

# LEARNING AND DEVELOPMENT POLICY

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**Summary:** This policy outlines the Council's position on the professional development and learning to be undertaken by members of the Council and associated statutory bodies to support effective decision-making and administration of the Law.

**Applies to:** Council decision-makers:

1. members of the Council; and
2. persons appointed by the Council as members of:
  - a. Impaired Registrants Panels
  - b. Performance Review Panels
  - c. Professional Standards Committees
3. nominated by the Council to the NSW Civil and Administrative Tribunal (Occupational Division).

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**Owner:** Nursing and Midwifery Council of New South Wales

**Related legislation, Awards, Policy and Agreements:**

- Health Practitioner Regulation National Law (NSW)
- Health Care Complaints Act 1998
- Nursing and Midwifery Council Code of Conduct

**Review date:** March 2017

## PURPOSE

The decisions made by the Nursing and Midwifery Council of New South Wales and associated statutory bodies directly affect the safety of the NSW public and the professional practice of nurses, midwives and nursing and midwifery students about whom a notification or complaint is made.

The Council believes that it is essential that Council decision-makers have the knowledge and skills to fulfil their responsibilities under the *Health Practitioner Regulation National Law (NSW)* (the Law). To achieve this, the Council will provide a competency based professional development program to ensure that decision-makers are able to meet their regulatory responsibilities to an appropriately high standard.

This policy outlines the scope of the professional development program, Council's expectations of decision-makers and its commitment to continuous learning for the professional development of members and accountability for the Council's regulatory activities.

## KEY PRINCIPLES

The Council considers it is important that individuals participating in Council decision-making have an acceptable level of knowledge and skills to ensure that their statutory function and responsibilities are properly executed and, if necessary, may be demonstrated to interested parties. The Council also believes that such knowledge and skills should be reviewed, built upon and refreshed over the course of a person's time as a Council decision-maker.

In providing a professional development program the Council aims to ensure:

1. Satisfactory knowledge and implementation of the legislation amongst all individuals involved in regulatory decision-making.
2. Satisfactory understanding and application of key principles to ensure that decisions are accountable, appropriate, effective, fair and transparent.
3. Satisfactory communication skills and questioning techniques used in the conduct of Council meetings and hearings conducted by statutory bodies.
4. Comprehensive, coherent, balanced, and legally compliant decision documents are consistently produced by the Council and statutory bodies

## PROFESSIONAL DEVELOPMENT PROGRAM

The professional development program will ultimately consist of a number of components including written resources, online learning, seminars, email newsletters, and peer support and feedback. The components will be progressively developed with input from members and staff.

Members will have access to relevant written resources on appointment to the Council or prior to sitting as a member on a statutory body for the first time. New members will be provided with appropriate induction.

The Council will provide an online professional development program for all decision-makers which is designed to be highly accessible, flexible and to encourage further reflection on key aspects of their roles.

The online learning component will include modules to develop and test participants' knowledge of the key issues and concepts required for their statutory functions. Mastery of this knowledge is considered essential for effective decision-making by the Council and the statutory bodies. The program will include an assessment process, the results of which will provide a mechanism to inform the Council that an individual's knowledge is at the standard required for them to fulfil their responsibilities as an appointed member of a statutory body. Appointment to a statutory body by the Council may be deferred when there are concerns about an individual's understanding of relevant issues, until it is demonstrated that the person has the necessary knowledge.

The Council will provide an opportunity, at least once a year, for Council decision-makers to meet, network and discuss their roles at a short, evening workshop or seminar. It is recommended that all members attend at least one of these sessions. Ideas and topics for these sessions may be submitted by decision-makers to the Council's Executive Officer as issues arise.

A 'decision-maker' electronic newsletter will be produced periodically with information on case review, policy changes, regulatory matters and other relevant issues. Decision-makers will be encouraged to contribute to the newsletter when interesting, complex, or challenging issues arise.

The Council is committed to ensuring that the education program is relevant, timely, evidence based and not onerous to complete. The ongoing input of decision-makers into the design and further development of the program and content of individual learning units is vital.

The content of the professional development program, including the online component, may be made available to persons and organisations other than those identified in this policy at the discretion of the Council.

## **COUNCIL RESPONSIBILITIES**

The Council will provide a relevant, current, flexible and easily accessible education program to support the professional learning and development of decision-makers who participate on the Council and/or associated statutory bodies. It will determine the relevant modules expected to be completed by decision-makers and will specify timeframes.

The Council has primary responsibility for the content and administration of the education program, and will monitor and evaluate its effectiveness and ongoing relevance. It will seek the involvement of members and staff in the review and further development of program content.

The Council will facilitate an environment which encourages peer support, mentoring and peer evaluation. It will provide opportunities for shared learning and will encourage members to seek assistance as required to complete modules within the recommended timeframes.

Individuals who have not satisfactorily completed the required online component of the program or whose performance is not at the required standard will be counselled by an appropriate person i.e.: Council President, Deputy-President, Executive Officer or Chair of the relevant statutory body.

The Council will follow its complaint handling policy and procedures to resolve a complaint by an individual who feels they have been inappropriately treated in relation to their participation in or completion of the education program.

The Council has delegated oversight and review of the program to its Education and Quality Committee. Feedback or recommendations from individuals who participate in the education program is encouraged and may be submitted to the Executive Officer. The Committee will review the outcomes of the professional development program once a year and will regularly review the effectiveness and efficiency of the education program. It will report its conclusions to Council.

The Council will also be responsible for communicating this Policy to prospective, new and current Council decision-makers.

## **REQUIREMENTS – COUNCIL MEMBERS**

It is expected that all members of the Council participate in continuing education relevant to their role as a member of the Council, on appointment and thereafter on a yearly basis.

Council members are required to submit evidence of mastery of the required online learning modules to the Executive Officer once a term (every three years), within the specified timeframe. There is no limit to the number of attempts to satisfactorily complete any module within the program.

Failure to satisfactorily complete the required modules within the timeframe without reasonable explanation, may result in counselling or when relevant (such as in cases of continued failure) a formal caution from the President.

Council members will be expected to contribute to the ongoing evaluation and development of the education program.

## **REQUIREMENTS – PROFESSIONAL, MEDICAL AND COMMUNITY MEMBERS OF STATUTORY BODIES AND CHAIRS OF PSCs**

It is expected that all persons appointed by the Council as members of Impaired Registrants Panels, Performance Review Panels, Professional Standards Committees (PSCs) and Tribunal will participate in continuing education relevant to their role.

Evidence of mastery of the online learning modules determined by the Council to be essential for members of statutory bodies must be submitted to the Executive Officer by the date specified by the Council and thereafter:

- once a term (every three years) in the case of community/lay members
- twice a term (twice every five years) in the case of professional members

Medical members have not consistently been appointed for particular terms in the past, and will be required to complete the program once every three years.

PSC Chairs have not been appointed for a particular term, and will be required to complete the program once every three years.

Some extension of these periods may be considered by the Council in order to synchronise completion requirements.

There is no limit to the number of attempts of any online modules that an individual may make to satisfactorily complete the program.

Failure to satisfactorily complete the required modules within the timeframe each year may result in the Council deferring the individual's appointment to any statutory body until they have provided evidence of satisfactory completion.

It is expected that members appointed to statutory bodies will contribute to the ongoing evaluation and development of the education program.

It is also expected that more experienced members of a statutory body will provide novice members with support, advice and informal feedback about their contributions to decision- making. When a member's performance is not at the required standard and performance adjustment is considered necessary, a more formal process of mentoring and peer review may be put in place.

## **PRINCIPAL MEMBERS OF THE NSW CIVIL AND ADMINISTRATIVE TRIBUNAL (OCCUPATIONAL DIVISION)**

Principal members are actively encouraged to participate in the professional development program. The Council will recommend and make available to them an online learning program relevant to their role, and will inform them of the minimum knowledge base expected of all members of statutory bodies appointed under the Law.

### **ASSOCIATED DOCUMENTS**

1. Nursing and Midwifery Council of New South Wales Code of Conduct
2. Council Complaints Handling Policy

3 July 2014