

Accreditation Internal Review Policy

Owner: Accreditation
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Name of the Policy	Accreditation Internal Review Policy
Policy Number	POLS2019ACC052
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
Audience	This policy applies to all ANMAC staff, our customers and stakeholders
Status	New Policy
Last Revised	14 October 2019
Next Review	October 2021

Responsible Officer	Director Accreditation Services	
Author	Associate Director, Accreditation Services	
Approved by	Chief Executive Officer	Date: 14/10/2019
Signed	 fiona Stoker (Oct 14, 2019)	

Related Documents	<ul style="list-style-type: none"> • Health Practitioner Regulation National Law Act 2009 • National Accreditation Guidelines • Conflict of Interest Policy
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Definitions

Accreditation – 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 practise the profession.

Education Provider – means

- a. a university; or
- b. a tertiary education institution, or another institution or organisation, that provides vocational training

Internal Review Committee – 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 of study – means a program of study provided by an education provider.

1. Purpose

In accordance with Section 48 of the *Health Practitioner Regulation National Law Act 2009* (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 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 a 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 ANMAC's decision.

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

4. 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.

5. Applying for an internal review

An education provider must apply in writing to the Chief Executive Officer for an internal review of a decision to refuse accreditation or revoke accreditation within 30 days of receiving notice of the decision from ANMAC. 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.

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

When submitting an application for an internal review, an education provider 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.

6. Establishment of an Internal Review Committee

ANMAC CEO 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.

7. 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 required
- 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.

8. Outcome of an internal review

After completing its review, the Internal Review Committee must provide ANMAC 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 ANMAC Accreditation Committee must further consider the accreditation decision, or
- is revoked and the CEO /Accreditation Committee must replace it with a different accreditation decision specified by the Internal Review Committee.

9. 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.

10. Roles and responsibilities

The Chief Executive Officer 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.

11. Confidentiality

All activities surrounding the processing of an appeal under this policy, including the content of any application by the education provider and the decisions and deliberations of the ANMAC Internal Review Committee are subject to the ANMAC Privacy Policy. Members of the Internal Review Committee will be required to sign an ANMAC Confidentiality Agreement prior to reviewing appeals.

12. Correspondence to education provider

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

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