

COUNCIL OF OPTOMETRY REGISTRATION AUTHORITIES Inc.

Incorporation No. A0049268P
ABN 13758851575

Secretariat Office: 15 Hillandale Road, Warragul, Victoria 3820
Executive Officer: Ph. 03 5623 1787 Fax. 03 56 23 5677
Email: leunig@dcsi.net.au

17 November 2008

Ms Bronwyn Nardi
Chair
Practitioner Regulation Subcommittee
Health Workforce Principal Committee

COMPLAINTS AND ENFORCEMENT ARRANGEMENTS SUBMISSION

This submission is being furnished on behalf of the Council of Optometry Registration Authorities Inc (CORA).

The manner by which complaints and other notifications are presently handled varies considerably from one jurisdiction to another. Over several decades, Boards have acted within the scope of their respective pieces of legislation and each has developed systems and policies to satisfy their overriding objective of protecting the public by ensuring that only appropriately qualified and competent persons are registered. That objective has remained constant and universally accepted. The means for achieving that objective however, differs widely and for this reason, the model proposed in the consultative paper has attracted support as well as criticism. One major concern is that the smaller professions might be accorded a lower priority and given less access to the investigators, if indeed such persons were employed to service all boards in each of the proposed state and territory offices. Alternatively, if the investigators were contracted and not employed by the state & territory offices, the smaller professions might not have the reserves at their disposal to pay for large and complex investigations.

The NSW & ACT Optometrists Registration Boards, which oppose certain platforms on which the proposed national model is based, have submitted their own responses to the paper. The comments at Appendix A therefore, do not represent the collective views of all optometry jurisdictions.

In the interests of simplicity, comments are made in respect of certain proposals only.

CORA appreciates having been given an opportunity to lodge this submission.

Yours faithfully

Mark Feltham
PRESIDENT
CORA Inc

President
Dr Mark Feltham

Executive Officer
Mr Geoff Leunig

APPENDIX A
To CORA SUBMISSION
17 NOVEMBER 2008

PROPOSAL	DESCRIPTOR	COMMENTS
2.1.1	Notification v Complaint	Divergent views
2.1.2	Investigation v Assessment	Divergent views
2.1.5	Performance management committee	“competence” and “competency” preferred
2.1.15	Good character v fit & proper person	Divergent views
4.4	Mandatory reporting	Options 1b & 2b preferred
4.7.1	Immediate suspension period	3 months is preferred
5.6	Notifier’s rights of review	Divergent views
6.4.1	Performance assessment	Opposed to persons outside the profession assessing competency
7.1.2	Health programs	Option 2 preferred
9.1.1	Procedural fairness	Option 1 preferred
9.3	Legal representation at Board hearing	Option 4b preferred
9.7.1	Notice of decisions	Notification to employer should be discretionary
9.8	Ombudsman legislation	Option 1 preferred
10.3.1	Original jurisdiction of tribunal	Alternative option preferred
10.4.1	Review jurisdiction of tribunal	Alternative option preferred
11.4.1	Practice offences	Opposed to orthoptists having unsupervised/unconditional prescribing rights
11.6.1	Advertising	Option 3 preferred