



Aboriginal and Torres Strait  
Islander Health Practice  
Chinese Medicine  
Chiropractic  
Dental  
Medical  
Medical Radiation Practice  
Nursing and Midwifery  
Occupational Therapy  
Optometry  
Osteopathy  
Pharmacy  
Physiotherapy  
Podiatry  
Psychology

Australian Health Practitioner Regulation Agency

## Information Guide - for appointment to a state or territory board of the Nursing and Midwifery Board of Australia

December 2018

### Information for practitioner and community member applicants

This information package provides information about:

- the role of board members under the Health Practitioner Regulation National Law as in force in each state and territory (the National Law)
- selection criteria
- the selection process
- sitting fees and remuneration for appointed members, and
- relevant sections of the National Law.

#### Information for applicants

Applications are sought from suitably qualified and experienced nurses, midwives and community members interested in being appointed as a member of a state and territory board of the Nursing and Midwifery Board of Australia (NMBA/National Board).

All state and territory board appointments are made by the respective Minister for Health in each jurisdiction under Section 36 of the Health Practitioner Regulation National Law (the National Law).

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

#### Current vacancies

The advertised vacancies are outlined below:

State Board	Member vacancies advertised	
	Community	Practitioner
New South Wales Board of the NMBA	No vacancies	1 vacancy*
Queensland Board of the NMBA	1 vacancy	1 vacancy
Tasmanian Board of the NMBA	No vacancies	1 vacancy*
Victorian Board of the NMBA	No vacancies	4 vacancies*

\*Includes a Chair vacancy

#### Australian Health Practitioner Regulation Agency (AHPRA)

AHPRA works in partnership with the National Boards to manage the registration of, and notifications about health practitioners and students across Australia. AHPRA has a national office based in Melbourne and offices in every state and territory to support local boards and committees.

## **National Boards**

The primary role of the National Boards is to protect the public particularly through setting standards, codes and guidelines to guide the relevant profession/s practice.

The following 15 National Boards regulate the corresponding health professions under the National Law:

- 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
- Paramedicine Board of Australia
- Pharmacy Board of Australia
- Physiotherapy Board of Australia
- Podiatry Board of Australia
- Psychology Board of Australia

Further information is available on the [AHPRA website](#) (which also links to each of the National Board websites). We encourage applications to read the annual reports of AHPRA and the National Boards from AHPRA's [Corporate Publications Page](#).

## **Functions of the state, territory and regional boards**

The National Law provides that a National Board may establish state, territory and regional boards 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 multi-jurisdictional regional boards and others do not have any state or territory boards.

The state, territory and regional boards make registration and notification decisions about individual practitioners, based on national policies and standards set by the relevant National Board. The National Board delegates the necessary decision making powers to the state, territory and/or regional boards.

## **What is involved in being a state or territory board member?**

The time commitment required of a state, territory and regional board member will vary but may be at least one to two days per month, in addition to travel time to and from the meetings.

Board members may be required to attend different types of meetings, such as registration, notifications and/or immediate action committee meetings.

In preparation for board meetings, members are usually required to read a substantial amount of material in the week prior to the meeting. Board meetings may be either face to face or via teleconference. Participation at conferences or planning days may also be required.

As the time commitment varies for each jurisdiction, you will be provided with more detail about the specific requirements of the board in your jurisdiction should you be interviewed by a selection advisory panel.

## **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.

The National Law does not preclude a person being appointed to both a state/territory/regional board and the executive, committee or a board of a professional organisation. However, this type of dual

appointment may give rise to a **real or perceived** conflict of interest between meeting your responsibilities to the organisation and your regulatory obligations as a member of an independent board.

Before you submit your application, you should consider whether this type of conflict of interest is manageable over the term of the appointment. If you are unsure about your situation, please ensure that you declare it in the *Declaration of Private Interests* section of the application form.

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

The National Law includes extensive provisions in relation to conflicts of interest. Members must 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. As a general rule, board members must declare any actual and possible conflict of interest in relation to matters to be considered at a meeting. Board 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, state, territory and regional boards are provided with appropriate statutory immunities for exercising their functions in good faith.

### **Confidentiality**

Members are required to comply with the confidentiality requirements of section 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**

#### **Practitioner member**

To be eligible for appointment as a practitioner member in a particular jurisdiction, it is expected that you would be residing and practising in that jurisdiction.

#### **Community member**

Community members provide important community perspectives regarding health issues and health services. 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.

For a community member to be eligible for appointment for a position on a specific state or territory board, you must reside in that particular jurisdiction.

#### **Other information**

A person is not eligible to be appointed as a member of a state, territory or regional board if:

- a practitioner has ceased to be registered as a health practitioner in the health profession for which the board is established, whether before or after commencement of the National Law, as a result of the person's misconduct, impairment, or incompetence, or
- at any time, been found guilty of an offence (whether in a state or territory or elsewhere) that in the opinion of the respective Minister for Health, renders the person unfit to hold the office of member.

Applicants are required to complete a *Nationally Coordinated Criminal History Check Application and Informed Consent Form* to enable AHPRA to conduct a criminal history check. A criminal history check will be completed on all shortlisted candidates.

## Board 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 board, the Minister must have regard to the skills and experience of the person that are relevant to the board's functions.

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

### Board member attributes

Board members are expected to demonstrate the following attributes:

1. **Displays integrity:** is ethical, committed, diligent, prepared, organised, professional, principles-based and respectful; values diversity; and shows courage and independence.
2. **Thinks critically:** is objective, impartial, uses logical and analytical processes, distils the core of complex issues and weighs up options.
3. **Applies expertise:** actively applies relevant knowledge, skills and experience to contribute to decision-making.
4. **Communicates constructively:** is articulate, persuasive, diplomatic, self-aware and reflects on personal impact and effectiveness, listens and responds constructively to contributions from others.
5. **Focuses strategically:** takes a broad perspective, can see the big picture and considers long term impacts.
6. **Collaborates in the interests of the scheme:** is a team player, flexible, cooperative and creates partnerships within and between Boards and AHPRA.

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

7. **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 state, territory or regional boards.

**Chair applicants** are asked to address the following attributes:

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:** where required, is the spokesperson for the National Board and advocate for the National 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 on behalf of the jurisdictional Minister for Health, who makes the appointment to the board.

A Selection Advisory Panel (SAP) will be convened to consider applications and provide advice on the proposed candidates for appointment. The SAP usually includes three people - a nominee of the Minister, the National Board and AHPRA.

To progress to the next stage of the process, you will be required to complete a *Nationally Coordinated Criminal History Check (NCHC) Application and Informed Consent Form* and complete the *Declaration of Private Interests* section of the application form. Applicants must attach to the online NCHC application form four documents to confirm your identity:

- one commencement form to confirm your birth or arrival in Australia
- one primary and two secondary documents to show the use of your identity in the community

- the commencement and primary documents provided must include a photograph of you or a certified passport-style photograph must be provided

Shortlisted candidates will undergo probity checks including:

- a national criminal history check
- 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 applicant, a check of the national register will be undertaken to ensure that the practitioner is of good standing.

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

### Reference checks for shortlisted candidates

Reference checks for shortlisted candidates may be conducted. Applicants are asked to nominate three referees who can support their application relevant to the professional requirements of board member attributes.

Please note that current members of national, state, territory and regional boards and their committees, AHPRA staff and other applicants may be considered unsuitable as referees due to a potential or actual conflict of interest.

Referees must be advised in advance that they may be contacted by AHPRA staff.

### Remuneration

The remuneration for members of a 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.

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

Role	Half day sitting fee (Less than 4 hours)	Full day sitting fee (More than 4 hours)	Extra travel time	
	Fees <b>include</b> preparation and up to 4 hours travel time		Between 4-8 hours	Over 8 hours
Board Chair	\$402	\$804	\$402	\$804
Board/ Committee and Panel members	\$329	\$658	\$329	\$658

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

As a general guide, the daily fee applies for board 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* Board 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.

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**

Board 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 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 your application be successful. This requirement is the responsibility of the prospective board member/applicant.

## **Communication with applicants about campaigns**

The appointment processes for state, territory or regional boards can take months to finalise and AHPRA will endeavour to keep applicants up to date with the general progress of campaigns at regular intervals. Communications will be facilitated by email via the online recruitment portal PageUp. At the conclusion of the campaigns, all applicants will be advised via email of the outcome of their application.