

AUSTRALIAN PEAK NURSING and MIDWIFERY FORUM



22 December 2008

Ms Bronwyn Nardi,
Chair
Practitioner Regulation Sub committee
Health Principal Committee
Email: nraip@dhs.vic.gov.au

Dear Ms Nardi,

Re: Submission responding to the consultation paper 'Other matters for inclusion in Bill B'

The Australian Peak Nursing and Midwifery Forum (APNMF) is the peak nursing and midwifery organisation in Australia, exists to work together on issues of national importance to nursing and midwifery. The APNMF identifies areas of common interest and concern relating to nursing and midwifery and works towards a position of consensus. The APNMF also takes joint action in areas of importance to nursing and midwifery and develops joint position statements which provide recommended policy directions for government and other relevant stakeholders.

The APNMF is comprised of the:

- Australian Nursing and Midwifery Council;
- Congress of Aboriginal and Torres Strait Islander Nurses;
- Australian Nursing Federation;
- Royal College of Nursing Australia;
- Council of Deans of Nursing and Midwifery; and
- Australian College of Midwives.

The APNMF has discussed the consultation paper and provides the following comments for your consideration. Please note the numbering used in this submission reflects that of the consultation paper.

AUSTRALIAN PEAK NURSING and MIDWIFERY FORUM

3.4 Key decisions

Complainants handling and performance, health and conduct management functions - the proposals are supported with the following amendments:

*Decision to immediately suspend **or impose conditions on a** registration in response to ~~possible risk to~~ **a serious potential risk or further risk to public health and safety.***

Course approval function:

- Decision to approve a course of study for registration purposes;
- Decision to approve a course of study contingent on identified changes being made; and
- Decision to refuse to approve a course of study for registration purposes.

3.5 More flexible committee arrangements

3.5.1- 3.5.2 - The APNMF supports these proposals.

3.5.3 - The APNMF continues to support an uneven number of members and that not less than two thirds of members should be registrants from the profession and at least one member (although preferably two) is a community member.

3.5.4 – 3.5.5 - The APNMF supports the proposals.

3.6 Further safeguards around delegations

3.6.1 - The APNMF supports the proposal, however would like the word 'position' inserted after person or persons as it is usual process for a delegation to be attached to a position.

4. Appointment to board (non-statutory) committees or (statutory) panels

4.1.1 - The APNMF supports the proposal.

4.1.2 - The APNMF supports option 1.

4.1.3 - The APNMF supports option 1.

5 Interaction of national scheme with other legislative schemes

5.2.1 – 5.2.7 - The APNMF supports the proposals, although noting in relation to 5.2.6 the APNMF does not support the employment of staff directly by the agency (as discussed further below);

5.2.8 - The APNMF supports option 2 if warrant powers are included in the legislation;

5.2.9 - The APNMF supports the proposal; and

5.2.10 - The APNMF supports option 2.

6 Trans-Tasman mutual recognition and the national scheme

6.1 - The Trans Tasman Mutual Recognition Act will still apply. Other proposals in 6.1 would be better framed as policy and procedures for the National Board.

AUSTRALIAN PEAK NURSING and MIDWIFERY FORUM

The APNMF remains extremely concerned about fundamental features of the proposed National Registration and Accreditation Scheme (NRAS). The APNMF is resolute in its view and requests further consideration of the following issues by the NRAIP team and the Ministerial Advisory Council.

National Board

The APNMF remains of the view that the best structure for the regulation of nursing and midwifery is for the Nursing and Midwifery Board of Australia to be established as a statutory authority, with perpetual succession, a common seal, the capacity to sue and be sued in its corporate name, the power to enter into contracts, acquire, hold, deal with and dispose of property, conduct general banking and make financial investments.

Staffing

The APNMF's view is the National Board must have access to, and control over, sufficient and suitable financial and human resources to allow it to fulfil its regulatory responsibilities appropriately. The current staffing structure outlined in the IGA does not allow the National Board sufficient control over any of the resources required to regulate appropriately.

This issue is of critical importance in terms of the arrangements being proposed for the accreditation of nursing and midwifery courses, particularly in light of the *Proposed Staffing Strategy Discussion Paper* currently being distributed for consultation by the unions. The APNMF welcomes the responsiveness of the Ministerial Advisory Council to the state and territory Boards' concerns and acknowledges the raising of the salary cap for senior staff from \$100,000 to \$120,000 is an important retention strategy to retain senior staff members' corporate knowledge, expertise and leadership in regulation. Nevertheless, there remains ongoing concerns that the Proposed Staffing Strategy in the absence of a clear organisational staffing model provides for a level of uncertainty for staff and ongoing concern for the APNMF that this will not completely address the issues relating to the transition requirements and in particular, the ongoing work required for accreditation of nursing and midwifery courses.

Proposed Register to be managed by the Nursing and Midwifery Board

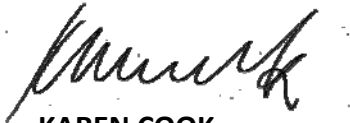
The APNMF continues to insist that there be provision made for 2 distinct registers to be managed by the Nursing and Midwifery Board - a Register of Nurses and a Register of Midwives, as shown below:

Profession	Proposed Register	Proposed Divisions of the Register
Nursing and Midwifery	Register of Nurses	Registered Nurses Enrolled Nurses
	Register of Midwives	

AUSTRALIAN PEAK NURSING and MIDWIFERY FORUM

Thank you for taking the time to read the APNMF submission and we look forward to further discussions regarding the matters we raise.

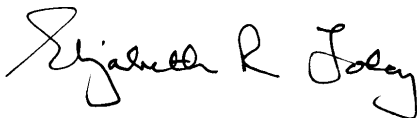
Yours sincerely



KAREN COOK
Chief Executive Officer
Australian Nursing and Midwifery Council



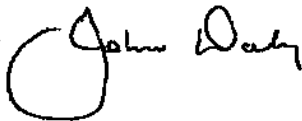
LEE THOMAS
Acting Federal Secretary
Australian Nursing Federation



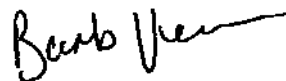
ELIZABETH FOLEY
Director of Policy
Royal College of Nursing, Australia



SALLY GOOLD
Chair
Congress of Aboriginal and Torres Strait Islander Nurses



JOHN DALY
Chair
Council of Deans of Nursing and Midwifery



BARBARA VERNON
Executive Officer
Australian College of Midwives