



Statement

23 May 2012

When it is necessary to be registered as a psychologist?

Purpose

This statement provides advice to help practitioners decide whether or not they should be registered.

Why National Boards are publishing this information

The National Boards have defined “practice” in a number of their registration standards as:

***Practice** means any role, whether remunerated or not, in which the individual uses their skills and knowledge as a health practitioner¹ in their profession. For the purposes of this registration standard, practice is not restricted to the provision of direct psychological care. It also includes using professional knowledge in a direct non-clinical relationship with clients, working in management, administration, education, research, advisory, regulatory or policy development roles, and any other roles that impact on safe, effective delivery of services in the profession.*

The definition was intended to be broad and inclusive. It allows individuals with qualifications as a psychologist to be registered if they are using their skills and knowledge as a practitioner, regardless of whether or not they are treating persons². Registered practitioners can use the protected title related to their profession and must comply with their National Board’s approved registration standards.

Many qualified health practitioners who use their skills and knowledge in a range of activities outside direct patient care may not need to be registered. This statement clarifies the circumstances in which the Psychology Board of Australia expects psychology practitioners to be registered and details circumstances in which registration may not be required. This advice is based on the Health Practitioner Regulation National Law as in force in each state and territory (the National Law), and the level of risk to the public that the “practice” poses.

The National Law

¹ The Psychology Board of Australia uses the term “psychologist” rather than “health practitioner” The definition of health practitioner under the National Law is an individual who practices a health profession, which is defined to include psychology. This means that psychologists practicing in a non-health area of psychology are still health practitioners under the National Law

² In this document “the person” has been used to describe a person receiving psychological services. It includes patients, clients and consumers

Psychologists are registered under the National Law. The National Law limits the use of certain titles. The protected title for the psychology profession is “*psychologist*” (see s.113 of the National Law). Other than restricted dental acts, prescription of optical appliances and manipulation of the cervical spine,³ as defined in the National Law, the National Law does not specify the activities that require registration. That is, it is not a breach of the National Law for a person to use their knowledge and skills relating to the psychology profession without being registered if the individual does not breach the sections of the National Law related to the protection of title or to the specific practice protections.

Under the National Law, a person must be a registered health practitioner if they:

1. use the title “registered health practitioner” with or without any other words (s. 116(a))
2. take or use a title, name, initial, symbol, word or description that, having regard to the circumstances in which it is taken or used, indicates or could be reasonably understood to indicate, that the person is a health practitioner or is authorised or qualified to practise in a health profession (s. 116(b))
3. claim to be registered under the National Law or hold themselves out registered under the National Law (s. 116(c))
4. claim to be qualified to practise as a health practitioner (s. 116(d))
5. undertake a restricted act (which are specific dental acts, prescription of optical appliances and manipulation of the cervical spine).

The online national Register of Practitioners allows the public to identify who is a registered health practitioner. Practitioners who are registered must meet the registration standards set by the relevant National Board. The public can therefore be confident that a registered practitioner meets the relevant requirements for entry and practice in the profession, professional indemnity insurance, continuing professional development and recency of practice.

The Psychology Board’s advice on who should be registered

Any practitioner who is qualified and meets the applicable registration standards of the Psychology Board of Australia may apply for registration.

It is up to each individual to decide whether or not they need to be registered. Under the National Law this is not a decision the Psychology Board can make in the absence of an application for registration. However, psychology practitioners who are registered, become subject to the jurisdiction of the Psychology Board of Australia.

³ Part 7, Division 10, Sub-division 2

The Psychology Board provides the following advice, based on the objectives of the National Law to help practitioners decide whether or not they should be registered

As the primary purpose of registration is to protect the public, the Psychology Board considers that practitioners should be registered if they are providing treatment or opinion about the physical or mental health of a person or groups of persons, including recommendations or formally referring to other registered health practitioners, or when a person (or groups of persons, or the public) may reasonably believe that the practitioner is registered.

Practitioners should take the following factors into consideration when deciding whether they need to be registered.

Examples of when the Psychology Board considers that practitioners should be registered include:

1. they have direct client contact and/or
2. their work impacts on safe, effective delivery of health services to individuals and/or
3. they are directing or supervising or advising other psychologists about the provision of psychological services and/or
4. their employer and their employer's professional indemnity insurer requires a person in that role to be registered and/or
5. the practitioner's professional peers and the community would expect a person in that role to comply with the relevant Board's registration standards for professional indemnity insurance (PII), continuing professional development (CPD) and recency of practice and/or
6. the person is required to be registered under a law to undertake a specific activity
7. the person wishes to use a protected title which is reserved for registered health practitioners
8. the person wishes to be eligible for certain Medicare Benefit payments.

Roles in which individuals may not have to be registered

The following examples are provided to assist individuals decide whether or not they ought to be registered. The examples are not exhaustive; they have been selected based on common queries raised with National Boards.

Each individual practitioner will need to decide whether or not they should be registered on the basis of their own circumstances and using the criteria listed above.

Practitioners engaging in the following activities may not require registration:

- An examiner or assessor for an accreditation council, when the council does not believe that registration is necessary for the scope of activity undertaken and provided the examiner/assessor is not supervising or assessing candidates who are treating persons as part of the assessment
- A tutor or teacher working in:
 - settings which involve persons to demonstrate an assessment or consulting technique but not the actual delivery of a service
 - settings which involve simulated clients
 - settings in which there are no clients

- A researcher whose work does not have service applications and whose research facility does not require them to be registered
- A practitioner who has been invited to talk publicly about a psychology-related topic and who will not be giving any specific advice
- A practitioner discussing the psychological health of another person in a social setting but not providing specific advice or opinion
- A practitioner serving on a Board, committee or accreditation body, when their appointment is not dependent on their status as a “registered practitioner”
- A person who may be using skills and knowledge gained from an approved qualification but is not using a protected title, or claiming or holding themselves out to be registered, such as a person in an advisory or policy role, or a person working in a related profession such as human resources
- A practitioner who is registered overseas and is visiting for any role not involved in providing psychological services to clients, for example a course presenter from overseas who uses a protected title with words explaining their registration status in Australia eg psychologist (registered in the United Kingdom, or not registered in Australia)

If you do not require registration, but wish to continue using a protected title, you may wish to consider non-practising registration.

Further advice

If you require further assistance to help you decide whether or not you need to be registered, consult your employer, professional indemnity insurer or other legal adviser.