



Australian
College of
Nursing

Voice of influence

Nursing and Midwifery Board of Australia
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To whom it may concern

Consultation on draft revised registration standards and guidelines

Australian College of Nursing (ACN) is pleased to provide feedback on the Nursing and Midwifery Board of Australia's (the Board) proposed draft revised registration standards and guidelines.

As a key national organisation ACN represents many nurses who are directly impacted by the registration standards and guidelines. ACN therefore welcomes any revisions to the standards that would improve the ease with which they can be interpreted and applied to nursing and midwifery practice.

ACN's responses to the Board's questions posed in the consultation paper are attached to this letter.

Please do not hesitate to contact me for further information or discussion on this matter.

Yours sincerely

Adjunct Professor Debra Thoms FACN (DLF)
Chief Executive Officer

// July 2014

Consultation on draft revised registration standards and guidelines

28 April 2014

Responses to consultation questions

Please provide your feedback as a Word document (not PDF) by email to nbafeedback@ahpra.gov.au by close of business on Monday, 14 July 2014.

Stakeholder Details

If you wish to include background information about your organisation please provide this as a separate word document (not PDF).

Organisation name
Australian College of Nursing
Contact information (please include contact person's name and email address)
Debra Thoms, Chief Executive Officer Debra.thoms@acn.edu.au
General comments
<p>To review the registration standards ACN accessed the registration standards and associated guidelines on the NMBA website. However, ACN experienced significant difficulties with locating the required documents on the website. NMBA documents communicate important regulatory information to nurses. For this reason ACN believes that the NMBA has an obligation to ensure its documents are easily accessible and that standards and their supporting guidelines are available on the same website page.</p> <p>To inform the content of this submission ACN consulted with its members. Members indicated that they are experiencing significant confusion about the requirements for 'professional indemnity insurance arrangements', 'continuing professional development' and 'recency of practice'. ACN is of the view that the NMBA should consider conducting an education campaign for nurses and midwives to improve their understanding of the registration standards' requirements.</p>

Your responses to consultation questions

Registration standard: Professional indemnity insurance arrangements

Please provide your responses to any or all questions in the blank boxes below

Options statement

ACN supports Option 2 for the Board to submit a revised professional indemnity insurance registration standard to the Ministerial Council for approval. Improving the ease with which a standard can be interpreted is a positive review outcome.

1. From your perspective how is the current Professional indemnity insurance (PII) arrangements registration standard working?

ACN is advised that there is a lack of awareness among nurses and midwives of the need to have PII, and confusion around which practitioners are covered by which PII arrangements. Furthermore, practitioners are often unaware of whether or not their insurance requirements are appropriately covered by their employer. This confusion and lack of awareness surrounding the registration standard necessitates that it be revised and suggests a need for awareness raising and ongoing education about PII arrangements appropriate to practitioners in their relevant workplaces.

2. Is the content of the draft revised Registration standard: PII arrangements helpful, clear, relevant and more workable than the current standard?

The content of the draft revised Registration standard is generally clear and easy to understand. It will, overall, provide greater guidance to nurses and midwives compared with the current standard. Common feedback from ACN members was that more detail within the standard on what would constitute appropriate insurance coverage would enhance this guidance. It is noted that the standard explicitly states that it will not specify a minimum amount of cover.

3. Is there any content that needs to be changed or deleted in the draft revised Registration standard: PII arrangements?

The following amendments (inserted in red) to the revised draft are recommended:

- In the first paragraph include the full title of the National Law. It should not be assumed that nurses and midwives will understand the abbreviated reference.
- In the first paragraph retain the following wording from the current standard "...under the National Law *as in force in each state and territory*".
- The wording of several of the subtitles should be reconsidered. It is recognised that these titles have been revised to make wording easier to understand, however, in some cases the titles are too vague. The titles should give a clearer indication of the subject matter of each section for example,
 - What must I do *to meet this registration standard?*
 - What does this *requirement* mean for me?
 - *Required declaration* when you apply for registration
 - *Required declaration* at renewal of registration
 - *Ongoing requirements* during registration period
 - Evidence *of your PII arrangements*
- The development of associated Frequently Asked Questions (FAQs) could be beneficial towards informing nurses and midwives of the application of the PII arrangements.

Registration standard: Professional indemnity insurance arrangements

Please provide your responses to any or all questions in the blank boxes below

4. Is there anything missing that needs to be added to the draft revised Registration standard: PII arrangements?

It is recommended that the word "reputable" be removed from Point 5 under *What must I do?* as follows "...If you take out your own PII insurance arrangements you must do so with ~~a reputable~~ an insurer regulated by the Australian Prudential Agency". Individual nurses or midwives may not be able to determine the reputation of an insurer. There should be scope for assuming that the regulatory agency will provide adequate assurances.

The standard or accompanying guidelines should also include minimum criteria and elements for 'appropriate' PII arrangements.

5. Do you have any other comments on the draft revised Registration standard: PII arrangements?

No further comments.

6. Do you think that that the current review period of at least every five years is appropriate or would an alternative period be appropriate e.g. three years, with the option to review earlier if the need arises?

ACN suggests the current review period of at least every five years is appropriate, with the option to review earlier if the need arises.

Registration standard: Continuing professional development for nurses (CPD)

Please provide your responses to any or all questions in the blank boxes below

Options statement

ACN supports Option 2 for the Board to submit a revised Continuing Professional Development registration standard to the Ministerial Council for approval because the profession will benefit from the added information and clearer language.

7. From your perspective how is the current CPD registration standard working?

There is support for the CPD registration standard within the profession; however, there are nurses who seek greater guidance on how to appropriately document their annual CPD requirements. ACN is aware that currently there is some uncertainty and confusion among nurses about their responsibilities and requirements under the current CPD registration standard. Two main areas of confusion are 1) what education can be counted towards CPD and 2) what constitutes an acceptable record of their participation in CPD activities. While not a component of the current standard, industry references to CPD 'points' create confusion as nurses are often unclear how a CPD 'point' relates to a CPD 'hour'.

8. Is the content of the draft revised Registration standard: CPD helpful, clear, relevant and more workable than the current standard?

Overall, the draft revised Registration standard provides a clearer direction, with the accompanying Guideline providing greater guidance for the application of the standard.

Registration standard: Professional indemnity insurance arrangements

Please provide your responses to any or all questions in the blank boxes below

9. Is there any content that needs to be changed or deleted in the draft revised Registration standard: CPD?

ACN recommends the following amendments (included in red) to the draft revised Registration standard for CPD:

- On page 14, the introductory sentence to the standard appears inconsistent with the title in its listing of nurses to whom the standard applies as nurse practitioners are not included.
- On page 15, under *Specific requirements for nurses who are also midwives*, the opening statement needs clarification. It is suggested that wording is amended to read: "If you are registered as **either an enrolled nurse or a registered nurse** and a midwife, you must..."
- On page 16, the statement under *When you apply for registration* needs clarification. Including the following explanatory text is recommended: "You don't need to meet this registration standard when you apply for registration in Australia as an enrolled nurse or a registered nurse. **The requirement to meet this standard starts from the date you are registered in Australia.**"
- The wording of several of the subtitles should be reconsidered. It is recognised that these titles have been revised to make wording easier to understand, however, in some cases the titles are too vague. The titles should give a clearer indication of the subject matter of each section for example,
 - What must I do **to meet this registration standard?**
 - What does this **requirement** mean for me?
 - **Requirements** when you apply for registration
 - **Required declaration** at renewal of registration
 - **Ongoing requirements** during registration period
 - Evidence **of your CPD**
- ACN suggests that the table on page 15 identifying pro rata CPD requirements implies that to maintain competency, CPD is required at 3 month intervals at a minimum in a given year. However, this is inconsistent with the requirement for nurses to undertake a minimum of 20 hours CPD per twelve month period.
- CPD requirements for nurses would be further clarified if the standard identified the start and end dates of the standard annual registration period.

10. Is there anything missing that needs to be added to the draft revised Registration standard: CPD?

The following amendments are recommended on page 16:

- Under *Continuing professional development guidelines and policies*: "Enrolled nurses, **and registered nurses and nurse practitioners** are expected to apply the guidelines together with this registration standard".
- The National Law is first mentioned within this standard. It should not be assumed that nurses will understand the abbreviated reference therefore the full title of the law should be used in this instance.
- Under *CPD obligations for other reasons*:
 - **"If you have a condition or undertaking to complete further education Education undertaken as a condition** imposed on you by the National Board, a panel or tribunal, **this cannot be counted towards the CPD required under this registration standard.**
 - **In the interest of public safety**, where there is compelling evidence **for public safety**, the National Board can **may, from time to time**, prescribe CPD activities for enrolled nurses, **and registered nurses and nurse practitioners.**

Registration standard: Professional indemnity insurance arrangements

Please provide your responses to any or all questions in the blank boxes below

11. Do you have any other comments on the draft revised Registration standard: CPD?

No further comment.

12. Do you think that that the current review period of at least every five years is appropriate or would an alternative period be appropriate e.g. three years, with the option to review earlier if the need arises?

ACN suggests the current review period of at least every five years is appropriate, with the option to review earlier if the need arises.

Registration standard: Continuing professional development for midwives (CPD)

Please provide your responses to any or all questions in the blank boxes below

Options statement

ACN supports Option 2 for the Board to submit a revised Continuing Professional Development registration standard to the Ministerial Council for approval because the profession will benefit from the added information and clear language.

13. From your perspective is the separation of the CPD registration standard useful?

No comment.

14. Is the content of the draft revised Registration standard: CPD helpful, clear, relevant and more workable than the current standard?

Overall, the draft revised Registration standard provides a clearer direction, with the accompanying Guideline providing greater guidance for the application of the standard.

15. Is there any content that needs to be changed or deleted in the draft revised Registration standard: CPD?

ACN recommends the following amendments to the draft revised Registration standard:

- On page 19, under *When you apply for registration*: "...registration in Australia ~~for~~ as a midwife".
- On page 20, under *CPD obligations for other reasons*:
 - ~~"If you have a condition or undertaking to complete further education Education undertaken as a condition imposed on you by the National Board, a panel or tribunal, this cannot be counted towards the CPD required under this registration standard.~~
 - *In the interest of public safety, where there is compelling evidence for public safety, the National Board can may, from time to time, prescribe CPD activities for enrolled nurses, and registered nurses and nurse practitioners.*

16. Is there anything missing that needs to be added to the draft revised Registration standard: CPD?

The wording of several of the subtitles should be reconsidered. It is recognised that these titles have been revised to make wording easier to understand, however, in some cases the titles are too vague. The titles

Registration standard: Continuing professional development for midwives (CPD)

Please provide your responses to any or all questions in the blank boxes below

should give a clearer indication of the subject matter of each section for example:

- What must I do *to meet this registration standard?*
- What does this *requirement* mean for me?
- *Requirements* when you apply for registration
- *Required declaration* at renewal of registration
- *Ongoing requirements* during registration period
- Evidence *of your CPD*

17. Do you have any other comments on the draft revised Registration standard: CPD?

No further comment

18. Do you think that that the current review period of at least every five years is appropriate or would an alternative period be appropriate e.g. three years, with the option to review earlier if the need arises?

ACN suggests the current review period of at least every five years is appropriate, with the option to review earlier if the need arises.

Guidelines on continuing professional development (CPD)

Please provide your responses to any or all questions in the blank boxes below

19. Is the content of the draft guideline on CPD helpful, clear, and relevant?

The draft Guideline: continuing professional development is generally clear, relevant and written in readily accessible language. There are some sections that would benefit from re-drafting, particularly the content under section *Continuing Professional Development Activities* on page 25 which lacks flow in parts. For example, ACN is of the view that type of learning activities should be discussed prior to *Self Assessment/Self Reflection* and *Engagement with the Profession*. Additionally, this section needs to provide concrete advice and examples about what constitutes CPD activities.

Given the length of the document, applying a numbering system to the headings would improve the accessibility of the document. Reducing the repetition between this document and its corresponding registration standards would improve the Guideline's readability.

20. Is there any content that needs to be changed or deleted in the draft guidelines on CPD?

ACN suggests the following minor editorial and content amendments:

- Paragraph spaces are needed on page 23 before the heading *CPD for part-time nurses and midwives* and on page 24 before *Pro rata CPD*.
- There is an extra full-stop on page 25 first sentence seventh paragraph.
- There are several paragraph and sentence spacing inconsistencies on page 27.
- On page 22, under *Who needs to use the guidelines* dot point three an "s" is required: "registered nurses with ...".
- On page 26, Definition should be Definitions.
- On page 22, an "s" needs to be added to supplement in the first paragraph.
- The *Summary* section could go before the *Who needs to use the guideline?*.

Guidelines on continuing professional development (CPD)

Please provide your responses to any or all questions in the blank boxes below

- The *Who needs to use the guideline?* section could go under the *Scope of these CPD guidelines* heading.
- It is queried whether the following change is required, "A CPD year commences **on the first day of an individual's registration or on the first day of the renewal period and ends on the last day of the renewal period (1 June – May 31)**".
- Statements should reference Table 1 when it is mentioned within the document. For example, "There are additional CPD requirements for the following groups (see Table 1)."
- In the table on page 25, it should read "Having an article published in a peer reviewed journal".
- Consideration should be given to placing the *Auditing* section on page 26 before the *Compliance* section to improve the flow of concepts within the document.
- Paragraph 2 under *Compliance* should be re-worded for greater clarity for example: "The Board will ask for ~~his/her~~ **your CPD records if you are selected for an audit. The ~~or the~~ Board may ask a registrant to provide their CPD records if it considers it necessary in other circumstances.**

21. Is there anything missing that needs to be added to the draft revised guidelines on CPD?

ACN suggests the following inclusions to the draft guidelines on CPD:

- Guidance on acceptable ways of proving or verifying CPD with evidence.
- Include templates and record keeping tools that demonstrate the appropriate methods of recording CPD activities and other information as attachments to the guidelines not just as footnoted resources.

22. Do you have any other comments on the draft revised guidelines on CPD?

It is suggested that footnoted reference 4 on page 27 be added to the References list at the end of the document.

23. Do you think that that the current review period of at least every five years is appropriate or would an alternative period be appropriate e.g. three years, with the option to review earlier if the need arises?

ACN suggests the current review period of at least every five years is appropriate in line with the corresponding registration standards, with the option to review earlier if the need arises.

Registration standard: Recency of practice (ROP)

Please provide your responses to any or all questions in the blank boxes below

Options statement

ACN supports Option 2 for the Board to submit a revised Recency of practice registration standard to the Ministerial Council for approval. ACN welcomes measures that improve the comprehensibility of the standard.

24. From your perspective how is the current ROP registration standard working?

There is a great deal of confusion among nurses around the current ROP registration standard. For example, there is confusion around the timeframes for maintaining ROP for “recent” graduates. It is unclear in the current standard when Requirement 2 (a)’a. *complete a minimum of 450 hours of practice within the past 5 years* will commence for recent graduates. It needs to be clarified whether this requirement would commence on the date recent graduates are awarded their qualification or following the two year grace period they have following being awarded their qualification (as stated in the relevant definition on page 33). That is, do recent graduates potentially have a 7 year period within which they need to accumulate a minimum of three months fulltime practice? Additionally, as the current ROP registration standard is not explicit on whether or not practitioners must have registration at the time of the practice being used for ROP, nurses report that there is uncertainty related to this requirement.

25. Is the content of the draft revised Registration standard: ROP helpful, clear, relevant and more workable than the current standard?

The revised standard still does not address some of the concerns outlined in question 24. For example:

- There is no elaboration on the requirements for recent graduates.
- In terms of the practice hours points a, b and c under *What must I do?* “*Your practice hours will be recognised as meeting this standard if you:*” it is unclear whether nurses must hold one or all of the listed requirements. The current standard specifies “or” for each of these requirements.

26. Is there any content that needs to be changed or deleted in the draft revised Registration standard: ROP?

The following amendments are recommended:

- On page 31, point 1 “...all enrolled nurses, registered nurses, nurse practitioners, midwives and eligible midwives ~~and not except~~ those with non-practising registration”.
- On page 31, under *What must I do?*, to follow on from point 2 above, consider including “*When applying for registration you must demonstrate how you meet this registration standard*”.
- On page 31, the section “Does this standard apply to me” could be presented more clearly by separating the section into “This standard applies to” and “This standard does not apply to recent graduates (*see definition page 33*) or students...”.
- Consideration should be given to presenting the *What must I do?* section in a table format to improve clarity.
- The use of “practice” versus “practise” is not consistent, for example page 32 under *What happens if I don’t meet this standard?* “...whether you are able to continue to *practiese*”.
- On page 32, under *When you apply for registration*, there is an unnecessary space after “...registered nurse *or,*”

Registration standard: Recency of practice (ROP)

Please provide your responses to any or all questions in the blank boxes below

- The wording of several of the subtitles should be reconsidered. It is recognised that these titles have been revised to make wording easier to understand, however, in some cases the titles are too vague. The titles should give a clearer indication of the subject matter of each section for example:
 - What must I do *to meet this registration standard?*
 - What do these *requirements* mean for me?
 - *Required declaration* when you apply for registration
 - *Required declaration* at renewal of registration
 - *Ongoing requirements* during registration period
 - Evidence *of your ROP*

27. Is there any content that needs to be changed or deleted in the draft revised Registration standard: ROP?

The following additions are suggested for page 32:

- Include midwives in the section on "When you apply for registration".
- Include a reference to where the Board's Re-entry to Practice policy can be sourced in the section on *What happens if I don't meet this standard?*.

28. Do you have any other comments on the draft revised Registration standard: ROP?

The development of corresponding Frequently Asked Questions (FAQs) would be beneficial towards informing nurses and midwives of the application of the Board's ROP requirements.

29. Do you think that that the current review period of at least every five years is appropriate or would an alternative period be appropriate e.g. three years, with the option to review earlier if the need arises?

ACN suggests the current review period of at least every five years is appropriate, with the option to review earlier if the need arises.

30. Do you think that 450 hours of practice over five years is reasonable?

Yes, 450 hours of practice over five year is currently reasonable. ACN acknowledges that the evidence base for nominating minimum practice hours is not comprehensive or overwhelmingly supported. This is an issue that should be continually examined and the Board should be amendable to reviewing this requirement in light of any new or emerging research.

31. Is two years an appropriate period for the definition of recent graduate in the context of the nursing and midwifery professions?

Two years is an appropriate period for the definition of recent graduate in the context of the nursing and midwifery professions. ACN suggests that research supporting the retaining of practice skills would be useful to support a decision on this. As noted in question 24, there is confusion relating to the current standard when Requirement 2 (a) will commence for recent graduates: on the date they are awarded their qualification or after the two year grace period following being awarded their qualification. The revised standard does not offer any clarification of this issue.