.
- 3 The guiding principles of the national registration and accreditation scheme are as follows:
- 3.1 The scheme is to operate in a transparent, accountable, efficient, effective and fair way.
  - 3.2 Fees required to be paid under the scheme are to be reasonable having regard to the efficient and effective operation of the scheme.
  - 3.3 Restrictions on the practice of a health profession are to be imposed under the scheme only if it is necessary to ensure health services are provided safely and are of an appropriate quality.

## Roles of AHPRA and National Boards

### Australian Health Practitioner Regulation Agency

National Boards are supported by the Australian Health Practitioner Regulation Agency (AHPRA). AHPRA has a national office based in Melbourne and offices in each state and territory.

AHPRA provides the administrative and policy support to the national, state and territory boards and committees. Further information is available on the [AHPRA website](#).

Potential applicants may be interested in accessing the AHPRA and National Board Annual Reports from AHPRA's [publications page](#).

### National Boards

There are 14 National Boards established under the National Law to regulate the corresponding health professions:

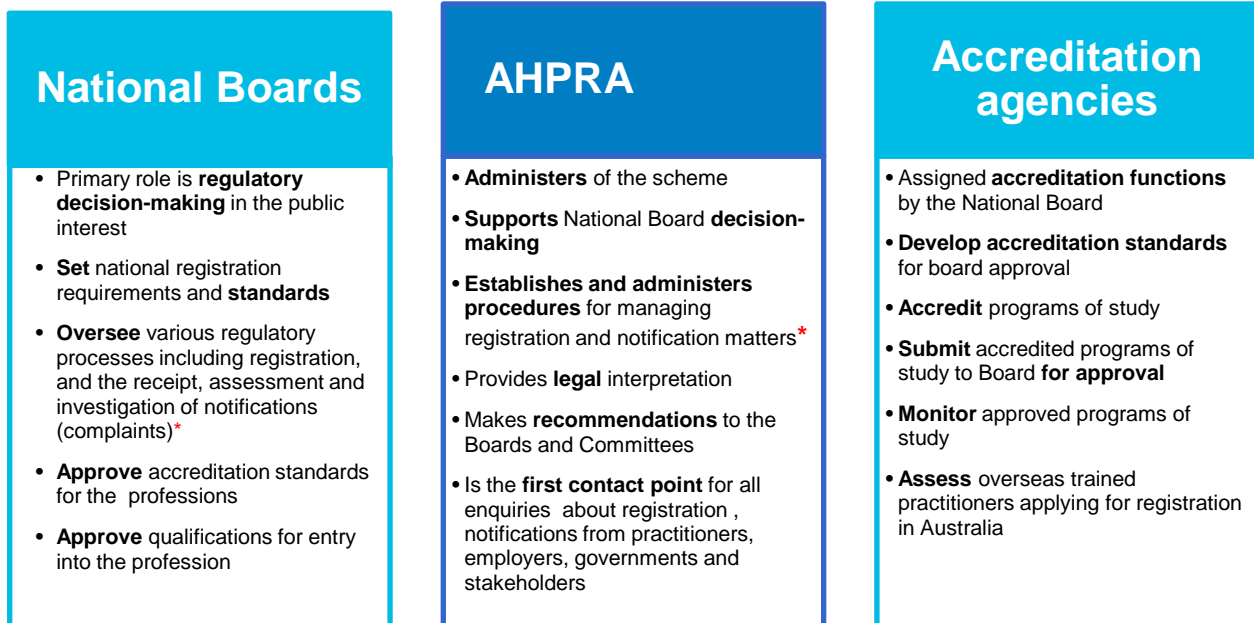
- Aboriginal and Torres Strait Islander Health Practice Board of Australia
- Chinese Medicine Board of Australia
- Chiropractic Board of Australia
- Dental Board of Australia
- Medical Board of Australia
- Medical Radiation Practice Board of Australia
- Nursing and Midwifery Board of Australia
- Occupational Therapy 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.

Applicants are encouraged to visit the [National Board websites](#). National Boards publish communiqués which provide an overview of the work of the board and current issues under consideration.

Part 5 and Schedule 4 of the National Law set out the provisions relating to National Boards. The functions of a National Board include:

- registering practitioners and students in the relevant health profession
- developing standards, codes and guidelines for the relevant health profession
- overseeing receipt, assessment and investigation of notifications and complaints
- where necessary, conducting panel hearings and referring serious matters to tribunal hearings
- overseeing assessment of overseas trained practitioners who wish to practise in Australia, and
- approving accreditation standards submitted by an **accreditation authority** and approving accredited programs of study as providing qualifications for registration.

### Who does what? Working together



- \*except in **NSW** which has a co-regulatory arrangement in relation to management of notifications and in **Queensland** where AHPRA manages less-serious matters
- AHPRA and National Boards – Health Professions Agreement, AHPRA contract with accreditation agencies

### Appointment of committee members

#### Term of appointment

Appointments are for up to three years, with eligibility for reappointment.

#### Role and responsibilities of committee members

Committee members are required to act within the powers and functions set out in the National Law.

Under the National Law, members are required to act impartially and in the public interest in the exercise of their functions and put the public interest before the interests of particular health practitioners or any entity that represents health practitioners.

#### Commitment required of committee members

Committee members should be able to give an active commitment to the regulatory work of the board. Commitment as a RNC member will often take around **one or two** full days per month (larger jurisdictions), in addition to travel time to and from the meetings.

Committee members will be required to attend different types of meetings, including:

- Immediate Action Committee (IAC) meeting – many board members are assigned to and RNC and an IAC.
- Please note, if you are assigned to an Immediate Action committee you will be given short notice to address the urgency of the matter.
- The time commitment that is required of a board member also requires them to read large amounts of materials. In some circumstances it may be a pack of about 1000 pages to read in the week before the meeting.
- additional board meetings, via teleconference, when additional matters need to be considered or urgent decisions need to be made

Committee members receive access AHPRA's secure information sharing platform to manage meetings, access board papers and view board member resources and policies.

Committee members are expected, as far as practical, to attend all meetings, including teleconferences and video conferences. An agenda and board papers are provided prior to each meeting.

In the event that a committee member cannot attend a meeting, they are required to request leave of absence from the Committee Chair prior to the meeting. In the unlikely event that a committee member is absent without being granted leave by the Committee for three or more consecutive meetings, the office of the Committee member may be declared vacant, in accordance with schedule 4, clause 4(1)(d) of the National Law.

### **Membership of other organisations or professional bodies**

Many applicants are members of professional organisations which are relevant to their practice, and/or their employment and professional interests.

Some applicants may be appointed to the executive, a committee, or a board of professional organisations or decision-making bodies that represents the interests of a profession or a consumer group, and may from time-to-time, express a view on the work of the board or the National Scheme.

Although the National Law does not preclude a person being currently appointed to both a national board and the executive, committee or board of a professional organisation, this type of dual appointment can often give rise to **real or perceived** conflicts of interest between meeting your responsibilities to the organisation and ensuring you administer your regulatory obligations as a national board member. Before you apply, you may wish to consider whether this type of conflict of interest is manageable over a term of appointment that can be for up to three years on a committee. Please note that if you are unsure about your situation it is always best to declare the conflict to the Chair of the Committee. If the Chair has concerns at time of disclosure with regards to the real or perceived conflict, the matter may be escalated to the Chair of the National Board.

You will be asked to identify these types of appointment in your application.

### **Managing conflict of interest and bias**

The National Law includes extensive provisions in relation to conflicts of interest. Members are to comply with the conflict of interest requirements set out in Clause 8 of Schedule 4 of the National Law.

The National Boards have business rules and processes in place to record and manage real and/or perceived conflicts of interest, these processes and rules apply to the committees of the National Boards as well. The relevant Terms of Reference usually provides guidance to the scope of work and therefore is a useful instrument to refer to when meeting as an RNC.

As a rule, committee members must declare any actual and perceived conflict of interest in relation to matters to be considered at a meeting. Committee members must also exclude themselves from decision-making in relation to a matter in which they are biased, or might be perceived to be biased.

### **Statutory protections**

Under section 236 of the National Law, members of National Boards and state, territory and regional boards and committees are provided with appropriate statutory immunities for exercising their functions in good faith.

## Confidentiality

Members are required to comply with the confidentiality requirements of s.216 of the National Law. Any information that comes to a member's knowledge, in the course of, or because of the member's role is protected information and must not be disclosed or made allowed to be disclosed to another person, organisation or entity.

## Eligibility requirements

Section 34 of the National Law sets out the eligibility requirements of Board and Committee members.

### Community member

To be eligible for appointment under the National Law as a community member, you must **not** currently be, or have previously been, a registered health practitioner in the health profession for which the board is established.

A person is not eligible to be appointed as a committee member if the person has at any time, been found guilty of an offence (whether in a state or territory or elsewhere) that in the opinion of the National Board, renders the person unfit to hold the office of a member.

With a sound understanding of health issues and services, a **community member** will represent the views and opinions of members of the community.

A community member to be eligible for appointment for a position on an RNC, you must reside from that particular jurisdiction

### Practitioner member

To be eligible for appointment as a practitioner member, you **must** hold current registration as a health practitioner in the health profession for which the committee is established. For example, if are seeking appointment to the Victorian Registration and Notifications Committee of the Dental Board of Australia you must be a registered dental practitioner. There are also statutory requirements for interested practitioners to be from specific jurisdictions.

### Other information for community and practitioner members

Applicants are asked to complete a criminal history consent form to enable AHPRA to conduct a criminal history check. A criminal history check will be done on all shortlisted candidates.

## Committee member skills, experience and attributes

In accordance with the National Law, in deciding whether to appoint a person as a Chair or member of a committee, the National Board must have regard to the skills and experience of the person that are relevant to the Committee's functions.

It is considered that a **practitioner member** will bring to the board sound experience in the health profession for which the committee is established and will have an appreciation and understanding of the role of the RNC.

It is considered that a **community member** will demonstrate a strong community connection/s and an ability to bring a public/lay perspective and voice to the regulatory work and having regard for the work of the practitioner.

## Committee member attributes

**All committee members** are expected to respond the following attributes as part of the application:

1. Why are you seeking appointment or re-appointment to the Dental Board of Australia Registration and Notifications Committee (RNC)?
2. Describe your relevant experience with regulation and in particular dealing with matters that require an assessment of facts and its application to legislation.
3. How do you display integrity in the work you do?

4. Provide an example within your work context where you are required to think critically to come to a decision.
5. Describing your strongest skills and knowledge; how do you apply your expertise?
6. What is your style of communication and how do you achieve consensus on a decision within a team?
7. Provide an example where you were required to interpret legislation and make a decision or demonstrate your understanding of the National Law in regards to regulatory decisions.
8. What can you contribute to in collaborating in the interests of the National Scheme

**Community member applicants** are asked to address this additional attribute:

1. **Strong community connection:** can demonstrate a strong community connection/s and an ability to bring a public/lay perspective and voice to the regulatory work of Registration and Notifications Committee of the Dental Board of Australia.

### Interested in being a Chair?

At this time under the Health Practitioner Regulation National Board, only eligible practitioners can be appointed **the role of Chair**. Where a Chair role becomes available due to an outgoing practitioner member, then the process for filling this role will be decided once all practitioner member vacancies are filled. Should you be interested in serving in the capacity of Chair, in addition to the attributes above, you must address the following attributes below:

1. **Demonstrates leadership:** is confident, decisive and acts without fear or favour, is at the forefront of professional regulation, drives reform and facilitates change.
2. **Engages externally:** is the spokesperson for the Board and advocate for the Scheme, defines the nature and tone of engagement, builds and sustains stakeholder relationships.
3. **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

### Selection process

AHPRA facilitates the selection process. A selection advisory panel may be convened as part of this process to provide advice on the proposed candidates for appointment. The selection advisory panel (SAP) will make a recommendation to the National Board.

Shortlisted candidates may be interviewed or otherwise assessed to ensure that they have the necessary qualifications, skills and experience for the position.

Shortlisted candidates will undergo probity checks, which include:

- a national criminal history check, processed by Statutory Appointments
- an Australian Securities and Investments Commission (ASIC) disqualification register check
- a National Personal Insolvency Index check conducted through the Australian Financial Security Authority (AFSA), and
- in the case of a practitioner member applicant, a check of the national register and AHPRA's database will be undertaken to ensure that the practitioner is of good standing.

A signed declaration of private interests form must be submitted upon application.

### Referee reports

Reference checking may be conducted and information obtained for shortlisted candidates. Applicants are asked to nominate three referees who can support the application relevant to the committee member attributes and duties of the position.

Applicants are advised to show consideration in selecting referees who can provide a balanced reflection of the applicants' professional attributes. Please note that current members of State, Territory and

Regional Boards and their committees, AHPRA staff or current RNC members and other applicants who are applying to a vacant role **will be considered unsuitable as referees due to conflict of interest.**

Referees must be advised in advance that they may be contacted by AHPRA staff. In most instances only two referees will be contacted; however there may be occasion where additional references are required.

Please refer to the application form for detailed instructions on submitting your full application.

## Remuneration

The remuneration for members of a national or state, territory or regional board is determined by the Ministerial Council in accordance with the National Law. Remuneration is usually adjusted on an annual basis according to the consumer price index and applies to members who take up office on the RNC.

The current remuneration (daily sitting fee) is as follows:

Role	Attendance	Extra travel time	
	(Fee includes preparation and up to 4 hours travel time)	Between 4 – 8 hours	Over 8 hours
	Daily sitting fee (more than 4 hours in a day)		
Chair	\$638	\$319	\$638
Other board/Committee members	\$523	\$262	\$523

Business rules for the payment of sitting fees and expenses are set by AHPRA.

As a general guide, the daily fee applies for committee member attendance in person or by telephone at a scheduled board meeting. The daily fee includes meeting preparation time for the scheduled board meeting and up to four hours of travel time. For meetings of a shorter duration (less than four hours), half the daily fee is payable.

Under the *Superannuation Guarantee (Administration) Act 1992* committee members are eligible to receive contributions at 9.5% of total annual remuneration to a chosen superannuation fund, payable when more than \$450 in fees are paid in a calendar month.

Also note that payment must be made to the member and not through a company account or private business. More information will be provided on successful appointment.

## Expenses

Committee members are entitled to reimbursement of any reasonable out-of-pocket expenses incurred during the course of undertaking board business.

More information on allowances and the process of payments and claims will be provided if you are appointed.

## Government or statutory employees

AHPRA recognises that government and statutory employees may be bound by their employer policy regarding payment for employment undertaken outside of the employer which may alter the way board members are paid.

AHPRA recommends potential applicants consult with their employer prior to applying to ensure a written acknowledgement of permission (on the organisation's letterhead) from your employer can be arranged, should you be successful. This requirement is the responsibility of the prospective committee member/applicant. To mitigate any conflict of interests, consultants and contractors should declare if they are employed or if they provide a service to a public entity.



AHPRA kindly asks that government or statutory employees advise AHPRA accordingly upon application. Information regarding the administration of payment is available on request.

### **Staffing to support the Committee**

Administrative support is to be provided by the Executive Officer and other relevant staff of AHPRA.

## Appendix 1: Extract of relevant provisions from the National Law

### 3 Objectives and guiding principles

- (1) The object of this Law is to establish a national registration and accreditation scheme for:
  - (a) the regulation of health practitioners; and
  - (b) the registration of students undertaking:
    - (i) programs of study that provide a qualification for registration in a health profession; or
    - (ii) clinical training in a health profession.
- (2) The objectives of the national registration and accreditation scheme are:
  - (a) to provide for the protection 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; and
  - (b) to facilitate workforce mobility across Australia by reducing the administrative burden for health practitioners wishing to move between participating jurisdictions or to practise in more than one participating jurisdiction; and
  - (c) to facilitate the provision of high quality education and training of health practitioners; and
  - (d) to facilitate the rigorous and responsive assessment of overseas- trained health practitioners; and
  - (e) to facilitate access to services provided by health practitioners in accordance with the public interest; and
  - (f) to enable the continuous development of a flexible, responsive and sustainable Australian health workforce and to enable innovation in the education of, and service delivery by, health practitioners.
- (3) The guiding principles of the national registration and accreditation scheme are as follows:
  - (a) the scheme is to operate in a transparent, accountable, efficient, effective and fair way;
  - (b) fees required to be paid under the scheme are to be reasonable having regard to the efficient and effective operation of the scheme;
  - (c) restrictions on the practice of a health profession are to be imposed under the scheme only if it is necessary to ensure health services are provided safely and are of an appropriate quality.