



## Consultation Paper: Public Consultation

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31 January 2013

### Draft *Framework: pathways for registration of overseas-trained osteopaths*

#### Important information

This consultation paper is for public consultation

Interested parties are invited to make written submissions on this proposal. Please note that your submission will generally be placed on the Board's website unless you indicate otherwise. However, the Board reserves its right not to publish submissions, for example that contain offensive or defamatory comments or which are outside the scope of reference.

**If you wish to provide comments on this draft paper, please provide written comments in electronic form to [osteoboardconsultation@ahpra.gov.au](mailto:osteoboardconsultation@ahpra.gov.au) by close of business on Friday 8 March 2013.**

Issued by the Osteopathy Board of Australia under the authority of Dr Robert Fendall, Chair, on 31 January 2013.



## Consultation Paper: Preliminary Consultation (Phase 1)

### Summary:

This consultation paper seeks feedback on a draft Framework which adds an additional pathway to the existing Standard Assessment Pathway for overseas qualified osteopaths seeking to practise in Australia. The new pathway would apply to certain osteopaths who are registered in the United Kingdom with qualifications from UK educational institutions.

Under the Health Practitioner Regulation National Law as in force in each state and territory (the National Law), the Osteopathy Board of Australia (the Board) is required to undertake wide-ranging consultation on proposed guidelines, codes and registration standards.

The attached consultation paper includes background information as well as details of the proposed new pathway. The current pathway is not under consultation.<sup>1</sup>

### Memorandum of Understanding

On 14 April 2010, a Memorandum of Understanding (MoU) was signed by the Chairs of the Osteopathy Board of Australia, the Osteopathic Council of New Zealand (OCNZ) and the General Osteopathic Council of the United Kingdom (GOsC). The Board consulted publically before signing the MoU. The MoU included the commitment that the regulators would work together with the aim of agreeing comparable arrangements for registering osteopaths from all three countries on terms that enable each regulator to meet its statutory duties, whilst removing unnecessary obstacles for the registration of osteopathic practitioners from each country. The work towards streamlining the registration arrangements has proceeded at varying rates within each jurisdiction, with OCNZ opening two routes to registration for UK trained osteopaths in April 2011: a Standard Pathway and a Competent Authority Pathway.

### Osteopathy Board's development of policy

Section 42 of the National Law defines accreditation function to include assessing authorities in other countries who conduct examinations for registration in a health profession or accredit programs of study relevant to registration in a health profession, to decide whether persons who successfully complete the examinations or programs of study conducted or accredited by the authorities have the knowledge, clinical skills and professional attributes necessary to practise the profession in Australia.

In 2012, at the request of the Board, the Board's accreditation authority, the Australian and New Zealand Osteopathic Council (ANZOC), assessed the General Osteopathic Council in the UK (GOsC) and considered whether osteopaths registered with the GOsC have the knowledge, skills and professional attributes necessary to practise the profession in Australia. To undertake its assessment, ANZOC developed a *Policy for Assessment and Recognition of Overseas Assessment and Regulatory Authorities*<sup>2</sup> that specifies processes and criteria for the assessment and recognition of overseas authorities.

The Policy includes the following criteria for assessment of equivalence of authorities in other countries:

- 1) The authority operates as an independent regulatory authority established by legislation within its identified jurisdiction.
- 2) The authority has course accreditation standards, processes and outcomes and assessment processes that are equivalent to those operating in Australia.

<sup>1</sup> Currently a four-stage process conducted by ANZOC: [http://www.anzoc.org.au/assessment\\_for\\_registration\\_in\\_aust.html](http://www.anzoc.org.au/assessment_for_registration_in_aust.html)

<sup>2</sup> Published by ANZOC at [http://www.anzoc.org.au/assessment\\_of\\_overseas\\_authorities.html](http://www.anzoc.org.au/assessment_of_overseas_authorities.html)

- 3) The authority has governance arrangements, committee and decision making processes which are comparable in their rigour and attention to fairness and equity in applying accreditation standards (although they might differ in format).
- 4) The authority has policies and processes relating to the maintenance of competence of practitioners and continuing professional development.
- 5) The authority has policies and processes relating to the investigation of complaints and disciplinary action against practitioners.
- 6) There is congruence between the education and health system context in the jurisdiction in question and the Australian context.

### General Osteopathic Council of the United Kingdom (GOsC)

The ANZOC *Policy for assessment and recognition of overseas assessment and regulatory authorities* (the Policy) allows the assessment of GOsC and ANZOC accreditation standards and their governance /constitutions against each other. ANZOC has applied this Policy to the assessment of the GOsC and provided advice to the Board about the comparability of certain qualifications recognised by the GOsC (see attached summary report on the Competent Authority status of the General Osteopathic Council (GOsC) United Kingdom which is provided by ANZOC for this current consultation by the Board).

ANZOC reviewed the Accreditation Standards from GOsC and found them to be generally equivalent to the ANZOC standards. ANZOC undertook a detailed comparison of UK and Australian practice standards, accreditation standards and processes and governance for the period 1999 to 2012. 1999 is when the GOsC commenced conducting a 'Recognised Qualification' process using the *Standard 2000: Standard of Proficiency Areas of Capability and Learning Outcomes*.

ANZOC has advised the Board that:

*In effect, equivalence of accreditation standards and processes over the 2000 – 2012 period implies that graduates of programs accredited in that period can be considered to have graduated with knowledge, clinical skills and professional attributes which are equivalent to those possessed by graduates of Australian and NZ training institutions accredited in the same period.*

In summary, ANZOC recommended:

- Graduates with a qualification (AQF) level 7 or higher recognised by the GOsC between 1999 and 2012 should be eligible for a new Competent Authority Assessment Pathway (the Competent Authority Pathway)
- Applicants who do not meet the requirements for the Competent Authority Pathway should continue to undertake the Standard Pathway
- In making this assessment, ANZOC based its decisions on the qualification assessment carried out by the Educational and Professional Recognition Unit (AEI-NOOSR) of the Commonwealth Department of Primary Industry, Innovation, Science, Research and Tertiary Education (DIISR) as well as its own assessments.

For Australian osteopathy programs, the accreditation standard at 3.1 sets out that: *'the course consists of a program or combined program of study at bachelors level or higher (level 7 or higher in the Australian Qualifications Framework) of at least 4 years full time or its equivalent'*.<sup>3</sup>

### Trans-Tasman Mutual Recognition

Section 53(c) of the National Law provides that an individual is qualified for registration in a health profession if the individual holds a relevant qualification which is not an approved qualification or substantially equivalent to an approved qualification and has successfully completed an examination or assessment required by the National Board for the purposes of general registration in the health

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<sup>3</sup> Australian and New Zealand Osteopathic Council *Standards for the Accreditation Of Osteopathic Courses In Australia* (2010 revised 2012) at <http://www.anzoc.org.au/accreditation.html>

profession. The National Board requires assessments for overseas qualified practitioners under this section.

The Board is mindful that its proposed assessment framework provides for similarly named pathways to registration to those established by the Osteopathic Council of New Zealand: a Standard Pathway and a Competent Authority Pathway. However, the Competent Authority Pathway that the Board proposes to establish is not identical to the New Zealand Competent Authority Pathway. Each country has different legislation applying to the registration of health practitioners, and sets its policy in the context of each country's regulatory frameworks. The Board considers that its proposed approach is consistent with the Trans-Tasman Mutual Recognition scheme, which provides for the recognition of registration to practice a profession in the other country rather than mandating a consistent approach for assessing overseas qualified practitioners.

### **Module**

The Competent Authority Pathway would involve completing a Module and an assessment about practice in the Australian health system. ANZOC is developing the module which is expected to consist of self-study material about the Australian health care system which will then be assessed. The assessment on the content of the module will use various practice scenarios and is likely to involve an online assessment using a rotating bank of questions. This would be the assessment required by the National Board under s. 53(c). It is proposed that the assessment on the Module also be an addition to the current four stage assessment of skills required for the Standard Pathway. The Module assessment would therefore be required by both Competent Authority and Standard Pathway applicants for registration. The Module may change and evolve over time.

## Information

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XXXX 2012

### Draft *Framework: Pathways for registration of overseas-trained osteopaths*

#### 1. Introduction

The Framework has been developed by the Osteopathy Board of Australia (the Board) to explain the assessments the Board requires under s. 53(c) for osteopaths who have trained overseas and are applying for general registration in Australia.

This Framework outlines two pathways to general registration: the Standard Pathway and the Competent Authority Pathway.

#### 2. Summary of the Framework

This Framework applies to overseas qualified osteopathy practitioners, except for those registered in New Zealand who are eligible for registration in Australia under Trans Tasman Mutual Recognition arrangements.

The Framework builds on the current standard assessment pathway for overseas-trained osteopaths and should be read in conjunction with the Board's five registration standards. The current assessment pathway will be referred to as the 'Standard Pathway'. Information on the Standard Pathway is available on the Board's website at: <http://www.osteopathyboard.gov.au/Registration/Overseas-Practitioners.aspx>

The proposed Framework will establish two distinct assessment pathways available to overseas trained osteopathy practitioners to qualify for general registration: the Standard Pathway and the Competent Authority Pathway.

Under the Framework, osteopaths who have certain qualifications recognised by the General Osteopathic Council in the United Kingdom (GOsC) will have two pathways to registration in Australia – either the Competent Authority Pathway or the Standard Pathway. Osteopaths with qualifications not specified in the Framework, will continue to be assessed through the Standard Pathway prior to an application for general registration.

#### 3. Assessment of overseas authorities

A key objective of the National Law is to protect the Australian public.

Since the commencement of the National Registration and Accreditation Scheme on 1 July 2010, the Board has registered overseas trained osteopaths from the UK for general registration after they have successfully passed an assessment conducted by the Board by the Australian and New Zealand

Osteopathic Council (ANZOC) under the Standard Pathway. ANZOC is the independent authority exercising accreditation functions assigned by the Ministerial Council under the National Law.

Section 42(c) of the National Law makes provision for an accreditation authority to assess “*authorities in other countries who conduct examinations for registration in a health profession or accredit programs of study relevant to registration, to decide whether persons who successfully complete the programs/examinations conducted or accredited by the authority have the knowledge, skills and professional attributes necessary to practice the profession in Australia*”.

ANZOC has developed a *Policy for assessment and recognition of overseas assessment and regulatory authorities* (the Policy) that specifies processes and criteria for the assessment and recognition of such authorities<sup>4</sup>.

In 2012, at the request of the Board, ANZOC produced a report on the equivalence of the GOsC and GOsC recognised qualifications in accordance with the *Policy for assessment and recognition of overseas assessment and regulatory authorities*.

ANZOC has advised the Board that the GOsC should be recognised as an “equivalent authority” for the purposes of assessing GOsC registrants’ eligibility for registration in Australia.

The Board has accepted ANZOC’s advice that the graduates of identified UK training programs recognised by the GOsC have the “*knowledge, skills and professional attributes necessary to practice the profession in Australia*” with the caveat that they require additional assessment to demonstrate their capacity to practise in the legal and cultural context of Australian health care. The Board agrees with ANZOC that there is no need for these applicants to undertake other assessment of their knowledge, skills or professional attributes prior to registration in Australia.

ANZOC has made direct comparisons between Australian accreditation and practice standards and the standards applied by GOsC to the recognition of Osteopathy training programs. The Board has endorsed ANZOC’s recommendations that:

- 1 applicants registered with the GOsC who are graduates from a UK Recognised Qualification program at Australian Qualification Framework (AQF) level 7 or higher that was reviewed by the GOsC between 1999 and 2012 should be considered eligible for registration via the Competent Authority Pathway.
2. applicants registered with the GOsC who are graduates from a UK Recognised Qualification program that was reviewed by the GOsC between 1999 and 2004 but were not described as a AQF level 7 qualification should be assessed via a Standard Pathway assessment process.

In each case, the applicant’s good standing with the GOsC and any other relevant regulatory authorities would be considered in the assessment of their application for general registration.

ANZOC is developing a module on the orientation to the Australian health care system. Applicants will be required to undertake an assessment based on the material in the module.

#### 4. Qualification

Overseas trained osteopaths may be qualified for registration under s. 53(c) of the National Law, which provides: *An individual is qualified for general registration in a health profession if (c) the individual holds a qualification, not referred to in paragraph (a) or (b), relevant to the health profession and has successfully completed an examination or other assessment required by the National Board for the purpose of general registration in the health profession.*

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<sup>4</sup> Australian and New Zealand Osteopathic Council *Standards for the Accreditation Of Osteopathic Courses In Australia* (2010 revised 2012) at <http://www.anzoc.org.au/accreditation.html>

The Board is proposing two types of assessments, or assessment pathways, for overseas qualified osteopaths under s.53(c):

<i>Qualification</i>	<i>S. 53(c) assessment</i>
Applicants registered with the GOsC who are graduates from a UK Recognised Qualification program at the AQF level 7 or higher that was reviewed by the GOsC between 1999 and 2012,	Successful completion of a Module orienting the osteopath to Australian practice (Competent Authority Pathway)
Applicants registered with the GOsC who are graduates from a UK Recognised Qualification program not described as a AQF level 7 qualification, that was reviewed by the GOsC between 1999 and 2004	The standard ANZOC assessment which is currently in place (Standard Pathway).
Applicants registered with the GOsC who have qualifications not in the categories above or applicants with other overseas qualifications	The standard ANZOC assessment which is currently in place (Standard Pathway)

Any applicant from the UK must be registered with GOsC prior to undertaking an assessment through ANZOC under the Standard or Competent Authority Pathway and applying to the Board for registration in Australia. This applies to recent graduates who have not worked as an osteopath.

## 5. Summary of s. 53(c) pathway requirements

1. **Current registration as an osteopath in their own country.**
2. **A qualification** not covered by s. 53(a) approved qualification or s. 53(b) substantially equivalent qualification.
3. **Successful completion of the assessment required under s. 53(c)** e.g. the written and clinical examination, assessment or portfolio (Standard Pathways); and **Completion of a module on the Australian health care system** (Standard and Competent Authority Pathways)
4. **Eligibility for General Registration.** All requirements for general registration as an osteopathy practitioner under the National Law as set out in the application form must be satisfied, including the practitioner being in good standing with their regulatory authority where they are, or have been, registered.

## 6. The role of the Osteopathy Board of Australia

The primary role of the Board is to protect the public by ensuring that only osteopathy practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered.

## 7. Acknowledgement

The Board acknowledges the considerable work undertaken by ANZOC in the development of this current Framework and in the ongoing assessment of individual applicants for registration. More information about the module will be published as it is available.

## 8. Review

This framework will take effect on XXXX 2013. The Board will review the Framework at least every three years.

## Attachment A: Extract of relevant provisions from the National Law

### 42 Definition

In this Part—

**accreditation function** means—

- (a) developing accreditation standards for approval by a National Board; or
- (b) assessing programs of study, and the education providers that provide the programs of study, to determine whether the programs meet approved accreditation standards; or
- (c) assessing authorities in other countries who conduct examinations for registration in a health profession, or accredit programs of study relevant to registration in a health profession, to decide whether persons who successfully complete the examinations or programs of study conducted or accredited by the authorities have the knowledge, clinical skills and professional attributes necessary to practise the profession in Australia; or
- (d) overseeing the assessment of the knowledge, clinical skills and professional attributes of overseas qualified health practitioners who are seeking registration in a health profession under this Law and whose qualifications are not approved qualifications for the health profession; or
- (e) making recommendations and giving advice to a National Board about a matter referred to in paragraph (a), (b), (c) or (d).

### 52 Eligibility for general registration

(1) An individual is eligible for general registration in a health profession if—

- (a) the individual is qualified for general registration in the health profession; and
- (b) the individual has successfully completed—
  - (i) any period of supervised practice in the health profession required by an approved registration standard for the health profession; or
  - (ii) any examination or assessment required by an approved registration standard for the health profession to assess the individual's ability to competently and safely practise the profession; and
- (c) the individual is a suitable person to hold general registration in the health profession; and
- (d) the individual is not disqualified under this Law or a law of a co-regulatory jurisdiction from applying for registration, or being registered, in the health profession; and
- (e) the individual meets any other requirements for registration stated in an approved registration standard for the health profession.

(2) Without limiting subsection (1), the National Board established for the health profession may decide the individual is eligible for general registration in the profession by imposing conditions on the registration under section 83.

### 53 Qualifications for general registration

An individual is qualified for general registration in a health profession if—

- (a) the individual holds an approved qualification for the health profession; or
- (b) the individual holds a qualification the National Board established for the health profession considers to be substantially equivalent, or based on similar competencies, to an approved qualification; or
- (c) the individual holds a qualification, not referred to in paragraph (a) or (b), relevant to the health profession and has successfully completed an examination or other assessment required by the National Board for the purpose of general registration in the health profession; or
- (d) the individual—
  - (i) holds a qualification, not referred to in paragraph (a) or (b), that under this Law or a corresponding prior Act qualified the individual for general registration (however described) in the health profession; and
  - (ii) was previously registered under this Law or the corresponding prior Act on the basis of holding that qualification.

### 54 Examination or assessment for general registration

For the purposes of section 52(1)(b)(ii), if a National Board requires an individual to undertake an examination or assessment, the examination or assessment must be conducted by an accreditation authority for the health profession, unless the Board decides otherwise.