

CHIROPRACTORS REGISTRATION BOARD OF VICTORIA STANDARDS OF PRACTICE CODES

CONSULTATION PROCESS

September, 2008

1. Purpose

This document describes the consultation process that will be followed by the Board in meeting its legislative responsibility to issue codes and guidelines for the guidance of practitioners. Its purpose is to inform interested parties regarding the process and thereby ensure that they are able to provide appropriate input to the development of codes and guidelines.

2. Legislation

Section 118(g) of the *Health Professions Registration Act 2005* (the HPR Act) sets out the powers and functions of the Board. The relevant sections of the HPR Act are:

- 118(d) which allows the Board to regulate the standards of practice of the relevant profession in the public interest; and
- 118(g) which empowers the Board to issue codes and guidelines for the guidance of practitioners and students regulated by the Board about standards recommended by the responsible Board relating to the provision of regulated health services and about professional performance.

The HPR Act does not define codes or guidelines.

Section 119(3) of the HPR Act further stipulates that before publishing any codes or guidelines, the Board must "... consult with the Minister, health practitioners registered by the Board and consumers of regulated health services affected by the codes or guidelines...".

3. Approach

It is the intention of the Board to consult widely in developing codes and guidelines. Consultation will include all bodies or organisations that are materially affected by the subject matter of the proposed guidelines. The Board will give careful and detailed consideration to the full range of views expressed, will strive to balance competing needs and obligations.

Following consultation the final shape of a code or guideline will be determined by the Board in order to meet its statutory responsibilities. Of primary importance is the fact that the protection of the public health and safety must underpin all Board decisions and, in particular, must be the final determinant of the content of any codes or guidelines adopted.

The Board will also issue explanatory memoranda, where appropriate, in order to better inform interested parties of the background to the development of a code or

guideline. This material may identify the public health concerns that have led to the development of a code and the reasoning underlying the form of the particular code or guideline.

4. Process

Initial Consultation

Following development of an initial draft code or guideline, the consultation process will commence with the provision of a copy of the draft to the Department of Human Services for comment. Following receipt of DHS comment and the relevant Board response, the Board will issue draft codes or guidelines, together with relevant explanatory material, to a wide range of interested parties. The purpose of this stage of consultation is to convey the Board's current thinking on the matter in question and to elicit feedback from interested parties, in order to facilitate the development of the most appropriate code or guideline.

The Board will consult at a minimum, the following:

The chiropractic profession, including peak bodies and professional associations
Office of the Health Services Commissioner

Consumer Affairs Victoria

Health Issues Centre

The Department of Justice

Any other relevant government departments and agencies

Following consideration of the feedback received from the key stakeholders, the Board will review and revise the draft code or guideline as appropriate.

General Consultation

The revised draft or guideline will then be made publicly available via the Board's website, or be available directly from the Board, for a further 6 week period of general consultation. The Board will notify registrants when a draft code or guideline is likely to be placed on the website for general consultation either via the Board's Newsletter or via a letter to the registrant (where notification via the Newsletter is not possible).

Feedback received following this second, general consultation period will be considered by the Board and incorporated in the revised draft code or guideline as appropriate.

Following approval by the Board and, where required, the Minister, all codes and guidelines will be dated and issued to all registered practitioners as well as being available on the Board's website. Printed versions will be able to be downloaded from the website, or obtained directly by contacting the Board. Relevant explanatory materials will also be made available by these means.

