

Regulatory Performance Committee Annual report 2023/24

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 two years 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 with reduced numbers of aged notifications and an improved closure rate.

In preparation for the release of the Transformation Program, members regularly received and discussed updates on likely impacts the release would have on regulatory performance. Members were pleased to note a system 'go-live' date is being planned for a period of least disruption on regulatory performance.

The Committee has continued to actively engage 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*. Members also noted the expanded focus on regulatory activities in the non-surgical cosmetic procedure sector. In 2024/25, the Committee looks forward to broadening its focus once again to new and emerging issues that require rapid regulatory response.

Throughout 2023/24, Ms Richelle McCausland, National Health Practitioner Ombudsman and Privacy Commissioner continued to be a regular observer at Committee meetings, bringing 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.

Mr Andrew Brown, 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 2023/24
Dr Susan Young - Chair	Ahpra Board – July 2023 to October 2023
Mr Andrew Brown – Chair, from November 2023	Independent member – July 2023 to October 2023 Ahpra Board member – November 2023 to June 2024
Ms Gill Callister PSM	Ahpra Board member – July 2023 to June 2024
Emeritus Professor Arie Freiberg AM	Ahpra Board – July 2023 to June 2024
Ms Tanya McGregor	Ahpra Board member – November 2023 to June 2024
Dr Anne Tonkin AO	Chair, Medical Board of Australia – July 2023 to June 2024

Adj Assoc Professor Veronica Casey AM	Chair, Nursing and Midwifery Board of Australia – July 2023 to June 2024
Ms Kim Gibson	Chair, Physiotherapy Board of Australia – July 2023 to June 2024
Ms Rachel Philips	Chair, Psychology Board of Australia – July 2023 to June 2024
Mr Brett Simmonds	Chair, Pharmacy Board of Australia – July 2023 to June 2024
Dr Murray Thomas	Chair, Dental Board of Australia – July 2023 to June 2024
Ms Tiina-Liisa Sexton	Community Member, Paramedicine Board of Australia – July 2023 to June 2024

Meetings

The Committee held four scheduled meetings in 2023/24

Meeting dates	Attendance
3 August 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, Ms Gill Callister PSM, Mr Andrew Brown, Mr Martin Fletcher, Ms Kym Ayscough, Mr Matthew Hardy, Mr Jason McHeyzer, Mr Jamie Orchard, Ms Catherine Miedecke, Ms Helen Rays, Ms Richelle McCausland, Ms Sangeetha Masilamani
2 November 2023	Ms Gill Callister PSM (<i>Acting 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 Catherine Miedecke, Ms Richelle McCausland, Ms Sangeetha Masilamani
1 February 2024	Ms Gill Callister PSM (<i>Acting Chair</i>), Dr Murray Thomas, Mr Brett Simmonds, Ms Kim Gibson, Ms Rachel Phillips, Dr Anne Tonkin AO, Ms Tiina-Liisa Sexton, Emeritus Professor Arie Freiberg AM, Mr Andrew Brown, Mr Martin Fletcher, Ms Kym Ayscough, Mr Matthew Hardy, Mr Jason McHeyzer, Mr Jamie Orchard, Ms Catherine Miedecke, Ms Sangeetha Masilamani
2 May 2024	Mr Andrew Brown (<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, Ms Gill Callister PSM, Emeritus Professor Arie Freiberg AM, Ms Tanya McGregor, Mr Martin Fletcher, Ms Kym Ayscough, Mr Matthew Hardy, Mr Jason McHeyzer, Mr Jamie Orchard, Mr Danial Hilary, Ms Richelle McCausland, Ms Sangeetha Masilamani

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 2023 to 30 June 2024

Matters of note considered by the Committee included:

- Commencement of the review of the National Restrictions Library
- National Health Practitioner Ombudsman (NHPO) follow up review into the quality of Ahpra's recommendations to take no further action in relation to low-risk notifications
- Notifications involving cosmetic surgery and work of the Cosmetic Surgery Enforcement Unit
- Impacts of the Transformation Program on regulatory performance
- Ahpra and the Medical, Nursing and Midwifery and Pharmacy Boards of Australia's forum to discuss Regulatory Intelligence in the regulation of medicinal cannabis
- Monitoring of rise in Code of Conduct breaches, specifically in relation to acceptable use of social media
- Review of Ahpra's framework for identifying and managing vexatious notifications

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 including the implementation of the 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

- Shared internal auditing with the Office of the Health Ombudsman (OHO) on the notification risk assessment and control framework
- 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
- Broadened focus on emerging regulatory issues