

Terms of Reference

June 2020

Dental Board of Australia Immediate Action Committee

1. Purpose

The Immediate Action Committee (the Committee) is established by the Dental Board of Australia (the Board) under 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 Committee under section 37 of the National Law.

2. Functions

The function of the Committee is to exercise the Board's powers of immediate action under the National Law.

The Committee may exercise any power properly delegated to it by the Board under section 37 of the National Law. These delegations are described in the Board's Instrument of Delegation.

The Committee is to report to the Board in a frequency and manner specified by the Board.

3. Membership of the panel Committee

All members of the panel Committee will be appointed by the Board. The membership of the Committee will initially be drawn from existing Registration and Notification Committees.

The membership of the Committee will include at least three community members.

Up to three members of the Committee will be nominally appointed to act as a Chair of a convened meeting. The Chair may be a community member or practitioner member.

All members will be appointed to the Committee for their full term as a committee member on their Registration and Notifications Committees, unless otherwise expressly determined by the Board at the time of appointment.

4. Quorum for a meeting

For the purposes of convening a meeting to consider a particular matter or matters, when the Committee meets to consider a matter or matters, the quorum will be three members including:

- At least two health practitioner members
- At least one Community member

5. Chair of a meeting

For the purposes of convening a meeting to consider a matter or matters, one of the three nominally appointed Chairs of the Committee will be selected to chair meetings. The Chair will be selected by Ahpra's regulatory secretariat (the Secretariat) function in consultation with the National Immediate Action Team where necessary.

The Chair may be a community member or practitioner member.

6. Defects in appointment of members

A decision of the Committee is not invalidated by any defect or irregularity in the appointment of any member (or acting member) of the Committee.

7. Meetings and procedures

The Committee will meet in a timely manner upon advice of the receipt of a notification, or information that requires a determination as to whether immediate action is required to protect the public.

The Chair, in consultation with the Secretariat, will determine the most appropriate medium for the Committee to meet.

8. Voting

A decision of the Committee shall be agreed by the majority of Committee members.

9. Public interest

Members are to act impartially and in the public interest in the exercise of a member's functions. A member of the Committee is to put the public interest before the interests of particular health practitioners or any entity that represents health practitioners, as set out in Schedule 4, clause 7 of the National Law and corresponding Board policies and procedures.

10. Conflict of interest

Members of the Committee are to comply with the conflict of interest requirements set out in Schedule 4, clause 8 of the National Law and corresponding Board policies and procedures.

11. Support

Operational support and advice is to be provided by Ahpra's National Immediate Action Team

Secretariat support for the Committee will be provided by Ahpra's Board Services team.

12. Review

The Board will review these terms of references every three years or as necessary.