

Submission Re: PBA Consultation Paper on Limited Registration for Teaching and Research

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Submission Re: PBA Consultation Paper on Limited registration for Teaching and Research

The College of Organisational Psychologists (COP) makes this brief interim response to the Consultation Paper, and seeks agreement from the Board to accept a further comment from the College in the New Year (specifically by 17th January 2011). The Board will no doubt appreciate that at this time of the year (late December), it is difficult for COP to achieve adequate consultation with its members, especially its teaching and research psychologists.

COP supports (*but with significant caveats*) the PBA's efforts to provide a basis for the registration of teachers and researchers who are qualified in Psychology, are teaching or researching psychological issues and *in doing so wish publicly to use the title "psychologist"*. In order to avoid the title being in effect restricted to only "psychological health service" providers, the Board must, we recognise, do something to cover psychologists working in teaching and research fields *and not providing "health services"*. But the issue of use of title must remain foremost (or arguably the only issue) in the Board's mind when formulating its policies here.

We emphasise that in teaching and research fields, the purposes and functions of regulation are very different from those that apply to professional practice, are set in different (and multiple) contexts, and different emphases and processes are required. We strongly urge a very "light touch" approach that is cognisant of the many sensitivities of employers, staff, their unions and the funding authorities in the teaching and research fields. In short, this is a Pandora's Box.

Further, regulating *private providers* of teaching and research in Psychology in our view requires a somewhat different policy prism from that to be used with *public sector (especially university) providers*. The added benefits to the public from regulation are much less evident in institutions and agencies where teaching and research standards, public information about teaching and research staff, and internal ethics, and complaints and disciplinary procedures already exist. (This applies notably to the universities and some government bodies.) That having been said, there are many forms of unregulated research activities conducted by university and other public sector employees that may arguably benefit from regulation, such as applied research undertaken on a consultancy basis or (within a government department) "in house" applied research such as policy and program evaluation, consumer surveys, staff attitude surveys, OHS surveys, staff selection validation studies, and so on. But considerable care is needed here as those activities do not constitute "health services", and do not result in direct benefit to an individual with health problems, hence any attempt at regulation by the PBA or the AHMC could well be challenged by teachers, researchers and their employers on legal "coverage" grounds.

Benefits to the public from regulation may be thought to be more apparent in regard to small private providers of teaching (including training) or research services which operate outside the framework of national and State-level accreditation of educational or research institutions. However here it is important to consider issues such as: whether the term "teaching" covers training; the different types of clients (e.g. corporations and their staff rather than degree and higher degree students or individuals with health problems); competitive focus (especially in servicing niche markets); and commercial confidentiality and sensitivities (e.g. about the type of research work undertaken and the results obtained). As with the public sector, the authority of the NRAS agencies to regulate teaching and research workers and indirectly their work (e.g. through CPD requirements) is legally very dubious, and any attempted limitation on such activities would predictably encounter strong resistance. Hence we continue to urge limiting regulation to the public use of the title "psychologist".

We consider that an acceptable basis for regulating public sector teaching and research would have the following features:

- (a) Regulation should be focused on facilitating the appropriate and accurate use of the title “psychologist”. It should generally be encouraging and enabling, rather than prescriptive and punitive. That is, it should be a way for a suitably qualified teacher/trainer or researcher to use the title “psychologist” without fear of complaint or pursuit by a regulatory body.
- (b) In doing so, it should not constitute the equivalent in teaching and research of a “scope of practice” limitation or a “license to practise”. That is to say, it should not be interpretable as limiting the teaching or research activities of persons registered under the “Limited” category for Psychology (or under other categories to be used by other health professions’ registration boards) or seen to imply that teaching and research activities are to be regulated in all “health” disciplines, and that persons not registered are unable to work in those fields.
- (c) Regulation should be consistent with and not disturb the existing and developing national and State-level frameworks of institutional and course accreditation, and those for the evaluation of research applications for funding or the awarding of contracts for teaching/training and research work.
- (d) It should be of value to students and the public by providing information about the professional standing of the registered teacher/researcher additional to that provided by the registrant’s personal website, University (or other employer) CV or other description.
- (e) It should have clear benefits to teachers and researchers, and not constitute an onerous burden on them (including financial and administrative burdens).
- (f) It should not criminalise teachers and researchers who choose not to register but whose teaching and research topics are psychological in nature (or arguably so, e.g. cognitive science), or make them open to complaints procedures and disciplinary action that do not apply to other teaching and research workers.

The wording of the National Law Sections: Section 65 *Eligibility for limited registration*, and Section 69 *Limited registration for teaching or research*, is problematic in that it appears to require that a teacher or researcher who holds qualifications and experience that would qualify her/him for general registration as a psychologist MUST so register, and cannot elect to seek only Limited Registration, even if s/he has discontinued practice. The Board’s Consultation Paper appears at times to take this interpretation, but at others to assume the ready use of Limited Registration by teachers and researchers. The Consultation Paper also appears to be rather too focused on student researchers, rather than academic staff undertaking teaching and research as part of their normal work roles.

We request the Board to clarify and broaden the thrust of the Consultation Paper, and if necessary seek an amendment to the National Law Sections to allow teachers and researchers in Psychology to elect to seek only Limited Registration even if they are qualified (but do not wish) to seek general registration.

The fees to be charged for Limited Registration appear unnecessarily high – sufficient to constitute a significant burden on teaching and research psychologists and student researchers that would predictably not encourage them to register. Their non-registration would be an outcome inconsistent with the features outlined above.