



Health Professional Councils Authority

POLICY MANAGEMENT FRAMEWORK

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Summary: The HPCA Policy Management Framework provides guidance on developing and managing policy documents. It promotes good practice in the preparation, implementation, communication and monitoring of policy by the HPCA.

The Framework includes:

- Definitions of policy matters and policy document types
- Access and communication strategy
- Legislative and policy compliance checklist

Adoption of the Framework by health professional Councils is recommended to provide a consistent approach to policy management, assist policy sharing and support GIPA implementation.

Applies to: All HPCA staff
Health Professional Councils (on adoption)

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Related Legislation, Awards, Policy and Agreements:

- Government Information (Public Access) Act 2009
- Health Practitioner Regulation National Law (NSW) No 86a
- PD2009_029 Policy Distribution System (PDS) for NSW Health
- PD2010_078 Application for Policies – Newly Established NSW Health Agencies

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Health Professional Councils Authority

POLICY MANAGEMENT FRAMEWORK

INTRODUCTION

The Policy Management Framework describes policy development and management by the Health Professional Councils Authority (HPCA). It outlines the policy process, defines policy document types and provides document templates. It takes into account legislative and NSW Government policy compliance obligations, Councils' regulatory responsibilities and relationships to external agencies.

The Framework comprises:

1. Guidance on policy development.
2. Definitions of policy matters and policy document types, and provides templates.
3. Access and communication strategy to ensure policy documents are accessible, as required by the GIPA Act.
4. Compliance checklist, of key legislative and NSW Government policy requirements.

Individual Councils are encouraged to adopt the Framework for the policy documents they produce and apply the templates that best suit their needs. This will promote consistent policy definition and good practice, and supports implementation of the GIPA Act in facilitating access to government information and the public's "right to know".

The Framework is a working document that aims to define complex processes and concepts. It will be monitored to ensure that it meets the HPCA's policy needs and is an effective policy guide to Councils.

BACKGROUND

The HPCA is an administrative unit of the Health Administration Corporation (HAC) and provides the NSW Health Professional Councils with executive and corporate support to assist them in the regulation of health practitioners in NSW. Each Council is a statutory body established under section 41B of the *Health Practitioner Regulation National Law (NSW) no 86a*.

The key policy influences that impact the HPCA and individual Councils are:

1. **NSW Government**, which determines legislative and Government policy requirements of NSW government agencies.
2. **NSW Health**, which determines policies that apply across the public health system and within the Department of Health.
3. **National Boards**, which develop national policies, standards, codes and guidelines for regulation of their professions.

Key Definitions

In this Framework the term:

- **must** – indicates a mandatory action required that must be complied with.
- **should** – indicates a recommended action that should be followed unless there are sound reasons for taking a different course of action.

Policy

A Policy contains material that must be understood by, complied with and implemented by the intended audience to whom the policy applies. A policy generally has a legislative or government policy basis. Compliance with a policy is usually mandatory, unless modified by exemptions or exceptions.

Health Professional Councils Authority (HPCA)

Includes the executive and corporate support functions and business units of the Health Professional Councils Authority, which is an administrative unit of the Health Administration Corporation

Health Professional Councils/Councils

Means the Councils established under section 41B of the *Health Practitioner Regulation National Law (NSW) No 86a*

Staff

Includes permanent, temporary or casual employees, contractors or consultants, working in a full-time or part-time capacity, at all levels of the HPCA

Council members

Includes the office holders and members of the individual Health Professional Councils and their associated Committees and Panels

Health practitioners

Means an individual who practices a health profession (The Law, section 5)

The Law

The *Health Practitioner Regulation National Law (NSW) NO 86a*

GIPA Act

Government Information (Public Access) Act 2009

DEVELOPING POLICY DOCUMENTS

Determining the need for a Policy

Policy documents may be needed to:

- Present the organisation's requirements or principles in relation to a particular issue
- Implement new or changed legislation or Government policy
- Inform rational and consistent decision making; or
- Prescribe matters, particularly those that have the potential to adversely affect staff, Councils, health practitioners or others.

When deciding to develop a policy some factors to consider are the need to:

- Avoid confusion about how to deal with a matter
- Provide a structure to process matters
- Comply with statutory requirements
- Manage compliance and risk
- Establish equitable standards and processes
- Provide rights and protections to individuals
- Protect health and safety.

As an administrative unit of the Health Administration Corporation, the HPCA usually adopts the NSW Health Policy Directives that apply to NSW Health agencies. The HPCA develops its own policies for those matters not covered by NSW Health Policy Directives.

Councils are at liberty to produce their own policy documents in a format and style most appropriate to their individual needs, however this Framework has been prepared to provide a common structure and a recommended approach to policy development.

It can be anticipated that a policy need identified by one Council may be common to all, or most, other Councils. The HPCA facilitates the sharing of policy documents between Councils and provides templates and advice to assist them to develop policy documents that meet Government compliance requirements. When adopting a common policy individual Councils should incorporate any specific differences or variables that may be required and formally endorse the policy document for release.

It should be noted that HPCA and Council policy documents cannot alter the purpose or intent of a NSW Government, NSW Health or National Board legislative or compliance obligation.

TYPES OF POLICY DOCUMENT

HPCA Policy documents are categorised as either corporate policy or practitioner regulatory policy, according to their intended purpose and audience. A *Summary Guide to Policy Documents* is provided at **Attachment 1**.

Corporate policy

The HPCA produces corporate policy relating to the internal management of its administrative and operational functions, such as, general administration, records management and some financial and human resources management. All staff must comply with HPCA corporate policy.

Health Professional Councils may also develop corporate policies that relate to their internal operations and functions as statutory bodies. These corporate policies apply to Council members and may at times apply to HPCA staff in supporting Councils to fulfil their regulatory functions.

Practitioner regulatory policy

Councils also produce policies related to clinical or health practice issues and the regulation of health practitioners. These policies are specific to a Council's regulatory functions and the

interpretation and administration of the Law. Councils will usually adopt National Board policies that apply to health practitioners but will develop their own policies for those matters not covered by National Boards, matters specific to NSW or that are of particular concern to the Council. Health practitioners must comply with the provisions of these policies.

Standardised naming conventions have been developed to define the different types of policy documents the HPCA and Councils need in order to fulfil their legislative and policy obligations, and inform and direct those to whom a policy applies.

Four types of policy document have been identified and may apply to either corporate or practitioner regulatory policy:

1. Policy Statement – sets out the official position in relation to a particular issue and any mandatory requirements
2. Guideline – is advisory or explanatory in nature, provides guidance on how a policy might best be implemented or applied
3. Procedures – set out the standard and preferred practice for implementing a policy
4. Position Statement – sets Council standards and expectations of behaviour or actions, usually by health practitioners

See the *Summary Guide to Policy Documents (Attachment 1)* for examples. Templates for each type of policy document are provided at **Attachment 2**, and are located in the common drive at F:\!Administration\HPCA Policy Management Framework\Policy document templates (Pitt Street site).

1. Policy Statement

A Policy Statement outlines the high level purpose and compliance requirements for the policy matter being addressed. It is a brief, concise document that establishes the policy position and the mandatory requirements for compliance.

A Policy generally has a legislative or government policy basis as a key driver. Compliance with a Policy is mandatory, unless otherwise modified by exemptions or exceptions.

A Policy Statement may be supplemented by a supporting Guideline or Procedures, which detail the compliance requirements or provide additional information on how the policy is to be implemented, or how compliance obligations will be met.

The [Policy Statement template](#) should be used to ensure a consistent layout and that all relevant fields and significant matters are included.

2. Guideline

A Guideline provides guidance on implementing a policy or legislation, or may establish best practice. While not always requiring mandatory compliance, the intended audience should meet the requirements and must have sound reasons for not implementing the standards or practices set out in the Guideline.

Guidelines differ from Procedures in that they describe compliance requirements that should be followed but do not provide step-by-step details on how this is achieved.

Guidelines may be appended to a HPCA Policy Statement or NSW Health Policy Directive that the HPCA adopts to provide detailed direction on implementing the requirements of a Policy Statement. They identify the HPCA's specific implementation and compliance requirements and any additional matters not addressed in the Policy Statement or Directive.

Councils may wish to develop a Guideline appended to a National Board policy that it adopts, to identify Council specific compliance requirements and any additional matters not addressed in the Board policy.

The [Guideline template](#) should be used to ensure a consistent layout and that all relevant fields and significant matters are included.

A Guideline may also be a standalone document which establishes best practice that should be adopted, for example to assist Councils in the interpretation and administration of the Law, or to provide guidance to Council committees and adjudication bodies. Councils may also develop Guidelines directed at health practitioners.

The format for standalone Guidelines is flexible however use of the Guideline cover sheet is recommended, appropriate headings and sub-headings should be used to separate blocks of text, and standard key definitions applied for consistency.

3. Procedures

Procedures provide step-by-step guidance on how a policy is to be implemented or complied with, and establish recommended practice or a consistent means of completing a task to meet a business, legislative or policy requirement.

Procedures differ from a Guideline in that they provide practical detail on the processes to be completed.

Procedures may be appended to a NSW Health Policy Directive that the HPCA adopts to identify HPCA specific procedures or any additional process matters not otherwise addressed. Procedures may also be appended to a HPCA Policy Statement or a Guideline to inform the intended target audience of the processes necessary for the performance of their duties or to meet the stated requirements.

Councils may wish to develop Procedures appended to a National Board policy, which identifies Council specific procedures or any additional process matters not addressed in the National Board policy document.

The [Procedures template](#) should be used to ensure a consistent layout and that all relevant fields and significant matters are included.

Procedures may also be standalone documents that provide detailed instruction or guidance about the tasks or functions performed by an operational unit, position or activity, including the processes adopted by Councils in the administration of their regulatory functions.

Procedures may be compiled into a Procedure Manual related to a business unit, function or activity. The format for standalone Procedures is flexible, however it is recommended that they document logical process steps with clear identification of responsibilities.

4. Position Statement

A Position Statement is designed to assist health practitioners to understand the philosophies applied by a Council in relation to an expected standard of behaviour or action or a Council's standpoint on a specific issue. It sets standards and expectations, for example, in relation to practitioners' compliance with the Law, standards of practice or compliance with conditions of registration.

The intended audience should meet the requirements and must have sound reasons for not implementing any standards, actions or practices set out in the Position Statement.

The [Position Statement template](#) should be used to ensure a consistent layout and that all relevant fields and significant matters are included.

ACCESS AND COMMUNICATION STRATEGY

Consultation

Draft policies should be distributed widely for consultation prior to submission to the Director (and/or Council) for approval. Those consulted will vary depending on the audience, purpose and requirements of the policy document.

Following consultation HPCA corporate policy documents must be submitted to the Director, HPCA for approval to release. Policies submitted for approval must be accompanied by a [brief](#) recommending approval by the relevant line manager/s.

It is recommended that Council policy documents be submitted by the relevant Executive Officer for formal endorsement at a Council meeting.

Once approved, appropriate and effective communication is essential to ensure compliance and to inform staff, Council members, health practitioners, stakeholders and the community about policies and procedures. Significant policies could be reported in the Annual Report, a newsletter or media release as appropriate.

GIPA Act

The HPCA and Councils implement the requirements of the GIPA Act, to support the public's "right to know" and have access to government information. All types of documents that are defined as "proactively released information" under the GIPA Act are made accessible on the HPCA and/or Council websites, which have a Policies page for all approved policy documents [pending]. Links are provided to the sites of related agencies whose policies the HPCA has adopted, such as NSW Health and National Boards.

Record Keeping

The HPCA and Councils' websites are a key source of policy documents and function as a policy manual and policy register. All policy documents are stored electronically in the TRIM records management system, with file and document numbers allocated by TRIM. The HPCA Manager, Corporate Governance monitors the HPCA policy register and manual.

Superseded and previous versions of policy documents must be identified as such and retained in TRIM to maintain the policy history and a record of the timeframes during which a policy document was current.

COMPLIANCE CHECKLIST

The Compliance Checklist (**Attachment 3**) lists the current requirements and relevant source documents for the range of legislation and NSW Government policy with which the HPCA and/or Councils, as statutory bodies, must comply. A number of these issues require local plans or policy documents, with reporting generally through Annual Reports, or direct to central agencies.

IMPLEMENTATION AND REVIEW

Policy documents usually include an Implementation Checklist that identifies the key steps to ensuring effective implementation of the specific policy. The Policy Owner should ensure that the checklist is completed and updated.

In general, policy documents should be reviewed and remade every five years, unless a shorter timeframe is needed, when policy/legislative change demands it, or other changes occur that affect the relevance and application of the policy. Minor amendments may be made to policy documents without the need for extensive consultation or review. The HPCA Manager, Corporate Governance monitors the policy review cycle and process and identifies policy priorities in collaboration with Executive Officers and HPCA Managers.

Responsibilities

Director, HPCA is responsible for approving HPCA corporate policy documents and recommending the adoption of policy documents by Councils.

HPCA Manager, Corporate Governance is responsible for managing and coordinating the Policy Management Framework. The Manager, Corporate Governance oversees the HPCA's corporate policy program and:

- Maintains the policy manual and policy register
- Monitors the compliance checklist and reporting requirements
- Supports Executive Officers, managers and staff in preparing and submitting policy documents and policy sharing between Councils
- Works with the Policy and Projects Manager and Executive Officers in relation to policy priorities, compliance and reporting
- Advises policy owners of the review schedule and update cycle
- Reviews policy documents for submission to the Director for approval

- Liaises with the web manager regarding release of policy documents onto the HPCA website.

Executive Officers and business unit managers are responsible for:

- Supporting the preparation of policy documents, consultation with relevant staff and Councils, ensuring consultation with stakeholders where necessary and communication of policy requirements within their Council/business unit
- Submitting policy documents to Council meetings for comment and endorsement, and for ensuring that approved policies are accessible on the Council website
- Maintaining the Council's policy register and updating policy documents as required
- Providing timely feedback to policy authors/owners during the consultation process
- Ensuring Council compliance obligations are implemented and reported as required.

Policy Author prepares a policy document and is responsible for submitting a draft policy document for consultation, review and approval, under the guidance of the manager of the owner business unit/Council.

Policy Owner is the HPCA business unit or Council that is responsible for establishing and researching the policy need, the consultation process, monitoring compliance, and managing the process of review and update.

All Staff are responsible for ensuring that they comply with relevant policies.

ASSOCIATED DOCUMENTS

1. Summary Guide to Policy Documents
2. Policy Templates
3. Compliance Checklist

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Health Professional Councils Authority

Summary Guide to Policy Documents

Document Type	Policy Matter	Produced by	Produced for	Examples
Policy Statement	Corporate	HPCA	HPCA staff	Records Management Policy
	Corporate	Council	Council members HPCA staff	Code of Conduct
	Practitioner	Council	Health practitioners	Sexual Misconduct (Medical); Blood Borne Virus(Medical)
Guideline	Corporate	HPCA	HPCA staff	Records Management Guideline
	Corporate	Council	Council members HPCA staff	Section 150 proceedings; Code of Practice for Hearing Members (Medical)
	Practitioner	Council	Council members Health practitioners	Medical certificate Guidelines (Medical); Guidelines for medico-legal consultations & examinations (Medical)
Procedures	Corporate	HPCA	HPCA staff	Gifts and Benefits (appended to Policy); Tribunals procedure manual; Fire safety & Building evacuation (standalone)
	Corporate	Council	Council members HPCA staff	Provision of information to the HCCC (Medical)
	Practitioner	Council	Health practitioners	Disclosure of Health Related Conditions (Medical); Notifying Employers about Compliance with Conditions (Medical)
Position Statement	Practitioner	Council	Health practitioners	Reporting Criminal Behaviour (Medical); Schedule 8 Prescribing Authority (Medical)