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Dear Dr Russell

I'm writing in response to your request to provide feedback on the following documents:

- Advertising guidelines
- Code of conduct for registered health practitioners
- Guidelines for mandatory notifications

### **General comments**

Occupational Therapy Australia recognises that these documents were developed for the initial round of professions entering the National Registration and Accreditation Scheme in 2008, and so have been subject to considerable engagement and feedback.

1. It is worth noting that unlike the 10 professions in the first wave of national registration, the occupational therapist profession is not currently registered in several States and Territories, including NSW and Victoria. The requirements that accompany registration, including those outlined in the three draft Guidelines, may be new to many of these professionals, and I encourage the Board to consider how to assist professionals to be aware of their responsibilities. Occupational Therapy Australia would be happy to work with the Board to this end, by developing communications collateral and communications strategies.

### **Advertising Guidelines**

Occupational Therapy Australia welcomes the document which provides useful clarification about what forms of advertising is appropriate. I would like to make two suggestions for ongoing discussion between the Board and the professional association which aim to provide certainty to professionals.

1. The large and growing use of social media would benefit from greater clarification. It is not clear if unsolicited 'testimonials' from third parties (patients or external organisations) constitute advertising and what responsibility the professional have in these circumstances.

We are aware of third party websites which request feedback from patients, where the professional is sometimes not even aware of the 'testimonial', and professionals would benefit from a clearer understanding of their responsibilities in this situation. See for example Whitecoat at <http://www.whitecoat.com.au>. There are also social media 'testimonials' from patients (for example a recommendation to a friend through facebook).

2. The need to ensure that professionals are aware of the guidelines. Occupational Therapy Australia would welcome the opportunity to discuss with the Board how to best ensure that professionals, particularly those in private practice and those new to Registration, can be better informed about their responsibilities under the National Law and these three Guidelines.

### **The Code of Conduct**

Occupational Therapy Australia welcomes the development of a Code of Conduct for all registered health professionals. We agree that the community expects professional standards to be maintained, and the draft of the Code of Conduct successfully outlines the areas of high standards of professional practice.

1. As stated earlier, it is important for the Board to recognise that many occupational therapists will not be accustomed to the requirements of registration and Occupational Therapy Australia would be happy to work with the Board to devise methods to better inform them of their responsibilities.
2. We welcome the statement on page 21 (Section 1.1) that the Code of Conduct is not an exhaustive set of guidance for specific professional practice, not a statement of professional competencies. It is the interaction between the National Law, the Code of Conduct and the profession's Code of Ethics and competency standards which should be read together to assist professionals to meet high standards. It would be useful in this context to refer occupational therapists to the relevant documents for the profession, for example The Competency Standards can be found here [http://www.otaus.com.au/sitebuilder/aboutus/knowledge/asset/files/16/australian\\_minimum\\_competency\\_standards\\_for\\_new\\_grad\\_occupational\\_therapists.pdf](http://www.otaus.com.au/sitebuilder/aboutus/knowledge/asset/files/16/australian_minimum_competency_standards_for_new_grad_occupational_therapists.pdf) and the Code of Ethics can be found here <http://www.otausvic.com.au/sitebuilder/aboutus/knowledge/asset/files/13/otaaustraliacodeofethics.pdf>

### **Mandatory Notifications**

Occupational Therapy Australia welcomes the development of guidelines for Mandatory Notifications.

1. As stated earlier, it is important for the Board to recognise that many occupational therapists will not be accustomed to the requirements of registration and Occupational Therapy Australia would be happy to work with the Board to devise methods to better inform them of their responsibilities.
2. As with the Code of Conduct, it will be important for professionals to understand the interaction between these guidelines and the profession's Code of Ethics. To that end Occupational Therapy Australia would be happy to work with the Board to develop some communications materials to assist professionals.

Occupational Therapy Australia appreciates the opportunity to provide this feedback and looks forward to working with the Board on any further clarification that may be required for occupational therapists.

Yours sincerely

**Occupational Therapy Australia**



**Ron Hunt**

Chief Executive Officer