

Public consultation

May 2022

Draft revised registration standard for specialist registration

Summary

The Podiatry Board of Australia (the Board) is consulting on a draft **revised** registration standard for specialist registration.

The current specialist registration standard and draft revised specialist registration standard set out the requirements for specialist registration for the podiatry specialty of podiatric surgery.

Making a submission

The Board is inviting comments on a draft revised *Registration standard: Specialist registration for the podiatry specialty of podiatric surgery*. There are also specific questions which you may wish to address in your response.

Please use the response template to respond to the questions. You can submit your responses to the questions by email to: podiatryconsultation@ahpra.gov.au using the subject line *Feedback on draft revised registration standard for specialist registration* by **COB 15 July 2022**. Submissions for publication on the Board's website should be sent in Word format or equivalent¹.

Publication of submissions

The Board publishes submissions at its discretion. The Board generally publishes submissions on its website to encourage discussion and inform the community and stakeholders. Please advise us if you do not want your submission published.

We will not place on our website, or make available to the public, submissions that contain offensive or defamatory comments or which are outside the scope of the subject of the consultation. Before publication, we will remove personally identifying information from submissions, including contact details.

The views expressed in the submissions are those of the individuals or organisations who submit them, and their publication does not imply any acceptance of, or agreement with, these views by the Board.

The Board accepts submissions made in confidence. These submissions will not be published on the website or elsewhere. Submissions may be confidential because they include personal experiences or other sensitive information. Any request for access to a confidential submission will be determined in accordance with the Freedom of Information Act 1982 (Cth), which has provisions designed to protect personal information and information given in confidence. Please let us know if you do not want us to publish your submission or want us to treat all or part of it as confidential.

Published submissions will include the names of the individuals and/or the organisations that made them, unless confidentiality is requested.

Next steps

After public consultation closes, the Board will consider all feedback from this consultation before finalising a proposed revised registration standard for submission to Ministerial Council for approval.

¹ You are welcome to supply a PDF file of your feedback in addition to the word (or equivalent) file, however we request that you supply a text or word file. As part of an effort to meet international website accessibility guidelines, Ahpra and National Boards are striving to publish documents in accessible formats (such as word), in addition to PDFs. More information about this is available at www.ahpra.gov.au/About-AHPRA/Accessibility.aspx.

Background

The Board has approval from the Ministerial Council for specialist registration for the podiatry specialty of podiatric surgery.

Under section 38 of the National Law² the National Boards may develop and recommend registration standards to the Ministerial Council for approval. The National Law requires National Boards to ensure there is wide-ranging consultation on the content of any proposed registration standard, code or guideline.

The Board's current registration standard for specialist registration came into effect on 24 February 2015. The current standard is due for review and in keeping with good regulatory practice the Board is reviewing the standard and has developed a draft revised standard for consultation.

Proposed changes

The Board is not proposing any substantive changes to the current requirements for specialist registration and is not proposing any additional requirements. The proposed changes are:

- primarily editorial in nature, including rewording and restructuring to improve readability, and
- clarifying the requirement to complete a minimum of two years' full-time (or equivalent) general podiatry practice in a clinical setting.

Clarifying requirement to complete a minimum of two years' full-time (or equivalent) general podiatry practice in a clinical setting

The only requirement that the current registration standard imposes in addition to the requirements for specialist registration set out in the National Law is the completion of at least two years of full-time (or equivalent) general podiatry practice in a clinical setting. This is defined in the current standard as a minimum of 35 hours per week; and practice in a clinical setting means that at least 80 per cent of work as a registered podiatrist involves direct clinical care and management of podiatric pathology.

This requirement is to ensure that practitioners have a period of maturation and exposure to general podiatry practice to consolidate their broad podiatry knowledge and clinical skills before commencing study in the specialised practice of podiatric surgery.

This requirement has not changed in the draft revised registration standard. However, the draft revised registration standard makes it clearer that the two years of full-time (or equivalent) general podiatry practice must be completed before starting a program of study that leads to a qualification for specialist registration as a podiatric surgeon.

Options

The Board has considered the following options in developing this proposal.

Option 1 – Maintain the status quo

Option 1 is to continue with the existing registration standard.

The current registration standard established the Board's requirements for specialist registration under the National Law. The Board has identified ways to improve the standard, including rewording and restructuring to improve readability, and clarifying some of the requirements such as the requirement to complete a minimum of two years' full-time (or equivalent) general podiatry practice in a clinical setting.

Option 2 – Proposed revised registration standard

Option 2 is to consult on proposed minor changes to the current registration standard. Under this option the revised registration standard would continue to set out the Board's requirements for

² Health Practitioner Regulation National Law, as in force in each state and territory

specialist registration. The revisions are mainly editorial in nature (restructuring and re-wording) to improve readability and clarifying current requirements where needed.

Preferred option

The Board prefers Option 2.

Issues for consultation

Potential benefits and costs of the proposal

The benefits of the preferred option are that the draft revised standard:

1. continues to protect the public by ensuring that only practitioners who are suitably trained and qualified to practise podiatric surgery in a competent and ethical manner are granted specialist registration
2. clearly sets out the requirements for specialist registration
3. has been reworded and restructured to improve readability and clarify some of the existing requirements for specialist registration.

The Board's preferred option does not propose any substantive changes to the current requirements for specialist registration and does not propose any additional requirements. Therefore, the costs of the preferred option are likely to be minimal and confined to practitioners and other stakeholders becoming familiar with the revised standard.

Estimated impacts of the draft revised standard

The Board does not propose any substantive changes to the current requirements for specialist registration, although more significant changes may emerge through consultation. The Board does not anticipate any impact on practitioners, patients and consumers including Aboriginal and Torres Strait Islander Peoples and other stakeholders arising from the proposed changes.

Relevant sections of the National Law

The relevant sections of the National Law are sections 38, 40, 41 and 57.

Questions for consideration

The Board is inviting general comments on the draft revised standard as well as feedback on the following questions.

1. Is the content, language and structure of the draft revised registration standard clear, relevant and workable? Why or why not?
2. Is there any content that needs to be changed, added or removed in the draft revised registration standard? If so, please provide details.
3. Would the draft revised registration standard result in any adverse cost implications for practitioners, patients or other stakeholders? If yes, please describe.
4. Would the draft revised registration standard result in any potential negative or unintended impacts for patients and consumers, particularly vulnerable members of the community? If so, please describe them.
5. Would the draft revised registration standard result in any potential negative or unintended impacts for Aboriginal and Torres Strait Islander Peoples? If so, please describe them.
6. Do you have any other comments on the draft revised registration standard?

Attachments

Attachment A: Draft revised *Registration standard: Specialist registration for the podiatry specialty of podiatric surgery*

Attachment B: The Board's statement of assessment against Ahpra's *Procedures for the development of registration standards, codes and guidelines*

Attachment C: The Board's Patient and Consumer Health and Safety Impact Statement

The current *Registration standard: Specialist registration for the podiatry specialty of podiatric surgery* is published on the Board's website at <https://www.podiatryboard.gov.au/Registration-Standards.aspx>.

Registration standard: Specialist registration for the podiatry specialty of podiatric surgery

Effective date: TBC

This registration standard sets out the Podiatry Board of Australia's requirements for specialist registration for the podiatry specialty of podiatric surgery¹.

Background

Ministerial Council has approved specialist registration for the podiatry specialty of podiatric surgery, with the specialist title of 'podiatric surgeon'.

Under the National Law, practitioners with specialist registration can use the protected title associated with their specialist registration. It is a breach of the National Law for practitioners to use a protected specialist title if they do not have specialist registration in the relevant specialty.

Does this standard apply to me?

This standard applies if you are applying:

- for specialist registration as a podiatric surgeon, or
- to renew your specialist registration as a podiatric surgeon.

What must I do?

When you apply for specialist registration

You must:

1. Meet the requirements for specialist registration as set out in the National Law, including the eligibility requirements in section 57.
2. Provide evidence of having completed a minimum of two years' full-time (or equivalent) general podiatry practice in a clinical setting that:
 - involved practising for a minimum of 35 hours per week in a clinical setting where at least 80 per cent of work as a registered podiatrist involves direct clinical care and management of podiatric pathology, and
 - was completed before you started the program of study that led to the qualification(s) you are relying on to support your eligibility for specialist registration.

The general podiatry practice may be undertaken outside Australia, subject to assessment and approval by the Board.

3. Meet the requirements for general registration as a podiatrist in Australia and any additional requirements for podiatric surgeons as specified in the Board's registration standards, including the Board's *Registration standard: Continuing professional development*.

¹ Key terms are defined in the *Definitions* section of this standard.

What does this mean for me?

At application for registration

You must meet the requirements of this registration standard when you apply for specialist registration.

At renewal of registration

When you apply to renew your specialist registration, you must:

1. complete a renewal of registration application that includes the annual renewal statement in accordance with the provisions in the National Law (section 109), and
2. demonstrate compliance with any conditions or undertakings on your registration.

The Board may require further information, or may require you to undergo an investigation, examination or assessment consistent with section 110 of the National Law to determine whether to renew your registration.

Period of specialist registration

The Board will initially grant specialist registration for the period until the following 30 November. Thereafter, specialist registration may be renewed for 12 months, with an annual expiry date of 30 November.

More information

Qualifications for specialist registration

Section 58 of the National Law sets out the requirements to be qualified for specialist registration.

You are qualified for specialist registration, if you:

- hold an approved qualification for the specialty, or
- hold another qualification the Board considers to be substantially equivalent, or based on similar competencies to an approved qualification for the specialty, or
- hold a qualification (not referred to above) that is relevant to the specialty and you have successfully completed an examination or other assessment required by the Board for the purpose of registration in the specialty, or
- hold a qualification that qualified you for specialist registration (however described) under the National Law or the corresponding prior Act and you were previously registered under the National Law.

Overseas qualified podiatric surgeons

If you obtained your podiatric surgery qualifications outside Australia, your qualifications will be assessed as part of your application for specialist registration.

Information about the pathway to registration in Australia for overseas qualified podiatric surgeons, including assessment criteria can be found on the Board's website at [overseas qualified podiatric surgeons](#).

Register of podiatrists and Specialists register

Practitioners may hold both general registration as a podiatrist and specialist registration as a podiatric surgeon. These practitioners will be included on the Register of podiatrists and the Board's Specialists register.

If you only hold specialist registration, your name is only recorded on the Specialists register.

Limited scope of practice

If you hold specialist registration, but do not hold general registration, your scope of practice will be limited to your area of specialist practice in podiatric surgery. This will be recorded on the Board's Specialists register.

What happens if I do not meet this standard?

The National Law establishes possible consequences if you don't meet this standard, including that:

1. The Board can impose a condition or conditions on your registration or can refuse your application for registration or renewal of registration, if you do not meet a requirement in an approved registration standard for the profession (sections 82, 83 and 112 of the National Law), and
2. Registration standards, codes or guidelines may be used in disciplinary proceedings about health practitioners as evidence of what constitutes appropriate practice or conduct for the health profession (section 41 of the National Law).

Authority

This registration standard was approved by the Ministerial Council on <date>

Registration standards are developed under section 38 of the National Law and are subject to wide-ranging consultation.

Definitions

Approved qualification for specialist registration means a qualification obtained by completing an approved program of study for the specialty of podiatric surgery. A list of approved programs of study for specialist registration is published on the Board's website at <https://www.podiatryboard.gov.au/>.

National Law means the Health Practitioner Regulation National Law, as in force in each state and territory.

Review

This registration standard will be reviewed from time to time as required. This will generally be at least every five years.

Last reviewed: <date>

This standard replaces the previous specialist registration standard dated 25 February 2015.

Podiatry Board of Australia's statement of assessment against Ahpra's Procedures for the development of registration standards, codes and guidelines, and principles for best practice regulation

May 2022

Draft revised *Registration standard: Specialist registration for the podiatry specialty of podiatric surgery*

The Australian Health Practitioner Regulation Agency (Ahpra) has *Procedures for the development of registration standards, codes and guidelines* which are available at: www.ahpra.gov.au

The procedures have been developed by Ahpra in accordance with Section 25 of the Health Practitioner Regulation National Law (the National Law) as in force in each state and territory, which requires Ahpra to establish procedures for the purpose of ensuring that the National Registration and Accreditation Scheme (the National Scheme) operates in accordance with good regulatory practice.

The Podiatry Board of Australia (Board) is reviewing its *Registration standard: Specialist registration for the podiatry specialty of podiatric surgery*.

Below is the Board's assessment of its proposal for a revised *Registration standard: Specialist registration for the podiatry specialty of podiatric surgery* against the three elements outlined in the Ahpra procedures.

1. The proposal takes into account the National Scheme's objectives and guiding principles set out in section 3 of the National Law

Board's assessment

The Board considers that the draft revised *Registration standard: Specialist registration for the podiatry specialty of podiatric surgery* (proposed revised registration standard) meets the objectives and guiding principles of the National Law.

The proposal takes into account the National Scheme's key objective of protecting the public by ensuring that only practitioners who are suitably trained and qualified to practise the podiatry specialty of podiatric surgery in a competent and ethical manner are granted specialist registration.

The proposal also supports the National Scheme to operate in a transparent, accountable, efficient, effective and fair way by clearly setting out the requirements for specialist registration for the podiatry specialty of podiatric surgery.

2. The consultation requirements of the National Law are met

Board's assessment

The National Law requires wide-ranging consultation on proposed codes and guidelines. The National Law also requires National Boards to consult each other on matters of shared interest.

The Board is now undertaking public consultation on the draft revised specialist registration standard. The process will include publishing the consultation paper on the Board's website and informing health practitioners, key stakeholders and the community of the review via the Board's electronic newsletters, communique and a social media campaign. The Board will also invite key stakeholders to comment on the proposed revised registration standard including other National Boards, professional organisations, patient safety organisations, consumer groups and Aboriginal and Torres Strait Islander groups.

The Board will take into account the feedback it receives when finalising the proposed revised registration standard that it will submit to the Ministerial Council for approval.

3. The proposal takes into account principles for best practice regulation

Board's assessment

In developing the draft revised registration standard, the Board has taken into account principles for best practice regulation.

As an overall statement, the Board has taken care not to propose unnecessary regulatory burdens that would create unjustified costs for the profession or the community.

The Board makes the following assessment specific to each of the principles expressed in the Ahpra procedures.

A. Whether the proposal is the best option for achieving the proposal's stated purpose and protection of the public

Board's assessment

The Board proposes minor changes to an existing registration standard. There have been editorial changes to improve readability and clarify current requirements.

The only requirement that the current registration standard imposes in addition to the requirements for specialist registration set out in the National Law is the completion of at least two years of full-time (or equivalent) general podiatry practice in a clinical setting. This is defined in the current standard as a minimum of 35 hours per week; and practice in a clinical setting means that at least 80 per cent of work as a registered podiatrist involves direct clinical care and management of podiatric pathology.

This requirement is to ensure that practitioners have a period of maturation and exposure to general podiatry practice to consolidate their broad podiatry knowledge and clinical skills before moving to the specialised practice of podiatric surgery.

This requirement has not changed. The draft revised registration standard retains this requirement and makes it clearer that the two years of full-time (or equivalent) general podiatry practice must be completed before starting a program of study that leads to a qualification for specialist registration as a podiatric surgeon.

The draft revised registration standard will continue to set appropriate requirements for specialist registration in the podiatry specialty of podiatric surgery. The proposal protects the public by ensuring only practitioners who are suitably trained and qualified to practise podiatric surgery in a competent and ethical manner are granted specialist registration.

B. Whether the proposal results in an unnecessary restriction of competition among health practitioners

Board's assessment

The proposal does not change current requirements for specialist registration and is not expected to impact on the current levels of competition among health practitioners.

The draft revised registration standard continues to set appropriate and reasonable requirements for specialist registration as a podiatric surgeon to enable suitably trained and qualified practitioners to be granted specialist registration in the podiatry specialty of podiatric surgery.

C. Whether the proposal results in an unnecessary restriction of consumer choice

Board's assessment

The proposal is not expected to result in any unnecessary restrictions of consumer choice as the draft revised registration standard does not change current requirements for specialist registration.

The proposal will enable practitioners who are suitably trained and qualified to practise podiatric surgery in a competent and ethical manner to be granted specialist registration and therefore will support access to health services provided by podiatric surgeons.

D. Whether the overall costs of the proposal to members of the public and/or registrants and/or governments are reasonable in relation to the benefits to be achieved

Board's assessment

The proposal does not change current requirements for specialist registration. The Board does not expect any additional costs to the public, practitioners or government.

The draft revised registration standard clearly sets out for practitioners the requirements for specialist registration for the podiatry specialty of podiatric surgery.

The public will benefit from a registration standard that ensures only practitioners who are suitably trained and qualified to practise podiatric surgery in a competent and ethical manner are granted specialist registration.

E. Whether the proposal's requirements are clearly stated using 'plain language' to reduce uncertainty, enable the public to understand the requirements, and enable understanding and compliance by registrants

Board's assessment

The Board considers the draft revised registration standard has been written in plain English that will help practitioners and the public to understand the requirements for specialist registration in the podiatry specialty of podiatric surgery. The Board has changed the structure of the standard and reviewed the wording to improve readability and clarify requirements.

F. Whether the Board has procedures in place to ensure that the proposed registration standard, code or guideline remains relevant and effective over time

Board's assessment

If approved the Board will review the revised registration standard at least every five years, including an assessment against the objectives and guiding principles in the National Law and principles for best practice regulation.

However, the Board may review the registration standard earlier, in response to any issues which arise, or new evidence that emerges to ensure the standard's continued relevance, workability and maintenance of public safety standards.

National Boards' Patient and Consumer Health and Safety Impact Statement

May 2022

Statement purpose

The National Boards' Patient and Consumer Health and Safety Impact Statement (Statement)¹ explains the potential impacts of a proposed registration standard, code or guideline on the health and safety of the public, vulnerable members of the community and Aboriginal and Torres Strait Islander Peoples.

The four key components considered in the Statement are:

1. The potential impact of the proposed revisions to the registration standard on the health and safety of patients and consumers particularly vulnerable members of the community including approaches to mitigate any potential negative or unintended effects
2. The potential impact of the proposed revisions to the registration standard on the health and safety of Aboriginal and Torres Strait Islander Peoples including approaches to mitigate any potential negative or unintended effects
3. Engagement with patients and consumers, particularly vulnerable members of the community about the proposal
4. Engagement with Aboriginal and Torres Strait Islander Peoples about the proposal.

The National Boards' Health and Safety Impact Statement aligns with the *National Scheme's [Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020-2025](#)*, *[National Scheme engagement strategy 2020-2025](#)*, *[the National Scheme Strategy 2020-25](#)* and reflect key aspects of the revised consultation process in the *[Ahpra Procedures for developing registration standards, codes and guidelines and accreditation standards](#)*.

¹ This statement has been developed by Ahpra and the National Boards in accordance with section 25(c) and 35(c) of the *Health Practitioner Regulation National Law* as in force in each state and territory (the National Law). Section 25(c) requires Ahpra to establish procedures for ensuring that the National Registration and Accreditation Scheme (the National Scheme) operates in accordance with good regulatory practice. Section 35(c) assigns the National Boards functions to develop or approve standards, codes and guidelines for the health profession including the development of registration standards for approval by the Health Council and that provide guidance to health practitioners registered in the profession. Section 40 of the National Law requires National Boards to ensure that there is wide-ranging consultation during the development of a registration standard, code, or guideline.

Below is our initial assessment of the potential impact of a proposed revised *Registration standard: Specialist registration for the podiatry specialty of podiatric surgery* on the health and safety of patients and consumers, particularly vulnerable members of the community, and Aboriginal and Torres Strait Islander Peoples. This assessment will be updated after consultation feedback.

1. How will this proposal impact on patient and consumer health and safety, particularly vulnerable members of the community? Will the impact be different for vulnerable members compared to the general public?

The draft revised registration standard does not change current requirements for specialist registration in the podiatry specialty of podiatric surgery. The draft revised registration standard proposes minor changes to the current registration standard, including editorial changes to improve readability and clarify current requirements.

The Podiatry Board of Australia (Board) has considered the impacts that the proposal could have on patient and consumer health and safety, particularly on vulnerable members of the community.

In doing so, the Board considered the National Scheme's key objective of protecting the public by ensuring only practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered. The proposed revised registration standard supports that objective by ensuring that only practitioners who are appropriately trained and qualified to practise the podiatry specialty of podiatric surgery in a competent and ethical manner are granted specialist registration.

Specialist registration clearly indicates to patients and consumers that the podiatric surgeon is qualified and competent to practise podiatric surgery.

The Board does not expect that the revisions to the registration standard will have any adverse impacts on patient and consumer safety, particularly vulnerable members of the community. However, our engagement through consultation will help us to better understand possible outcomes and meet our responsibilities to protect patient safety and health care quality.

2. How will consultation engage with patients and consumers, particularly vulnerable members of the community?

In line with our [consultation processes](#) the Board is undertaking wide-ranging consultation. We will engage with patients and consumers bodies, peak bodies and other relevant organisations to get input and views from vulnerable members of the community.

In our consultation questions, we have specifically addressed whether the draft revised registration standard will impact on patient, client and consumer health and safety, particularly vulnerable members of the community, which will also help us better understand possible impacts and address them.

3. What might be the unintended impacts for patients and consumers particularly vulnerable members of the community? How will these be addressed?

The proposal does not change current requirements for specialist registration and does not propose additional requirements that would impact on patients and consumers. The Board does not expect there to be any unintended impacts for patients and consumers, including vulnerable members of the community.

However, the consultation process will help us to identify any potential or unintended impacts. We will fully consider and take actions to address any unintended impacts for patients and consumers that may be raised during consultation.

4. How will this proposal impact on Aboriginal and Torres Strait Islander Peoples? How will the impact be different for Aboriginal and Torres Strait Islander Peoples compared to non-Aboriginal and Torres Strait Islander Peoples?

The proposal does not change current requirements for specialist registration and does not propose additional requirements that would impact on practitioners, patients and consumers. Therefore, the Board does not expect there to be any potential impacts on Aboriginal and Torres Strait Islander Peoples as a result of the proposal.

The Board's engagement through wide-ranging consultation will help us to identify any potential impacts and meet our responsibilities to protect safety and health care quality for Aboriginal and Torres Strait Islander Peoples.

5. How will consultation about this proposal engage Aboriginal and Torres Strait Islander Peoples?

The Board is committed to the National Scheme's [Aboriginal and Torres Strait Islander Cultural Health and Safety Strategy 2020-2025](#) which focuses on achieving patient safety for Aboriginal and Torres Strait Islander Peoples as the norm, and the inextricably linked elements of clinical and [cultural safety](#).

As part of our consultation process, we will engage with relevant Aboriginal and Torres Strait Islander organisations and stakeholders to ensure there are no unintended consequences for Aboriginal and Torres Strait Islander Peoples.

In our consultation questions, we have specifically addressed whether the proposed revised registration standard will result in any potential negative or unintended impacts for Aboriginal and Torres Strait Islander Peoples which will also help us better understand possible impacts and address them.

6. What might be the unintended impacts for Aboriginal and Torres Strait Islander Peoples? How will these be addressed?

The proposal does not change current requirements for specialist registration. Therefore, the proposed revised registration standard should not impact on quality of services or access to services.

The Board has considered what might be any unintended impacts for Aboriginal and Torres Strait Islander Peoples. While the Board does not expect there to be any unintended impacts, our engagement with relevant organisations and Aboriginal and Torres Strait Islander Peoples will help us to identify any potential impacts.

We will consider and take action to address any other potential negative impacts for Aboriginal and Torres Strait Islander Peoples that may be raised during consultation.

7 How will the impact of this proposal be actively monitored and evaluated?

Part of the Board's work in keeping the public safe is ensuring that standards, codes and guidelines are regularly reviewed. If approved, the Board will review the revised standard at least every five years.

However, the Board may review the standard earlier, in response to any issues which arise or new evidence that emerges to ensure the standard's continued relevance, workability and maintenance of public safety standards.