

# The Psychotherapists Board of Aotearoa New Zealand

*Te Poari o nga Kaihaumanu Hinengaro o Aotearoa*



## Welcome to the Hakihea 2019 Newsletter

This issue brings you up to date with Board related mahi since the September 2019 newsletter

*Tēnā tātou katoa,  
Nau mai haere mai ki te pānui a-marama.  
He mihi maioha ki a koutou  
Ko te tumanako kua ora katoa ō koutou whānau*

*Welcome to the Newsletter for this month.  
Warm regards to you all at this time of the year.  
We hope that you and your families are well.*

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### Holiday Season Greetings

Kia ora and warm greetings.

Following a busy year, the holiday season has arrived!

This newsletter is a great opportunity for Board members, Jacq and Natasha to wish you all a wonderful summer holiday. Travel safely, hauora pai, enjoy your time with friends, whānau, and some restorative solitude!

### Naming policy consultation

The Board has invited feedback on a draft naming policy. Please click [here](#) to see the consultation document.

By way of background, the Board is required by recent changes to the Health Practitioners Competence Assurance Act 2003 (HPCAA) to develop a naming policy that describes the circumstances under which a psychotherapist, who is the subject of an order or determination, may be publicly named.

The purposes of this naming policy as defined in section 157B(2) of the HPCAA are to:

- enhance public confidence in the health professionals for which the Board is responsible,

and its disciplinary procedures, by providing transparency about its decision-making processes

- ensure that health practitioners whose conduct has not met expected standards may be named where it is in the public interest to do so
- improve the safety and quality of health care.

To date the Health Practitioners Disciplinary Tribunal has not heard a case involving a psychotherapist.

The Board has worked collaboratively with other health regulators<sup>1</sup> to understand the requirements of the HPCAA amendments, and to develop this draft naming policy.

The draft that is now out for consultation has been reviewed by a legal firm, the Privacy Commissioner, the Health and Disability Commissioner, and the Director-General of Health. Feedback has been incorporated.

All feedback received during this consultation will be used to inform the Board as it works towards finalising the naming policy with other regulatory Boards. The final naming policy will be available on the Board's website at the beginning of April 2020. The Board will also advertise the finalised naming policy in its Newsletter.

The Board is aware that this consultation period includes the holiday season and apologises for any inconvenience this may cause. However, the consultation period is limited by statutory timeframes.

<sup>1</sup> Midwifery Council, Occupational Therapy Board, Psychologists Board, Dietitians Board, Podiatrists Board, Chiropractic Board, Optometrists and Dispensing Opticians Board.

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## 2018-2019 recertification audit

Psychotherapists selected for the next audit have been sent a letter via email. This letter requests that each psychotherapist acknowledges receipt – thank you to those who have already done this.

The audit letter includes all the information a psychotherapist needs to know about the audit process. If there are any further questions, please contact Natasha directly via email or by phone.

## Accreditation standards update

The Board and the Accreditation Committee have continued to refine draft Accreditation Standards to reflect the feedback received from training providers, while also meeting the requirements of the HPCAA.

The recent consultation closed on the 29th November 2019<sup>2</sup>. Thank you to the training providers who have responded. Training provider feedback is important in the development and refinement of accreditation standards and this ongoing engagement is valued.

Wider consultation is anticipated to be held in 2020. This will involve training providers, practitioners, the public, regulatory authorities, and other agencies related to psychotherapy training.

## Expression of interest

The Board would like to encourage psychotherapists, particularly those who identify as Māori/Tangata Whenua, to consider submitting their interest to be part of:

**Competence Review Committee** (CRC); or  
**Professional Conduct Committee** (PCC);

Committees are made up of three (3) people; two (2) psychotherapists who hold a current APC and one (1) layperson.

The Board maintains a pool of psychotherapists and experienced laypeople who can be appointed to one of the above committees, should the need arise.

It is important that the pool of psychotherapists available for committees includes a range of backgrounds, culture, training, knowledge, and experience.

Training for these committees is available periodically<sup>3</sup> and committees are supported by an experienced convenor<sup>4</sup>.

Historically CRC and PCC work has proven to be infrequent and member availability is sought when the need to appoint a committee arises.

The work of both committees is important, so please review the linked information and contact the Registrar should you have any questions.

Thank you to those who have already expressed an interest. This interest is appreciated and maintained on file.

## Reminders and links

### The Children's Act 2014

The Children's Act 2014 (formerly the Vulnerable Children Act 2014) sets requirements for all 'children's workers' to pass an appropriate safety check of their suitability to work with children and young people aged under 18.

Those employing or engaging children's workers are responsible for making sure their staff have passed the appropriate checks. Please see the Ministry of Health's [website](#) for more information.

### Privacy law reform

The Government is currently in the process of making changes to the Privacy Act.

In particular, the reforms aim to encourage private and public sector agencies to identify risks and prevent incidents that could cause harm. The final Parliamentary Justice Select Committee report on the Bill can be found [here](#).

### Board membership process

The Board encourages psychotherapists who identify as Māori/Tangata Whenua to consider submitting their interest in being a Board member, when applications open via the Ministry of Health.

As a reminder, all psychotherapists have the opportunity to apply to serve on the Board as a practitioner member.

Responsible Authority appointment processes are managed by the Ministry, who have a page dedicated to this process available on its [website](#).

<sup>2</sup> The Board has yet to review recent training provider feedback but intends to do this as soon as practicable.

<sup>3</sup> The Registrar will advise when this is available.

<sup>4</sup> Often the layperson.

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The Minister of Health appoints Board members for terms up to three (3) years, in accordance with sections 120-122 of the HPCAA. The Chairperson and Deputy Chairperson are appointed by the Board at its first meeting of each year.

Psychotherapists and lay people are invited to apply for a position on the Board when a vacancy arises. If you wish to be considered for appointment please read the information provided by the Ministry. You will then be required to fill out the application and send it, along with a copy of your CV, to [appointments@moh.govt.nz](mailto:appointments@moh.govt.nz)

The Ministry will advise all stakeholders once it opens its application process. The Board will also advise psychotherapists once applications are open.

## What is a layperson?

The definition of a layperson is a person who is not qualified in a given profession and/or does not have specific knowledge of a certain subject.

In the HPCAA, a layperson is defined as a person who is 'neither reregistered nor qualified to be registered as a health practitioner'.

A layperson's role is to bring a public perspective to the Board. Laypeople also bring additional skills and experiences that add to those of the health practitioner members, such as, wider knowledge of the health or education sectors, financial skills, legal skills or governance experience and involvement in the wider community.

Laypeople help the Board focus on public good in relation to psychotherapy practice standards and right touch regulation.

## What is the Annual Practice Certificate (APC) fee? What is the APC used for? What is a disciplinary levy?

The HPCAA provides mechanisms for Responsible Authorities (RAs) to recover the costs<sup>5</sup> associated with fulfilling section 118 functions (the mahi of the Board). The Board reviews fees annually and each year aims to achieve a break-even budget; Board budgets are based on cost recovery.

The Annual Practising Certificate (APC)<sup>6</sup> fee covers all matters relating to the function of the Board, such as<sup>7</sup>:

- authorising the registration of health practitioners
- considering applications for APCs
- reviewing and promoting the competence of health practitioners
- receiving and acting on information from health practitioners, employers, and the Health and Disability Commissioner about the competence of health practitioners
- setting standards of clinical competence, cultural competence, and ethical conduct to be observed by health practitioners of the profession
- Board function costs such as office rent, information technology (IT), consumables, Board meetings, personnel, professional fees for Board members and Professional Advisors.

The Board is committed to ensuring that it operates in a cost-effective manner and constantly strives to maintain the careful balance between the efficient and effective management of its obligations under the HPCAA as well as considering the effect fees may have on psychotherapists<sup>8</sup>.

## What is a disciplinary levy?

A disciplinary levy is collected<sup>9</sup> to cover any disciplinary costs that may be generated as a consequence of a complaint requiring Professional Conduct Committee (PCC) investigation and a disciplinary hearing before the Health Practitioners Disciplinary Tribunal (HPDT)<sup>10</sup>.

The Board currently has a disciplinary levy reserve and therefore has not charged psychotherapists a disciplinary levy since 2011. Currently there is no information to indicate that the disciplinary levy will need to be reinstated.

## Meet the Board

The next Board meeting is in Wellington on Friday 13th of March 2020. Practitioners are invited to meet with the Board (open forum). This is an opportunity to ask questions about current Board work, to meet Board members, and engage in conversation. If you intend to come along, please RSVP to [registrar@pbanz.org.nz](mailto:registrar@pbanz.org.nz). A reminder will be sent

<sup>5</sup>An APC provides assurance to the public that a psychotherapist is competent and fit to practise their profession.

<sup>7</sup> This is not an exhaustive list

<sup>8</sup> The APC fee has been maintained since 2016.

<sup>9</sup> Under section 131 of the HPCAA

<sup>10</sup> The Board has no control over the costs associated with a case taken to the HPDT.

<sup>5</sup> Responsible Authorities are a not-for-profit- all fees sought are directly related to cost-recovery; therefore, size of the profession has a direct impact on APC fees (economies of scale).



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closer to the time.

Date: Friday 13<sup>th</sup> March 200  
Time: 4.00pm – 5.00pm  
Location: Level 7, 22 Willeston Street,  
Wellington

## **2020 Board meeting dates**

Friday 13<sup>th</sup> and Saturday 14<sup>th</sup> March 2020  
Sunday 24<sup>th</sup> and Monday 25<sup>th</sup> May 2020  
Friday 14<sup>th</sup> and Saturday 15<sup>th</sup> August 2020  
Sunday 29<sup>th</sup> and Monday 30<sup>th</sup> November 2020

## **Office hours over the holiday season**

The Board's office will be closed over the holiday period from Monday 23<sup>rd</sup> December 2019 and will reopen again on Tuesday 21<sup>st</sup> January 2020.

A voicemail service and email 'out of office' will be in operation over this time. All communications received during this time will be responded to as soon as practicable once the office reopens in 2020.

The Registrar's mobile number will be provided for urgent queries, for example those related to risk of harm.

Ngā mihi mahana,  
Best wishes

*He aha te nui? He tangata, he tangata, he tangata.  
What is the most important thing?  
It is people, it is people, it is people.*