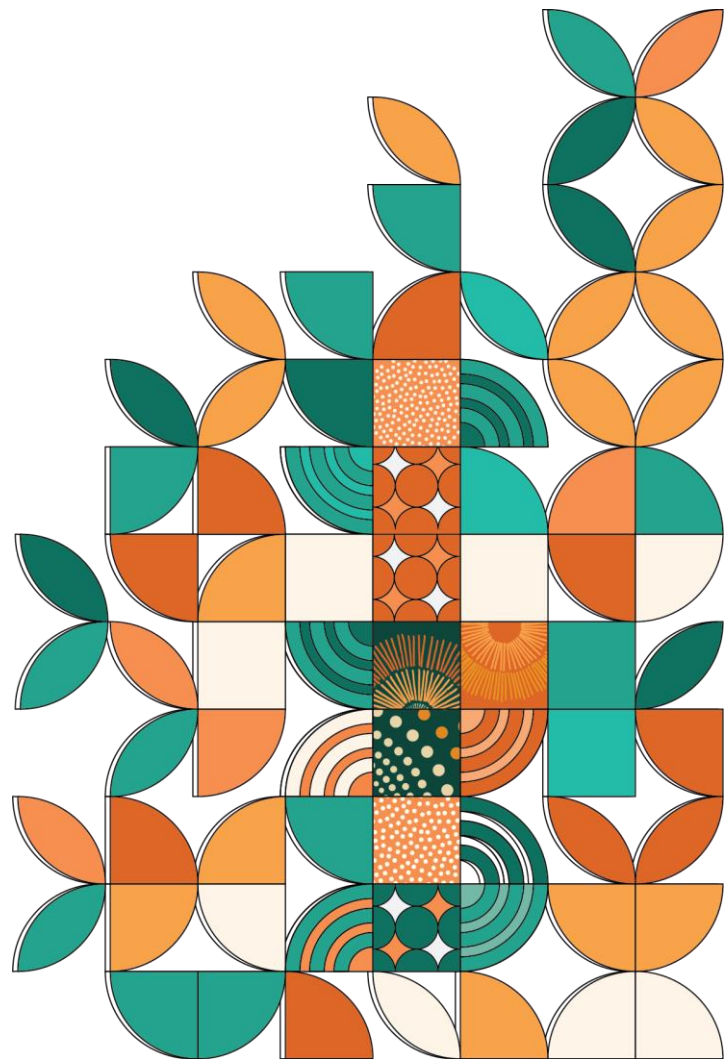


AHPRA Mandatory Notification Reporting Procedure

HLT54121 - Diploma of Nursing



SECTION 1

1. Purpose

- 1.1 This procedure reinforces the Institute of Health and Nursing (IHNA)'s commitment to comply with the Health Practitioner Regulation National Law Act and follow the reporting guidelines established by the Australian Health Practitioner Regulation Agency (AHPRA).
- 1.2 This protocol outlines the procedures for IHNA to report to AHPRA about a student who has an impairment that, during clinical placement attendance, could pose a significant risk of harm to the public.
- 1.3 This procedure additionally delineates the steps for IHNA staff to follow when making recommendations on whether IHNA should notify the AHPRA regarding a student. This applies in situations where the student has been charged with or convicted of an offence punishable by 12 months imprisonment or more, or when the student has violated a condition of their registration or an undertaking provided to AHPRA.
- 1.4 This document should be read in conjunction with the AHPRA Guidelines for Mandatory Notifications about Registered Students (see [making a mandatory notification about a student](#)).

2. Scope

- 2.1 This procedure applies to staff and students associated with IHNA who are:
 - a. Enrolled in the Diploma of Nursing course
 - b. Registered with their respective National Board

3. Definitions

- 3.1 Refer to IHNA's Glossary of Terms.

SECTION 2

4. Mandatory Notifications to AHPRA

- 4.1 In accordance with the Health Practitioner Regulation National Law Act, IHNA is obliged to inform AHPRA if there is a reasonable belief that either:
 - a. A student enrolled in Diploma of Nursing at IHNA possesses an impairment that, during the clinical placement attendance, could pose a significant risk of harm to the public; or

- b. A student, for whom the IHNA has arranged professional experience placement, may pose a substantial risk of harm to the public.

5. Voluntary Notifications to AHPRA

5.1 IHNA may make a voluntary notification to AHPRA about a student on the grounds that the student:

- a. Has been charged with an offence, or has been convicted or found guilty of an offence that carries a penalty of 12 months imprisonment or more;
- b. Exhibits or may exhibit an impairment; or
- c. Has or may have violated a condition of the student's registration or an undertaking provided by the student to a National Board.

6. Process of Lodging a Mandatory or Voluntary Notification to AHPRA

6.1 Staff members are required to provide written notification to the relevant Course Coordinator in instances where they reasonably believe that a student has:

- a. Demonstrated an impairment that poses a substantial risk of harm to the public;
- b. Been charged with an offence, or has been convicted or found guilty of an offence, punishable by 12 months imprisonment or more;
- c. Exhibits an impairment or may have an impairment;
- d. Contravened, or may have contravened, a condition of the student's registration or an undertaking given by the student to a National Board.

6.2 When the National Training Manager deems it necessary to submit a notification to AHPRA, the National Training Manager must provide the Academic Director and the Registrar with a written recommendation for such an action.

6.3 The National Training Manager and the Registrar have the discretion to take one of the following actions:

- a. Confirm the recommendation and formally notify AHPRA in writing on behalf of IHNA. The notification will include specific details outlining the basis for making the notification.
- b. Request advice as appropriate and refer the recommendation back to the Academic Director for any additional clarification.

- c. Seek advice as deemed necessary, and subsequently, refer the recommendation back to the Academic Director with an alternative determination, providing reasons for the decision.
- 6.4 If the matter is considered appropriate to be reported to AHPRA, the Academic Director and the Registrar will confirm the recommendation and the National Training Manager will notify AHPRA within 10 working days.
- 6.5 Where a notification is made to AHPRA, the National Training Manager and the Registrar will also inform the student that a notification has been lodged with AHPRA. The correspondence will:
 - a. Include the particulars contained in the notification;
 - b. Guide the student to the AHPRA website for additional information; and
 - c. Provide the student with information to access available IHNA student support services.

7. Consequences for Students

- 7.1 Upon assessing a notification, the National Board may take regulatory action, including imposing certain conditions or restrictions on the student's registration.

8. Outcome Notification

- 8.1 Once IHNA is notified of the outcome of the assessment by AHPRA, the Health Professional Councils Authority or the Health Care Complaints Commission, IHNA will:
 - a. In the event that the student is still undergoing a clinical placement, communicate the assessment outcome to the respective Clinical Placement Facility; and
 - b. Supply pertinent information to the Academic Director and the Registrar for their evaluation and dissemination. This includes conveying any conditions on the student's registration to the National Training Manager, the National Placement Coordinator as well as to any staff involved in coordinating the student's placements.

9. Mandatory Self-Notification by Students

- 9.1 Under the Health Practitioner Regulation National Law Act, students enrolled in a Diploma of Nursing or undertaking professional experience placement must notify their relevant health professional Council within seven days of becoming aware that:

- a. They have been charged with an offence punishable by 12 months' imprisonment or more;
- b. They are convicted of or found guilty of an offence punishable by imprisonment; and/or
- c. Their registration under the law of another country that provides for the registration of students has been suspended or cancelled.

10. Mandatory Notification by a Health Practitioner who is a Staff Member

- 10.1 A staff member who is a health practitioner and holds a reasonable belief that a student, during the course of professional experience placement, may pose a substantial risk of harm to the public due to an impairment, has the authority to notify AHPRA of the impairment in their capacity as a health practitioner.
- 10.2 If a staff member, acting in their capacity as a health practitioner, makes a notification, it is imperative that they refrain from presenting it as being made on behalf of the IHNA. Such notifications must not use IHNA letterhead, be sent through an IHNA email address, or be signed under the staff member's position title at the IHNA.

11. Roles and Responsibilities

- 11.1 Educators who reasonably believe that a student has exhibited an impairment, been charged with or convicted of an offence, or has violated conditions related to their registration, are obligated to provide written notification to the Course Coordinator.
- 11.2 A Course Coordinator holds the responsibility of assessing whether a reported matter warrants escalation for notification. Subsequently, the Course Coordinator is required to inform the National Training Manager of this recommendation in writing.
- 11.3 The National Training Manager holds the responsibility of evaluating the recommendation and, upon approval, conveying it in written form to both the Academic Director and Registrar.
- 11.4 The National Training Manager and the Registrar are responsible for submitting the complaints with AHPRA on behalf of IHNA, in accordance with this procedure and informing the student of the complaint in writing. Additionally (if appropriate) refer the student to the processes outlined in the Student Code of Conduct.

SECTION 3

12. Associated Information

Related Internal Documents	<ul style="list-style-type: none"> • Student Code of Conduct Policy • Student Code of Conduct Policy • Complaint and Appeals Policy • Complaint and Appeals Procedure • Student Misconduct Policy • Student Misconduct Procedure
Related Legislation, Standards and Codes	<ul style="list-style-type: none"> • Australian Health Practitioner Regulation Agency (AHPRA) • Health Practitioner Regulation National Law Act 2009 (Queensland) • Health Practitioner Regulation National Law Act 2009 (Victoria) • Health Practitioner Regulation National Law (NSW) No 86a of 2009 • Health Practitioner Regulation National Law (WA) Act 2010 • AHPRA Guidelines for Mandatory Notifications • Health Complaints Commissioner
Date Approved	23/11/2023
Date Endorsed	14/12/2023
Date of Effect	23/11/2023
Date of Next Review	31/12/2026
Approval Authority	Academic Board
Responsibility for implementation	Academic Board
Document Custodian	Chair, Academic Board
IHNA Doc ID	IHNA-AHPRAMNRP – 1.0

13. Change History

Version Control		Version 2.0
Version No.	Date	Brief description of the change, incl. version number, changes, who considered, approved, etc.
V.1.0	23/11/2021	Separated policy document from procedure, revised and updated with pertinent sections
V.2.0	14/06/2024	Updated in new template and logo, moved definitions into the Glossary of Terms