



Evaluation snapshot:

Advertising compliance and enforcement strategy for the National Scheme

November 2020

The [Advertising compliance and enforcement strategy for the National Scheme](#) (the strategy) was launched in April 2017 to support improved compliance by advertisers with the National Law's¹ advertising requirements through a risk-based enforcement and educative approach.

The strategy was evaluated in late 2019 to understand its effectiveness on advertising compliance and whether the strategy's objectives had been met.

The strategy recognises that most advertisers want to comply with the advertising requirements of the National Law. Ahpra and the National Boards aim to make compliance with advertising requirements as easy as possible.

Aims of the strategy

1.

Support a risk-based approach to managing advertising complaints, allowing more resources to be focused on higher-risk matters.

2.

Develop a sustainable approach to managing advertising complaints, including improved timeliness and efficiency.

Use enforcement tools available under the National Law for advertising complaints about registered health practitioners.

3.

Encourage education and engagement as a preventive approach to advertising breaches.

4.

Information to inform the evaluation

The evaluation collected data from the following sources:

- surveys of:
 - registered health practitioners who had been the subject of an advertising complaint
 - professional associations
- interviews with Ahpra staff and professional associations
- analysis of internal data and website analytics, and
- other information, including feedback from consultation on the *Guidelines for advertising a regulated health service* and the pilot proactive advertising declaration audits for the chiropractic and dental professions.

This information informed the following key findings and actions to improve the strategy.

¹ Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

Key findings

All of the major activities of the strategy were completed, including:

- developing the Ahpra advertising webpage and education materials
- engaging key stakeholders through an advertising forum and ongoing communication
- establishing the Advertising Compliance team, and
- implementing a risk-based approach to triage and manage advertising complaints.

While initial data suggested that compliance with advertising obligations varies between professions, the evaluation identified opportunities to strengthen our understanding of compliance attitudes and generate data on the rate of advertising and rate of compliance within professions.

The evaluation also found that, for low and medium risk matters, all advertisers became compliant in response to our engagement without the need to impose conditions on registration.

Actions to improve the strategy

- 1. Develop a new model for evaluating the strategy, including aligning with the National Scheme Strategy 2020–2025.**
- 2. Refine the strategy to include a proactive audit of declarations made by practitioners at renewal of registration that they meet the advertising requirements. This will generate data on the level of compliance with advertising requirements within professions and enable further work to target specific areas of non-compliance and focus on higher-risk issues.**
- 3. Further refine the strategy's risk-based approach to create capacity to focus on general compliance and higher-risk issues.**
- 4. Develop more profession-specific, evidence-based and user-tested resources to target the types of non-compliance most common in each profession, including providing resources in different media.**
- 5. Apply behaviourally informed approaches to our interactions with advertisers, including how to increase rates of compliance in response to our initial letters and exploring whether there is value in carrying out further work to understand advertisers' attitudes to compliance, to inform more targeted communication approaches and resources.**
- 6. Work with organisations that provide advertising advice and services, to ensure they are aware of advertisers' obligations and the resources they can use to support their clients' compliance.**
- 7. Strengthen our risk-based approach by focusing our compliance and enforcement action on testimonials which involve greater risk to the public.**