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17 October 2024

Accreditation Committee
Ahpra

By email: AC_consultation@ahpra.gov.au

Feedback: Public consultation on guidance on developing professional capabilities

Thank you for the opportunity to provide a response to the public consultation on guidance on developing professional capabilities.

Our submission is attached.

Please contact me on the details below if you require any further information or clarification of the matters raised in the submission.

Yours sincerely



Georgie Haysom
General Manager, Advocacy, Education and Research
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Avant submission to the public consultation on guidance on developing professional capabilities

Initial questions
<i>To help us better understand your situation and the context of your feedback please provide us with some details about you. These details will not be published in any summary of the collated feedback from this consultation.</i>
Question A Are you completing this submission on behalf of an organisation or as an individual?
Your answer: <input checked="" type="checkbox"/> Organisation Name of organisation: Avant Mutual Contact email: georgie.haysom@avant.org.au <input type="checkbox"/> Myself Name: Click or tap here to enter text. Contact email: Click or tap here to enter text.
Question B If you are completing this submission as an individual, are you: <input type="checkbox"/> A registered health practitioner? Profession: Click or tap here to enter text. <input type="checkbox"/> A member of the public? <input type="checkbox"/> Other: Click or tap here to enter text.
Question C Would you like your submission to be published? <input checked="" type="checkbox"/> Yes, publish my submission with my name/organisation name <input type="checkbox"/> Yes, publish my submission without my name/ organisation name <input type="checkbox"/> No – do not publish my submission

General comments

Avant is a member-owned doctors' organisation and Australia's largest medical indemnity insurer, committed to supporting a sustainable health system that provides quality care to the Australian community. Avant provides professional indemnity insurance and legal advice and assistance to over 90,000 healthcare practitioners and students around Australia (more than half of Australia's doctors). Our members are from all medical specialities and career stages and from every state and territory in Australia.

We assist members in civil litigation, professional conduct matters, coronial matters and a range of other matters. Our Medico-legal Advisory Service provides support and advice to members and insured medical practices when they encounter medico-legal issues. We aim to promote quality, safety and professionalism in medical practice through advocacy, research and medico-legal education.

As a general principle, we support consistency in the regulation of registered health practitioners where appropriate. We note that the draft guidance on developing professional capabilities has been released at a time when there are a number of other relevant reviews, including the Unleashing the Potential of our Health Workforce – Scope of Practice Review and the Independent Review of Complexity in the National Registration and Accreditation Scheme (NRAS complexity review). Our response to this consultation is made in the context of our contribution to those reviews.

Our key points include:

- We support the aims of enhancing efficiency and consistency when developing new and revised professional capabilities.
- We support the existence of shared professional capabilities in the appropriate areas as listed, to help achieve consistency and clarity of expectations.
- We consider that embedding relevant collaboration is crucial to effectively implementing shared professional capabilities.
- Indemnity implications and arrangements should be considered as part of the process when developing new and revised professional capabilities, not an afterthought, given they are a key enabler and safeguard to practitioners being able to provide safe and quality healthcare.

Responses to the consultation questions

Good practice in the development of professional capabilities

1. Does any content need to be added to or amended in the draft guidance on developing professional capabilities?

We support the approach taken in the draft guidance, including the focus on consistency where appropriate and embedding relevant consultation.

We note the list of relevant stakeholders in the consultation process (page 7). While the list is not exclusive, we consider it should include practitioner professional indemnity insurance providers given the organisations or bodies currently listed.

We also consider the consultation section should include reference to how the proposed new bodies arising from the Scope of Practice Review and the NRAS complexity review would be involved in this process. This would be important to achieve the stated aims of consistency and clarity.

2. Are there any implementation issues the Accreditation Committee should be aware of?

The introduction of shared professional capabilities may represent a significant change to the delivery of health care in some areas. This may affect some registered practitioners more than others depending on the areas ultimately covered by the professional capabilities.

Therefore, to assist with implementation, we consider that there should be policies and procedures and appropriate leadership underpinning this. Public education would also assist to clarify expected competencies of the health practitioners involved in a patient's care. This may be required to different levels depending on the relevant competencies.

For example, for multidisciplinary teams, such policies and procedures should be in place to support communication between team members and with the patient, responsibilities for documentation, and clarify when to escalate issues (for example, to the GP leading the multidisciplinary team). These should be supported by employer level leadership to promote a culture of interprofessional trust.

3. Are there any potential unintended consequences of the draft guidance?

N/A

4. Do you have any general comments or feedback about the draft guidance on developing professional capabilities?

As Australia's largest medical indemnity provider, Avant would welcome engagement in consultations on any proposed changes to existing professional capabilities and the content of any new professional capabilities.

As stated in the consultation paper introduction (page 3), the professional capabilities identify the knowledge, skills and professional attributes required for safe and competent practice. As such, they play in a role in setting the expected standard of care for practitioners and are relevant to the provision and scope of professional indemnity insurance for health practitioners.

Clear indemnity arrangements are an essential enabler and safeguard for health practitioners to be able to provide safe and quality healthcare. Indemnity implications and arrangements should be considered as part of the process when developing new and revised professional capabilities, prior to any implementation, so that practitioners have cover for the care they provide and any indemnity questions can be appropriately addressed.

Good practice professional capabilities

5. Do you agree that the threshold capabilities required for registration should be owned and governed by Ahpra and the National Boards? Why or why not?

We consider it is appropriate for Ahpra and the National Boards to own and govern the threshold capabilities required for registration, given their role as regulatory subject matter experts. This would also help enable consistency.

However, this must be done with appropriate collaboration with and input from other organisations. This would include relevant professional associations. It may also include collaboration and consultation with any new body formed following the outcomes of the NRAS complexity review or the Scope of Practice Review.

6. Do you support having shared professional capabilities across health professions regulated by the National Scheme? Why or why not?

We generally support the policy intent of having shared professional capabilities across health professions regulated by the National Scheme.

We note that there can be difficulties defining competencies. Developing competencies around particular activities needs input from all of the relevant professions, with appropriate oversight and coordination to ensure consistency.

From an insurance perspective, we also note that the same activity can have different levels of risk depending on the profession that performs that activity. For example, oral and maxillofacial surgeons are competent to perform particular activities, but undertake different training pathways (dental versus medical) which mean they have different levels of risk for the same activities. This should be taken into account when developing the professional capabilities to ensure they meet the intended purpose.

7. What professional capabilities do you think should be shared across professions?

We support the specific capabilities listed in the draft guidance, as follows:

- culturally safe care for Aboriginal and Torres Strait Islander Peoples
- communicating clearly, respectfully, sensitively and effectively
- interprofessional collaborative practice
- patient-centred care and planning and performing a comprehensive assessment
- professionalism, ethics and working within legislative and regulatory requirements
- quality use of medicines and safe and effective prescribing, and
- lifelong learning.

These shared professional capabilities should not be used, inadvertently or otherwise, to expand a particular profession's scope of practice. For example, shared professional capabilities regarding safe and effective prescribing would have different implications and applications for each of the various registered health professions that are able to prescribe, and would not be relevant and should not be relied on by non-prescribing professions to perform tasks that falls outside their scope.

We also support the focus on embedding collaborative competencies such as teamwork, leadership and conflict resolution in those areas that require multidisciplinary collaboration.