

Process for internal review of accreditation decisions

25 July 2013

Background to the Aboriginal and Torres Strait Health Practice Accreditation Committee's internal review process

The Aboriginal and Torres Strait Health Practice Accreditation Committee (Accreditation Committee) is required by section 48(4) of the National Law to have a process for internal review of certain accreditation decisions.

Which accreditation decisions does the internal review process cover?

An education provider may apply for an internal review after the Accreditation Committee decides:

- to refuse to accredit its program of study, or
- to revoke the accreditation of its program.

Who conducts the internal review?

The Accreditation Committee will establish an Internal Review Committee to conduct each internal review.

An Internal Review Committee will comprise three suitably qualified members.

The Accreditation Committee must nominate two members and the AHPRA Director of National Board Services must nominate one member.

An Internal Review Committee must not include:

- any member of the Accreditation Committee, or
- any person who has prior involvement in the assessment or accreditation decision being reviewed.

The Accreditation Committee will, so far as possible, establish an Internal Review Committee within 14 days of the date it receives an application for internal review from an education provider.

Reasons for seeking internal review

The reasons for seeking an internal review reflect the principles of procedural fairness and natural justice. An education provider may apply for an internal review if the Accreditation Committee has refused to accredit its program of study and the education provider considers the committee failed to apply those principles to its accreditation decision. The reasons include (but are not limited to):

- the accreditation decision was not made according to the procedures described in the *Aboriginal and Torres Strait health practice accreditation process*
- there was an error of fact in the Committee's decision making
- the accreditation decision and reasons for the decision do not reflect the evidence provided by the education provider to the assessment team
- the accreditation decision and reasons for the decision do not reflect the assessment team's findings provided in its report to the Accreditation Committee

Aboriginal and Torres Strait Islander Health Practice Accreditation Committee

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- the Accreditation Committee did not consider the relevant information available at the time the accreditation decision was made, and/or
- the Accreditation Committee considered irrelevant information in making the accreditation decision.

Applying for an internal review

An education provider must apply in writing to the Accreditation Committee within 30 days of receipt of written notice of the Committee's decision not to accredit the program.

The application must provide a detailed explanation of each reason the education provider considers the accreditation decision is unjustified or unreasonable, together with all supporting material that the education provider relies on to support its explanation and any claims.

Fees for an application for internal review

A fee applies to all applications for internal review. The fee assists in covering the costs incurred by the Internal Review Committee in its conduct of an internal review.

The education provider must submit payment with the application for internal review.

The applicable fee amount can be found on the Accreditation Committee's website at www.atsihealthpracticeboard.gov.au/Accreditation.aspx.

All or part of the internal review fee may be refunded to the education provider if the Accreditation Committee's accreditation decision is revoked by the Internal Review Committee.

Withdrawing an application for internal review

The education provider can decide to withdraw the application for internal review provided it does so in writing before the Internal Review Committee makes its determination.

Conduct of the internal review

The Internal Review Committee must review the Committee's accreditation decision by reconsidering aspects of the Committee's accreditation decision that relate to each reason provided by the education provider in its application for internal review.

The Internal Review Committee will meet as required and must conduct the review as efficiently as possible.

In conducting its review, the Internal Review Committee will consider the education provider's application for internal review and may, at its sole discretion, take into account other material such as:

- the assessment team's final accreditation report
- information submitted by the education provider to the Assessment Team and Accreditation Committee, and
- other relevant and significant information, which was not available at the time of the Accreditation Committee's decision but became available subsequently.

The time taken to complete an internal review depends, in part, on the complexity of the application for internal review and therefore there is variability in the time required to complete a review. The Internal Review Committee will, as far as possible, inform the education provider of the expected time required to complete its review.

The Internal Review Committee will endeavour to complete the review within three months from the date the Accreditation Committee establishes the Internal Review Committee.

Outcome of internal review

After completing its review, the Internal Review Committee must consider its own findings and make a determination about the original accreditation decision.

The Internal Review Committee must provide the Accreditation Committee with a report of its findings and determination about the original accreditation decision and the reasons for its determination.

The Internal Review Committee's determination may be:

- that the original accreditation decision is confirmed
- that the original accreditation decision is revoked (either in whole or in part) and the Accreditation Committee must further consider the accreditation decision, or
- that the original accreditation decision is revoked and the Accreditation Committee must replace it with a different accreditation decision specified by the Internal Review Committee.

Accreditation decision following internal review

The Accreditation Committee is bound to make an accreditation decision that upholds the Internal Review Committee's determination about the original accreditation decision.

Notifying education provider of the outcome

The Accreditation Committee will notify the education provider in writing of its accreditation decision following internal review. As far as possible, the Accreditation Committee will notify the education provider of that decision within three weeks of the date it receives the Internal Review Committee's written determination about the original accreditation decision.

Other avenues for review

An education provider may apply for an external review of any accreditation decision.