

Fact sheet

Performance Review Panel

Summary

What

The *Health Practitioner Regulation National Law (NSW)* allows us to appoint a panel to review the professional performance of a registered health practitioner (practitioner).

Why

Following the completion of a performance assessment we can refer you to a panel.

The purpose of the panel is to:

- review your professional performance
- support you to remain in practice while your professional performance improves, and
- protect the public.

Who

We appoint three members to sit as the panel, these are:

- two registered health practitioners in the same health profession as you
- a community member.

One of these members is appointed as the Chairperson. A Council officer will attend to assist the panel.

How

The panel will meet with you to review all relevant information and consider whether:

- your professional performance is satisfactory
- conditions or orders on your registration are necessary to ensure safe practice.

When

We will send you a letter detailing the:

- date, time and location of the panel
- names of the panel members
- documents to be considered by the panel.

What next

You must comply immediately if any conditions are imposed, even if you intend to request a review or to appeal the decision.

We will continue to manage the matter. Any conditions will remain in place until we are satisfied there is no longer a risk and they can be removed.

Further details

This fact sheet details the following topics:

1. What happens at the meeting?
2. What can you do to prepare?
3. What documents will the panel consider?
4. What happens if you cannot attend the panel?
5. Do we provide financial assistance to attend a panel?
6. What are the possible outcomes?
7. Is the panel's report confidential?
8. Where can you get support or advice?
9. Who is notified of the decision?
10. What options are then available?

Further details

1. What happens at the meeting?

At the meeting the panel will discuss:

- your performance and current circumstances
- your continuing professional development (CPD)
- future plans in relation to your profession
- any of the documents which were provided to you, including the performance assessment report.

You can bring a support person, who may be a family member or friend. You may also bring a lawyer or association representative.

You may call witnesses to appear before the panel, if you wish to do so you must provide us with a list of their names and contact details.

2. What can you do to prepare?

- Provide the panel with any documents which have been requested.
- Carefully read through all the documents forwarded to you prior to the meeting.
- Identify any errors or inconsistencies in the documents provided as you will be given an opportunity to address these matters at the meeting.

3. What documents will the panel consider?

The documents provided to the panel and you are likely to include:

- the original complaint, or a summary
- any additional information provided by the complainant
- your response to the complaint
- your CV and continuing professional development (CPD) activities
- performance assessment report/s
- any other documents relevant to the matter
- if you have conditions on your registration, a compliance summary.

4. What happens if you cannot attend the panel?

You must call us immediately if you cannot attend the scheduled meeting and explain why. If you do not attend, the panel may go ahead in your absence. Should the panel proceed we will contact you to advise you of the outcome.

5. Do we provide financial assistance to attend a panel?

We are mindful that practitioners may experience financial challenges. For these reasons, we are able to provide limited assistance in restricted circumstances. Such funding is unlikely to cover all costs incurred by travelling, i.e. travel to/from an airport or transport hub, food and incidentals.

If you live over 100km from our offices, you may apply for limited financial assistance to travel to a panel. To apply you must submit an application form at least 5 working days before travelling.

The application form can be found on our website and can be found by using the drop down menu under 'Resources' and clicking on 'Our policies' and 'Travel policies and forms for practitioners'.

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6. What are the possible outcomes?

The panel may take one or more of the following actions:

- close the matter and take no further action
- impose conditions on your registration
- order you to complete educational courses
- require you to provide reports on your practice
- make any recommendations to us it thinks appropriate.

A condition is a restriction on your registration to protect the public. Practice conditions are made available to the public via the AHPRA National Register. Examples of conditions are on our website and can be found by using the drop down menu under 'Resources' and clicking on 'Our policies' and 'Policies and handbooks for members and staff'.

7. Is the panel's report confidential?

The report is confidential and will be used in line with National Law provisions.

8. Where can you get support or advice?

We are available to answer any questions you have about our role and processes. If you would like advice or further support, you can contact any of the following:

- NSW Nurses and Midwives' Association on either 02 8595 1234 (for Sydney metropolitan areas) or 1300 367 962 (for regional areas)
- your employee assistance program
- your lawyer
- your insurer
- your professional organisation.

We recognise that having a complaint made about you can be stressful. If you are concerned about your mental health and well-being, or need other assistance, you can speak to:

- your general practitioner
- your treating practitioner
- a mental health help line:

Mental health help line	Contact details
Nurse & Midwife Support	1800 667 877
NSW Mental Health Line	1800 011 511
Beyond Blue	1300 224 636
Lifeline	13 11 14

9. Who is notified of the decision?

If the panel places conditions on your registration, we will also notify AHPRA so they can enter the conditions on the AHPRA National Register. We are required to notify your employer of all conditions imposed.

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We are also required to advise the complainant of the outcome of the matter. However, we do not provide the complainant with a copy of the panel's report.

10. What options are then available?

Reviewing conditions on your registration

You may write to us at any time to request a review of or conditions under section 163A of National Law (NSW).

Appealing the decision

You may appeal our decision to impose conditions. You must appeal directly to the NSW Civil and Administrative Tribunal (NCAT) within 28 days of being notified of the decision. To find out more, phone 1300 006 228 or visit www.ncat.nsw.gov.au.