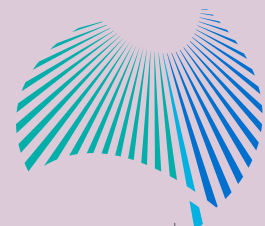


Your National Scheme:
For safer healthcare

Physiotherapy Board of Australia

Annual report summary
2016/17



Physiotherapy
Board of Australia

AHPRA

At a glance: The physiotherapy profession in 2016/17



8,357 registered physiotherapy students, down **6.6%** from last year



30,351 physiotherapists, up **5.2%** from 2015/16

That's **4.5%** of the total health practitioner registrant base



80 notifications lodged with AHPRA about physiotherapists

0.4% of physiotherapists had notifications lodged about them



Male: 32.5%

Female: 67.5%



63 physiotherapists were being actively monitored for compliance with restrictions on their registration¹

83 notifications closed this year

16.9% resulted in accepting an undertaking or conditions being imposed on a physiotherapist's registration

2.4% resulted in a physiotherapist receiving a caution or reprimand by the Board

1.2% resulted in suspension or cancellation of registration

78.3% resulted in no further action being taken



940 statutory offence complaints were made; **657** were closed

Almost all of the new matters related to advertising breaches; 35 related to title protection

Immediate action was taken **once** (to suspend a physiotherapist's registration)²

8 mandatory notifications were made: **5** about standards; **2** about impairment; and **one** about sexual misconduct

¹ Data at 30 June 2017. See page 15 for data about monitoring cases relating to compliance with restrictions on registration for physiotherapists.
² Immediate action is an interim step the Board can take to suspend or cancel a physiotherapist's registration while a complaint is being considered. Refer to the [2016/17 annual report](#) by the Australian Health Practitioner Regulation Agency (AHPRA) for more data on immediate action.

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Message from the Chair, Physiotherapy Board of Australia

This report summarises data relating to the physiotherapy profession in Australia, which have been drawn from the Australian Health Practitioner Regulation Agency (AHPRA) and the National Boards' 2016/17 annual report. It offers a unique insight into the regulatory landscape.

Having been regulated for many years, physiotherapists know the professional obligations they are required to meet, as set out in the Health Practitioner Regulation National Law (the National Law) and as administered by the Physiotherapy Board of Australia (the Board) and AHPRA. These professional obligations help patients understand what they can expect when they visit a physiotherapist. Importantly, these requirements help protect the public from harm.

It is with public safety in mind that over the past year the Board has continued to work collaboratively with its stakeholders, including the Australian Physiotherapy Council, which is the profession's appointed accreditation authority, and the Australian Physiotherapy Association, its professional body.

Along with other health profession National Boards in the National Registration and Accreditation Scheme (the National Scheme), the Board has continued discussions about the possibility of physiotherapists, and other professions that do not currently have prescribing rights, developing a case for consideration for endorsement by Health Ministers.

The profession has a long road to travel over several years, which will require a cross-profession approach.

I'd like to take this opportunity to thank the members of the Board and committees for their commitment, professionalism and passion for protecting the public in 2016/17.



Dr Charles Flynn

Chair of the Physiotherapy Board of Australia

The Physiotherapy Board of Australia

Members of the Board in 2016/17:

Dr Charles Flynn (Chair)
Ms Alison Bell
Mrs Janet Blake
Mr David Cross
Ms Kim Gibson
Mrs Lynette Green
Ms Cherie Hearn
Mr Peter Kerr
Mrs Elizabeth Kosmala
Mr Lachlan Mortimer (from 23 November 2016)
Ms Philippa Tessmann
Ms Elizabeth Trickett

Committees

The following national committees support the Physiotherapy Board of Australia:

- ▶ Continuous Improvement Committee
- ▶ Immediate Action Committee, and
- ▶ Registration and Notifications Committee.

Executive and policy support



Ms Jill Humphreys

Executive Officer, Physiotherapy

Ms Humphreys supports the Physiotherapy Board of Australia. She works in AHPRA's National Office in Melbourne.

Executive Officers provide a vital link between the National Boards and AHPRA.

About us

The Board has worked in partnership with AHPRA to protect the public since the inception of the National Registration and Accreditation Scheme (the National Scheme) in July 2010. Together, we regulate the profession by ensuring that only those physiotherapists who are suitably trained and qualified can practise in Australia.

Protecting the public by ensuring access to a safe, competent and qualified healthcare workforce is always our priority. Every decision we make is guided by the Health Practitioner Regulation National Law (the National Law), as in force in each state and territory, and by the regulatory principles (see right).

Visit the Board's website: www.physiotherapyboard.gov.au.

For more information about the National Scheme and AHPRA, visit www.ahpra.gov.au/About-AHPRA.

About this report

This annual report summary provides a profession-specific view of AHPRA and the Board's work to manage risk to the public in 2016/17. Information provided in this report is drawn from data published in the 2016/17 annual report published by AHPRA and the National Boards. All data are correct as at 30 June 2017.

Whenever possible, historical data are provided to show trends over time.

Please see page 10 for information about our data.

Profession-specific summaries for all 14 National Boards in the National Scheme are available to download from www.ahpra.gov.au/annualreport/2017.

Annual report summaries that segment the registrant base by state and territory are also published online.

Our regulatory principles

Eight regulatory principles underpin our work, and guide our decision-making in the public interest. These principles foster a responsive, risk-based approach to regulation. In brief, they are to:

Protect the public

Take timely and necessary action

Administer the National Law

Ensure registrants are qualified

Work with stakeholders

Uphold professional standards

Identify and respond to risk

Use appropriate regulatory force

For more information, download AHPRA's 2016/17 annual report from www.ahpra.gov.au/annualreport/2017

The Physiotherapy Board of Australia: Year in review

A number of major initiatives were actioned by the Board in 2016/17. Here are the highlights:

Spotlight on: Closing the gap

As the Board looks to the future, it is pleased to have been involved in the development of a strategy to improve the health outcomes of Australia's first peoples, recognising and seizing the opportunities where it can to achieve this in partnership with AHPRA, the other National Boards and stakeholders across the National Scheme.

To keep up to date with information about the Aboriginal and Torres Strait Islander Health Strategy Group, visit [the AHPRA website](#).

A multi-profession approach to decision-making

The Board is committed to ensuring that practitioners are made aware of relevant issues that inform professional practice. Along with other regulated health professions' National Boards, it played an active role in AHPRA's recently published *Advertising compliance and enforcement strategy*.

The strategy provides resources to help practitioners meet their professional obligations and to support the public in making informed healthcare choices with the right information, particularly for healthcare services such as physiotherapy, which tend to advertise their services.

For more information about the advertising strategy, visit [the AHPRA website](#).

Communication and engagement

The Board publishes a communiqué after each monthly Board meeting, which provides highlights of relevance to our stakeholders.

It also publishes three newsletters per year, which aim to provide more in-depth information on topics relevant to the profession about the regulatory environment.

You can read past communiqués, newsletters and media releases on [the Board website](#).

Planning and research

Planning activities for the Board have continued to merge with the *National Registration and Accreditation Scheme Strategy 2015-20*.

The mission for the strategy is to protect the public by regulating health practitioners efficiently and effectively in the public interest to facilitate access to safer healthcare.

For more information about the strategy, visit [the AHPRA website](#).

Policy and accreditation

The shared *Physiotherapy practice thresholds in Australia and Aotearoa New Zealand*, which were developed by the Board and the New Zealand Physiotherapy Board, have now been rolled out by our accreditation authority, the Australian Physiotherapy Council.

They are also offered to other countries for their consideration for adoption to promote consistency of entry-level requirements for the physiotherapy profession.

For information about the accreditation of physiotherapists and approved programs of study, visit [the Board website](#).

Future works

The Board has commenced cross-profession work with other National Boards to review its *Code of conduct* (the code).

The code is a regulatory document that provides an overarching guide to support and inform good practice and to assist practitioners, Boards, employers, healthcare users and other stakeholders to understand what good practice involves. It seeks to assist and support practitioners to deliver safe and effective health services within an ethical framework.

The code may be used to measure a physiotherapist against if a notification (complaint) is made about them. It provides ethical guidance to ensure good practice and includes expectations about record keeping and sexual boundaries.

It will take some time to develop a draft that is agreed upon across the regulated health professions that share the code prior to the consultation process commencing.

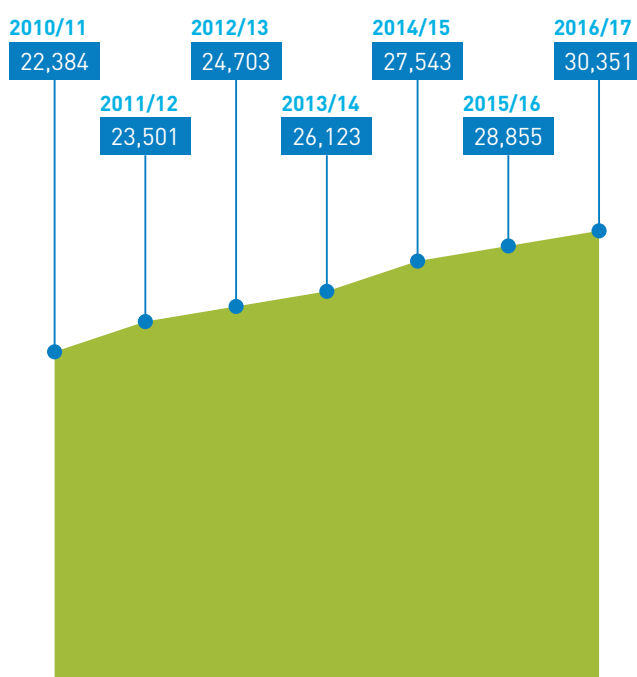
To read the current version of code, visit [the Board website](#).

Registering the physiotherapy workforce in 2016/17

In brief: Registration of physiotherapists

- ▶ 30,351 registered physiotherapists in 2016/17; up from 28,855 in 2015/16.
- ▶ Physiotherapists comprise 4.5% of the total registrant base.
- ▶ 8,357 registered physiotherapy students; down 6.6% from the previous year.
- ▶ 0.5% of the profession identified as being Aboriginal and/or Torres Strait Islander according to a workforce survey that is filled out by practitioners upon renewal of their registration (157 physiotherapists nationally).
- ▶ Women comprised 67.5% of the profession.

Figure 1: Registration numbers for physiotherapists, year by year, since the National Scheme began



Under the National Law, as in force in each state and territory, there is a range of categories under which a practitioner can be registered as a physiotherapist in Australia:

- ▶ General registration
- ▶ Limited registration
- ▶ Non-practising registration, and
- ▶ Student registration (students undertaking an approved program of study).

Before a practitioner can practise and use a title protected under the National Law, applicants must provide evidence that they are eligible to hold registration, and registration must be granted.

Find out more about registration with the Physiotherapy Board of Australia at www.physiotherapyboard.gov.au/Registration.

Registration in 2016/17

As at 30 June 2017, there were 30,351 physiotherapists registered under the National Scheme. This represents a 5.2% increase from the previous year. All jurisdictions saw an increase in registrant numbers, with New South Wales (NSW), Victoria and Queensland the principal place of practice for 72.4% of registered physiotherapists.

Of the 678,938 registered health practitioners across the 14 professions, 4.5% were physiotherapists.

Of the registrant base, 97.1% of all physiotherapists held some form of practising registration. There was a 2.9% increase from the previous year in the number of physiotherapists moving to non-practising registration.

Of the total physiotherapeutic registrant base, only two practitioners held an endorsement (for acupuncture).

Tables 1–3 show data relating to the registration of physiotherapists in 2016/17.

Applications for registration

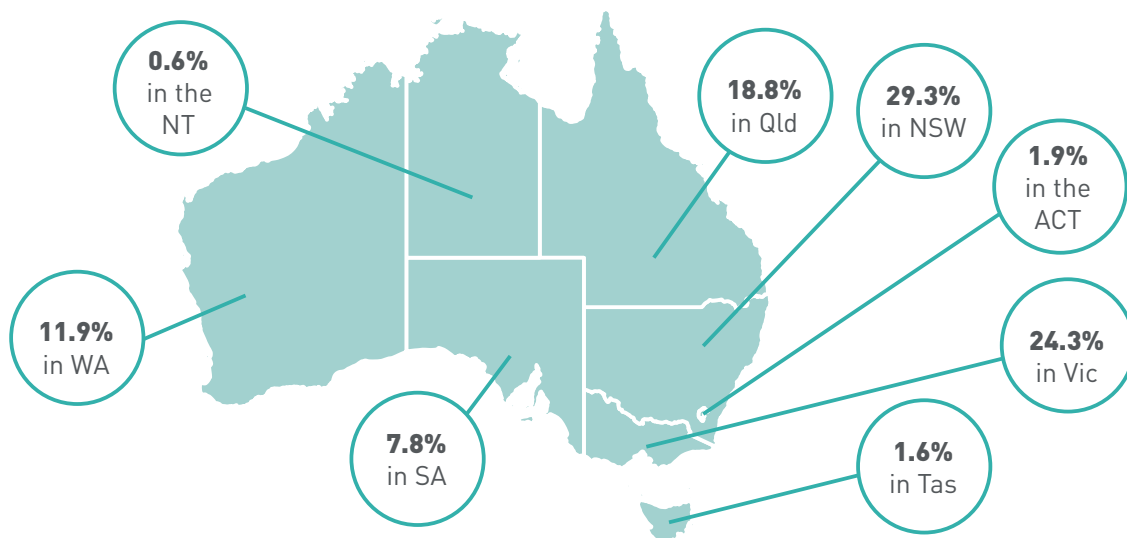
AHPRA received 2,695 new applications for registration as an physiotherapist in 2016/17. In partnership with AHPRA, the Board considers every application for registration carefully and assesses it against the requirements for registration, including qualifications, English language proficiency and checking whether the applicant has a relevant criminal history.

Only those physiotherapists who are suitably trained and qualified to practise in a competent and ethical manner are registered. Where appropriate to protect the public, and in accordance with the regulatory principles of the National Scheme, the Board may decide to impose conditions on a practitioner's registration or to refuse the application.

Of the applications finalised, 1.2% resulted in conditions being imposed on registration (30) or refusal of the application (three) in order to protect the public.

For more information about applications finalised during the year, see page 39 of AHPRA and the National Boards' annual report. Visit www.ahpra.gov.au/annualreport/2017.

Figure 2: Percentage of physiotherapists with a principal place of practice in each state and territory¹



Renewals

Once on the *Register of practitioners* (see box to right), physiotherapists must apply to renew their registration each year and make declarations on the relevant registration requirements. As with new applications for registration, the Board may impose conditions on registration or refuse renewal.

A total of 27,837 physiotherapists renewed their registration in 2016/17, with 99.2% renewing online; an increase of 0.3% from 2015/16.

Practitioner audits

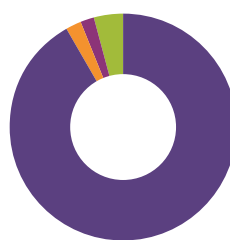
AHPRA conducts regular audits of random samples of health practitioners across all professions on behalf of the National Boards. Audits provide assurance that practitioners are meeting the registration requirements for their profession. During an audit, a practitioner is required to provide evidence in support of the declarations they made in their previous year's registration renewal application.

In 2016/17, AHPRA audited 6,314 practitioners across all 14 regulated health professions. As at 30 June 2017, 359 physiotherapy audits had been completed in the reporting year. Of those, 93.8% were found to be in compliance, or required minor education to comply with the registration standards being audited, while 2.2% were non-compliant. The remaining 3.9% had changed registration to non-practising or surrendered their registration during the audit.

See AHPRA's [2016/17 annual report](#) for more information about the audit process.

Find out more about practitioner audits and other registration information on the Board's website:
www.physiotherapyboard.gov.au/Registration.

Figure 3: Audit outcomes for the physiotherapy profession in 2016/17



91.6% Compliant: fully compliant with the registration standards

2.2% Compliant (education): compliant through education in one or more standard

2.2% Non-compliant: non-compliant with one or more standard

3.9% No audit action required: practitioners who changed registration type to non-practising or surrendered their registration after being advised that they were subject to audit

The Register of practitioners

According to the National Law, AHPRA is required to maintain and publish a publicly accessible *Register of practitioners* (*Register*) so that information about the registration of any health practitioner is easy to find.

The online *Register* has accurate, up-to-date information about the registration status of all registered health practitioners in Australia. When decisions are made in relation to a practitioner's registration/renewal or disciplinary proceedings, the *Register* is updated to inform the public about the current status of individual health practitioners and any restrictions placed upon their practice.

Tribunal decisions that result in the cancellation of a practitioner's registration due to health, performance or conduct issues result in the individual appearing on a *Register of cancelled practitioners*.

¹ Physiotherapists with no principal place of practice (includes overseas registrants): 3.8% of total practitioners or 1,162 registrants.

Table 1: Registrant numbers as at 30 June 2017

Registrants	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	No PPP ¹	Total
2016/17 total registered physiotherapists	591	8,900	170	5,696	2,377	474	7,383	3,598	1,162	30,351
2015/16 total registered physiotherapists	539	8,408	165	5,349	2,289	450	7,060	3,475	1,120	28,855
% change from 2015/16	9.6%	5.9%	3.0%	6.5%	3.8%	5.3%	4.6%	3.5%	3.8%	5.2%
All registered health practitioners in 2016/17	11,845	196,605	7,083	133,103	53,823	14,522	175,354	69,012	17,591	678,938

Table 2: Registered physiotherapists by age

Year	U-25	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80+	Total
2016/17	1,923	6,395	5,583	4,211	3,061	2,650	2,192	2,034	1,427	563	221	70	21	30,351
2015/16	2,385	6,187	5,000	3,804	2,939	2,505	2,103	2,017	1,146	510	178	62	19	28,855

Table 3: Registered physiotherapists by principal place of practice and gender

Physiotherapists	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	No PPP ¹	Total 2016/17
Total 2016/17	591	8,900	170	5,696	2,377	474	7,383	3,598	1,162	30,351
Female	399	5,928	123	3,786	1,546	336	5,003	2,559	809	20,489
Male	192	2,972	47	1,910	831	138	2,380	1,039	353	9,862
Total 2015/16	539	8,408	165	5,349	2,289	450	7,060	3,475	1,120	28,855
Female	368	5,684	116	3,580	1,486	326	4,825	2,477	777	19,639
Male	171	2,724	49	1,769	803	124	2,235	998	343	9,216

¹ No principal place of practice (No PPP) will include practitioners with an overseas address.

Regulating the workforce: Complaints about physiotherapists in 2016/17

In brief: Notifications about physiotherapists

- ▶ 80 notifications (complaints or concerns) were lodged with AHPRA about physiotherapists in 2016/17.¹
- ▶ 0.4% of the physiotherapy registrant base were the subject of a notification (compared with 1.6% of all registered health practitioners).²
- ▶ Immediate action was taken once, which resulted in suspending a physiotherapist's registration.
- ▶ 83 notifications were closed.
- ▶ 63 physiotherapists were being monitored for compliance with restrictions on their registration as at 30 June 2017.
- ▶ 940 statutory offence complaints were made about the profession – more than 900 of those related to alleged advertising breaches.

An important note about our data

AHPRA and the National Boards do not manage all complaints made about health practitioners in Australia and the data reflect this. In the pages that follow, we are reporting mainly on matters received and managed by AHPRA and the Physiotherapy Board of Australia, unless otherwise stated.

The notification process is different in NSW and Queensland:

- ▶ In NSW, AHPRA does not manage notifications. They are managed by 14 professional councils (supported by the Health Professional Councils Authority, or HPCA) and the Health Care Complaints Commission (HCCC).
- ▶ In Queensland, the Office of the Health Ombudsman (OHO) receives all complaints about health practitioners and determines which of those complaints are referred to the Board/AHPRA to manage.

Wherever possible in the tables in this report, HPCA data are given in separate columns and the data have been checked by the HPCA (correct as at time of publication). Please refer to the HPCA's 2016/17 annual report on their [website](#), as data may have been subsequently reconciled.

Queensland became a co-regulatory jurisdiction on 1 July 2014 with the commencement of the Health Ombudsman Act. The OHO receives all health complaints in Queensland, including those about registered physiotherapists, and decides whether the complaint:

- ▶ is serious, in which case it must be retained by the OHO for investigation
- ▶ should be referred to AHPRA and the relevant National Board for management, or
- ▶ can be closed, or managed by way of conciliation or local resolution.

This means that we only have access to the data relating to matters referred to us by the OHO. We do not report on all complaints about registered health practitioners in Queensland.

What is a notification?

In the National Scheme, a complaint or concern about a registered health practitioner or student is called a notification. They are called notifications because AHPRA is notified of a concern or complaint about a practitioner, which AHPRA then manages in partnership with the relevant National Board. Most of the notifications received about individual physiotherapists are managed through Part 8 of the National Law, which can lead to decisions that affect a practitioner's registration.

Some complaints are treated differently under the National Law, as they are considered 'statutory offences'. AHPRA and the Board can prosecute individuals who commit these offences. For information about statutory offences concerning physiotherapists, see page 13.

Keeping the public safe is the primary focus when the Board makes decisions about notifications.

Anyone can notify AHPRA about a physiotherapist's health, performance or conduct. While registered physiotherapists and employers have mandatory reporting obligations under the National Law, most of the complaints or concerns we receive are made voluntarily by patients or their families (see Figure 6).

AHPRA and the Board may also receive notifications about students who are studying to become physiotherapists. Usually, notifications about students are lodged by education providers. In 2016/17, the Board did not receive any notifications about students.

For more information about the notifications process, visit the [AHPRA website](#).

1 Note that 121 complaints were received in total about physiotherapists nationally in 2016/17, when data from the Health Professional Councils Authority (HPCA) are included. In this report, we mainly report on matters managed by AHPRA.

2 Includes complaints managed by the HPCA in NSW and the Office of the Health Ombudsman in Queensland. Refer to Table 5.

Notifications received in 2016/17

This year, AHPRA received the highest number of notifications (6,898) about health practitioners across all professions in any single reporting year since the National Scheme began. Just 1.2% of all notifications received in 2016/17 related to physiotherapists (80 in total).

Of all jurisdictions, Victoria (34 notifications) and Queensland (20 notifications) accounted for 67.5% of notifications relating to physiotherapists in 2016/17.

Of the registrant base, 0.4% of the physiotherapy workforce had notifications made about them in 2016/17, which is consistent with 2015/16.¹

Tables 4–10 show data about notifications in 2016/17.

Notifications closed in 2016/17

The Board assessed and completed 83 notifications about physiotherapists during the year; 50.9% more than in 2015/16. These closures accounted for 1.2% of all closed notifications nationally across all professions. Of the physiotherapy notifications closed, 21.7% resulted in some form of regulatory action being taken by the Board against a practitioner.

As at 30 June 2017, there were 46 open notifications about physiotherapists being managed by AHPRA and the Board.

Tables 8–10 show data about notifications closed in 2016/17.

Figure 4: Total notifications received by AHPRA about physiotherapists, year by year, since the National Scheme began

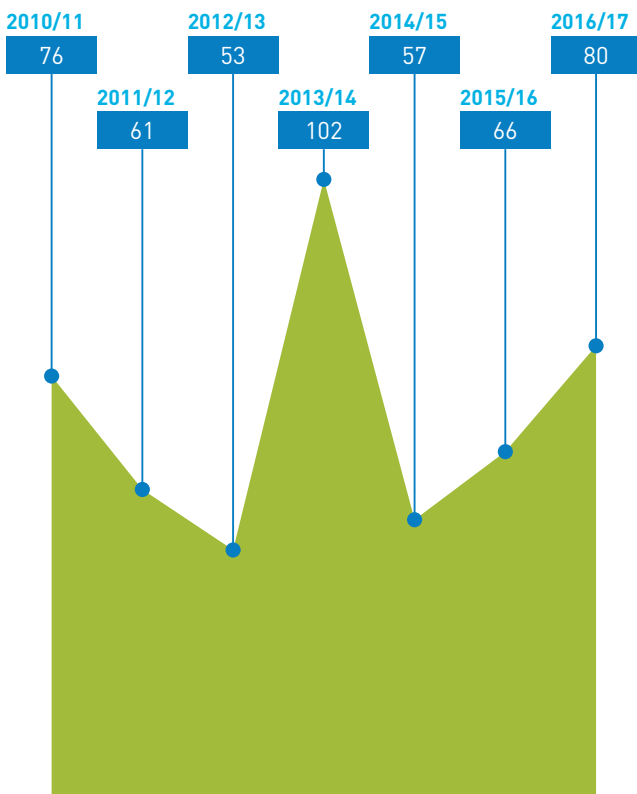


Figure 5: How AHPRA and the Board manage notifications

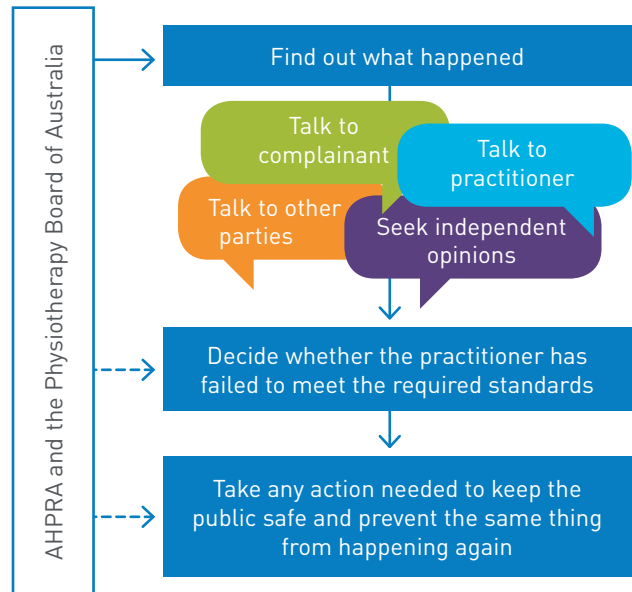
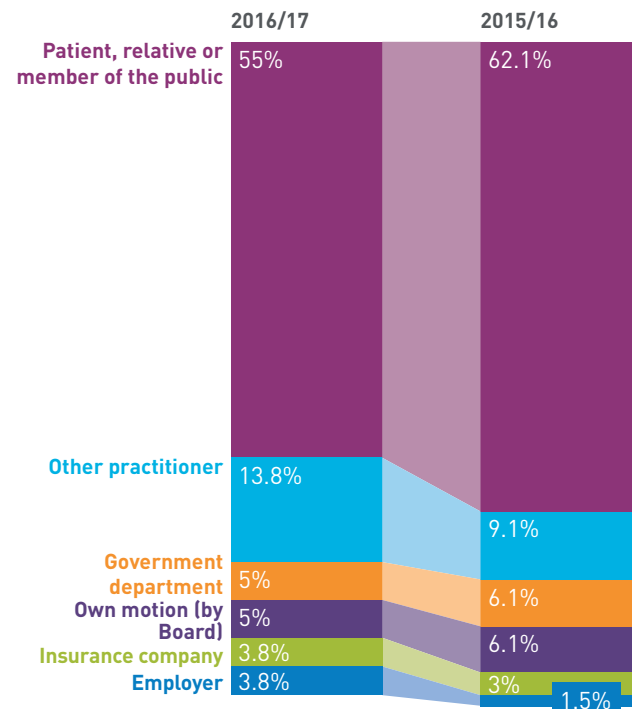
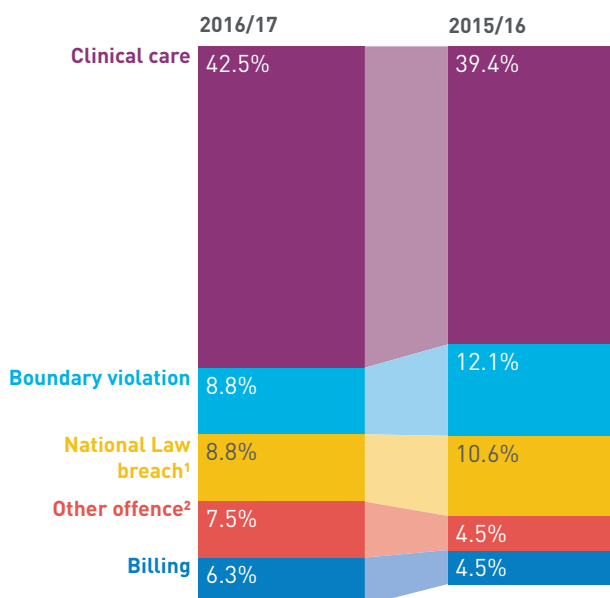


Figure 6: Six most common sources of notifications lodged with AHPRA about physiotherapists



¹ Includes complaints managed by the Health Professional Councils Authority in NSW and the Office of the Health Ombudsman in Queensland. Refer to Table 5.

Figure 7: Five most common types of complaint lodged with AHPRA about physiotherapists



Mandatory notifications

All health practitioners, their employers and education providers have mandatory reporting obligations under the National Law. This means that they must tell AHPRA if they have formed a reasonable belief that a registered physiotherapist or student has behaved in a way that constitutes notifiable conduct.

Notifiable conduct by registered health practitioners is defined as:

- ▶ practising while intoxicated by alcohol or drugs
- ▶ sexual misconduct in the practice of the profession
- ▶ placing the public at risk of substantial harm because of an impairment (health issue), or
- ▶ placing the public at risk because of a significant departure from accepted professional standards.

AHPRA received 847 mandatory notifications in 2016/17 across all regulated health professions; eight related to alleged notifiable conduct by a physiotherapist. Of those, most reported a significant departure from accepted professional standards.

For information about the *Guidelines for mandatory notifications*, visit the [Board's website](#).

¹ Breach of a non-offence provision in the National Law, which could result in regulatory action but not be prosecuted through a local or Magistrate's court. For example, a breach of conditions placed on a practitioner's registration or breach of registration standards.

² An unlawful act allegedly committed by a health practitioner that isn't specifically covered by the National Law but may be subject to regulatory action under Part 8 of the National Law. For example, a breach of the Poisons Act.

Taking immediate action

Immediate action is a serious step that the Board can take when it believes it is necessary to limit a physiotherapist's registration in some way to keep the public safe. It is an interim measure that a Board takes only in high-risk cases while it seeks further information.

In 2016/17, the Board took immediate action on just one occasion, suspending a physiotherapist's registration while an investigation was undertaken.

See [AHPRA's annual report](#) for more information about immediate actions in 2016/17, and Table 6 in this report for immediate action cases about physiotherapists by state and territory.

Tribunals, panels and appeals

Tribunals

The Board can refer a matter to a tribunal for hearing. Usually, this happens when the allegations involve the most serious of matters, such as when the Board believes a physiotherapist has behaved in a way that constitutes professional misconduct.

Tribunals in each state and territory:

- ▶ **Australian Capital Territory** Civil and Administrative Tribunal
- ▶ **New South Wales** Civil and Administrative Tribunal
- ▶ **Northern Territory** Civil and Administrative Tribunal
- ▶ **Queensland** Civil and Administrative Tribunal
- ▶ **South Australia** Health Practitioners Tribunal
- ▶ **Tasmania** Health Practitioners Tribunal
- ▶ **Victoria** Civil and Administrative Tribunal
- ▶ **Western Australia** State Administrative Tribunal

Noting the relatively low numbers of notifications about physiotherapists in 2016/17, only one matter was decided by tribunal, which is consistent with the previous year.

Panels

The Board has the power to establish two types of panel depending on the type of notification:

- ▶ **Health panels**, for issues relating to a practitioner's health and performance, or
- ▶ **Professional standard panels**, for conduct and performance issues.

Under the National Law, panels must include members from the relevant health profession as well as community members. All health panels about physiotherapists must include a physiotherapist. Each National Board has a list of approved people who may be called upon to sit on a panel.

Four matters related to physiotherapy were decided by a panel in 2016/17; up from one in 2015/16.

Appeals

All regulatory decisions are evidence-based and guided by the regulatory principles of the National Scheme. The National Law provides a mechanism of appeal against a decision by a National Board in certain circumstances, including decisions to:

- ▶ refuse an application for registration or endorsement of registration, or to refuse renewal of registration or renewal of an endorsement of registration
- ▶ impose or change a condition placed on registration, or to refuse to change or remove a condition imposed on registration or an undertaking given by a registrant, or
- ▶ suspend registration or to reprimand a practitioner.

There is also a mechanism of appeal by judicial review if the appeal relates to a perceived flaw in the administrative decision-making process, as opposed to the merits of the individual decision itself.

One decision by the Board was the subject of an appeal during 2016/17.

The National Scheme's regulatory principles apply to all regulatory decision-making. The principles are designed to encourage a responsive, risk-based approach to regulation across all professions to ensure the public is safe. The low proportion of successful appeals that resulted in an amended/substituted decision demonstrates that the regulatory principles continue to have a positive impact on regulatory decision-making.

Please refer to [AHPRA's annual report](#) for data relating to appeals in 2016/17.

Compliance

On behalf of the Board, AHPRA monitors physiotherapists and students who have restrictions (conditions or undertakings) placed on their registration, and those with suspended or cancelled registration. By identifying any non-compliance with restrictions and acting swiftly and appropriately, AHPRA supports the Board to manage risk to public safety.

As at 30 June 2017, there were 63 individual physiotherapists being monitored (and a total of 64 monitoring cases)¹.

Monitoring can be for one or more of the following reasons:

- ▶ suitability/eligibility to be registered to practise
- ▶ compliance with restrictions on their registration – health, conduct, performance, and/or
- ▶ to make sure that any practitioner who was cancelled from the register did not practise.

The 64 active monitoring cases of physiotherapists represent 1.3% of all monitoring cases managed by AHPRA across all 14 regulated health professions. The majority of these cases were being monitored for suitability/eligibility.

It should be noted that despite increasing volumes of notifications received and high closure rates, this has not translated into a peak in active monitoring cases for the Board.

See Table 11 for active monitoring cases by stream.

Statutory offences

The National Law sets out four types of statutory offences:

- ▶ Unlawful use of protected titles
- ▶ Unlawful claims by individuals or organisations as to registration
- ▶ Performing a restricted act, and
- ▶ Unlawful advertising.

Breaches of the National Law that constitute a statutory offence can put individuals and the community at risk. These offences may be committed by registered health practitioners, unregistered individuals or corporate entities and are covered under Part 7 of the National Law.

AHPRA received 940 new statutory offence complaints about physiotherapists in 2016/17, which is a significant increase of over 1,300% when compared to the 66 statutory offence complaints received in 2015/16. This significant increase was due to the lodgement of bulk complaints by a number of organisations about alleged advertising breaches. Of the offence complaints received about the profession during the year, 903 related to possible breaches in the advertising of physiotherapy services; the majority of the remaining complaints related to title protection. Complaints about the profession accounted for 40.9% of all statutory offence complaints received by AHPRA nationally across all regulated health professions during the year.

This year, there was also a substantial increase in the number of statutory offence complaints closed relating to physiotherapy (657; up from 40 in 2015/16).

See Table 12 for data about statutory offences relating to physiotherapists in 2016/17.

¹ A practitioner who has restrictions on their registration for more than one reason may be allocated more than one 'monitoring case'. For example, if a physiotherapist has conditions imposed as a result of health concerns and conduct, they may be allocated two monitoring cases.

Table 4: Notifications received about physiotherapists in 2016/17, by state or territory¹

Physiotherapists	ACT	NSW ²	NT	QLD ³	SA	TAS	VIC	WA	Subtotal	HPCA ⁴	Total
Total 2016/17	0	1	1	20	14	1	34	9	80	41	121
Total 2015/16	2	1	3	23	5	2	20	10	66	36	102

Table 5: Percentage of the profession with notifications received, by state or territory

Registrants	ACT	NSW (including HPCA complaints)	NT	QLD (including OHO complaints)	SA	TAS	VIC	WA	Total ⁵
Physiotherapists 2016/17	0.0%	0.4%	0.6%	0.7%	0.5%	0.2%	0.4%	0.3%	0.4%
Physiotherapists 2015/16	0.4%	0.4%	1.8%	0.4%	0.2%	0.4%	0.3%	0.3%	0.4%
All registered practitioners 2016/17	1.9%	1.7%	2.2%	2.2%	1.3%	1.9%	1.1%	1.2%	1.6%
All registered practitioners 2015/16	1.8%	2.2%	1.8%	1.5%	1.5%	1.7%	1.1%	1.1%	1.5%

Table 6: Immediate action cases by state or territory (excluding HPCA)

Year	ACT	NSW ²	NT	QLD ³	SA	TAS	VIC	WA	Total
2016/17	0	0	0	0	1	0	0	0	1
2015/16	0	0	2	0	0	0	3	1	6

Table 7: Outcomes of immediate actions (excluding HPCA)

Outcome	2016/17		2015/16	
	Physiotherapists	All practitioners	Physiotherapists	All practitioners
Not take immediate action	0	76	3	66
Accept undertaking	0	69	0	67
Impose conditions	0	147	2	229
Accept surrender of registration	0	1	0	6
Suspend registration	1	103	0	74
Decision pending	0	23	1	22
Total	1	419	6	464

Table 8: Notifications closed in 2016/17, by state or territory

Physiotherapists	ACT	NSW ²	NT	QLD ³	SA	TAS	VIC	WA	No PPP ⁶	Subtotal	HPCA ⁴	Total
Total 2016/17	0	1	3	20	15	2	30	12	0	83	33	116
Total 2015/16	1	1	6	15	5	1	21	4	1	55	38	93

Table 9: Notifications closed, by stage at closure (excluding HPCA)

Stage at closure	2016/17	2015/16
Assessment ⁷	47	31
Health or performance assessment ⁸	3	6
Investigation	28	16
Panel hearing	4	1
Tribunal hearing	1	1
Total	83	55

1 Data relating to notifications (complaints or concerns) are based on the state or territory of the practitioner's principal place of practice (PPP).

2 Matters managed by AHPRA about practitioners with a PPP in NSW, where the conduct occurred outside NSW.

3 Matters referred to AHPRA and the National Board by the Office of the Health Ombudsman in Queensland (OHO).

4 Matters managed by the Health Professional Councils Authority (HPCA) in NSW.

5 Total includes matters managed by AHPRA, the OHO in Queensland and the HPCA in NSW.

6 No principal place of practice (No PPP) will include practitioners with an overseas address.

7 Closed after initial assessment of the matter.

8 Performance assessments are carried out by a Board-selected assessor whose scope of practice is similar to that of the practitioner being assessed (assessors are not Board members or AHPRA staff).

Table 10: Notifications closed, by outcome at closure (excluding HPCA)

Outcome	Total 2016/17	Total 2015/16
No further action ¹	65	36
Caution	2	9
Accept undertaking	2	0
Impose conditions	12	10
Suspend registration	1	0
Refer all of the notification to another body	1	0
Total²	83	55

Table 11: Active monitoring cases at 30 June 2017, by stream (excluding HPCA)³

Stream	Total 2016/17	Total 2015/16
Conduct	9	6
Health	7	6
Performance	7	6
Prohibited practitioner/student	2	0
Suitability/eligibility	39	42
Total⁴	64	60

Table 12: Statutory offence complaints about physiotherapists, received and closed in 2016/17, by type of offence and jurisdiction

Type of offence ⁵		ACT	NSW ⁶	NT	QLD ⁷	SA	TAS	VIC	WA	No PPP ⁸	Total 2016/17	Total 2015/16
Title protections (s.113–120)	Received	1	9	1	5	0	0	2	1	16	35	19
	Closed	1	8	2	5	0	0	1	2	14	33	16
Practice protections (s.121–123)	Received	0	0	0	0	1	0	0	0	0	1	1
	Closed	0	0	0	0	0	0	0	0	0	0	0
Advertising breach (s.133)	Received	2	292	0	24	19	0	493	47	26	903	44
	Closed	1	168	0	12	6	0	370	35	31	623	24
Directing or inciting unprofessional conduct/professional misconduct (s.136)	Received	0	0	0	0	0	0	1	0	0	1	0
	Closed	0	0	0	0	0	0	1	0	0	1	0
Other offence	Received	0	0	0	0	0	0	0	0	0	0	2
	Closed	0	0	0	0	0	0	0	0	0	0	0
Total 2016/17	Received	3	301	1	29	20	0	496	48	42	940	
	Closed	2	176	2	17	6	0	372	37	45	657	
Total 2015/16	Received	0	10	3	20	0	0	1	6	26		66
	Closed	1	12	4	5	3	0	1	5	9		40

1 No further regulatory action is usually taken when, based on available information, the Board determines there is no risk to the public that meets the legal threshold for regulatory action. It may also be because a practitioner has taken steps to voluntarily address issues of concern.

2 Excludes matters managed by the Health Professional Councils Authority (HPCA) in NSW.

3 AHPRA reports on monitoring cases established rather than by individual registrants being monitored. This is because a registrant may have a set of restrictions (conditions or undertakings) in more than one stream. As at 30 June 2017, there were 64 cases about physiotherapists, which relate to 63 individual registrants.

4 Total may include cases that are to be transitioned from AHPRA to the HPCA for conduct, health and performance streams. They do not include HPCA-managed monitoring cases.

5 This table captures offence complaints by principal place of practice (PPP) and includes all offences from sections 113–116 of the National Law, not only offences about advertising, title and practice protection.

6 Excludes matters managed by the HPCA in NSW.

7 Matters referred to AHPRA and the National Board by the Office of the Health Ombudsman in Queensland.

8 AHPRA also receives offence complaints about unregistered persons where there is no PPP recorded. Only registered practitioners have a designated PPP.

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For more information about AHPRA and the National Boards' work in 2016/17, please see the annual report, available from the [AHPRA website](#).

Useful links

Register of practitioners: www.ahpra.gov.au/registration/registers-of-practitioners

Complaints portal: www.ahpra.gov.au/About-AHPRA/Complaints

Court and tribunal outcomes: www.ahpra.gov.au/Publications/Tribunal-Decisions

National restrictions library: www.ahpra.gov.au/Registration/Monitoring-and-compliance/National-Restrictions-Library

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