



# Accreditation Internal Review Policy

**Version: 1**

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**ACC001**

# Accreditation Internal Review Policy

## 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 review process in place to undertake a 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.
- revoke the accreditation of a program of study.

## 2. Scope

This policy applies to education providers who have been refused accreditation for a program of study or who have had accreditation of a nursing or midwifery education program revoked by ANMAC.

## 3. Policy statement

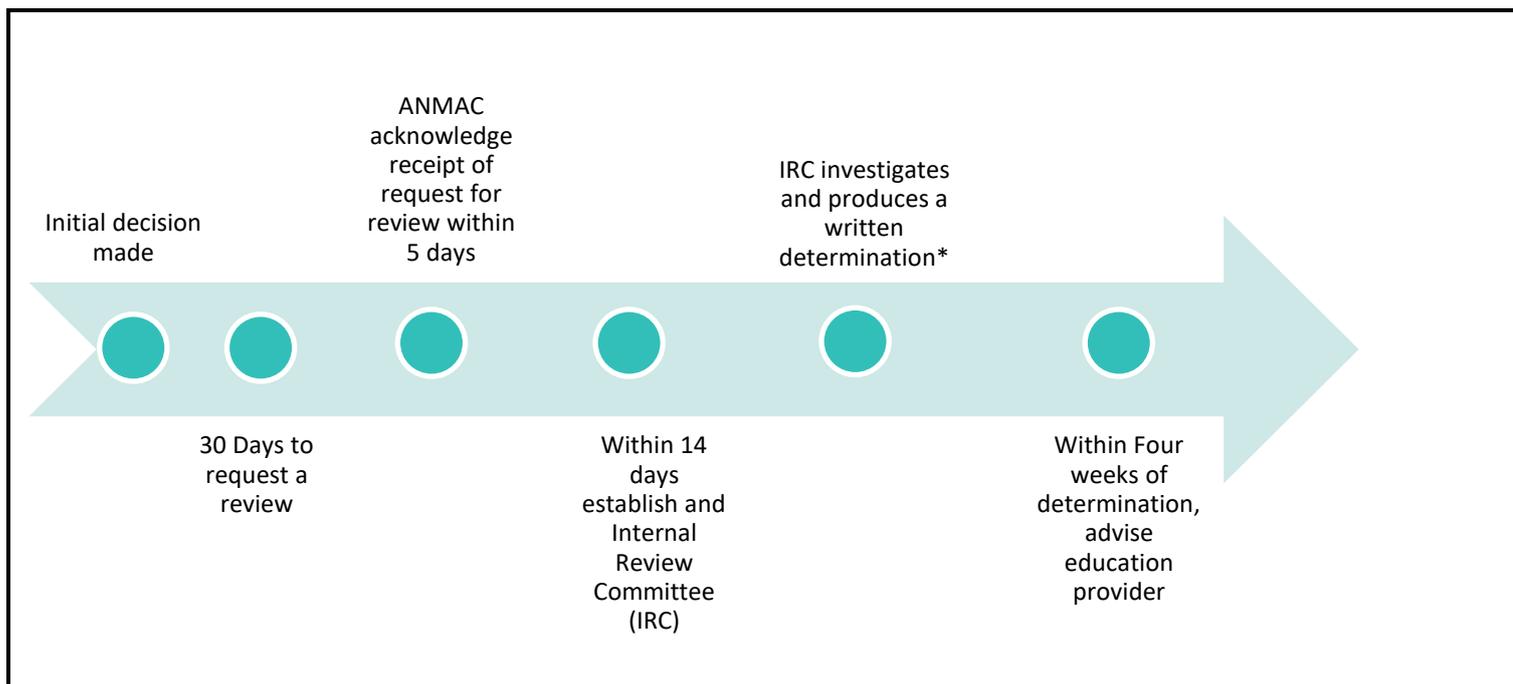
ANMAC must, in accordance with Section 48 of the National Law, conduct an internal review of an accreditation decision to refuse or revoke accreditation if an education provider lodges a written request for internal review within 30 days of receiving notice of ANMAC's decision. S48 (3-6) of the National Law states:

3. If an accreditation authority for a health profession decides to refuse to accredit a program of study it must give written notice of the decision to the education provider that provides the program of study.
4. The notice must state –
  - a. the reasons for the decision; and
  - b. that, within 30 days after receiving the notice, the education provider may apply to the accreditation authority for an internal review of the decision; and
  - c. how the education provider may apply for the review.
5. An education provider given a notice under subsection (3) may apply, as stated in the notice, for an internal review of the accreditation authority's decision to refuse to accredit the program of study.
6. The internal review must not be carried out by a person who assessed the program of study for the accreditation authority.

## 4. Key definitions

A full glossary of terms in the prolongation of accreditation policy is available on ANMAC's website (<https://www.anmac.org.au/glossary>).

## 5. Timeline



\*Time for internal review will vary depending on complexities of each case, the quality of the evidence and the responsiveness of the education provider.

## 6. Principles

### 6.1 Reasons for Seeking an Internal Review

An education provider may apply for an internal review if ANMAC has refused to accredit a program of study or has revoked the accreditation of a program of study and, the education provider considers that the following circumstances apply:

- the accreditation decision was not made in accordance with the relevant Accreditation Standards.
- the accreditation decision was not made in accordance with ANMAC policy and procedure documents.
- there was an error of fact when assessing the accreditation submission.
- the accreditation decision and reasons for decision do not reflect the evidence provided by the education provider.

### 6.2 Applying for Internal Review

An education provider must apply in writing to the Chief Executive Officer (CEO) 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 why the education provider is seeking an internal review,
- 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.

A fee will be applied to the application for an internal review. The [fees schedule](#) can be found on the ANMAC website under Accreditation services. ANMAC will issue the invoice with the acknowledgement of

the internal review being accepted. If the provider does not agree to pay the invoice the application for review will be deemed to have been withdrawn.

### **6.3 Establishment of an Internal Review Committee**

The 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.

### **6.4 Conduct of the Internal Review**

After receiving a valid application, the Internal Review Committee (IRC) will undertake an assessment of the application by reconsidering all relevant areas of the application for accreditation that relate to each reason for the review raised by the education provider.

To support independence and impartiality, the IRC remains organisationally separate from the team involved in the processes leading to the original decision. The principles of procedural fairness will be applied throughout the conduct of the internal review.

The Internal Review Committee will meet to discuss the review and determine the process to be undertaken for the review and the timeframe. The education provider will be informed of the process and timeframe.

The time frames for completion of the internal review are dependent on the complexity and quality of evidence and responsiveness of the education provider. Timeframes are managed by negotiating key dates with the education provider. The education provider is solely responsible for providing requested evidence within the negotiated timelines.

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

- the assessment team's accreditation reports,
- information submitted by the education provider to clarify the scope and content of the internal review against the decision,
- further information from the assessment team, the education provider or ANMAC staff.

During its review, the Internal Review Committee:

- may contact the education provider in writing to request clarification,
- may conduct a site visit,
- must notify the education provider in writing of any new evidence which the Internal Review Committee considers relevant and seek the education provider's response to that evidence.

Where a site visit is required for the purposes of the internal review, the site visit date will be negotiated between the Internal Review Committee and the education provider and be undertaken within a reasonable timeframe that is mutually agreeable.

### **6.5 Outcome of an Internal Review**

After completion of the review, the IRC provides its findings on the original accreditation decision, and the reasons for the findings, to the relevant Accreditation Committee and the ANMAC Board.

The review of decision will be made by the IRC, following the review of the decision, the IRC may:

- affirm the accreditation decision.
- vary the accreditation decision.
- revoke or set aside the accreditation decision.
- substitute the accreditation decision with a new one, as specified by the IRC.

### **6.6 Notifying an Education Provider of the Outcome**

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

### **6.7 Roles and Responsibilities of the CEO**

The ANMAC CEO has overall responsibility for ensuring ANMAC continues to be satisfied the ANMAC accredited and NMBA approved programs of study are being delivered against the approved accreditation standards and within the accreditation expiry date. The CEO has discretionary powers in relation to this policy.

The CEO is responsible for ensuring that:

- the relevant parties are informed of the policy and procedures for undertaking an internal review.
- Internal Review Committees are convened, and outcomes communicated within timeframes outlined in this policy.

### **6.8 Confidentiality**

All activities surrounding the processing of an internal review 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 Committees Policy and Confidentiality Policy. Members of the Internal Review Committee will be required to sign an ANMAC Confidentiality Agreement prior to reviewing appeals.

### **6.9 Correspondence to the Education Provider**

Any correspondence to be sent by ANMAC for the purposes of an internal review must be sent to the education provider's email address including a read receipt to confirm delivery date.

## 7. Related Documents, Legislation, and Standards

<b>External</b>
<i>Health Practitioner Regulation National Law Act 2009</i>
<i>Privacy Act 1988 (Cth)</i>
<b>Internal</b>
Accreditation Policy and Procedure
Conflict of Interest Policy
ANMAC Committees Policy and Terms of Reference
Delegations of Authority Policy
Board Delegations of Authority Policy

## 8. Policy management

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