

NEW SOUTH WALES PHYSIOTHERAPISTS REGISTRATION BOARD

**ANNUAL REPORT FOR THE YEAR ENDED
30 JUNE 2004**

PHYSIOTHERAPISTS REGISTRATION BOARD

The Hon M Iemma MP
Minister for Health
Level 33, Governor Macquarie Tower
1 Farrer Place
Sydney NSW 2000

Dear Mr Iemma,

Pursuant to the provisions of the Annual Reports Act 1984 the New South Wales Physiotherapists Registration Board has pleasure in submitting this, the Annual Report of the Board for the period 1 July 2003 to 30 June 2004, for presentation to Parliament.

During the year there was steady progress in the three key areas of activity, namely:

- Continued improvement of registration processes.
- Promoting professional standards – primarily related to the research and education functions of the Board.
- Maintaining professional standards – primarily related to the disciplinary functions of the Board.

The Board was pleased to release two new documents as educative initiatives this year. The first provides an overview of the current legislation and the second addresses frontline complaints handling.

The Physiotherapy Standards Advisory Committee (PSAC) also commenced operation this year and very quickly has established its worth.

The President and Members of the Board wish to place on record their gratitude for the substantial work undertaken by members of the various Board committees and also the invaluable support of the Board's staff ably led by Ms Sue Hardman.

Yours sincerely



Anne Deans
President



Debra Shirley
Deputy President

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PHYSIOTHERAPISTS REGISTRATION BOARD

Annual Report for the Year Ended 30 June 2004

1. CHARTER

The Physiotherapists Registration Board is established under the provisions of the Physiotherapists Act, 2001 to exercise the powers, authorities, duties and functions imposed on it by the Act.

2. AIMS AND OBJECTIVES

- (1) The Board has the following functions:
 - (a) such functions as are conferred or imposed on the Board by or under this or any other Act,
 - (b) to promote and maintain standards of physiotherapy practice in New South Wales,
 - (c) to advise the Minister on matters relating to the registration of physiotherapists, standards of physiotherapy practice and any other matter arising under or related to this Act or the regulations,
 - (d) to publish and distribute information concerning this Act and the regulations to physiotherapists, consumers and other interested persons.
- (2) The Board is to exercise its functions in a manner that is consistent with the object of the Physiotherapists Act 2001.

3. ACCESS

The Physiotherapists Registration Board is located at the following address:

Level 2, 28-36 Foveaux Street SURRY HILLS NSW 2010
Telephone: (02) 9219 0255
Facsimile: (02) 9281 2030

Correspondence: PO Box K599 HAYMARKET NSW 1238
E-mail: physioreg@doh.health.nsw.gov.au
Website: www.physioreg.health.nsw.gov.au

Office Hours: 8.30 am - 5.00 pm Monday to Friday

4. MANAGEMENT AND STRUCTURE

4.1 Membership For the Period 1 July 2003 - 30 June 2004

Pursuant to Section 88(1) of the *Physiotherapists Act 2001* the Board comprises 11 members, of whom:

- a) 3 are to be registered physiotherapists elected by registered physiotherapists in accordance with the regulations; and

Ms Virginia Binns
Ms Maria Quinlivan
Dr Debra Shirley

- b) 8 are to be appointed by the Governor in accordance with Subsection (2) which states that the appointed members are to be:

- (a) *1 person nominated by the Minister, being an officer of the Department of Health or an employee of an area health service, statutory health corporation or affiliated health organisation within the meaning of the Health Services Act 1997;*

Mr David Cross

- (b) *1 registered physiotherapist nominated by the Minister from a panel of physiotherapists nominated by the Australian Physiotherapy Association (NSW), and such other bodies representing physiotherapists as may be determined by the Minister;*

Mr David Young

- (c) *1 registered physiotherapist nominated by the Minister involved in the tertiary education of persons for qualification in NSW as physiotherapists;*

Ms Vicki Williams

- (d) *1 registered physiotherapist practising physiotherapy in NSW nominated by the Minister of the Minister's own choosing;*

Ms Anne Deans

- (e) *3 persons nominated by the Minister, at least 2 of whom are not registered physiotherapists and are nominated to represent the community;*

Associate Professor Ian Cameron
Ms Lai Wong
Mr Martin Peebles

- (f) *1 legal practitioner nominated by the Minister*

Mr Iain Martin

Ms Anne Deans has been appointed as President and Dr Debra Shirley as Deputy President. The Board was appointed on 1 December 2002 for a four year term.

4.2 Attendance at Meetings

The Board met on twelve occasions during the reporting period, usually on the second Tuesday of each month.

Ms Anne Deans	12
Dr Debra Shirley	11
Ms Virginia Binns	10
A/Prof Ian Cameron	5
Mr David Cross	12
Mr Iain Martin	7
Martin Peebles	2
Ms Maria Quinlivan	11
Ms Vicki Williams	10
Ms Lai-Hoong Wong	12
Mr David Young	11

4.3 Human Resources

Registrar: Ms Susan Jennifer Hardman

Assistants to the Registrar: Ms Susan Toohey
Ms Jean Littlefield
Ms Tracey Cook

4.4 Committees of the Board

Strategic Planning Committees

Communications Committee

Ms L Wong
Ms V Williams

Physiotherapy Standards Committee

Mr D Young
Ms M Quinlivan
Mr I Martin

Registration Committee

Mr D Cross
Ms V Binns
Dr D Shirley

Complaints Screening Committee

Mr David Cross
Mr Iain Martin
Dr Debra Shirley

Refresher Course Committee

Mr David Cross
Mr David Young
Mr Grant McCormick
Ms Kerrie McLean

Schedule 1 Inquiries Committee

A/Professor Ian Cameron
Ms Virginia Binns
Mr Iain Martin
Ms Maria Quinlivan
Ms Lai Wong
Mr David Young

Scholarship Committee

Ms Virginia Binns
Ms Anne Deans
Dr Debra Shirley
Ms Vicki Williams
Ms Judith Stinson

Limited Registration Committee

Mr David Cross
Ms Maria Quinlivan
Ms Marita Lennon

Physiotherapy Standards Advisory Committee

Dr Elizabeth Ellis (Chairperson)
Mr John Davies
Mr Michael Dessen
Ms Libby Loneragan

Impaired Registrants Panel

A/Professor Ian Cameron
Ms Maria Quinlivan

5 ADMINISTRATION - MANAGEMENT AND STRUCTURE

The Health Administration Corporation manages the accounts and employs the staff required to administer the Health Professionals Registration Boards established by the following Acts: -

- Chiropractors Act 2001
- Dental Technicians Registration Act 1975
- Nurses and Midwives Act 1991
- Optical Dispensers Act 1963
- Optometrists Act 2002
- Osteopaths Act 2001
- Podiatrists Act 1989
- Physiotherapists Registration Act 2001
- Psychologists Act 2001

The Boards as statutory bodies deal with professional issues under their respective Acts. The functions of the Boards include the determination of health professional standards, qualifications and experience required for registration and the maintenance of professional and ethical standards through the administration of disciplinary provisions.

The Boards are self funding and performed within their commitment of service. Registration notices were issued expeditiously and routine renewals were processed within five (5) days of receipt.

In accordance with legislation the Boards' accounts were paid by the Health Administration Corporation from fees received and transmitted to the Corporation.

Within the Boards' accumulated funds recognition has been given for future expenditure for refurbishment and relocation, the election of Board members (where required) litigation and disciplinary costs.

The total administrative expenditure for all the above Boards in 2003/2004 was compared with \$6,631.435 in 2002/2003.

For the reporting year the staff of the Health Professionals Registration Boards filled the equivalent of 53 full time positions (including one executive officer position at level 2). For each of the preceding 2 years the staff establishment was the equivalent of 52 full-time positions.

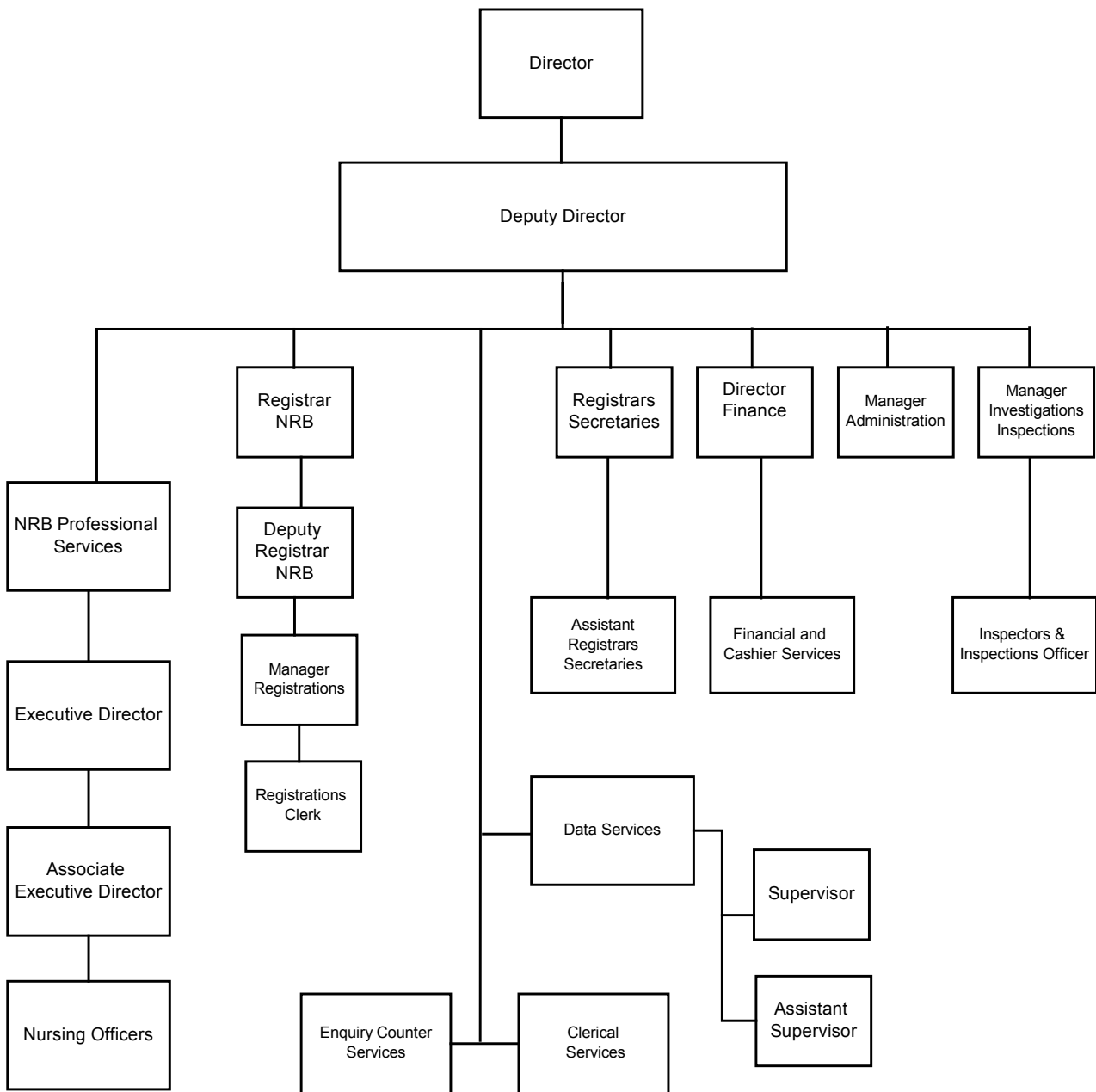
Staff as employees of the Corporation derive the benefits of the personnel policies of the Department of Health including occupational practices and are subject to the Department's Code of Conduct. The performance of the Corporation in respect of the Boards' staff relating to: -

- (i) personnel policies
- (ii) industrial relations policies/procedures
- (iii) occupational health and safety including details of work related injuries is reported in the Department of Health's Annual Report.

The Boards are managed by Mr J Tzannes (Director) and Mr R Dwyer (Deputy Director) for the Corporation.

Organisational Chart

Health Professionals Registration Boards



6. SUMMARY REVIEW OF OPERATIONS

6.1 Registrations

The Board maintained a register of physiotherapists as required under Section 20 of the Physiotherapists Registration Act 1945 and clause 21 schedule 1 of the Physiotherapists Act 2001.

Physiotherapists registered as at 30 June 2004 **6250**

New Registrations (1 July 2003 to 30 June 2004)

- Qualified in NSW	215
- Qualified Interstate	25
- Qualified overseas	8
- Mutual Recognition Act 1992	138
- Trans Tasman Mutual Recognition Act 1997	83
Total	469

Temporary Registration

The Board granted temporary registration to physiotherapists in the following categories-

Physiotherapists:

- Holders of working holiday visas	39
- Holders of Temporary Residents Visas	1
- AECOP examination candidates	41
- Attending courses	36
- Accompanying sporting teams etc	13
- Other	2
Total	132

Re-registration of name to the register	87
Changes of name noted	65
Changes of title noted	1
Deletions from the register	378

6.2 Complaints

The Board considered **34** complaints during the reporting period in the following categories:

Unethical/Improper Conduct (8 complaints)

Outcomes:	3	Discontinued
	2	Warnings
	1	Referred to PSAC-Discontinued
	1	Referred to PSAC-Ongoing
	1	Ongoing

Practising Unregistered (8 complaints)

Outcomes:	6	Warnings
	1	Ongoing
	1	Discontinued

Clinical Standards (6 complaints)

Outcomes:	2	Referred for counselling
	2	Discontinued
	1	Referred for counselling/undertake further course of study
	1	Settled by consent

Business Practices (4 complaints)

Outcomes:	3	Discontinued
	1	Referred for counselling

Communication/Consent Issues (4 Complaints)

Outcomes:	2	Settled by consent
	1	Referred to PSAC-Warning given
	1	Discontinued

Quality of Care (3 complaints)

Outcomes:	1	Settled by consent
	1	Referred to PSAC-ongoing
	1	Discontinued

Competence (1 complaint)

Outcomes:	1	Referred to Impaired Registrants Panel
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7. MUTUAL RECOGNITION OF HEALTH OCCUPATIONS

The Mutual Recognition process is now formally operating in all States. From the 1st May 1998 the Mutual Recognition arrangements have been extended to include New Zealand, under the Trans Tasman Mutual Recognition Act 1997.

The Board is committed to registering applicants in accordance with the Mutual Recognition Act 1992 and the Trans Tasman Mutual Recognition Act 1997 to the effect that persons holding registration in any of those states or territories will be granted practice rights within any other state or territory within the group subject to:-

- (a) disciplinary clearances;
- (b) compliance with certain formal procedures, which includes the lodgement of a statutory declaration detailing relevant personal data with the registration authority where registration is sought;
- (c) practice rights not exceeding the applicant's existing practice rights;
- (d) compliance with practising restrictions in that State or Territory.

8. SPECIAL BOARD MEETING

In January 2004 the Board held its annual planning day. A session was allocated to the development of the Strategic Plan and the Board engaged a Strategic Plan Facilitator for the day.

The Board considered current issues and its Strategic Plan framework and noted that significant progress had been made and that there was further work required.

After consideration of the various strategic goals it was determined that there should be three Strategic Planning Groups identified as follows to be supported by standing committees which would recruit suitable persons outside of the Board to assist. The Committees are:

1. Registration Committee- Requirements of the Act and regulations are met, and policy is considered.
2. Standards Committee – Refining and crafting standards eg competency
3. Communications Committee

9. PHYSIOTHERAPISTS TRIBUNAL

The Physiotherapists Tribunal was introduced in the new Act as one of the complaints handling mechanisms available to the Board. During the reporting year an Inquiry under section 110 of the Physiotherapists Act 2001 was held into an application for re-registration by a physiotherapist.

The name of the physiotherapist had been previously removed from the register due to a finding of mental illness by the Physiotherapists Registration Board ('Board') following an Inquiry held by a Professional Standards Committee in accordance with the provisions of the previous Act.

Four persons were appointed to the Tribunal for the hearing:

Ms Joanne Muller	(Chairperson)
Ms Julie Moyle	(Physiotherapist)
Ms Anne Lancaster	(Physiotherapist)
Ms Susan Lovrovich	(Physiotherapist)

The Inquiry was held over 3 days and an order was made in April dismissing the application and imposing a twelve month period under which the order cannot be reviewed.

10. PHYSIOTHERAPY STANDARDS ADVISORY COMMITTEE

The Physiotherapy Standards Advisory Committee (PSAC) was also established after the introduction of the new Act as a complaints handling mechanisms available to the Board. PSAC first met in September 2003 and in its first six months of operation dealt with ten complaints. Currently PSAC has on average one new complaint each month. The Board has referred to it, complaints of unsatisfactory professional conduct related to treatment quality or professional behaviour. Four members are appointed to the Committee:

- Dr Elizabeth Ellis (Chairperson)
- Mr Michael Dessen (Physiotherapist)
- Ms Libby Loneragan (Physiotherapist)
- Mr John Davies (Consumer Representative).

The Committee works independently of the Board and with a minimum of formality but makes its recommendations to the Board. When appropriate the Committee encourages the complainant and physiotherapist to settle the complaint by consent. However in cases where this does not occur the Committee must make recommendations to the Board as to how the complaint should be resolved. On average complaints referred to PSAC have been resolved within 3 to 4 months of initial consideration of the complaint.

11. AUSTRALIAN COUNCIL OF PHYSIOTHERAPY REGULATING AUTHORITIES (ACOPRA)

ACOPRA ACTIVITIES JULY 2003 – JUNE 2004

The Australian Council of Physiotherapy Regulating Authorities (ACOPRA) is a national standards advisory body for pre-registration physiotherapy education in Australia undertaking the following activities:

- Accrediting new and existing physiotherapy programs in Australian universities.
- Overseeing the Australian Physiotherapy Competency Standards.
- Assessing overseas-qualified physiotherapists who wish to be registered to practise in Australia.
- Advising Commonwealth Government agencies and Physiotherapists Registration Boards in Australia on legislative matters relevant to a consistent approach to physiotherapy registration nationally.
- Liaising nationally and internationally with like organisations on matters related to pre-registration educational standards and recognition of overseas physiotherapy qualifications mechanisms and processes.

- The period July 2003 – June 2004 represented a period of both consolidation and advancement in all key areas of ACOPRA's responsibilities. Those achievements of particular note were:
 - Review of the AECOP assessment and examination structure including review of the eligibility criteria and commencement of a major project to enable candidates to complete the written examination on-line.
 - Establishment of the Practice Standards Committee for the review of the Australian Physiotherapy Competency Standards (APCS) and development of the process for a major review and rewriting of the APCS to be completed in 2005.
 - The development and adoption and publication of the Accreditation position statement on the ACOPRA website reminding educational institutions of the minimum requirements for clinical education.
 - The adoption of two papers relating to a consistent national approach to registration – the Recency of Practice paper and the Mobility Model for Physiotherapy Practice.
 - Processing of 173 applications for assessment of eligibility to sit the professional examinations. Of these, 161 were invited to sit the professional examinations and 12 were ineligible. An additional 77 skilled migration certificates were issued to non-Australian nationals on the basis of their Australian physiotherapy qualification or current Australian registration.
 - Issue of thirty-three AECOP Final Certificates to candidates who had successfully completed the AECOP process.
 - Conduct of an extensive schedule of accreditation that involved the ten universities offering programs in physiotherapy. These included the six existing programs and nine new programs, all of which underwent evaluation by the Accreditation Committee and its subcommittees. Seven Site Visits were completed and the ACOPRA Board signed off on six submissions.
 - Relocation of the ACOPRA office to Canberra to enhance the strategic direction and operational efficiencies of ACOPRA.
 - Establishment of ACOPRA Ltd through the registration of ACOPRA with the Australian Securities and Investments Commission as a Company Limited by Guarantee, and initiating the wind-up of ACOPRA Inc.
 - Development of an organisational mission statement and the basic elements of the key objectives for ACOPRA under that mission statement as part of development of a Strategic plan for the period 2004 – 2007.

It is clear that ACOPRA as an organisation has matured during this twelve month period. The recent relocation to Canberra and incorporation of ACOPRA Ltd heralds a new phase in ACOPRA's role of leading the national agenda for the assurance of high standards in physiotherapy for the Australian Community.

In conjunction with the April 2004 ACOPRA meeting in Brisbane, Chairs and Registrars of Physiotherapists Registration Boards in Australia and New Zealand met to discuss issues of common interest. Each Board provided an overview of its current legislation at the outset of the meeting. Other items on the agenda included the following:

- Mobility between jurisdictions for physiotherapy registration.
- Trans Tasman Mutual Recognition
- Registration of overseas graduates.
- Limited registration policy.
- Terminology used by each Registration Board for different categories of registration.
- Recency of practice issues.
- Codes of conduct.
- Professional indemnity and links with registration in some jurisdictions.
- Current NSW Registration Board brochures.

A second Complaints Handling Seminar was held following on from the success of the first seminar on this subject two years ago in Sydney.

Cases that were already a matter of public record, but deidentified for purposes of the seminar, were used by different Boards to illustrate some of the more challenging aspects of complaints handling. Appropriate management of impaired practitioners was a particular area of interest, especially with some states (including NSW) now having impaired practitioner provisions, which provide an alternative and more supportive path than the complaints handling processes.

12. PHYSIOTHERAPY EDUCATION AND RESEARCH PROJECTS

The Ian Collier Memorial Scholarship

The Board has established the Ian Collier Memorial Scholarship with the aim of improving physiotherapy practice for the benefit of the community. The scholarship is named in memory of Ian Collier, a committed physiotherapist and active member of the Physiotherapists Registration Board from 1989 to 1997. The scholarship is open to physiotherapists currently registered in NSW who have worked the equivalent of two years as a physiotherapist in NSW.

Scholarship Categories:

1. Assistance to publish clinical research activity
2. Study project in the field of physiotherapy
3. Distance learning program for non-metropolitan physiotherapists

The Board is pleased to announce the successful applicants of the 2003 Ian Collier Memorial Scholarship. Altogether seven applications were received. After careful consideration the Board granted scholarships to the following physiotherapists:

Category 2 – Study Project in the Field of Physiotherapy.

Ms Anne-Maree Boxall was awarded \$4500 for a study tour to do further research into chronic disease management at home and home based

pulmonary rehabilitation. She has recently completed the first Randomised Controlled Trial (RCT) in Australia on Home-based Pulmonary Rehabilitation. The scholarship will enable Ms Boxall to attend and present her work at the British Thoracic Society Winter Meeting and undertake 3 visits to centres that are recognised as best practice models for the management of respiratory disease at home. These centres are Healthcare at Home, the Royal Liverpool Hospital and University Hospital Aintree.

The presentation can be accessed through the Board's website.

Category 2 –Study Project in the Field of Physiotherapy.

Dr Lisa Harvey was awarded \$9617 for her research into the benefit of splinting in quadriplegics to facilitate the tenodesis grip. She will conduct an RCT to determine whether a 3-month regime of hand splinting improves the hand function of C6, C7 quadriplegics. The research will be conducted mainly at the Royal Rehabilitation Centre, Ryde. This project has the potential for making significant impact on outcomes for this population group and has implications for therapy.

Refresher/ Re-Entry Program

Work continues on the refresher program being developed by the Board to assist physiotherapists returning to the workforce after an absence of 5 years or more. The program is also being designed to address the needs of physiotherapists who practise in isolation or for other reasons want an update to assist their clinical practice.

Preliminary modules in the program have been developed and have been trialled by nominated practitioners to ensure they address the competencies required by physiotherapists in the workplace.

The Board is currently seeking tender applications for the ongoing management of the refresher program.

13. REPRESENTATION ON EXTERNAL ADVISORY COMMITTEES

Ms Anne Deans is the Board's nominee on the Program Management Committee for the Bachelor of Physiotherapy at the University of Newcastle.

Dr Debra Shirley is the Board's nominee on the External Advisory Committee for the Physiotherapy Undergraduate Program, Charles Sturt University.

Ms Virginia Binns is the Board's nominee on the External Advisory Committee for the School of Physiotherapy Undergraduate Program and the Graduate Entry Level Program, University of Sydney.

14. NEWSLETTERS

Two newsletters were distributed to all registrants in February 2004 and June 2004.

15. CODE OF CONDUCT

The Board continues to operate within the recently developed Code of Conduct, which provides a framework to support and promote the making of ethical decisions in all areas where the Board has a role or function.

16. BOARD PUBLICATIONS

Publications of the Board, which are available to the public include:

- Policy Statements
 1. *Sexual Misconduct*
 2. *Physiotherapy Students*
 3. *Medicines to be Supplied, Administered or Used by Physiotherapists*
- *Code of Conduct for Board Members*
- *Guidelines for the Application and Removal of Plasters/Casts*
- *Patient Statement of Rights Brochure*
- *Information on the Ian Collier Memorial Scholarship*
- *Frontline Complaints Handling*
- *Getting to Know the Physiotherapists Act 2001*
- *Annual Report of the Board*
- *Guidelines for Examiners and Supervisors of Overseas Trained Physiotherapists*
- *Registration Application Forms*
- *Newsletters*

17. OVERSEAS TRAVEL

No overseas travel has been undertaken on the Board's behalf during the reporting period.

18. PUBLIC CONTACT

The Board frequently responds to the following requests from the public:

- Verification of registration from the public and health funds.
- Registration procedures and eligibility requirements.

19. HEALTH PROFESSIONALS REGISTRATION BOARDS

ADMINISTRATION - MANAGEMENT AND STRUCTURE

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- Podiatrists Act 1989
- Physiotherapists Registration Act 2001
- Psychologists Act 2001

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Staff as employees of the Corporation derive the benefits of the personnel policies of the Department of Health including occupational practices and are subject to the Department's Code of Conduct. The performance of the Corporation in respect of the Boards' staff relating to: -

- (i) personnel policies
- (ii) industrial relations policies/procedures
- (iii) occupational health and safety including details of work related injuries is reported in the Department of Health's Annual Report.

The Boards are managed by Mr J Tzannes (Director) and Mr R Dwyer (Deputy Director) for the Corporation.

ETHNIC AFFAIRS PRIORITIES STATEMENT

The Physiotherapists Registration Board is one of nine health professional boards administered by the Health Professionals Registration Boards (HPRB) on behalf of the Health Administration Corporation. The Board in conjunction with the HPRB undertakes a number of initiatives to support our culturally diverse population under the key areas of social justice, economic and cultural opportunities.

These initiatives include to:

- (i) promote the recognition and registration of overseas trained health professionals
- (ii) assist overseas trained applicants to register
- (iii) increase the number and range of bilingual health professionals employed by HPRB
- (iv) ensure ethnic media is used in any information languages sponsored by the Board
- (v) ensure the Board receives advice on matters relating to people of culturally diverse backgrounds
- (vi) promote use of culturally diverse workforce
- (vii) ensure the Board is aware of the Government's commitment to implementing the principles of multiculturalism as set out in section 3 of the Community Relations Commission and Principles of Multiculturalism Act 2000

Overseas Training - Recognition of Qualifications

The Physiotherapists Registration Board recognises graduate qualifications from the physiotherapy schools in Australia.

Holders of an AECOP (Australian Examining Council for Overseas Physiotherapists Inc) final certificate are also recognised.

The Board also grants temporary registration subject to conditions to holders of temporary residents visas and those under the exchange program.

Interpreter and Translation Services

Professional interpreters and translation services are made available on an as required basis. HPRB staff are also able to provide assistance in the following languages:

Arabic, English, French, German, Greek, Filipino (Tagalog), Romanian, Russian, Singhalese, Spanish, Turkish, Cantonese, Hokien, Hindi and Punjabi.

Key Strategies

The EAPS statement developed in consultation with the former Ethnic Affairs Commission, now the Community Relations Commission, includes initiatives relating to the Physiotherapists Registration Board under the key result areas of social justice, community harmony, economic and cultural opportunities.

Within the legislative framework pathways for the registration of overseas trained professionals were applied.

The main initiatives of the existing statement remain the key strategies for 2004-2005.

These are to: -

- (i) promote the recognition and registration of overseas trained health professionals as provided for in legislation
- (ii) assist overseas trained applicants through the provision of information, interpreters and translation services, as required, to register.

NSW GOVERNMENT ACTION PLAN FOR WOMEN

The principle of equality of access and rights of participation are the cornerstones of the NSW Government's philosophy in relation to women.

Central to the core business of all government agencies is the promotion of the position of women in all aspects of society.

The focus is on women with the least access to social and economic resources. The key objectives are to eradicate violence against women, to improve the health and quality of life of women and to provide the responsive environment for women to participate fully in the economic social and educational life of our society.

The Government is committed to ensuring that membership of Boards reflects the broader community and that in filling current vacancies consideration is given, inter-alia, to the nomination of female representatives. It is the Government's intention to progressively increase the number of women on Boards to 50% of Board representation. It is recognised that not all nominations to Boards are made by the Minister. Nominating bodies are advised of the Government's policy in relation to female representation when vacancies occur or when nominations for a new Board are requested.

As at the 30 June 2003 the Board comprised six (6) female and five (5) male members.

Whilst the Board is not responsible for the promotion of access to the profession for women it is in a position to indicate the number of women who have satisfied registration requirements and who currently hold an authority to practise.

For the reporting year 2003-2004 the number of female registrants was 4723 (75.6% of total registrants) as compared with 4574 (76.2% for 2002-2003).

These figures vary during the reporting period in line with the changing status of registrants during renewal periods.

22. WASTE REDUCTION AND PURCHASING POLICY

Throughout the reporting period, the Health Professionals Registration Boards (HPRB) strived to reduce waste, purchased consumables containing increased amounts of recycled content, and recycled its paper products and consumables and office equipment.

During the reporting period, HPRB :

- Purchased all white paper with 60% recycled content and all envelopes with at least 70% recycled content;
- Recycled 88% of total paper waste;
- Recycled 100% of paper/cardboard packaging;
- All toner cartridges were sent for recycling.

Avoidance of waste was ensured through various Board practices including :

- Message and note taking on scrap recycled paper;
- Increased use of internal emails;
- Paper recycling containers at all desks for later transfer to recycling bins, avoiding usage of waste paper baskets and decreasing waste to landfill;
- Double sided printing;
- Promotion of website usage to clients, as an alternative to hard copy information packages.

During the reporting period, HPRB sent 11 computers (CPUs) and 7 monitors for recycling in accordance with environmental requirements and as per the NSW Government's ReConnect.nsw Computer Program guidelines.

NSW Waste Avoidance & Resource Recovery Strategy 2003, that was introduced towards the end of previous reporting period, was implemented during this reporting period. HPRB is committed to achieving sustainable waste minimisation and resource recovery targets by:

- Critically considering waste management issues associated with the Boards' operational responsibilities; and
- Monitoring facilities, product and usage patterns, to enable strategic updates to the Boards' plan.

NEW SOUTH WALES HEALTH SYSTEM - ADMINISTRATIVE STAFF

NSW DEPARTMENT OF HEALTH

CODE OF CONDUCT

Introduction

The people of New South Wales have the right to expect that staff employed by the Department of Health demonstrate fairness, integrity and sound professional and ethical practice at all times in every respect of their employment. Just as importantly, you have the right to a workplace free of any form of bullying, harassment or unfair discrimination. Ensuring these rights requires a professional standard of behaviour that demonstrates respect for the rights of the individual and the community as well as promoting and maintaining public confidence and trust in the work of government agencies.

The purpose of this Code of Conduct is to provide an ethical framework for your decisions and actions. It is not possible for this Code to address all ethical questions or behaviour that you may encounter. You need to be aware of and comply with relevant legislation and departmental circulars, policies and guidelines as they relate to your work. Managers will assist you in maintaining an awareness of departmental standards of conduct and in resolving ethical dilemmas. However, this does not remove your responsibility to be accountable for your own actions and decisions.

This Code of Conduct covers all staff members working in the NSW Department of Health including managers, contractors, consultants and students. Members of the Chief Executive Service and Senior Executive Service are covered by a separate Code of Conduct and are also required to meet all requirements of this Code.

Statement of Values

Values define our organisation. They underpin how you and your colleagues deal with each other, with other organisations and the public. They also form the basis for our Vision, planning and priorities. The Department's Values are

Fairness - striving for an equitable health system and being fair in all our dealings

Respect - recognising the worth of individuals through trust, courtesy, sensitivity and open communication

Integrity - achieving ends through ethical means, with honesty and accountability.

Learning and creativity - seeking new knowledge and understanding, and thinking with innovation

Effectiveness - pursuing quality outcomes.

Personal and Professional Behaviour

To demonstrate your commitment to the highest ethical standards you are required to:

- perform your duties impartially, with professionalism, objectivity and integrity
- work effectively, efficiently and economically
- behave fairly and honestly, including reporting others who may be behaving dishonestly
- avoid conflicts of interest and act in the best interests of the people of NSW
- accept instructions from managers and supervisors
- obey any lawful direction from managers/senior executives. If you have a dispute about carrying out a direction you may appeal through existing grievance procedures follow departmental policies, guidelines and procedures
- avoid any form of exploitation or power imbalances in personal relationships in the workplace.

Fairness and Equity

You should undertake your work and make decisions consistently, promptly and fairly. This involves dealing with matters in accordance with approved procedures, in an impartial, non-discriminatory manner and in line with the principles of administrative good conduct outlined by the NSW Ombudsman.

You should apply the principles of procedural fairness/natural justice and reasonableness when exercising statutory or discretionary powers. Staff members or clients adversely affected by a decision must be informed of their rights to object, appeal or obtain a review.

Conflicts of Interest

You must avoid any financial or other interest that could compromise or be perceived to influence the impartial performance of your duties. Conflicts of interest that lead to biased decision making may constitute corrupt conduct.

Conflicts of interest might occur where you (and at times your family)

- have financial interests in a matter the Department is involved with
- are Board members, directors or employees of outside organisations, such as Non-Government Organisations in which the Department has a financial interest
- hold personal beliefs or attitudes that influence your impartiality
- have personal relationships with people the Department is dealing with or investigating which go beyond the level of a professional working relationship
- are involved in secondary employment, business, commercial, or other activities outside the workplace which impact on the Department, its clients or staff
- are involved in party political activities which could be perceived as you using your official role to gain influence or where you find yourself in conflict in serving the current government. (If you are an election candidate special arrangements apply)
- have access to information that could be used for personal gain
- participate in outside activities including volunteer work which could adversely affect your ability to do your work.

It is your responsibility to disclose any potential or actual conflict of interest to your manager or other senior officer. Managers will assist you in resolving the conflict through solutions such as divestment of the interest, your withdrawing from the conflict situation and declaring or documenting the interest.

Bribes, Gifts, Benefits, Travel and Hospitality

You must not accept any gifts, hospitality, travel or benefits that might in any way tend to influence, or appear to influence, your ability to act impartially. You should also ensure that partners and family members are not recipients of benefits that could be seen to indirectly influence you or secure favourable treatment.

In deciding whether to accept any gift or benefit you should consider the relationship of the Department to the donor, the primary business of the donor and any possible adverse consequences for the Department. Approval of your manager is required prior to accepting any gift or benefit. You may accept unsolicited gifts of a token and insignificant nature or moderate acts of hospitality. Accepting them is a matter of judgement and you must be satisfied that neither you nor the Department is in any way compromised.

You must not solicit or accept any bribe, or other improper inducement. Any approaches of this nature are to be reported to senior management.

Outside Employment

If you are a full time employee you must have approval from a delegated officer to engage in any secondary employment or business activity, including participation in a family company. If you work part-time you must advise of any real or potential conflict of interest between your employment in the Department and any other employment. Managers are responsible for monitoring and following up on any impact of secondary employment on the quality and effectiveness of an individual's work.

Use of Departmental Resources

All departmental resources including funds, staffing, computers, photocopiers, equipment, stationery, travel and motor vehicles must be used effectively and economically on work related matters. You must seek approval to use departmental resources for non-official purposes (eg to aid in a charitable event). If authorised, you are responsible for safeguarding, repairing and replacing, if lost, the Department's property.

Use of Computer, Email and Internet facilities

To use the Department's computer, internet and email facilities you must agree to the conditions of access. These require that the facilities be used for work activities in a responsible, ethical and legal manner. Unacceptable use includes violation of the rights of others; commercial use; breach of copyright or intellectual property; illegal activity or gambling; use for harassment, threat or discriminatory acts; storing or conveying inappropriate or objectionable material such as nudity, sexual activity, drug misuse, crime, cruelty or violence.

You must safeguard your password access. The Department monitors the network, programs and usage to ensure the integrity of the system and maintains records of activities.

Corruption, Maladministration and Serious and Substantial Waste

You must not engage in corrupt conduct, maladministration or serious and substantial waste. Corrupt conduct is defined in the ICAC Act 1988; the key notion being the misuse of public office. Corruption can take many forms including bribery and blackmail; unauthorised use of confidential information; fraud and theft. Maladministration is action or inaction of a serious nature that is contrary to law; unreasonable, unjust, oppressive or improperly discriminatory; or based on improper motives. Serious and substantial waste refers to any uneconomical, inefficient or ineffective use of funds or resources which results in significant wastage.

You have a duty to report any possible corrupt conduct, maladministration and serious and substantial waste of public resources to your senior manager. You may wish to report suspected incidents to an external organisation with corruption being reported to the ICAC, maladministration to the Ombudsman and waste to the Auditor-General. The Protected Disclosures Act, 1994 provides certain protection against reprisals for any staff member who voluntarily reports possible corruption, maladministration or serious/substantial waste. Managers must ensure staff members have information about reporting these matters.

Public Comment

Although you have the right as a private citizen to express your personal views through public comment on political and social issues you must not make or appear to make statements on behalf of the Department. Public comment includes public speaking engagements, comments in the media, views expressed in letters to newspapers, online services (such as Internet bulletin boards) or in publications.

You may make an official comment when you are authorised to do so or when giving evidence in court. The Department's media guidelines must be followed in any dealings with the media. When undertaking speaking engagements you must comply with the Department's policy and guidelines on participation in external seminars.

You must not access, use, disclose or release any internal departmental documents or privileged information unless you need to do so in the course of your work or are authorised to do so. You must protect the privacy of client information as required by the Department's Privacy Code of Practice.

Security of Official Information

Confidential information must not be disclosed other than in the course of your work, when required by the law or when authorised. You must ensure that confidential information in any form (e.g. documents, computer files) cannot be accessed by unauthorised persons. It should be securely stored overnight or when unattended. Confidential information must not be discussed except in the course of your work and must not be misused by you to gain personal advantage.

Information about NSW Health staff or clients is subject to the Department's Privacy Code of Practice, privacy legislation and guidelines. In some instances information regarding your employment will be provided to external bodies (eg: NSW Superannuation Board and the Australian Taxation Office) and the

Department will confirm details held by financial institutions if you have applied for a loan/credit.

Intellectual Property/Copyright

Intellectual property includes rights relating to scientific discoveries, industrial designs, trademarks, service marks, commercial names and designations, inventions and from activity in the industrial, scientific, literary or artistic fields. The Department is the owner of intellectual property created by you in the course of your work unless a specific agreement with the Director-General has been made to the contrary.

Employment Screening

The Department is committed to safeguarding the welfare of its staff and protecting the interests of those who rely on our services. Criminal record checks are undertaken on all recommended applicants for permanent, temporary or seconded employment. Where a pending charge or conviction is identified the relevance and implications of this is carefully assessed taking into account such factors as the nature and number of offences, the severity of punishment, age and mitigating circumstances.

Staff members are required to notify the Department's Corporate Personnel Services in writing if they are charged with or convicted of a serious criminal offence.

Discrimination, Harassment and Bullying

You must not harass or discriminate against colleagues or clients for any reason including gender, physical appearance, pregnancy, age, race, sexual preference, ethnicity or national origin, religious or political conviction, marital status, physical or intellectual disability. The principles of Equal Employment Opportunity apply in the workplace.

Bullying is the repeated less favourable treatment of a person by another in the workplace and can include verbal abuse, sarcasm, criticising people in front of others or in private and creating work overload. The Department does not tolerate bullying.

If you witness discrimination, harassment or bullying you should do something to stop it if possible and report it to your manager. Direct intervention by senior management may be used to resolve the issue. Grievance procedures are available if you believe you have been subject to discrimination, harassment or bullying.

The use of obscenities or offensive language is unacceptable in the workplace.

Occupational Health and Safety

Managers must ensure that their work area provides for the health, welfare, physical and psychological safety of their staff and clients. Specifically managers are responsible for providing safe systems of work; a safe work environment; supervision and information; safe equipment and facilities; identifying and controlling risks; responding to staff members' reports of issues.

You also share a responsibility for occupational health and safety by following safety and security directives, using security and safety equipment provided, keeping your work area tidy and safe and raising potential safety issues promptly.

Drugs and Alcohol

The misuse of alcohol and other drugs can affect staff members' work performance and jeopardise the safety and welfare of colleagues. You must not perform your work, remain in the workplace or undertake work-related activities if you are impaired by alcohol or other drugs.

Post Employment

Staff members should not misuse their position to gain opportunities for future employment nor allow themselves to be influenced in their work by plans for or offers of outside employment. Staff members leaving the Department are required to return all documentation and equipment and should respect the confidentiality of information obtained during their employment and not use it for gain until it has become publicly available. Be careful in dealings with former staff members to make sure that you do not give, nor appear to give, favourable treatment or access to privileged information.

Legislative Framework

This Code of Conduct does not stand alone nor take the place of any Act or Regulation. Important laws that apply include:

- Anti-Discrimination Act 1977
- Crimes Act 1900
- Commission for Children and Young People Act 1998
- Freedom of Information Act 1989
- Health Care Complaints Act 1993
- Health Services Act 1997
- Independent Commission Against Corruption Act 1988
- Occupational Health and Safety Act 1983
- Ombudsman Act 1974
- Privacy and Personal Information Protection Act 1998
- Protected Disclosures Act 1994
- Public Sector Management Act 1988

Relevant Departmental Circulars (a selection - as amended from time to time)

- 93/70 Department of Health Fraud Strategy
- 95/21 Public Staff Members Contesting State Elections
- 97/72 Grievance Policy and Resolution Procedures
- 97/73 Freedom from Harassment Policy and Procedures
- 98/101 Protected Disclosures
- 99/41 NSW Department of Health Restructuring Procedures
- 99/18 NSW Health Information Privacy Code of Practice
- 99/43 NSW Department of Health Alcohol and Other Drugs Policy
- 99/99 Electronic Messaging Policy
- 00/41 Reporting Possible Corrupt Conduct to the ICAC
- 00/69 NSW Department of Health Policy on Employment Screening

Breaches of the Code of Conduct

You are required to comply with this Code of Conduct. If you breach this Code you will be subject to a range of administrative actions which include disciplinary action as set out in the Public Sector Management Act, 1988. Breaches of certain sections may also be punishable under other legislation.

Training and Development

The Department's Corporate Personnel Services includes training on the Code of Conduct in its induction program. It also offers a range of training in areas including occupational health and safety, ethics, equity, harassment and grievance handling of direct relevance to the Code. Managers have a responsibility to provide their staff with training on this Code.

Further Information and Feedback

If you need further information on the Code of Conduct consult your manager or contact Corporate Personnel Services. Feedback on the Code is also welcomed and should be sent to the Director, Executive and Corporate Support.

FREEDOM OF INFORMATION ACT, 1989

Reports pursuant to the Act were prepared to meet the requirements of the Freedom of Information Act. During the reporting year the Board did not receive any requests.

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