



Further information

on

Proposals from the Psychology Board of Australia on area of practice endorsements for the Ministerial Council's approval

This statement provides further explanatory information for stakeholders to supplement that provided to Ministerial Council in a letter dated 22 December to The Hon John Hill MP, Chair, Australian Health Workforce Ministerial Council.

Proposed registration standard for area of practice endorsements

Endorsement of a psychologist's registration is a legal mechanism under the National Law through which particular registrant sub-groups who have an additional qualification or advanced practice recognised by the Board can be identified to the public, employers and other users of the public register. An endorsement on registration indicates that a psychologist has expertise in an advanced area of practice in addition to the minimum level of psychological training required for general registration.

It is important to note that under the National Law, the Psychology Board of Australia (Board) does not have statutory power to grant any registrant specialist registration or an endorsement of registration unless the Ministerial Council (constituted under the National Law and made up of all State, Territory and Commonwealth Health Ministers) approves such a function (see sections 13 and 15 of the National Law). Ministers must ensure that these mechanisms are applied only where a net public benefit can be demonstrated. This is because of the potential for such mechanisms to lead to increased regulatory burdens and costs as well as inflexibility and unnecessary rigidities in the workforce.

The Board released a consultation paper on 27 October 2009, setting out for consultation the Board's proposals on registration standards. The paper included a proposal for specialist registration for the psychology profession.

On 16 November 2009, the Board received a response to its consultation paper from the AHMAC Governance Committee (AHMAC Governance Committee for NRAS), which is comprised of the CEOs of all State, Territory and Commonwealth Health Departments. The Governance Committee response to the Board can be found at the following website address.

<http://www.psychologyboard.gov.au/submissions.html>

The Governance Committee stated:

With regard to the Board's proposal for specialist recognition, members of the Governance Committee note the Board's detailed proposal and consideration against the procedures for the development of standards. However, CEOs do not support the proposal for specialist recognition for the psychology profession under the national scheme.

The basis for this response is that, in the view of the Governance Committee members, the public interest case is not made out for submitting psychology and the public to the increased burden of statutory regulation required to recognise specialist practice within the profession. It is noted that the profession currently utilises a self-regulatory model for developing and identifying specialised practice without the requirement for statutory regulation. An additional consideration is the absence of a national standard for the accreditation of programs that lead to qualification as a specialist and thus accredited programs that lead to qualifying a psychologist for specialist registration if specialist recognition were to be approved by Ministerial Council.

Based on this advice, the Board formed the view that, at this stage, there was a clear indication that the proposal for specialist registration would not be supported by Ministerial Council.

The Board, in accepting the advice of the Governance Committee that area of practice endorsement is a more suitable mechanism for the psychology profession than specialist registration at this stage, acknowledges that specialties in psychology are less well established than in other professions such as medicine and dentistry. The proposal of the Board was specialist registration at Doctorate level. The submissions received from stakeholders and the outcome of the National Forum raised significant reservations about the Board's proposal for specialist registration. The Board's thinking was that six years be the minimum for generalist registration, therefore specialist registration should be at the higher Doctorate level, consistent with international standards. Whilst a majority of submissions to its consultation paper indicated support for specialist registration, there was disagreement regarding qualification requirements, scope of practice, specialist titles, impact to workforce supply, Medicare rebate mechanisms and timing of implementation. It is clear that further debate is required within the profession and the community about these issues and the potential impact of incorporating specialist recognition into a national regulatory system.

Area of practice endorsement proposal

The Board has submitted to the Ministerial Council for nine areas of practice endorsements, rather than four as proposed by the Governance Committee. The Board's submission is available at the following website:

www.psychologyboard.gov.au/documents/Psychology%20Proposals.pdf

In submitting nine, rather than four endorsed areas of practice to Ministerial Council, the Board is mindful of the long tradition of these nine areas of practice as represented by the nine Colleges of the Australian Psychological Society, and the Australian Psychology Accreditation Council accreditation of the Higher Degrees supporting these areas of practice. It is also mindful that recent legislative change in the United Kingdom supported a similar list of 'domains' of practice (Clinical, Counselling, Educational, Forensic, Health, Occupational and Sport and Exercise) (<http://www.hpc-uk.org/aboutregistration/aspirantgroups/psychologists/>) consistent with the Divisions of the British Psychological Society. In its submission to Ministerial Council on 22 December 2009, the Board also outlined its reasons for supporting the nine areas of endorsement:

First, the practice of psychology is not exclusive to 'clinical' mental health matters. The nine areas of practice proposed for endorsement are health related, in that they either address health problems directly, or promote ongoing health, well-being, prevention of illness and personal effectiveness. The areas of practice proposed for endorsement are currently recognised areas of practice within the community and the profession. There are established Australian Psychology Accreditation Council accredited postgraduate training programs in these areas, over and above undergraduate qualifications. These areas are supported by the Board, members of which are representative of these areas of practice. The proposal is consistent with advanced areas of professional practice recognised by the peak professional body within this country, the Australian Psychological Society Ltd (APS).

Second, there are significant public protection arguments for including these key areas of practice endorsement for the profession of psychology to those already suggested by the Governance Committee. It is the Board's view that these arguments outweigh the costs of additional regulation. There are risks to the public in the specific practice of these branches of psychology, in that they deal with more challenging cases and use more complex techniques and treatments that require judgements that carry higher risk. An endorsement function allows the Board to take a more active role in promoting the psychological welfare of the community, through ensuring quality of services and the provision of adequate training and supervision for the psychology profession. Within the advanced scopes of practice of the endorsed areas recommended, there are greater risks to public health and safety, such as can occur from the misdiagnosis of children with developmental disorders. Our view is that the current system of self-regulation does not provide adequate protection, and that there are benefits for the community in having the Board take a more active role in this area which outweigh any risks of exacerbating rigidities in the workforce. All psychologists will be on a single register, and will be able to respond flexibly to health service needs across any area of psychology practice. The endorsement arrangements will provide better information, and will not of themselves restrict scopes of professional practice. The endorsement process will allow the health system and members of the public to identify who has advanced skills and is well qualified to deal with complex cases in each of the areas of practice proposed for endorsement.

Third, the approach recommended by the Governance Committee is not fully consistent with the basis on which the psychology profession has been included in the National law. The National law provides for all psychologists to be registered, whether they practise in areas which could be described as part of the health system, or not. It follows that when 'protection of the public' issues arise in relation to the full breadth of psychology practice, including issues arising from 'non-health practice', these issues need to be addressed by mechanisms established under the national law, such as areas of practice endorsement.

In addition, in accepting an endorsement mechanism, the Board understands that it will provide a mechanism for recognition for higher qualifications and advanced areas of practice and therefore provide better information to the public, something that has not been available in the current psychology registration acts in seven out of eight jurisdictions across Australia. The Board's view is that this will help assist in its role of public protection and providing public information through the register. The public, employers and other users of the public register will be able to identify psychologists qualified to practise in an approved area of practice for example "clinical psychology".

Qualifications for area of practice endorsement

The Board is aware of the need to ensure that a person applying for an endorsement has adequate training and experience in the area in which he or she wishes to practise. Therefore, the Board's proposed registration standard put forward to Ministerial Council sets out the minimum qualification and supervision requirements necessary to be eligible for an endorsement, which are:

- a) an Australian Psychology Accreditation Council (APAC) accredited doctorate in one of the approved areas of practice, and minimum one year of approved supervised full-time equivalent practice with a Board approved supervisor; or
- b) an APAC accredited Masters in one of the approved areas of practice, and a minimum of two years of approved supervised full-time equivalent practice with a Board approved supervisor; or
- c) another qualification that, in the Board's opinion, is substantially equivalent to (a) or (b).

The role of the Board in granting endorsements

If the Ministerial Council approves the proposed registration standard, the Board may only grant an endorsement to a general psychologist who meets the minimum qualification and supervision requirements as set out in the standard. The granting of an endorsement is not an administrative and discretionary function of a Board. It is a legal mechanism of the National Law. In enacting endorsement arrangements, Board members are obliged to operate in accordance with the objectives and guidelines of the National Law, which include acting in a "transparent, accountable, efficient, effective and fair way". Governments set policy, draft and enact laws, and therefore have powers to change laws. Board members are appointed by Ministers to operate according to those laws. The role of the Board is to protect the public by ensuring psychologists are qualified, competent and fit to practise. If the Ministerial Council approves the Board's proposal for area of practice endorsements, then the Board will establish guidelines for those wishing to apply for endorsement and will consult on these guidelines prior to finalisation.

Mechanisms to protect endorsement arrangements

Provisions also exist under the National Law to ensure that only those granted an endorsement in accordance with the approved registration standard may identify themselves as having an endorsement for example in “clinical psychology”. In the same way, only a psychologist who has been granted an endorsement in clinical psychology may use the title “clinical psychologist” to identify that he or she has an endorsement in this approved area of practice. A person who does not have an endorsement for “clinical psychology” must not use the title “clinical psychologist” as it may mislead the public into a belief that the person holds such an endorsement when he or she does not.

Section 119 of the National Law enables a Board to instigate proceedings against a person claiming to hold an endorsement of registration for an area of practice when he or she does not, as it may constitute unprofessional conduct. The National Law may be found at the following website:

<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/H/HealthPracRNA09.pdf>

Hence, the Board has considerable powers to deal with such persons who breach the National Law in relation to a title associated with an approved area of practice endorsement.

Transitional mechanisms for Western Australia

Section 281 of the National Law allows registered specialist psychologists in Western Australia to continue to use specialist titles for a period of 3 years following commencement of the National Scheme. This provides a reasonable period during which further dialogue can occur regarding specialties in psychology.

What happens next

Ministerial Council will advise the Psychology Board of Australia with regard to its submission on proposed registration standards in March 2010.

The Psychology Board of Australia will publish in March 2010 a consultation paper on guidelines for the application for endorsed areas of practice in psychology. Public submissions on the guidelines will be invited.

The Board proposes to review the issue of specialist registration within the next three years with a view to making further submissions to Ministerial Council in future.

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Chair, Psychology Board of Australia
8 February 2010