



Consultation paper 6

Proposed registration standard –

Limited Registration for Teaching or Research

Issued by the Psychology Board of Australia under the authority of Professor Brin Grenyer, Chair, on 11 November 2010.

If you wish to provide comments on this paper, please lodge a written submission in electronic form, marked 'Attention: Chair, Psychology Board of Australia' to chair@psychologyboard.gov.au by close of business on Wednesday 22 December 2010. Please note that your submission will be placed on the Board's website unless you indicate otherwise.

Overview of the consultation

In accordance with the National Law¹ the National Board must develop and recommend to the Ministerial Council registration standards for the profession. Registration standards define the requirements that applicants, registrants or students need to meet to be registered. The first registration standards of the Psychology Board of Australia were approved by the Australian Health Workforce Ministerial Council on 31 March 2010 pursuant to the National Law with approval taking effect from 1 July 2010.

The Psychology Board of Australia agreed at its last meeting to develop a new registration standard to set out the requirements for registration in the category Limited registration for teaching and research to be recommended to Ministerial Council. In accordance with Section 40(1) of the National Law the Board has agreed to publish a consultation paper seeking comment on the draft of the new standard from the profession, stakeholders and the public. The Psychology Board of Australia encourages feedback and peer review of the proposed Registration Standard – Limited registration for teaching or research. After considering the outcomes of the consultation process the Board will decide on the final standard to be put to Ministerial Council.

¹ The *Health Practitioner Regulation National Law Act* (the National Law) as in force in each state and territory.

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Issues around Limited Registration for Teaching or Research

Definition of practice

The initial registration standards approved by the Australian Health Workforce Ministerial Council on 31 March 2010 included those setting out the requirements for continuing professional development and recency of practice for registered psychologists and applicants for registration which are mandatory under the National Law. In developing these standards it was determined that a broad definition of psychological practice is necessary to recognise the breadth of the psychology profession and allow psychologists working in positions not involving the provision of direct clinical care to meet the continuing professional development and recency of practice requirements. Therefore the Board's definition of practice is as follows:

“Any role, whether remunerated or not, in which the individual uses their skills and knowledge as a psychologist in their profession. For the purposes of this registration standard, practice is not restricted to the provision of direct clinical care. It also includes using professional knowledge in a direct nonclinical 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.”

This definition of practice is broader than the definitions of previous psychology regulation authorities in Australia. Previously individuals who used their psychological skills and knowledge working in areas such as education and research were not considered to be engaging in the practice of psychology and therefore were not required to be registered, but under the new scheme they are required to be registered. However many of the individuals who are affected by this change do not hold and are not undertaking an accredited postgraduate qualification and are therefore not eligible to apply for General or Provisional registration. Hence it has become necessary to introduce a new registration category to allow these people to obtain registration and undertake psychological practice in the areas of teaching and research. Through this mechanism, such persons will be eligible to use the title 'psychologist'.

Registration Categories

The Psychology Board of Australia currently offers three of the registration types allowed for by the *Health Practitioner Regulation National Law 2009*:

- general registration
- provisional registration
- non-practising registration

The National Law also allows for four categories of limited registration and the Board has previously approved the transition of psychologists into all four categories. Now the Board has recognised that there is a need for the registration category Limited registration for teaching a research to be available to new applicants who intend to engage in the practice of psychology according to the Board's definition but are not qualified to apply for General or Provisional registration. It is expected that psychologists for whom this registration category will apply will include research PhD candidates, academic psychologists, overseas psychologists intending to undertake research projects or provide psychological education and training in Australia, and others working in the fields of psychological teaching and research.

Legislation

The relevant sections of the National Law regarding limited registration are as follows:

Section 65 Eligibility for limited registration

- (1) An individual is eligible for limited registration in a health profession if—
 - (a) the individual is not qualified for general registration in the profession or specialist registration in a recognised specialty in the profession; and
 - (b) the individual is qualified under this Division for limited registration; and
 - (c) the individual is a suitable person to hold limited registration in the profession; and
 - (d) the individual is not disqualified under this Law or a law of a co-regulatory jurisdiction from applying for registration, or being registered, in the health profession; and
 - (e) the individual meets any other requirements for registration stated in an approved registration standard for the health profession.
- (2) Without limiting subsection (1), the National Board established for the health profession may decide the individual is eligible for registration in the profession by imposing conditions on the registration under section 83.

Section 69 Limited registration for teaching or research

- (1) An individual may apply for limited registration in a health profession to enable the individual to fill a teaching or research position.
- (2) The individual is qualified for the limited registration applied for if the National Board established for the health profession is satisfied the individual's qualifications are relevant to, and suitable for, the position.

Qualifications

It is proposed that the minimum educational requirement for Limited registration for teaching or research will be successful completion of a four year accredited sequence of study in psychology (or equivalent) plus evidence of current enrolment in or successful completion of a postgraduate psychology qualification which is a suitable qualification for teaching and research but is not accredited for the purposes of obtaining General registration (i.e. a research PhD or Masters degree in psychology).

If applicants hold non-accredited qualifications, equivalence will be determined by the Board.

Employment

It is proposed that approval for registration in this category be dependent on evidence that the applicant intends to undertake teaching or research activities for which registration is required. Such evidence may include:

- Confirmation of employment from employer and copy of the position description;
- Academic transcript showing enrolment in a research higher degree in psychology;
- Statement from the applicant detailing independent teaching or research they intend to undertake.

English language skills

It is proposed that applicants for Limited registration for teaching or research must meet the English language requirements set out in the Board's English language registration standard.

Recency of practice

It is proposed that applicants for Limited registration for teaching or research must meet the recency of practice requirements set out in the Board's recency of practice registration standard.

Professional indemnity insurance

It is proposed that applicants for Limited registration for teaching or research must meet the professional indemnity insurance requirements set out in the Board's professional indemnity insurance registration standard and provide confirmation to this effect on annual renewal. The PII standard is currently under review and it is anticipated that the majority of registrants in this category will be covered by their employer's insurance.

Criminal history

It is proposed that applicants for Limited registration for teaching or research must meet the criminal history requirements set out in the Board's criminal history registration standard. This will entail providing consent for a criminal history check to be undertaken by the Board as part of the application for registration process.

Continuing professional development

It is proposed that psychologists with Limited registration for teaching or research will need to meet the annual CPD requirements set out in the Board's CPD registration standard and provide confirmation to this effect on annual renewal. As the Board has approved a broad definition of practice psychologists registered in this category will be able to meet the requirements through CPD activities within their scope of practice such as research conference attendance, and peer consultation with scientific colleagues. It is also proposed that psychologists with Limited registration for teaching or research who are actively undertaking a postgraduate research qualification in psychology will be able to count their studies for the Board's CPD requirements. It is expected most postgraduate degree candidates would easily meet the full CPD requirements including peer consultation and therefore not be required to participate in additional CPD activities.

Renewal of registration

Renewal of limited registration for teaching or research will be subject to the practitioner meeting the requirements for renewal which are common to all applications for renewal of registration:

- Completion of an annual renewal form in accordance with section 107 of the National Law including an annual statement in accordance with section 109
- Demonstrated compliance with any conditions or requirements on registration
- Payment of the annual renewal fee
- Any additional investigation, information, examination or assessment required by the Board in accordance with section 80 of the National Law.

The Board has considered making renewal of Limited registration contingent on satisfactory performance in the position (i.e. employment or postgraduate study) in which case additional information in accordance with section 80 would be necessary. The Board would appreciate feedback on this including opinions on what would constitute satisfactory performance – for example would simply looking at whether there were any notifications lodged and/or disciplinary action taken be sufficient or should feedback from the employer or educational institution be required?

In accordance with section 72 (3) of the National Law Limited registration may not be renewed more than three times, however a new application for Limited registration can be made. Therefore it will be necessary for psychologists registered in this category to make a new application for registration every four years.

Fees

The fees for all available registration categories, including Limited registration, were approved by the Board at its meeting on 26 March 2010 and set at \$410 for application for Limited registration and an annual fee of \$390 for Limited registration, which is in line with the fees for General and Provisional registration.

The Board has proposed a waiver of the application fee for psychologists who were already employed in their current position 30 June 2010 and have not previously been required to be registered for that position.

Given that section 72 (3) of the National Law does not allow Limited registration be renewed more than three times, the Board seeks stakeholder opinion on whether a fee waiver should also be considered for psychologists to apply for re-registration in this category prior to expiry of the previous period of Limited registration.

Short term registration

The National Law does not provide for short term or locum registration; in accordance with the National Law the period of registration that is to apply to a health practitioner is the registration period, not more than 12 months, decided by the National Board and published on the website. The Psychology Board has determined that the last day of the registration period for the profession is 30 November each year. Therefore any person requiring registration for a short term teaching or research position would need to take out registration until 30 November regardless of whether it was required until then.

The Board seeks comments on whether this issue could have any effect on professional standards in Australia and the health and safety of the public given that it may be a deterrent to visiting psychologists and whether a waiver or pro rata fee should be introduced.

If a pro rata fee were introduced the Board could ensure practitioners only practise for the period that has been paid for by imposing conditions on the registration in accordance with section 83 of the National Law. Section 83 allows the Board to register a person subject to any condition that the Board considers necessary or desirable in the circumstances. So while the Board cannot grant registration for a short period by altering the expiry date, temporary registration can effectively be created by granting registration until 30 November as the law requires but making it subject to the condition that the psychologist may only practise during a specific period of time determined by the Board.

Transition period

The Board is aware of psychology academics and other individuals who should already be registered with the Psychology Board of Australia because they engage in the practice of psychology according to the Board's definition, but who are not registered. It is important that all these practitioners are registered as quickly as possible, however it is also important that time is allowed for the following:

- Consultation on the proposed registration standard
- Approval of the proposed registration standard by Ministerial Council
- Notice to be given to the profession of the requirement to register
- Development of a Limited registration for teaching and research application form

It is proposed to allow a transition period until 30 November 2011 to allow psychology academics and other affected people to register. There would be no penalty for practising whilst unregistered since 1 July 2010, provided an application for Limited registration is lodged before 30 November 2011. Applicants who lodge their applications between 1 October 2011 and 30 November 2011 that are approved for Limited registration will automatically be registered until 30 November 2012.

Psychology Board of Australia

Limited registration for teaching or research

Authority

This standard has been approved by the Australian Health Workforce Ministerial Council pursuant to the *Health Practitioner Regulation National Law (2009)* (the National Law) with approval taking effect from x xxxx 2010.

Summary

The Psychology Board of Australia has established this standard under section 69 of the *Health Practitioner Regulation National Law Act 2009 (Qld)* ('the National Law'), and in accordance with section 38(2) of that Act. It applies to applicants who are required to be registered in order to practise in the area of teaching or research in psychology in Australia and who do not qualify for General or Provisional registration.

Applicants granted limited registration for teaching or research are limited to practice in the areas of teaching and research and may not undertake any clinical practice. Registration under this limited registration standard for teaching and research entitles the registrant to use the title 'psychologist'.

This standard sets out the requirements that an applicant for registration must meet in order to be granted limited registration for teaching or research, under section 69 of the National Law.

All practitioners granted limited registration for teaching or research must comply with the requirements for registration set out in this standard.

Scope of application

This standard applies to persons applying for limited registration for teaching or research, under section 69 of the National Law, or for renewal of limited registration for teaching or research, under Part 7 Division 9 of the National Law.

Requirements

To be eligible for Limited registration for teaching or research an applicant must provide:

1. Evidence of successful completion of a four year accredited sequence of study in psychology (or equivalent) plus evidence of current enrolment in or successful completion of a postgraduate psychology qualification which is a suitable qualification for teaching and research but is not accredited for the purposes of obtaining General registration (i.e. a research PhD or Masters degree in psychology).
2. Applicants not currently enrolled in a postgraduate qualification that is suitable for Limited registration for teaching or research must provide evidence of employment or offer of employment in a suitable teaching or research position in Australia and a position description including:
 - a. The key selection criteria addressing responsibilities, qualifications and experience required
 - b. Details of the scope of practice
 - c. Details of the start and finish dates (if applicable) of the position and the location(s) of the position

Psychologists intending to teach or conduct research in psychology independently (i.e. provide a short course) may apply for this category of limited registration and must satisfy the Board that their qualifications are relevant to and suitable for the teaching or research activities proposed. The details required are the dates, location(s) and scope of practice for the teaching or research activities.

3. Evidence of English language skills that meet the Board's English language registration standard.
4. A detailed work practise history that meets the Board's recency of practice registration standard.
5. Confirmation that the applicant will comply with the Board's professional indemnity insurance registration standard.
6. Consent for a criminal history check to be undertaken by the Board that meets the Board's criminal history registration standard.
7. Any other information the Board requires under section 80 in order to determine whether the applicant is a suitable person to hold limited registration for teaching or research.

Renewal of Limited registration

1. Renewal of limited registration for teaching or research will be subject to the practitioner meeting the following requirements:
 - (a) completion of an annual renewal form in accordance with section 107 of the National Law including an annual statement in accordance with section 109
 - (b) demonstrated compliance with any conditions or requirements on registration
 - (c) satisfactory performance in the position
 - (d) completion of 30 hours of CPD activities annually in accordance with the Board's continuing professional development registration standard
 - (e) any additional investigation, information, examination or assessment required by the Board in accordance with section 80 of the National Law.

The Board cannot renew limited registration more than three times. However, a new application for limited registration can be made.

2. The Board may **refuse to renew** the practitioner's registration if:
 - (a) the practitioner's employment or enrolment ceases or is terminated and registration is no longer required; or
 - (b) during assessment or supervision, deficiencies are identified in the practitioner's practice that the Board considers are significant.

Definitions

Practice means any role, whether remunerated or not, in which the individual uses their skills and knowledge as a psychologist in their profession. For the purposes of this registration standard, practice is not restricted to the provision of direct clinical care. It also includes using professional knowledge in a direct nonclinical 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.

Clinical Practice, for the purposes of this standard, means the provision of direct clinical care, which includes performing specific tasks of psychological assessment, intervention and prevention.

Review

This standard will commence on x xxxx 2010. The Board will review this standard at least every three years.