

Regulatory Performance Committee Annual Report 2022/23

Introduction from the Chair

The Regulatory Performance Committee (the Committee) provides an important forum for Ahpra to work in partnership with National Boards to support development of new ways of working and improve the efficiency and effectiveness of our regulatory work.

Throughout the year the Committee considered quarterly regulatory performance reports as well as several quality assurance reports of regulatory functions. These quality reviews provided a comprehensive overview and analysis of compliance with approved policy and process and specific aspects of our regulatory performance.

The Committee is pleased that one year on from the changes implemented following *Operation Reset*, coupled with the continued calibration of work implementing the risk assessment framework, there is continued improvement in regulatory performance. The Committee also heard how the important work of the Expert Advisory Group on practitioner stress and distress has and will continue to inform how we manage notifications in the future.

In preparation for the first release of the Transformation Program, members regularly received and discussed updates on likely impacts the release would have on regulatory performance. Although a system 'go-live' date is yet to be confirmed, the Committee notes the expected significant benefits to be realised from the implementation and that this will be a key focus of the Committee in 2023/24.

The Committee has been actively engaged with monitoring regulatory performance within the cosmetic surgery space including implementation of recommendations of the *Independent review of the regulation of medical practitioners who perform cosmetic surgery*. In 2023/24, while the Committee will still monitor this work, it will also expand its focus on the developing activities on strengthening regulation in the non-surgical cosmetic procedure sector.

Finally, in December 2022, following the Committee's endorsement, the Ahpra Board agreed to amend the Committee's charter to include an independent/external member with significant understanding of regulatory systems, subsequently appointing Mr Andrew Brown, former Queensland Health Ombudsman to the position. In addition, Ms Richelle McCausland, National Health Practitioner Ombudsman and Privacy Commissioner is now a regular observer at Committee meetings and brings a strengthened connection between Ahpra's regulatory performance and the work of her office.

Thank you to Committee members and Ahpra staff for their contribution to the important work of the Committee.

Dr Susan Young, Chair, Regulatory Performance Committee

Role of the Committee

The Regulatory Performance Committee is a committee of the Ahpra Board. The Committee has been established to provide advice and oversight in the following areas:

- strategic regulatory operational policy informed by Ahpra and the National Boards
- risk settings and management, including mitigation strategies and triggers for action and escalation
- regulatory performance and strategies to address policy and performance issues
- regulatory performance reporting to National Boards and external stakeholders.

Functions and responsibilities of the Committee

The Committee's functions are to:

- oversee Ahpra's management of regulatory performance, including registration, notifications and compliance matters
- provide advice on regulatory performance measures and Key Performance Indicators on timeliness, cost and quality
- review Ahpra's quarterly performance reports for registration, notifications and compliance and provide advice to the Board and National Boards on regulatory performance
- provide a forum for discussion, review and advice on significant issues of regulatory operational policy.

Powers of the Committee

The Committee has no formal delegated power from the Board. The Committee functions in an oversight and review role and makes recommendations to the Board.

Membership

Membership is appointed by the Board and consists of:

- up to four members of the Board
- at least five chairs of National Boards (including the high-volume Boards and one lower volume Board),
- a community member of a National Board
- an independent member

The Committee may also invite the National Health Practitioner Ombudsman to attend meetings.

In addition, meetings were attended by:

- Ahpra CEO
- Ahpra Executive Director, Regulatory Operations
- Ahpra senior management, as and when required.

Name	Membership status during 2022/23
Dr Susan Young - Chair	Agency Board – July 2022 to June 2023
Emeritus Professor Arie Freiberg AM	Ahpra Board – July 2022 to June 2023
Dr Anne Tonkin AO	Chair, Medical Board of Australia – July 2022 to June 2023
Adj Assoc Professor Veronica Casey AM	Chair, Nursing and Midwifery Board of Australia – July 2022 to June 2023
Ms Kim Gibson	Chair, Physiotherapy Board of Australia – July 2022 to June 2023
Ms Rachel Philips	Chair, Psychology Board of Australia – July 2022 to June 2023
Mr Brett Simmonds	Chair, Pharmacy Board of Australia – July 2022 to June 2023

Dr Murray Thomas	Chair, Dental Board of Australia – July 2022 to June 2023
Ms Tiina-Liisa Sexton	Community Member, Paramedicine Board of Australia – July 2022 to June 2023
Mr Andrew Brown	Independent member – May 2023 to June 2023

Meetings

The Committee held four scheduled meetings in 2022/23

Meeting dates	Attendance
4 August 2022	Dr Susan Young (<i>Chair</i>), Dr Murray Thomas, Mr Brett Simmonds, Ms Kim Gibson, Ms Rachel Phillips, Dr Anne Tonkin AO, Adj Assoc Professor Veronica Casey AM, Ms Tiina-Liisa Sexton, Emeritus Professor Arie Freiberg AM, Ms Jenny Taing OAM, Mr Martin Fletcher, Ms Kym Ayscough, Mr Matthew Hardy, Mr Jamie Orchard, Mr Jason McHeyzer, Ms Catherine Miedecke, Mr Paul Shinkfield, Ms Sangeetha Masilamani
3 November 2022	Mr Brett Simmonds (<i>Acting Chair</i>), Dr Murray Thomas, Ms Kim Gibson, Ms Rachel Phillips, Dr Anne Tonkin AO, Adj Assoc Professor Veronica Casey AM, Ms Tiina-Liisa Sexton, Emeritus Professor Arie Freiberg AM, Ms Jenny Taing OAM, Ms Kym Ayscough, Mr Matthew Hardy, Mr Jason McHeyzer, Mr Jamie Orchard, Mr Michael Futter, Ms Catherine Miedecke, Ms Sangeetha Masilamani
3 February 2022	Dr Susan Young (<i>Chair</i>), Dr Murray Thomas, Mr Brett Simmonds, Ms Kim Gibson, Ms Rachel Phillips, Dr Anne Tonkin AO, Adj Assoc Professor Veronica Casey AM, Ms Tiina-Liisa Sexton, Emeritus Professor Arie Freiberg AM, Mr Martin Fletcher, Ms Kym Ayscough, Mr Matthew Hardy, Mr Jason McHeyzer, Mr Jamie Orchard, Ms Helen Rays, Ms Catherine Miedecke, Ms Sangeetha Masilamani
11 May 2023	Dr Susan Young (<i>Chair</i>), Dr Murray Thomas, Mr Brett Simmonds, Ms Kim Gibson, Ms Rachel Phillips, Dr Anne Tonkin AO, Adj Assoc Professor Veronica Casey AM, Ms Tiina-Liisa Sexton, Emeritus Professor Arie Freiberg AM, Mr Andrew Brown, Mr Martin Fletcher, Ms Kym Ayscough, Mr Matthew Hardy, Mr Jason McHeyzer, Dr Jamie Orchard, Ms Catherine Miedecke, Ms Richelle McCausland, Ms Susan Biggar, Mr Peter Knapp

Reporting to the Ahpra Board and Forum of NRAS Chairs

The Committee submitted records of each meeting to the next meeting of the Board.

To strengthen linkages with all National Boards, the Chair of the Regulatory Performance Committee now provides a verbal update to the Forum of NRAS Chairs following each Committee meeting.

Committee activities for reporting period 1 July 2022 to 30 June 2023

Matters of note considered by the Committee included:

- Notifications involving cosmetic surgery and work of the Cosmetic Surgery Enforcement Unit
- Tribunal delays associated with COVID backlogs and budgetary limitations
- Continued monitoring of outcomes following Operation Reset
- Impacts of the Transformation Program on regulatory performance
- Findings of the Expert Advisory Group on practitioner distress
- Establishment of enhanced support for applicants identifying as Aboriginal or Torres Strait Islander.

Regulatory performance

- Regular scrutiny of quarterly regulatory performance reports
- Provided feedback on the revised quarterly performance report
- Considered periodic quality assurance reviews of regulatory functions.

Notifications

- Monitoring outcomes of the Notifications strategy and development of four notifications streams
- Regular reviewing of the notifier and practitioner engagement dashboards
- Monitoring the action plan to deal with aged notifications

Administrative complaints

Regularly reviewed and scrutinised the administrative complaints dashboard and agreed an annual report on complaints with insights and analysis be provided to the Board.

Other

- Received presentations on the Risk assessment and control framework and next steps
- Reviewed the Committee charter.
- Agreed to an effectiveness survey of the Committee

Significant issues

There were no significant issues considered during the 2022/23 reporting period which could not be handled through routine Committee procedures.

Looking ahead

The Committee has highlighted the following key areas:

- The first release of the Transformation Program and impacts on regulatory performance
- Increased focus on non-surgical cosmetic practices