

AccreditationInternalReviewPolicy.docx

Name of Policy	ANMAC Process for internal review of accreditation decisions	
Description of Policy	The Australian Nursing and Midwifery Accreditation Council (ANMAC) is required by section 48(4) of the <i>Health Practitioner Regulation National Law</i> to have a process for internal review of certain accreditation decisions.	
Category	Accreditation	
Scope	This policy applies to education providers who have applied for accreditation of an osteopathic education program	
Status	<input checked="" type="checkbox"/> New policy	<input type="checkbox"/> Revision of existing policy
Last Revised		
Next Review	April 2021	

Cleared by	Executive	Date: 24/10/2018
Responsible Officer	Director Accreditation Services	
Author	Sarah Ross, Executive Officer	
Approved by	George Kadmos, Acting CEO	Date: 20/12/2018
Signed	 George Kadmos (Dec 20, 2018)	

Related Documents	Health Practitioner Regulation National Law Act 2009 National Accreditation Guidelines 2017 (currently under review)
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1. Purpose

Under section 48(4) of the National Law, the Australian Nursing and Midwifery Accreditation Council (ANMAC) is required to have an internal process in place that facilitates review of accreditation decisions.

An education provider may apply for an internal review after a decision is made by the ANMAC to:

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

2. Scope

This policy applies to education providers who have been refused accreditation of a program of study by ANMAC or who have received a decision from ANMAC to revoke the accreditation of nursing or midwifery education program.

3. Policy Statement

ANMAC must conduct an internal review of an accreditation decision to refuse or revoke accreditation if an education provider lodges a written appeal within 30 days of receiving notice of the final Nursing and Midwifery Board of Australia (NMBA) decision.

ANMAC must establish an Internal Review Team within 14 days after receiving an application for internal review from an education provider.

4. Key Definitions

Accreditation is the process of assessing educational programs of study and the education providers that provide those programs against relevant NMBA approved accreditation standards to ensure that the provider and program provide graduates with the relevant knowledge, skills and professional attributes to competently practice the profession

Education Provider is an organisational entity responsible for the design and delivery of a program of study from which graduates are eligible to apply for registration with or endorsement by the NMBA

Internal Review Committee is a committee, comprising of three members, convened to review an accreditation decision. The committee members must have relevant experience and expertise, have had no prior involvement in the assessment or accreditation decision being reviewed and no evidence of any conflicts of interest relating to the matter.

Program a course of study provided by an education provider leading to registration or endorsement by the NMBA.

5. Reasons for seeking an 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 ANMAC has refused to accredit its program of study, or revoke accreditation, and the education provider considers ANMAC to have failed to apply these principles to its accreditation decision. A review may be initiated if the provider believes;

- the accreditation decision was not made in accordance with ANMAC Accreditation Standards for Nursing and Midwifery Programs in Australia
 - there was an error of fact in the ANMAC decision making process
- the accreditation decision and reasons for decision do not reflect the evidence provided by the education provider to the assessment team
- the accreditation decision and reasons for the final decision do not reflect the assessment team's findings in its report to the relevant Accreditation Committee
- that the assessment team / Accreditation Committee did not consider relevant information available at the time the accreditation decision was made and/or
- that the assessment team / Accreditation Committee considered irrelevant information in making the accreditation decision

6. Applying for an internal review

An education provider must apply in writing to the ANMAC Chief Executive Officer for an Internal review of a decision to refuse accreditation or revoke accreditation within 30 days of receiving notice of the final decision from the NMBA. Requests lodged after this date will not be considered.

The request for an internal review must include:

- a detailed explanation of each reason as to why the education provider is appealing the decision
- all relevant material to support the application for a review.

ANMAC will acknowledge receipt of the request for internal review within five business days of receiving the request for an internal review from the provider.

In submitting an application for an internal review, an education provider accepts the outcome of accreditation and must demonstrate to the satisfaction of the Internal Review Committee that the decision to refuse or revoke accreditation was incorrect. Until such time, the final accreditation decision shall remain valid and unchanged

7. Establishment of an Internal Review Committee

ANMAC will establish an Internal Review Committee to review an accreditation decision within 14 days of receiving an application that meets the requirements outlined in this document. An Internal Review Committee will comprise of three members with relevant qualifications and professional experience.

All members will be independent of the education provider, have formally agreed to comply with the ANMAC Conflict of Interest Policy and must not have had any prior involvement in the accreditation decision being reviewed.

8. Conduct of the internal Review

The Internal Review Committee must review the accreditation decision by reconsidering all relevant areas of the application for accreditation that relate to each dispute raised by the application provider in its application for internal review.

The Internal Review Committee will meet as required to conduct the review of a decision to refuse or revoke accreditation. The committee will determine the process to be undertaken for the review and will inform the education provider of the process and timeframe.

In conducting its review, the Internal Review Committee will consider and assess all relevant information and material provided by the education provider relating to the review. At the committee's discretion this may include:

- the assessment team's final accreditation report
- information submitted by the education provider to the assessment team and ANMAC to support the appeal against the decision
- other relevant and significant information, which was not available at the time of the original accreditation decision but became available subsequently
- further information from the assessment team, the education provider or ANMAC staff.

During its review, the Independent Review Committee:

- may contact the education provider in writing to request additional information
- may conduct a site inspection if the accreditation decision concerns physical facilities,
- must notify the education provider in writing of any new information received which the Internal Review Committee considers relevant to the review and seek the education provider's further input or response to that information.

Where a site visit is required for the purposes of the internal review, the education provider will be responsible for paying all costs reasonably incurred by the Internal Review Committee in undertaking the site visit. An estimate of the cost of the site visit will be provided prior to the visit being undertaken. If the provider does not agree to meet the cost of the site visit, the application for review will be deemed to have been withdrawn.

The site visit date will be negotiated between the internal review committee and the education provider at a mutually agreeable and reasonable time.

The Internal Review Committee will endeavour to complete the review within three months from the date the Internal Review Committee is established; however, a provider applying for review of a decision accepts the time taken to complete an internal review depends, in part on the complexity of the application.

The Internal Review Committee will undertake to keep an applicant informed of the expected timeframe required to complete a review.

9. Outcome of an internal review

After completing its review, the Internal Review Committee must provide the CEO/Director of Accreditation Program/Accreditation Committee with a report of its findings and decision about the ongoing validity of the original accreditation decision and the reasons for the decision.

The Internal Review Committee's determination may be that the original accreditation decision:

- is confirmed

- is revoked (either in whole or in part) and the CEO/Director Accreditation Services/Accreditation Committee must further consider the accreditation decision, or
- is revoked and the CEO/Director Accreditation Services/Accreditation Committee must replace it with a different accreditation decision specified by the Internal Review Committee

10. Notifying an education provider of the outcome

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

11. Roles and Responsibilities

The CEO/Director of Accreditation is responsible for ensuring:

- that individuals are informed of and have access to this policy
- that the relevant parties are informed of the processes and procedures for undertaking an internal review
- that Internal Review Committees are convened and decision outcomes communicated within timeframes outlined in this policy.

12. Confidentiality

All activities surrounding the processing of an appeal under this policy, including the content of any application by the appellant and the decisions and deliberations of the ANMAC Appeals Panel are subject to the ANMAC Privacy Policy. Members of the ANMAC Appeals Panel and the Independent Appeals Committee will be required to sign an ANMAC confidentiality agreement prior to reviewing appeals.

13. Correspondence to education provider

Any correspondence to be sent to the ANMAC for the purposes of this policy must be sent as follows:

- Sent by Australia Post registered post to the education provider's nominated address, or
- Sent by email to the education provider's email address including a read receipt in order to confirm date of delivery

14. Correspondence to ANMAC

Any correspondence to be sent to the ANMAC for the purposes of the internal review must be sent to the CEO at OCEO@anmac.org.au