

Responsible Authority Core Performance Standards Review Report

Authority Name	Occupational Therapy Board New Zealand (OTBNZ)
Date of Review Report	23 and 24 September 2021
Name of reviewing Designated Auditing Agency	DAA Group

Executive Summary

Occupational therapists have been a regulated health workforce in New Zealand since 1949. The Occupational Therapy Board New Zealand (OTBNZ) has a chief executive who is also their registrar (CE/registrar) and has been in the position since 2005. They are presently supported by a team of seven staff, which is being expanded to meet their operational requirements and Te Tiriti o Waitangi obligations (*Whakamaua: Māori Health Action Plan 2020-2025*). The register of practitioners showed 4,208 registered occupational therapists, 3,129 with current annual practising certificates.

The Occupational Therapy Board New Zealand office is situated in central Wellington and shares office space with other responsible authorities (RAs) which allows for communication, sharing of ideas and collaborative work. The organisation's website is user friendly and has a wealth of information for practitioners and the general public. They take opportunities to promote the organisation to the wider community through hui and working collaboratively with stakeholders on projects and areas of concern and public risk. Collaboration has been more difficult during the last two years due to Covid-19 restrictions.

This performance review was conducted under Section 122A of the HPCA Act (2003) on behalf of the Ministry of Health, and considered the OTBNZ's systems, processes and performance related to the core functions under Part 6, section 118 of the Act. It included a review of annual reports, board meeting minutes, notification assessment committee (NAC) minutes, policies and processes. Examples of completed practitioner processes related to registration, recertification and dealing with notifications were also reviewed. Interviews were conducted with the CE/Registrar, the Advisor Standards, Policy, and Risk, and the Tikanga Advisor.

A commitment to He Tangata and te Tiriti o Waitangi was evident through a Treaty Engagement Action Plan. The Board has a co-chair with tangata whenua, and is working to ensure Māori are engaged within their staff.

The Occupational Therapy Board New Zealand has clearly defined competencies and qualifications for their one general scope of practice. They accredit and monitor the two academic institutions undertaking the training requirements.

There is an operational register and a current external register of practitioners on the organisations website. A two-yearly process reviews practitioners against the required competencies and there are ongoing educational activities for practitioners.

The Occupational Therapy Board New Zealand receive a small number of complaints and notifications each year. The annual report 2020, details notification information for the period 30 April 2019 to June 2020. There were 17 notifications during this period.

A documented framework meets the legislative requirements for consideration of risk of harm posed by practitioners. Processes are in place to review practitioners from a health, conduct and/or competency perspective with notification to other stakeholders where required. There have been no reported cases of cultural competence-related complaints in the past two years.

Recommendations

The Occupational Therapy Board New Zealand (OTBNZ) has fully achieved all the core performance standards.

Ref #	Related core performance standards	Reviewer's comments	Rating	Risk Level	Recommendation	Timeframe (months / date)
NIL						

Functions under section 118 HPCA Act 2003 and their related core performance standards

Purpose and requirements

Responsible Authorities are designated under the Health Practitioners Competence Assurance Act 2003 (the Act) to fulfil certain functions. An amendment in 2019 to the Act adding section 122A, required a performance review of all Responsible Authorities be conducted within three years of enactment. The Ministry of Health (the Ministry) is responsible for the facilitation of these reviews.

Performance reviews provide assurance to the Crown and the public that responsible authorities are performing their functions efficiently and effectively. This includes the assurance that: the responsible authorities are carrying out their required functions in the interests of public safety, their activities focus on protecting the public without being compromised by professional self-interest, and their overall performance supports high public confidence in the regulatory system.

This initial performance reviews will assess a responsible authority's performance against the full set of *Core Performance Standards*. These standards are aligned with the functions under section 118 of the HCPA Act.

Risk management

Identify the degree of risk to patient safety and/or public confidence that is associated with the level of attainment the responsible authority achieves for each criterion. Review the 'risk' in relation to its possible impact based on the consequence and likelihood of harm occurring if the responsible authority does not fully attain the criterion. Use the risk management matrix when the audit result for any criterion is partially attained or unattained.

To use the risk management matrix, you need to:

1. consider what consequences for consumer safety might follow from the responsible authority achieving partially attained or unattained for a criterion, within a range from extreme/actual harm to negligible risk of harm occurring
2. consider how likely it is that this adverse event will occur due to the provider achieving partially attained or unattained for a criterion, within a range from being almost certain to occur to rare
3. plot the findings on the risk assessment matrix to identify the level of risk, and prioritise risks in relation to severity
4. approve the appropriate action the provider must take to eliminate or minimise risk within the timeframe. Note that timeframes are set based on full resolution of the requirement, which may include a systems change or staff training programme. Anything requiring urgent attention is identified in the report, along with any longer timeframe needed to make sustainable change.

The Risk management matrix uses a probability versus impact quadrant with the following risk categories: low, low-med, medium and high.

Function 1: Section 118a) To prescribe the qualifications required for scopes of practice within the profession, and, for that purpose, to accredit and monitor educational institutions and degrees, courses of studies, or programmes

Ref #	Related core performance standards	Reviewer's comments	Rating (FA/PA/UA)	Risk Level if PA /UA (L, L-M, M, H)	Recommendation	Timeframe (months / date)
1.1	the RA has defined clear and coherent competencies for each scope of practice	<p>OTBNZ has one general scope of practice gazetted in 2004. A further special purpose scope of practice was gazetted in 2020, as a short term (six months) scope, to assist with humanitarian and emergency situations such as White Island/Whakaari eruption and Covid-19 pandemic and health responses. There were 10 to 12 applicants for this scope, none of whom are current.</p> <p>There are five clearly defined occupational therapy (OT) competencies which meet the requirements of Part 6, 118(i):</p> <ol style="list-style-type: none"> 1. Applying occupational therapy knowledge, skills and values 2. Practicing appropriately for bicultural Aotearoa New Zealand 3. Building partnership and collaboration 4. Practising in a safe, legal, ethical and culturally competent way 5. Engaging with and being responsible for your profession. <p>The organisation has a project 'Refresh' which is underway reviewing the current scope, competencies and ethics.</p>	FA			
1.2	the RA has prescribed qualifications aligned to those competencies for each scope of practice	<p>The two prescribed New Zealand qualifications are:</p> <ul style="list-style-type: none"> • Bachelor of Health Science (Occupational Therapy), Auckland University of Technology 	FA			

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		<ul style="list-style-type: none"> Bachelor of Occupational Therapy, Otago Polytechnic, Dunedin (and Hamilton). <p>The programme of education at these institutions meet the accreditation requirements and the practitioner competencies of OTBNZ.</p>				
1.3	the RA has timely, proportionate, and transparent accreditation and monitoring mechanisms to assure itself that the education providers and programmes it accredits deliver graduates who are competent to practise the relevant profession	<p>The two education institutions are accredited and monitored by OTBNZ and approved by the World Federation of Occupational Therapists (WFOT). This is a five year process with the last review occurring in 2017. The review panel included members of OTBNZ, a lay person and a member from the OTNZ-WNA (OT association) who is a WFOT delegate. The panel agreed all areas were met by both institutions, and few recommendations were made by the panel. The CE/Registrar stated there was no documentation of follow up on these recommendations and it is suggested that this should occur following any further review.</p> <p>OTBNZ schedule six-monthly monitoring visits to the institutions where they meet with academic staff and students. Due to Covid-19 only one visit occurred in 2020. There have been no visits to date this year. Visits are now scheduled for November. Monitoring reports go to the Board, with evidence of the Board seeking further information from institutions as needed.</p> <p>During the 2020 Covid-19 lockdown, monthly 'Zoom' meetings commenced with the educational institutions' heads of department to discuss the impact the lockdown was having on clinical placements. These meetings have</p>	FA			

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		continued this year. It is suggested that notes / records are held of the discussions conducted at these meetings. Preliminary work is underway with a training institution O Te Whare Wānanga o Awanuiārangi – Whakatane to develop a Māori specific occupational therapy training course. This has been recognised as a need by OTBNZ and students.				
1.4	the RA takes appropriate actions where concerns are identified	Any issues identified during monitoring are addressed at the time. One notification received about an institution, relating to a clinical placement was addressed through the complaints process.	FA			

Function 2: Section 118b) To authorise the registration of health practitioners under this Act, and to maintain registers.

Section 118c) To consider applications for annual practicing certificates

Ref #	Related core performance standards	Reviewer's comments	Rating (FA/PA/UA)	Risk Level if PA /UA (L, L-M, M, H)	Recommendation	Timeframe (months / date)
2.1	<p>The RA maintains and publishes an accessible, accurate register of registrants (including, where permitted, any conditions on their practice)</p>	<p>The OTBNZ website contains a searchable public register of practitioners, which contains details of:</p> <ul style="list-style-type: none"> • practitioners, practising certificate status (registered with or without a practising certificate), validity dates • scope of practice • conditions of practice and any alerts • recertification status • qualifications <p>The Advisor Standards, Policy, and Risk stated that the public register is automatically updated from the main internal practitioner registration data base. The public are not able to directly access information on the practitioner database. There are four different computer records holding practitioner information which are not currently linked. It is suggested that this occurs.</p>	FA			
2.2	<p>The RA has clear, transparent, and timely mechanisms to consider applications and to:</p> <ul style="list-style-type: none"> • Register applicants who meet all statutory requirements for registration • Issue practicing certificates to applicants in a timely manner <p>Manage any requests for reviews of decisions made under delegation</p>	<p>The OTBNZ has moved to an online application process for registration for New Zealand graduates and overseas registrants.</p> <p>A registration compendium contains policies which guide the application of registration for:</p> <ul style="list-style-type: none"> • new graduates • practitioners returning to practice after an absence of three or more years in practice • overseas registered occupational therapists (OTs) • registered Australian OTs via the Trans-Tasman Mutual Recognition Act 1997 (TTMR) 	FA			

Function 2: Section 118b) To authorise the registration of health practitioners under this Act, and to maintain registers. Section 118c) To consider applications for annual practicing certificates						
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		<p>There are guiding policies related to the statutory requirements:</p> <ul style="list-style-type: none"> • Identification • Primary source verification • Fitness • English language • Criminal convictions • Health • Competency for registration. <p>All OTs must have a current practising certificate to provide services, which can be renewed online by the practitioner. This includes their annual statutory declaration regarding their fitness and competence to practice and any outstanding disciplinary matters.</p> <p>The review of online records of seven applicants for registration (including new graduates, TTMR applications and overseas registrants), showed evidence of timely review of applicants, exercising of due diligence, and where requested, reviews of decisions made. Policies on review practices were also sighted.</p>				

Function 3: Section 118d) To review and promote the competence of health practitioners.

Section 118e) To recognise, accredit, and set programmes to ensure the ongoing competence of health practitioners.

Section 118k) To promote education and training in the profession

Ref #	Related core performance standards	Reviewer's comments	Rating (FA/PA/UA)	Risk Level if PA /UA (L, L-M, M, H)	Recommendation	Timeframe (months / date)
3.1	<p>The RA has proportionate, appropriate, transparent and standards-based mechanisms to:</p> <ul style="list-style-type: none"> Assure itself that applicants seeking registration or the issuing of a practising certificate meet, and are actively maintaining, the required standard Review a health practitioner's competence and practice against the required standard of competence Improve and remediate the competence of practitioners found to be below the required standard Promote the competence of health practitioners 	<p>The OTBNZ has registration criteria that applicants must meet. This includes:</p> <ul style="list-style-type: none"> Completing the online application and paying the appropriate fee Forms of identification Disclosure of any issues which may affect their ability to practise safety Checking for criminal convictions including from overseas police Where English is the second language appropriate completion of a test Declaring and providing information on any mental or physical health condition which might impact on their ability to practice Providing evidence of good standing Providing evidence of any disciplinary action taken by their academic institution <p>The New Zealand education institutions provide a declaration list to the Board that the graduates have successfully completed the course competencies to support their registration.</p> <p>In addition to the above, overseas applicants must provide evidence of:</p> <ul style="list-style-type: none"> Their overseas qualification (including the curriculum) How they meet the OTBNZ competencies and provide a competency reference completed by a suitably qualified and experienced OT 	FA			

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		<ul style="list-style-type: none"> • Completion of the OTBNZ's <i>Te Rito</i> bicultural online course • Two character references <p>Where the applicant is from Australia, they authorise the OTBNZ to make enquires with the Australian Health Practitioner Regulation Agency (AHPRA) regarding current registration status and details of any conditions and disciplinary action taken or pending.</p> <p>Practitioners are required to provide evidence of continuing to meet the OTNZ Board competency requirements on a two yearly cycle. The practitioner must complete an online e-portfolio against the five competencies and provide a copy of their supervision log and peer reviews from three people. To support cultural competency evidence, the OTBNZ has provided practitioners with a free online bicultural competency package - <i>Te Rito</i>.</p> <p>Twenty percent of e-portfolios are reviewed annually by a trained group of OT assessors who are of high standing in the profession. The outcome of these reviews is provided to the CE/Registrar who reports on issues identified during the process to the Board. The main issues were a lack of understanding of the recertification requirements, or practitioners not engaging with the process. Processes to rectify the areas of concern were discussed, including working with the OTBNZ Professional Advisor until resolved. The OTBNZ Professional Advisor engages in a supportive process to assist practitioners to meet the competencies where gaps have been identified.</p>				

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		<p>Three examples of this process were reviewed and discussed with the CE/Registrar and showed appropriate completion.</p> <p>Of note, is the work the OTBNZ has undertaken related to practitioners who work in the area of driver assessments. Several issues were raised through the notification process related to this area. A consultation process with practitioners working in this area (carried out by an OT of good standing) has resulted in the development of a set of standards for this defined area of practice - '<i>Driving Assessments and Vehicle Modifications</i>'. These standards are available on the website. In future, practitioners who work solely in this area will be asked to reflect on these standards in their e-Portfolio.</p> <p>The OTBNZ promotes the competency of practitioners by holding hui around the country and provides 'webinars' (on the website) on topics of interest. OTBNZ works with and provides support to Occupational Therapy NZ (OTNZ), the professional body for OTs, to support educational opportunities.</p>				

Function 4: Section 118f) To receive information from any person about the practice, conduct, or competence of health practitioners and, if it is appropriate to do so, act on that information.

Section 118g) To notify employers, the Accident Compensation Corporation, the Director-General of Health, and the Health and Disability Commissioner that the practice of a health practitioner may pose a risk of harm to the public.

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4.1	<p>The RA has appropriate, timely, transparent, fair, and proportionate mechanisms for:</p> <p>Providing clear, easily accessible public information about how to raise concerns or make a notification about a health practitioner</p>	<p>The OTBNZ has a notifications compendium with a range of policies and a process map to guide the Board's responses and actions to information they receive about practitioner practice, conduct or competence.</p> <p>The principles of notifications management are:</p> <ul style="list-style-type: none"> • Natural justice • Right touch regulation • Transparency • Privacy • Bi-cultural partnership • Learning and development <p>The OTBNZ has a variety of mechanisms for people or organisations to contact them in regard to concerns, complaints or queries about the practice of a practitioner that may pose a risk of harm to the public. The following is a list of methods to contact the board or the CE/Registrar:</p> <ul style="list-style-type: none"> • email or letter • Website • Facebook • 0800 phone number • LinkedIn <p>Where a notification is taken via telephone, this is followed up with an email to confirm the exact details of the notification. The website is user friendly and easy to navigate. The front page has a section of information for the public and a pathway to access information on how to make a notification, complaint, raise a concern or provide feedback to the Board. The feedback section gives options for</p>	FA			

		reporting complaints to the Health and Disability Commissioner and Accident Compensation Corporation. Links to each organisation's website are provided.				
4.2	<ul style="list-style-type: none"> Identifying and responding in a timely way to any complaint or notification about a health practitioner Considering information related to a health practitioner's conduct or the safety of the practitioner's practice Ensuring all parties to a complaint are supported to fully inform the authority's consideration process 	<p>Twelve notification files were reviewed to assess the process the OTBNZ uses in different notification situations. The following was noted:</p> <ul style="list-style-type: none"> A notifications register is maintained by the secretariat. The Board receives monthly progress reports from the CE/Registrar. The Board is notified between monthly meetings if there are concerns of public risk of harm that may require urgent action All notification related communication received or sent from the OTBNZ is recorded in the notifications register. This ensures the CE/Registrar, Advisor Standards, Policy, and Risk, and secretariat staff can monitor communication timelines including receipt of information, identification of potential risks and notification to employers and appropriate authorities. A clear communication pathway is maintained between the OTBNZ via the CE/Registrar, practitioners, their supervisors and other parties identified in supporting the practitioner or complainant Communication responses to practitioners varies depending on the nature of the notification, for example, a telephone call followed by a letter and or email. On a rare occasion, a board designated person visited a practitioner to assess the situation and gather further information to assist in the decision of the practitioner's ability to continue to practice under the HPCA Act, 2003 The OTBNZ website clearly states complaints received will be responded to within five working days <p>Although there has been no cultural competence, racial or discriminatory misconduct notifications in the past two years, the OTBNZ has policy and mechanisms in place to address these complaints. The OTBNZ also has access to a 'cultural lens' from their:</p> <ul style="list-style-type: none"> Tikanga Advisor 	FA			

		<ul style="list-style-type: none"> • Māori representation on the Board, e-Portfolio auditor group, and competence assessors • Strong relationships with its two tertiary education institutions (refer to Function 3 of this review) <p>For practitioners, the OTBNZ offers their Website, Facebook and LinkedIn networks for practitioners to seek or provide cultural peer or supervisory support</p>				
4.3	Enabling action, such as informing appropriate parties (including those specified in section 118(g)) that a practitioner may pose a risk of harm to the public	<p>The OTBNZ has one committee with a terms of reference, established under Schedule 3: Sections 16 and 17(1) of the Act. The Notification Assessment Committee (NAC) triages, assesses and investigates all notifications and determines next steps. On review of the NAC committee and board minutes, the risk of harm to the public or the practitioner themselves is a high priority consideration.</p> <p>The committee consider all notifications relating to:</p> <ul style="list-style-type: none"> — Conduct s(64) — Competence s(34) and/or — Health s(45) <p>Consumer complaints were forwarded on to the Health and Disability Commissioner as required under Section 64(1) of the Act.</p> <p>The OTBNZ followed the notifications process maps as appropriate. Board decisions on the course of action and communication to employers and authorities for each notification is clearly documented and the Board's actions are supported by their policies, guidelines and legislative requirements.</p> <p>The OTBNZ has never conducted a competence review (Part 3 Section 36) or a competence programme (Part 3 Section 40 of the Act), although it does have a documented Competence Review Committee (CRC) process map and associated templates. It makes use of the OT Professional Advisor to engage with the practitioner and/or voluntary undertakings to manage concerns regarding competence.</p> <p>It is suggested that the CRC Terms of Reference (template CRC 20) be amended to reflect that CRC members are appointed as per Part 3, Section 37(1), rather than Schedule 3, Section 16 of the Act.</p>	FA			

		The Professional Conduct Committee process can be set up by the OTBNZ as per Part 4 section 69 and 71 to 83 of the Act. According to the 2020 annual report, this had occurred once during that year, and one remains ongoing.				
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Function 5: Section 118h) To consider the cases of health practitioners who may be unable to perform the functions required for the practice of the profession.						
Ref #	Related core performance standards	Reviewer's comments	Rating (FA/PA/UA)	Risk Level if PA /UA (L, L-M, M, H)	Recommendation	Timeframe (months / date)
5.1	<p>The RA has clear and transparent mechanisms to:</p> <ul style="list-style-type: none"> Receive, review, and make decisions regarding notifications about health practitioners who may be unable to perform the functions required for the practice of the profession Take appropriate, timely, and proportionate action to minimise risk 	<p>OTBNZ's website has a complaints and feedback section which contains relevant information and links to other sites such as the Health and Disability Commission, Accident Compensation Corporation, Health and Disability Advocacy Service and access to a complaints form.</p> <p>Under Section 45, health issues can be raised at any time by several parties including another health practitioner, a medical officer of health, educational institutions (regarding a student), employers of OTs or any other person.</p> <p>The practitioner is asked during registration and recertification if they have health issues which might prevent them functioning as an OT.</p> <p>The OTBNZ has a notification process which includes policies and process maps related to health notifications. Review of these showed good practice and communication with all parties. All health notifications are received and reviewed by the CE/Registrar. Where appropriate, a memo/whakaturanga is prepared for the Notification Assessment Committee (NAC) who meet to discuss the notification and determine the next steps to be taken. At all steps the risk of harm to the public is assessed. The</p>	FA			

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		<p>process pathway describes possible steps that could be taken as per the legislation:</p> <ul style="list-style-type: none"> • Notification of all relevant parties if there is a risk of harm to the public identified, Part 3 section 35 • Interim suspension of the practitioner's practising certificate, under Part 3 section 48 • Alteration of their scope of practice, Part 3 section 48 • Examination by a health practitioner, under Part 3 section 49. • Decision to publish the practitioner's name, Part 7 section 157 • Suspension of practice, Part 3, section 50 <p>The annual report 2020, details notification information for the period 30 April 2019 to June 2020. This shows a total of 17 notifications of which two related to health issues.</p> <p>Review of (12) notifications on the internal log showed that few health issues had been identified but where they were, the processes outlined above had been undertaken in a timely manner.</p>				

Function 6: Section 118i) To set standards of clinical competence, cultural competence (including competencies that will enable effective and respectful interaction with Māori), and ethical conduct to be observed by health practitioners of the profession.

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6.1	<p>The RA sets standards of clinical and cultural competence and ethical conduct that are:</p> <ul style="list-style-type: none"> • Informed by relevant evidence • Clearly articulated and accessible 	<p>The OTBNZ has published documents guiding practitioners and its stakeholders:</p> <ul style="list-style-type: none"> • <i>Setting the standards for Registration</i> describes in detail the actions and outcomes required to meet each of the five core competencies • <i>Continuing Practice (2015)</i> provides a summary of the competencies • <i>Code of Ethics</i> which guides practitioners in their legislative and regulative professional practice <p>These publications are available on the OTBNZ website. Hard copies are made available at the annual OTBNZ roadshow forums, symposiums, or posted to interested parties.</p> <p>The OTBNZ in 2019 made a commitment to be a te Tiriti o Waitangi based organisation. In November 2020, the Board invested in an internal cultural audit to determine its current position. The outcome was a cultural report <i>Ripiota, (May 2021) - Marriott, A</i>. The final report was endorsed in June 2021 and the establishment of its Tiriti Engagement plan. (OTBNZ board minutes, 15 June 2021).</p> <p>The findings of the <i>Ripiota</i> report initiated several key activities. An early action was to undertake a review of competency 2, <i>Practising appropriately for bicultural Aotearoa New Zealand</i>. This led to further review activities becoming part of the organisation's "Refresh" project (OTBNZ Refresh timetable at 8 July 2021). The Refresh project will be a working document as the Board achieves goals as set out in its Tiriti Engagement plan.</p>	FA			

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		<p>Currently, the Refresh project involves reviewing the scope of practice, the core competencies, in particular competency two, and the <i>Code of Ethics</i>, published March 2019. The Refresh timetable has recorded dates, actions, including identifying who OTBNZ is consulting with and detail, feedback, attendance numbers from its consultations with practitioners and stakeholders. This work is in progress.</p> <p>The OTBNZ has robust mechanisms to monitor practitioners' standards of clinical and cultural competencies and ethical conduct, refer to Function 3; submissions of annual e-Portfolios, supervisory reports, two yearly practitioner audits and five yearly reviews of the tertiary institutes curriculums (e-Portfolio User Guide August 2020, OTBNZ Annual Report 2020,).</p>				
6.2	Developed in consultation with the profession and other stakeholders	The OTBNZ have actively invested in forums such as their website, webinars, surveys and 'Zoomed' hui sessions (as a consequence of Covid 19), to consult with practitioners and key stakeholders to receive feedback on the current competencies, standards and discuss the review that is underway. This work is recorded and managed in the Refresh project's timetable - refer to 6.1	FA			
6.3	Inclusive of one or more competencies that enable practitioners to interact effectively and respectfully with Māori	<p>Three of the five current competencies overlay in a manner to provide inclusiveness for practitioners to interact effectively and respectfully with Māori:</p> <ul style="list-style-type: none"> Practising appropriately for bicultural Aotearoa New Zealand 	FA			

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		<ul style="list-style-type: none"> • Building partnerships and collaborating • Practising in a safe, legal, ethical and culturally competent way. <p>The criterion for each competency has a high level of detail to guide a practitioner in achieving the competencies and outcomes.</p> <p>The OTBNZ has developed and purchased resources to help practitioners on their competency journey such as <i>Te Rito</i> online modules that supports basic tikanga and te reo Māori development. The tertiary intuitions are also a key source to support emerging practitioners to engage with Māori in a culturally responsive way.</p> <p>The intention of the Board's new Tiriti Engagement plan will build on s (118i).</p>				

Function 7: Section 118j) To liaise with other authorities appointed under this Act about matters of common interest						
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7.1	The RA understands the environment in which it works and has effective and collaborative relationships with other authorities.	<p>The CE/Registrar has been in the position for approximately 11-years and is well known to other Responsible Authorities (RAs). They were the chair of the (now discontinued) Health Responsible Authority New Zealand (HRANZ) where all of the then RA's were members. The CE/Registrar talked about the collaborative relationship they currently have with other RAs with whom they are co-located. Examples sighted were the video on 'How regulators work to protect the public'; jointly developed by eight RAs. There is a monthly meeting of nine RAs who share the same office space as the OTBNZ to share information, have speakers from other stakeholders, and collaborate on areas of interest to them all.</p> <p>The OTBNZ Board met recently with the Minister of Health and discussed issues of concern for their practitioners.</p>	FA			

Function 8: Section 118ja) To promote and facilitate inter-disciplinary collaboration and cooperation in the delivery of health services.						
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8.1	The RA uses mechanisms within the HPCA Act such as competence standards, accreditation standards, and communications to promote and facilitate inter-disciplinary collaboration and cooperation in the delivery of health services.	<p>The CE/Registrar discussed this additional section to the Act (118ja) and the meaning for the OTBNZ. They stated this is work in progress for the Board.</p> <p>The Advisor Standards, Policy, and Risk spoke of work with other RAs on inter-disciplinary practice and overlaps in scope of practice. For example, a hand therapist role, which is jointly held by either an OT or a physiotherapist in the paediatric neurodevelopmental field (0 – 2 years infants and children).</p> <p>Inter-disciplinary collaboration will be further considered as part of the Refresh process.</p>	FA			

Function 9: Section 118I) To promote public awareness of the responsibilities of the authority.						
Ref #	Related core performance standards	Reviewer's comments	Rating (FA/PA/UA)	Risk Level if PA /UA (L, L-M, M, H)	Recommendation	Timeframe (months / date)
9.1	<p>The RA:</p> <ul style="list-style-type: none"> Demonstrates its understanding of that the principal purpose of the HPCA Act is to protect the health and safety of members of the public by providing for mechanisms to ensure that health practitioners are competent and fit to practice their professions 	<p>The OTBNZ documented purpose is 'to protect the health and safety of the public'. Their mission statement is 'to ensure occupational therapists are fit and competent to practice'. These are documented in their annual report and on their website.</p> <p>The CE/Registrar and Advisor Standards, Policy, and Risk were knowledgeable about the primary purpose of the HPCA Act - to protect the health and safety of members of the public.</p> <p>The registration, recertification, complaints and notification policies processes sighted, showed an awareness of the requirements under the HPCA Act. A range of actions are used, should at any stage of a notification process, a risk of harm is perceived. OTBNZ receive low numbers of notifications, as noted above. In the sample of notifications reviewed, voluntary undertakings were sighted as being most common. This relied on strong practitioner engagement with the process, followed through to ensure any risks were mitigated.</p> <p>OTBNZ is aware of their legislative requirement to publicise issues about practitioners as part of the scope of practice. In one practitioner's online scope of practice sighted, it was noted that the OTBNZ should be contacted.</p>	FA			
9.2	<ul style="list-style-type: none"> Provides clear, accurate, and publicly accessible information about its purpose, functions and core regulatory processes 	<p>OTBNZ have a website which is easy to follow and provides information about who they are, what they do in relation to the HPCA Act and their mission. There is information for the public on how to make a complaint and give feedback. They provide information on other useful health related sites, such as Occupational Therapy New Zealand, access to the HPCA</p>	FA			

Function 9: Section 118I) To promote public awareness of the responsibilities of the authority.						
Ref #	Related core performance standards	Reviewer's comments	Rating (FA/PA/UA)	Risk Level if PA /UA (L, L-M, M, H)	Recommendation	Timeframe (months / date)
		<p>Act, Mauriora Health Education and Ministry of Health. The Advisor Standards, Policy, and Risk stated that they monitor the use of their website and feel it is well used.</p> <p>They also have a Facebook Feed, use LinkedIn and You Tube videos to get messages across to members and the public. The staff talked of the use of a Blog to manage an ongoing project.</p>				

Function 10: Section 118m) To exercise and perform any other functions, powers, and duties that are conferred or imposed on it by or under this Act or any other enactment						
Ref #	Related core performance standards	Reviewer's comments	Rating (FA/PA/UA)	Risk Level if PA /UA (L, L-M, M, H)	Recommendation	Timeframe (months / date)
10.1	<p>The RA:</p> <ul style="list-style-type: none"> Ensures that the principles of equity and of te Tiriti o Waitangi/ the Treaty of Waitangi (as articulated in <i>Whakamaua: Māori Health Action Plan 2020-2025</i>) are followed in the implementation of all its functions 	<p>The OTBNZ has existing activities that showcase its commitment to te Tiriti o Waitangi. Refer to Function 4 s (118f, g) and Function 6 s (118i) and Function 9 s (118l).</p> <p>Further progress is the initiation of an internal cultural review to determine its position on its commitment to be a Tiriti based organisation (2019). From the cultural audit the Ripiota Report was presented to the Board in May 2021 and the final document endorsed in June 2021 (Excerpt from board minutes, June 2021).</p> <p>The Board had a noho marae in May 2021 and developed its Tiriti Engagement plan. Six key goals were developed:</p> <ul style="list-style-type: none"> Increase leadership to 50:50 Tangata Tiriti (TT) and Tangata Whenua (TW), by nominating TW only) and creating a co-chairing model (Wai 2575 claim, 2018 Census) Recruitment of tangata whenua to the secretariat Policy reviews to reflect te Tiriti based approach Establishment of a tangata whenua advisory group Minimum core competency standard development for secretariat and the Board Training and development pathways for secretariat and the Board <p>OTBNZ achievements so far include:</p> <ul style="list-style-type: none"> the successful adoption of a co-chair model new secretariat positions to be advertised new communications position <p>Treaty engagement infrastructure is yet to be developed.</p>	FA			

Function 10: Section 118m) To exercise and perform any other functions, powers, and duties that are conferred or imposed on it by or under this Act or any other enactment						
Ref #	Related core performance standards	Reviewer's comments	Rating (FA/PA/UA)	Risk Level if PA /UA (L, L-M, M, H)	Recommendation	Timeframe (months / date)
10.2	<ul style="list-style-type: none"> Ensure the principles of Right-touch regulation are followed in the implementation of all its functions 	<p>The CE/Registrar was clear and spoke of the use of the Right Touch regulations when dealing with notifications and incorporating this in how they deal with issues, and other functions.</p> <p>Examples included:</p> <ul style="list-style-type: none"> During Covid-19 OTBNZ allowed its practitioners to pay their annual fees by instalments due to their reduced income. Looking at the practitioner's whole picture when a notification is received. Ensuring the practitioner has a voice and all areas of mental, physiological, work environment and social are considered. 	FA			
10.3	<ul style="list-style-type: none"> Identifies and addresses emerging areas of risk and prioritises any areas of public safety concern 	<p>There was evidence that OTBNZ is continually scanning for areas of risk to its practitioners and the public. This was demonstrated with the work they did for the Covid-19 and White Island Whakaari to ensure practitioners could act safely within a wider scope of practice.</p> <p>Their notification process and good relationships with employers (especially DHBs where the majority of OTs are employed) allows for early identification of areas of concern.</p>	FA			
10.4	<ul style="list-style-type: none"> Consults and works effectively with all relevant stakeholders across all its functions to identify and manage risk to the public in respect of its practitioners 	<p>There was evidence sighted of consultation with relevant stakeholders when the general scope of practice was first developed and with the work on the current review.</p> <p>There was evidence in the review of seeking input from a range of stakeholders appropriate to each notification, including education institutions, employers and co-</p>	FA			

Function 10: Section 118m) To exercise and perform any other functions, powers, and duties that are conferred or imposed on it by or under this Act or any other enactment						
Ref #	Related core performance standards	Reviewer's comments	Rating (FA/PA/UA)	Risk Level if PA /UA (L, L-M, M, H)	Recommendation	Timeframe (months / date)
		workers and complainants related to the notification to inform the process.				
10.5	<ul style="list-style-type: none"> Consistently fulfils all other duties that are imposed on it under the HPCA Act or any other enactment 	Discussions with the CEO/Registrar and Advisor Standards, Policy, and Risk as well as the OTBNZ's processes reviewed showed an in-depth knowledge of how they implement the duties imposed under the HPCA Act. The review of their processes showed consistent practice occurring.	FA			