

The Australian Psychological Society Ltd

APS SUBMISSION

TO THE

CONSULTATION PAPER ON THE

PROPOSED ARRANGEMENTS FOR ACCREDITATION

**NATIONAL REGISTRATION AND ACCREDITATION SCHEME FOR THE HEALTH
PROFESSIONS**

(Health Workforce Principal Committee)

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Preamble

The Australian Psychological Society (APS) values the opportunity to provide input on the proposed arrangements for accreditation under the National Registration and Accreditation Scheme for the Health Professions. The APS supports the general premises of the Consultation Paper and welcomes in particular the enunciation of principles for national accreditation which promote best practice and the adoption of international standards. The APS does, however, wish to offer comment on a number of important issues regarding the future accreditation of psychology education and training under the Scheme as it is currently proposed in the Consultation Paper. This submission sets out the main issues of concern as well as providing feedback on the specific proposals contained in the Consultation Paper.

3 Proposed new accreditation arrangements

The APS believes that the independence of accreditation of psychologist education and training in Australia is critical and is concerned that the arrangements set out in the Consultation Paper do not adequately protect this independence. Clearly, the most important aspect of accreditation is the protection of standards of professional practice in the public interest, which the APS believes is not served by the current proposal to combine registration and accreditation functions under a National Board. Such a Board could, under the proposed Scheme, be subject to directions from the Ministerial Council, providing a possible vehicle for the erosion of standards with a consequent decline in the quality of care provided by psychologists. The *Intergovernmental Agreement for a National Registration and Accreditation Scheme for Health Professionals* (IGA) itself alludes to a principle of giving greater priority to costs than to standards in paragraph 5.4(c): “restrictions on the practice of a profession should only occur where the benefits of the restriction outweigh the costs” (p.3). This is of considerable concern.

Under the proposed arrangements, set out in the Consultation Paper, Ministers, not boards, will have power to issue policy directions for, and will have final approval of, accreditation standards. Ministers change over time and do not have ready access to the requisite industry and profession-specific expert knowledge essential for the maintenance of appropriate educational or practice standards. While government is a key stakeholder in the accreditation of psychologist training programs, accreditation processes, in particular the setting of accreditation standards **must be independent of political concerns such as workforce issues and cost savings.**

There are a number of international examples of policy in which the independence of accreditation bodies from government is upheld. The European Consortium for Accreditation in Higher Education (ECA), founded by twelve higher education accreditation organisations from eight European Countries, states as a principle that “Accreditation organisations must be independent from government” (*Accreditation in the European Higher Education Area*, 2004, p.7). Independence of the

accrediting body is also required in *The World Health Organisation/World Federation of Medical Education Guidelines for Accreditation of Basic Medical Education* (2005), which states that: “*The legal framework must secure the autonomy of the accreditation system and ensure the independence of its quality assessment from government, the medical schools and the profession*”. Without clear independence of the accrediting body from government, hard-won **arrangements for reciprocal recognition of qualifications with other countries, especially in Europe, may be put at risk**. The APS notes that the Consultation Paper does not comment on powers to remove or change accreditation functions and believes that it is important that the national scheme legislation clearly spells out these powers and the grounds for their use.

A second issue regarding the **independence of accreditation standards** has to do with the link between accreditation and registration in the Scheme currently proposed. The Productivity Commission’s report (*Australia’s Health Workforce*, 2005) recommended separate governance arrangements for registration and accreditation of professions because “*it would be good regulatory practice to separate the setting and verification of standards at the education and training institutional level from the application and maintenance of standards in relation to individual practitioners*” (p.122). To avoid the possibility that workforce registration considerations could drive accreditation decisions, making standards and quality a secondary consideration, this principle needs to be incorporated into the structure of the Scheme.

In order to protect the public from the consequences of an erosion of standards for psychologists’ education and training, the national scheme legislation must authorise a truly independent accrediting body (which has the ability to build historical knowledge and anticipate future advancements) to set standards and to accredit against them without the potential for government control or political interference. If the Ministerial Council has the ability to veto proposed changes to standards in education, this may limit the accrediting body’s power to stimulate change and reform in education programs, with the potential risk that Australia’s programs of psychologist training and education may **fail to keep pace with international benchmarks**. The Scheme does not provide for any mechanism which would address the situation of a stalemate which could arise when a Board recommends endorsement of an accreditation standard and the Ministerial Council refuses to approve it, condemning the discipline to the status quo while standards in the profession elsewhere in the world continue to develop. The Scheme also makes the timing of approvals for new or revised Standards dependent on Ministerial Council meetings, with the consequence that change to accreditation standards could be a very slow process – **this is inconsistent with one of the Scheme’s stated commitments, the reduction of red tape and delay due to bureaucratic processes**.

3.4 Scope of Accreditation

Recognition of specialties

The APS endorses proposal 3.4.1, in which the National Board would consider whether there is a need for specialist endorsement. In addition, the APS desires a similar arrangement to that cited in Proposal 3.4.2, whereby the APS would advise the National Board on appropriate specialties, associated specialist qualifications and other requirements.

Since the Ministerial Council will not have the expertise to make judgements about specialisations in any given profession, it is important that the Ministerial Council respects advice received from the National Board.

Core accreditation functions

Accreditation is defined in the American Psychological Association *Guidelines and Principles for Accreditation of Programs in Professional Psychology (2008)* as “a voluntary, non-governmental process of self-study and external review intended to evaluate, enhance, and publicly recognize quality in institutions and in programs of higher education... intended to protect the interests of students, benefit the public, and improve the quality of teaching, learning, research, and professional practice” (p. 5).

It is disappointing that the definition of accreditation activities adopted by the Scheme is narrow in focus. In particular, the definition and proposals contained in the Consultation Paper do not acknowledge the quality improvement aspect of accreditation. Section 3.1 of the paper states that “the purpose of accreditation of education and training courses is to ensure that graduates have the required skills, knowledge and competence to practise safely and meet registration requirements” (p.9) and the list of core accreditation functions on page 13 tends to reflect this statement. Such a definition places the entire emphasis on quality assurance and does not recognise a second and crucially important aspect of accreditation, which is quality improvement. Accreditation processes which include a focus on quality improvement drive change, innovation and reform, and are vital tools which accrediting bodies use to ensure that education and training programs are updated to keep pace with international best practice. Without a quality improvement focus innovation and reform of Australian psychology education and training programs would be stifled and will not reach international benchmarks.

Accreditation of Australian psychology education involves more than simply the professional training of psychologists. Unlike most professions, psychology is a scientific discipline as well as being an allied health profession and a non-health related profession. There are programs of education and training in psychology that do not lead to registration and professional practice, but prepare graduates for other roles in the workforce and which are no less important to the scientific discipline as a whole. Thus, in the psychology discipline, accreditation of education programs is needed not just for the profession, but for the quality of education in the scientific discipline as a whole. The national scheme legislation should include a strong quality improvement role in the definition of accreditation functions to ensure that Australian programs of education and training for psychologists are of high quality and are internationally competitive.

The Paper makes the statement on page 13 that “. For example, psychology internship programs are currently accredited by boards”. This statement is incorrect; only internship programs which are part of postgraduate professional degrees undergo accreditation. Internships undertaken by Psychology trainees taking the supervision route to registration are not accredited. This misunderstanding needs to be corrected.

The APS supports proposal 3.4.5 that boards have the power to delegate to external bodies other accreditation functions or matters but is opposed to the proposal in 3.4.6 that Ministerial Council approval be required for the introduction of new standards. The setting of standards should be the prerogative of the National Board and independent of government for the reasons set out in the first section of this submission.

3.5 Governance Arrangements

The APS supports the establishment of governance and operational guidelines for accrediting bodies but questions any form of prescription by government of how the membership of accrediting bodies is composed. In order for the accrediting body to have the confidence and respect of the discipline and profession, it must be free to appoint the most experienced, respected and best qualified experts and aside from the important principle of adequate stakeholder consultation, must not be constrained in its choice of decision makers. The Paper states on page 14 *“Guidance to be provided on the governance arrangements of accreditation bodies would be best in a form which will require certain categories of membership to be represented but does not constrain the inclusion of other categories of membership”* but does not define “membership” in this context. It is agreed that accreditation bodies should be operated by a board or committee of decision makers as outlined in Proposal 3.6.1.

The APS believes input from the community, education providers and professions can be provided by including the following features in such a board or committee:

- (a) Members of the board or committee should be appointed following nomination and be free to act without having to consult “constituencies” on each decision;
- (b) Community and/or carer representatives should be appointed by the accreditation body to its board;
- (b) At least two appropriate individuals should be appointed as non-voting observers/advisors at the board/ committee meetings to represent educational institutions; and
- (c) the board/committee should issue regular calls for submissions from interested parties and have strong communication links with relevant stakeholders on a regular basis.

Legal arrangements between accreditation bodies, boards and the National Agency

Proposal 3.5.1, that “...the agency’s requirements in relation to the national scheme should be specified in the contract with the specific accreditation body” is unclear and the profession could not agree to this without clarification of the nature of the “requirements”. Bill A vests responsibility for accreditation of courses with the National Boards, but also allows that an accreditation body may be separate from the National Boards. The National Agency and the National Boards are required to work together to develop the education standards, which are then approved by the Ministerial

Council. A separate accreditation body appears to have no involvement in this process, which we strongly oppose. The body responsible for assessing and administering education standards must be involved in the development of those standards. These matters need to be addressed in considering any contractual arrangements between the National Agency, the National Boards and any independent accreditation body. There is concern that the current proposal amounts to a complex system of tripartite contractual arrangements and may lead to an unnecessary and undesirable increase in the bureaucratic processes required of an accreditation body. Simplification of the process is required.

In the event that a contractual arrangement is preferred, consideration should be given to how all aspects of accreditation and education standards can be addressed as between all relevant parties in such a way as to reduce and streamline reporting requirements and red tape.

Lack of clarity of the role and powers of the National Agency

There is a worrying lack of clarity in the role and powers of the National Agency in the Paper, which continues to leave open the possibility that the Agency could, over time, begin to exert pressure on standards as a means to achieving certain workforce imperatives. The Paper includes several statements which imply involvement of the National Agency in decisions about standards. For example, Proposal 3.5.2 (b) states lists “The accreditation framework standards developed by the agency”, and it is unclear what involvement in the setting of standards is being proposed for the National Agency. Further, Proposal 3.5.4 on page 15 of the Consultation Paper states: “**Proposal 3.5.4:** *It is proposed that the national scheme legislation provide that the agency must consult with the boards on the development of the standards to govern registration and accreditation processes within the scheme*”. A further reference in Proposal 3.10.1 states “...the agency consider the following matters in developing standards for accreditation processes” also implies a role for the National Agency in the development of accreditation standards and is unacceptable. The public must be assured that no erosion of standards can occur by ensuring that the national scheme legislation explicitly excludes the National Agency Committee from any role in accreditation matters, and the APS does not accept this proposal. In circumstances where the accreditation body is independent of the National Board, the accreditation body should also be included in the process of developing educational standards.

Ensuring transparency

The APS supports Proposals 3.5.5, and 3.5.6. Proposal 3.5.7 is acceptable in principle. The publication of education standards and fees and charges for accreditation on the Agency website should not extend beyond publication only. The Agency should not be responsible for the collection of accreditation fees or for the provision of information regarding accreditation standards and associated assessments, which must be the direct responsibility of the accrediting body. Making an agency which is distant from the accrediting body and with no involvement in the process of professional accreditation responsible for advice and/or provision of accreditation information will lead to poor service provision.

Proposal 3.5.8 proposes that in addition to reporting a range of activities annually, the accrediting body be required to report to the National Agency “...anything else requested by the national board, for inclusion in the agency’s annual report” (p.16). There is potential in such an open-ended arrangement for reporting requirements to be established which the accrediting body might find very onerous, inappropriate and/or expensive. Additionally, it is important that the accrediting body is not required to report in detail on matters which are ordinarily confidential to the assessment process, to avoid a consequent erosion of the trust and good working relationships that exist between the accrediting body and those subject to accreditation assessment. Consideration should be given to the nature of information likely to be required for the purpose of assessing the viability of the scheme and future funding requirements and limited to that information. The national scheme legislation must be drafted in such a fashion as to leave the accrediting body exposed to the risk of excessive and inappropriate reporting requirements. Again, this proposal confuses the issue of contractual arrangements between the accrediting body and the National Agency, now including the National Board in the proposed contract.

Use of the term “standards”

The APS believes that it is important that in drafting the national scheme legislation there is consistency in the use of the term “standards”. The Consultation Paper uses the term in a variety of ways, without adequate definition. At least two uses appear in the Paper: standards of governance and accreditation standards. The national scheme legislation must avoid such ambiguity in references to standards, perhaps by adopting an approach where the term *standards* is always prefaced by a suitable descriptor (eg *accreditation standards, education standards*).

3.6 Accreditation Committees

Composition of accreditation committees

Although not explicitly stated in the Paper, Proposals 3.6.1 – 3.6.3 appear to apply only to the circumstance in which the existing national accrediting body is not assigned by the Ministerial Council the accreditation functions for the profession and as a result, an accreditation committee needs to be appointed. As stated in a previous submission, the APS believes that responsibility for psychology accreditation functions should be assigned to the existing national accreditation body for the psychology profession, the Australian Psychology Accreditation Council Ltd (APAC).

APAC is already operating as the independent national accrediting authority for the psychology discipline and profession, accrediting onshore and offshore Australian programs, with all State and Territory registration boards requiring applicants to have completed APAC- accredited courses in order to be accepted for registration. APAC’s Board and operational arrangements already demonstrate strong adherence to principles of independence and transparency. Further, APAC operates successfully in an open and accountable framework with publicly available Rules and Standards including appeals processes, a stated commitment to quality improvement and constructive relationships with education providers.

The APS was responsible for the national accreditation of psychology courses for over 30 years until the establishment of APAC some four years ago, and APAC has inherited much of the specialist expertise and knowledge built up over that period. Establishing a new body would carry a risk that significant expertise and strong relationships with stakeholders will be lost.

The APS recommends that APAC should be constituted in the following way under the national scheme, and that any accreditation committee appointed in its stead should also be so constituted:

A fully independent board of ten APAC directors composed as follows:

- a. three directors who are registered practitioners;
- b. three directors with education, training and accreditation expertise;
- c. two directors who are not members of the profession who will represent the community, one of whom is a consumer representative, and
- d. two directors who are members of the National Psychology Board.

The structure proposed here would require some changes to APAC's constitution. Changes to the constitution and APAC board are already under way, including the recent appointment of a consumer representative to the APAC Board.

Administration

The APS supports Proposal 3.6.4 that the national scheme legislation provide general powers of delegation to the national board or appointed accreditation body regarding matters of accreditation.

3.7 Linkages

Review and appeal provisions

The APS partially supports the proposals set out in 3.7.1. The APS supports the notion of providing persons or organisations aggrieved by an accreditation decision with access to a suitable means of appeal. The APS supports access to both an internal process appeal as well as an internal merit review process, but has concerns about provision of an external merit review process. The national accreditation system in place for the psychology discipline has numerous checks and balances which effectively mitigate against errors of process and of merit which could lead to the occurrence of process or merit review appeals. In this context, internal process reviews and internal merit reviews should provide sufficient access to appeal. Whilst an external review process may demonstrate independence, the expertise required would necessarily involve all or most of those persons required to assist in an internal review process, with the additional cost and time delays of external administrative requirements, including educating the decision maker on the appropriate industry and education standards. An internal merit review could appoint a fresh panel of experts to review the original decision – these would be the best qualified people available and it is hard to see how

any external body could come up with a more expert or experienced review panel than APAC. An internal review also allows for flexibility in working with education providers to ensure that they are able to implement procedures or operations to meet the education standards required; rather than making a blunt decision that they do or do not meet the required standards, without the necessary support or guidance which would allow them to do so.

Consideration should be given to the impact of external merits review on time and cost devoted by professional bodies, and the outcomes achieved, with reference to the recent changes in Victoria as a result of the introduction of the *Health Professions Registration Act 2005*.

3.8 Indemnity

The APS strongly endorses Proposal 3.8.1, and believes it is particularly important that the national scheme legislation provide indemnity for assessors and other persons acting on behalf of the external accreditation body. The APS also draws to the implementation team's attention the question of whether indemnity will apply retrospectively to accreditation decisions taken by an external accreditation body prior to the establishment of the national scheme. Additionally, there is no indication given as to any limits of such indemnity. These issues should be clarified.

3.9 Funding arrangements

Funding of accreditation under the national system is a key issue. Much of the work of accreditation done by the current accrediting body in psychology, APAC, relies heavily on *pro bono* contributions from experts. Any external administration of the funding could threaten this, considering that preliminary analysis of the monetary value of the *pro bono* components suggests that they could amount to as much as twice the current outgoings. A related risk in the proposed scheme concerns the setting and collection of accreditation fees. As noted earlier in this submission, it is imperative that the accreditation body has unfettered control over the setting of its accreditation fees, their collection and expenditure without any interference by the National Agency. Lack of financial control would jeopardise the accreditation body's ability to discharge its accreditation functions to the high standard the public would expect.

The APS concurs that registration and accreditation activities must not be cross-subsidised between professions and that the fees set for accreditation activities are set with regard to supporting the specific profession only. More concerning is the allocation of common overhead costs across professions. In such a scenario, there is potential for *de facto* subsidisation of the overhead costs of one profession by others whose processes might necessarily require greater overheads.

3.10 Accreditation processes

The APS is supportive of the principles enunciated in the *Standards for Professional Accreditation Processes* published by Professions Australia and their incorporation into the national scheme legislation.

The APS is very concerned regarding the suggestion on page 18 of the Paper that there be constraints on the appointment of accreditation assessment panellists. The Paper suggests such constraints in the context of ensuring adequate representative balance, however it is critical for the accrediting body to have the full confidence and respect of the profession, that it is free to appoint the most experienced, knowledgeable, respected and best qualified experts. There are already protections against sectional and conflicts of interest, such as exclusionary criteria and declarations. Further, although the APS has no objection to a process of calling for nominations, appointments to panels must be the decision of the accrediting body and must be made on the basis of the expertise, experience, training and seniority of the candidates and not based on any sectional interests or formulae. The accrediting body must not be encumbered under the national scheme legislation with such constraints, as they will only serve to limit its ability to choose the best and most appropriate experts for appointment to assessment panels. A preferable approach would be to require of accrediting bodies adherence to good governance principles such as transparency of appointments, avoiding, declaring or vetoing of those with conflicts of interest, and the routine use of confidentiality agreements. This would achieve a higher level of trust in the accreditation process than forcing a representation formula on to panel appointments. Proposal 3.10.1 appears to give a role to the National Agency in “*developing standards for accreditation processes*” and is unacceptable to the APS in its current form. The National Agency must be limited to providing administrative support and guidance on good governance, and should be specifically excluded from any role in the accreditation process to protect the independence of the accreditation process.

Relationship between registration and accreditation functions

The Paper states a very narrow definition of the purpose of accreditation, stating “*the purpose of accreditation of programs is to ensure that graduates of programs meet the requirements of registration when they have completed their programs*” (p.19). This is only one of the purposes of accreditation and fails to recognise a second and crucially important aspect of accreditation - quality improvement. Earlier in this submission the argument has been made that accreditation processes which include a focus on quality improvement drive change, innovation and reform, and are therefore a vital tool to ensure that education and training programs keep pace with international best practice. This aspect of accreditation should be included in the scheme.

APS is supportive of Proposal 3.10.2

4 Linkages with Commonwealth, State and Territory government bodies

The APS is puzzled by Proposal 4.1, that *“accreditation reports will be made publicly available in the agency’s annual report and on its website. These reports will include recommendations and outcomes of accreditation processes and information on education and training courses”* (p.19). If the intention of this Proposal is to suggest that annual summary information about the assessments and outcomes of the accreditation body is included in the Agency’s report, the Proposal is supported. If the intention is however to suggest that individual assessment reports on particular courses or institutions are reproduced publicly, then the APS is opposed to the Proposal. Accreditation assessments routinely deal with material that is commercial-in-confidence and APAC’s reports contain very honest feedback regarding the need for change, weaknesses in course and other matters that are part of a full and frank exchange of information between the accrediting body and the institution being accredited. To expose the full detail of these reports to the public will only serve to cause such reports to be less open and direct in their criticism and feedback, and could also cause institutions to be less forthcoming about problems and weaknesses during the assessment process. These developments would be highly counter-productive to the quality of accreditation undertaken and would undo years of hard-won trust and respect between the institutions and the accrediting body.

Assessment of overseas qualifications

The APS is supportive of linking the assessment of overseas qualifications and skills for the purpose of registration with the assessment of them for the purpose of migration and looks forward to the opportunity to comment further on these matters when they are presented in more detail in a future Consultation Paper.

5 International Linkages

The APS strongly endorses the importance of alignment of Australian accreditation standards with international standards for the psychology profession and supports Proposal 5.1.

6 Transitional Arrangements

The APS supports the transitional arrangements set out in Proposal 6.1