

**NEW SOUTH WALES
OSTEOPATHS
REGISTRATION BOARD**

**ANNUAL REPORT FOR THE YEAR ENDED
30 JUNE 2003**



NEW SOUTH WALES

OSTEOPATHS REGISTRATION BOARD

PO BOX K599
HAYMARKET NSW 1238
Australia
Level 2 28-36 Foveaux St Surry Hills NSW 2010
Telephone: 02 92190233
Facsimile: 02 92812030
E-mail: osteoreg@doh.health.nsw.gov.au
Internet: <http://www.osteoreg.health.nsw.gov.au>

The Hon. Morris Iemma, MP
Minister for Health
73 Miller Street
NORTH SYDNEY NSW 2060

Dear Mr Iemma,

Pursuant to the provisions of the *Annual Reports (Statutory Bodies) Act 1984* and the *Public Finance and Audit Act 1983*, we have pleasure in submitting this Annual Report of the New South Wales Osteopaths Registration Board for the year ended 30 June 2003 for presentation to Parliament.

Yours faithfully

Robert Fendall
PRESIDENT

Suzanne McCleary
Board Member

Table Of Contents

1.	CHARTER.....	1
2.	AIMS AND OBJECTIVES	1
3.	ACCESS.....	1
4.	MANAGEMENT AND STRUCTURE	2
4.1	BOARD MEMBERSHIP.....	2
4.2	ATTENDANCE AT MEETINGS	3
4.3	COMMITTEES	3
4.4	ADMINISTRATION.....	4
4.4.1	REGISTRAR / ASSISTANT REGISTRAR	4
4.5	ORGANISATIONAL CHART	5
5.	SUMMARY REVIEW OF OPERATIONS	6
5.1	REGISTRATION STATISTICS.....	6
	STATISTICS.....	6
5.2	FEES	6
5.3	APPEALS AGAINST DECISIONS OF THE BOARD REGARDING REGISTRATION.....	7
5.4	AUSTRALASIAN CONFERENCE OF OSTEOPATHS REGISTRATION BOARDS (ACORB).....	7
5.5	COMPLIANCE.....	7
5.5.1	CODE OF PROFESSIONAL CONDUCT.....	7
5.5.2	COMPLAINT COMMITTEES AND COMPLAINTS.....	8
5.5.4	SPINAL MANIPULATION	8
5.5.5	TRIBUNALS.....	9
5.5.6	REFERRAL OF COMPLAINTS TO OSTEOPATHY CARE ASSESSMENT COMMITTEE	9
5.5.7	BOARD INQUIRIES.....	9
5.6	PROFESSIONAL INDEMNITY INSURANCE.....	9
5.7	REPORTING OF CONVICTIONS AND CRIMINAL FINDINGS	10
5.8	ANNUAL RETURN TO BE SUBMITTED	10
5.9	OSTEOPATH EDUCATION AND RESEARCH ACCOUNT	10
5.10	EDUCATION COMMITTEE	11
5.11	POLICY COMMITTEE	11
5.13	OVERSEAS TRAVEL	11
5.14	PUBLICATIONS	11
5.15	FREEDOM OF INFORMATION	11
7.	CONSULTANTS.....	13
8.	ETHNIC AFFAIRS PRIORITIES STATEMENT	13
	INTERPRETER AND TRANSLATION SERVICES	14
	LANGUAGES	14
	KEY STRATEGIES.....	14
9.	NSW GOVERNMENT ACTION PLAN FOR WOMEN	15
11.	FINANCE AND BUDGET	17
11.1	FORMAT	17
11.2	PERFORMANCE	17
11.3	BUDGET.....	17
11.4	EXPENSES	17
11.5	PAYMENTS PERFORMANCE.....	18
11.6	INVESTMENT PERFORMANCE	18

11.7	INSURANCE RISK MANAGEMENT	19
11.8	ANNUAL REPORT COSTS	19
11.9	INDEPENDENT AUDIT REPORT.....	20
11.10	STATEMENT BY MEMBERS OF THE BOARD.....	21
12.	STATEMENT OF THE FINANCIAL POSITION.....	22
	NOTES.....	22
12.01	STATEMENT OF THE FINANCIAL PERFORMANCE	23
	NOTES.....	23
	NOTES.....	24
12.03	NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENT FOR THE YEAR ENDED 30 JUNE 2003.....	25

1. CHARTER

The Osteopaths Registration Board is established pursuant to the provisions of the Osteopaths Act 2001 (the Act) to exercise the powers, authorities, duties and functions imposed on it by the Act.

2. AIMS AND OBJECTIVES

The Board has the following objectives:

- protect the health and safety of the public by providing mechanisms to ensure that osteopaths are fit to practise
- maintain the Register of appropriately qualified osteopaths
- maintain a high standard of osteopath practice within a registration system, by ensuring that practitioners meet minimum competence and practice standards
- contribute to the aim of NSW Health to provide a sustainable health system for the people of NSW

Within these aims and objectives its role is to:

- grant, suspend or cancel registration, annul such suspension or cancellation and apply practice conditions as appropriate
- recommend the courses of study and training to be undertaken as acceptable qualifications for registration
- maintain a code of professional conduct and relevant guidelines, to ensure observance of ethical best practice in respect of the public and the profession
- undertake inquiries into professional conduct, osteopathy care, practitioner impairment and other complaints and reportable issues, by way of Board inquiries, Osteopathy Care Assessment Committees, Impaired Registrant Panels and other resolution procedures
- achieve compliance with the legislation
- advise the Minister for Health on matters relating to registration, standards of practice and other matters arising under the Act or Regulations.

3. ACCESS

The Board is located at the following address:

Level 2
28-36 Foveaux Street
SURRY HILLS NSW 2010

Correspondence
PO Box K599
HAYMARKET NSW 1238

Telephone: 02 9219 0233
Facsimile: 02 9281 2030

E-mail: osteoreg@doh.health.nsw.gov.au
Website: www.osteoreg.health.nsw.gov.au

Hours 8.30 a.m. – 5.00 p.m. Monday to Friday
Cashier services close at 4.30 p.m.

4. MANAGEMENT AND STRUCTURE

4.1 BOARD MEMBERSHIP

MEMBERSHIP OF THE BOARD	
Seven members of the Board are nominated by the Minister for Health and appointed by the Governor pursuant to section 87 of the Osteopaths Act 2001, as follows.	
<ul style="list-style-type: none">One is an officer of the Department of Health or an employee of an area health service, statutory health corporation, or affiliated health organisation within the meaning of the Health Services Act 1997, pursuant to section 87(2)(a) of the Act	
Ms Kim Stewart	
<ul style="list-style-type: none">Two are registered osteopaths nominated from a panel of osteopaths nominated by the Australian Osteopathic Association, New South Wales, and such other bodies representing osteopaths as may be determined by the Minister, pursuant to section 87(2)(b) of the Act	
Mr Robert Fendall President Ms J. Louise Adam	
<ul style="list-style-type: none">One is a registered osteopath involved in the tertiary education of persons for qualification in NSW as osteopaths, pursuant to section 87(2)(c) of the Act	
Mr Peter Green	
<ul style="list-style-type: none">One is a registered osteopath of the Minister's own choosing, pursuant to section 87(2)(d) of the Act	
Ms Suzanne McCleary	
<ul style="list-style-type: none">One is a person (not being a registered osteopath) to represent the community, pursuant to section 87(2)(e) of the Act	
Ms Nicola Ballenden	
<ul style="list-style-type: none">One is a legal practitioner, pursuant to section 87(2)(f) of the Act	
Mr Terence Stern	
The Board was appointed for the balance of a four-year term on and from 3 July 2002 expiring on 19 December 2005	
.	

4.2 ATTENDANCE AT MEETINGS

During the reporting period the Board met on 11 occasions, usually on the first Tuesday of each month. The Board did not meet in March 2003.

NAME	ATTENDANCE
Mr Robert Fendall	11
Ms Kim Stewart	8
Ms J Louise Adam	11
Mr Peter Green	9
Ms Suzanne McCleary	9
Ms Nicola Ballenden	7
Mr Terence Stern	8

Due to the staggered commencement of certain provisions in the Act (see Legal Change), the functions of the Board could not be performed until 1 August 2002, when (inter alia) Section 86 of the Act "Functions of the Board", became operational.

Therefore, the first meeting of the Board in the reporting period (9 July 2002) represented the last meeting at which its functions could not be performed. All business performed by the joint *Chiropractors and Osteopaths Registration Board* before 30 June 2002, was deemed as being "done by or in relation to the new Board", in accordance with the transitional provisions of the Act.

4.3 COMMITTEES

The new Board has established the following committees comprised of the nominated persons:

- Education Committee – Mr Robert Fendall (Chairperson), Ms Louise Adam, Assoc Prof Anne Cusick, Mr Peter Green, Mr Roman Maslak, Ms Suzanne McCleary, Prof Alex Radloff
- Examination Committee – Ms Louise Adam (Chairperson), Mr Peter Green
- Policy Committee – Ms Suzanne McCleary (Chairperson), Ms Nicola Ballenden, Mr Peter Baziotis, Mr Michael Mulholland-Licht
- Osteopathy Care Assessment Committee – Mr James Harrison (Chairperson) (Osteopath)
Ms Sandra Everett, Member (layperson)
Ms Christine McColl, Member (Osteopath)
Mr Michael Mullholland-Licht (Osteopath)
- Complaints Committee Mr Robert Fendall (Chairperson), Ms Louise Adam, Mr Terence Stern

4.4 ADMINISTRATION

The Health Administration Corporation manages the accounts and employs the staff required to administer the Health Professionals Registration Boards established by the following Acts:-

- Chiropractors Act 2001
- Dental Technicians Registration Act 1975
- Nurses Act 1991
- Optical Dispensers Act 1963
- Optometrists Act 1930
- Osteopaths Act 2001
- Podiatrists Act 1989
- Physiotherapists Act 2001
- Psychologists Act 2001

The Boards as statutory bodies deal with professional issues under their respective Acts. The functions of the Boards include the determination of health professional standards, qualifications and experience required for registration and the maintenance of professional and ethical standards through the administration of disciplinary provisions.

The Boards are self-funding and performed within their commitment of service. Registration notices were issued expeditiously and routine renewals were processed within 5 days of receipt.

In accordance with legislation the Boards' accounts were paid by the Health Administration Corporation from fees received and transmitted to the Corporation.

Within the Boards' accumulated funds recognition has been given for future expenditure for refurbishment or relocation, the election of Board members (where required) litigation and disciplinary costs.

The total administrative expenditure for all the above Boards in 2002/2003 was \$6,631,435 compared with \$5,790,962 in 2001/2002.

For the reporting year the staff of the Health Professionals Registration Boards filled the equivalent of 52 full time positions (including one executive officer position at level 2). For the preceding 2 years the staff establishment was the equivalent of 52 and 49 full-time positions respectively.

Staff as employees of the Corporation derive the benefits of the personnel policies of the Department of Health including occupational practices and are subject to the Department's Code of Conduct.

The performance of the Corporation in respect of the Boards' staff relating to: -

- (i) personnel policies
- (ii) industrial relations policies/procedures
- (iii) occupational health and safety including details of work related injuries

is reported in the Department of Health's Annual Report.

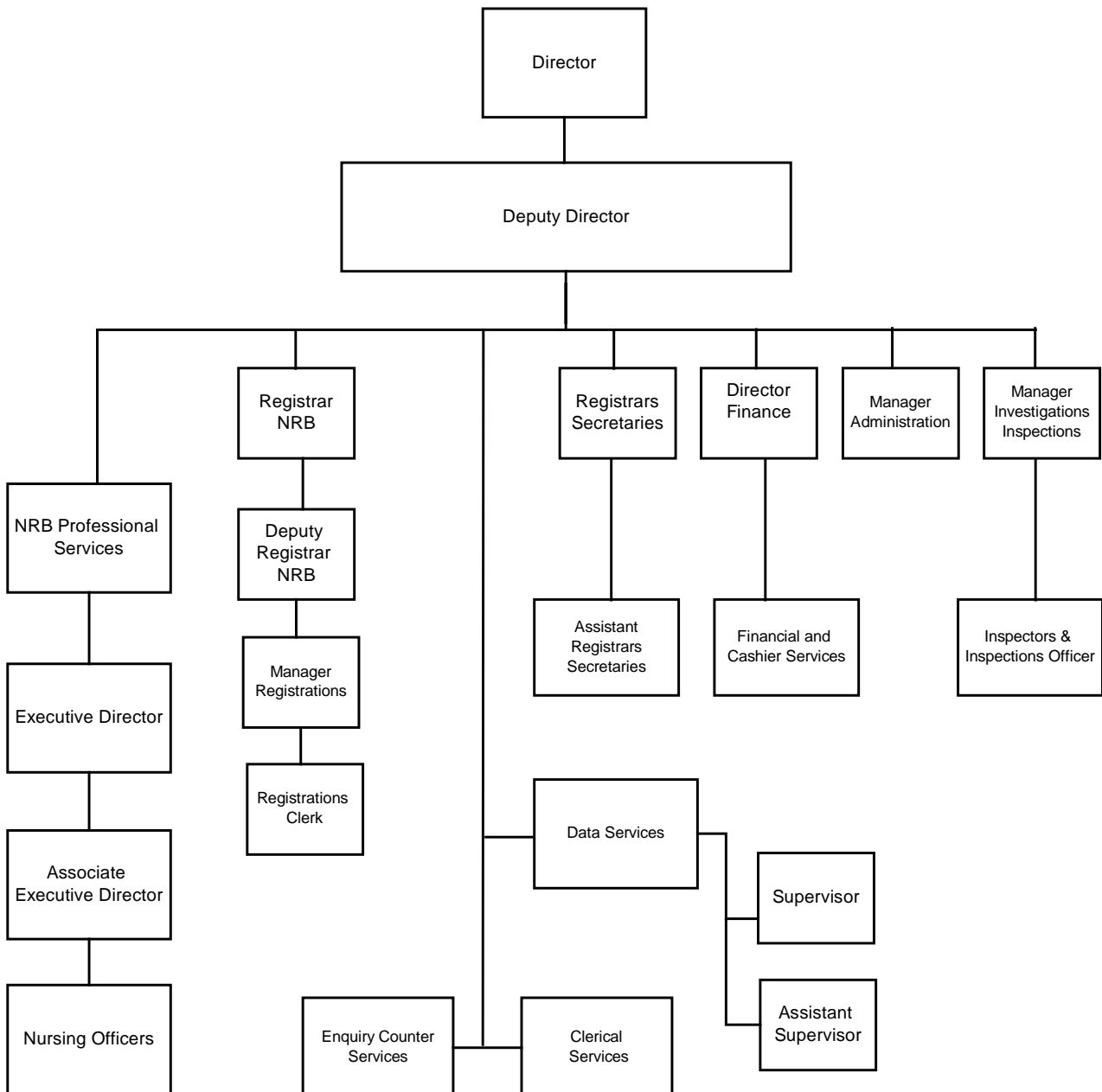
The Boards are managed by Mr J Tzannes (Director) and Mr R Dwyer (Deputy Director) for the Corporation.

4.4.1 REGISTRAR / ASSISTANT REGISTRAR

The position of Registrar of the Board was occupied by Michael Walsh, the Assistant Registrar's by Jennifer Caldwell.

4.5 ORGANISATIONAL CHART

HEALTH PROFESSIONALS REGISTRATION BOARDS



5. SUMMARY REVIEW OF OPERATIONS

5.1 REGISTRATION STATISTICS

The Board maintained the Register of osteopaths as required under the provisions of:

- Section 17 *Chiropractors and Osteopaths Act 1991* – from 1 July 2002 to 31 July 2002
- Schedule 1 Part 4 Clause 21(1) of the *Osteopaths Act 2001* from 1 August 2002.

STATISTICS

	<i>As at 30/06/02</i>	<i>As at 30/06/03</i>
Registered osteopaths	458	443
Applications		20
Re-Registrations		4
Provisional Registrations		25
Mutual recognition		8
Additional qualifications		1

5.2 FEES

The schedule of fees charged for the Board's services were as follows:

OSTEOPATHS REGISTRATION BOARD FEES

Registration	
Application for Registration:	\$300.00
Application for Temporary Registration:	\$300.00
Annual Registration:	
Osteopath Only:	\$285.00
Chiropractor and Osteopath (<i>registered on 1/8/02</i>)	\$200.00

Re-Registration:

Osteopath Only	
Under three months	\$285.00

As of 1 July 2003

If an osteopath applies for re-registration having been unfinancial for over three months \$570.00

Chiropractors and Osteopaths (*registered on 1/8/02*)
Re-registration osteopath unfinancial under three months \$200.00

5.3 APPEALS AGAINST DECISIONS OF THE BOARD REGARDING REGISTRATION

There were no appeals lodged against a decision of the Board, pursuant to Section 17 of the Act.

5.4 AUSTRALASIAN CONFERENCE OF OSTEOPATHS REGISTRATION BOARDS (ACORB)

A delegation from the Board, Mr Robert Fendall (President), Ms Suzanne McCleary and the Registrar attended the ACORB on 24 August 2002 in Hobart Tasmania –

The conference inter alia resolved

- Ms McCleary be appointed to coordinate an ACORB taskforce comprising of a nominee of each Board to develop a national approach to examination and accreditation.
- The Registrar to establish and maintain the ACORB resolution book

The ACORB had discussed the question of Temporary Registration and the range of activities that might give rise to a requirement that a visiting osteopath be registered.

During the reporting period the Board received an interim report of the ACORB accreditation taskforce and noted the taskforce was further developing a national solution to accreditation with one comprehensive package.

5.5 COMPLIANCE

The Board seeks to achieve compliance with the Act and Regulations through:

- random inspections throughout NSW by its authorised Inspector, checking compliance, disseminating information and issuing warnings,
- prosecution of persons operating in contravention of the Act
- the resolution of complaints concerning the professional conduct of and provision of osteopathy services by, registered osteopaths (see “Legal Change” at section 6 of this report for a description of complaint resolution procedures)
- publication of information pamphlets and the posting of information and legislation links on its website

An important part is also played in compliance in general, through the maintenance of a *Code of Professional Conduct*, detailing the parameters for the professional conduct of osteopaths and their practices.

5.5.1 CODE OF PROFESSIONAL CONDUCT

The Board carried forward as its own draft of the Osteopath Code of Professional Conduct the pre-existing professional code (with amendment deleting references to chiropractors) approved by the joint Chiropractors & Osteopaths Registration Board and exhibited it in accordance with section 19 of the Osteopaths Act 2001 for public comment during the reporting period. In accordance with the Act, the Board’s draft code with details of public comment received and accompanied by a regulatory impact statement will be forwarded to the Minister for consideration and approval.

5.5.2 COMPLAINT COMMITTEES AND COMPLAINTS

The provisions of both the Act and the Health Care Complaints Act 1993, require the Board and the Health Care Complaints Commission (HCCC) to advise each other of complaints received and consult concerning resolution.

The Complaints Committee assists the Board by considering complaints lodged with the Board. The Committee has the delegated authority of the Board to make decisions regarding complaints.

The Complaints Committee considers complaints regarding alleged contraventions of the Act or Regulation.

The Committee met on three (3) occasions and considered four (4) complaints during the reporting period.

The nature of the complaints and the action taken are as follows:

Alleged inadequate treatment/explanation 2

Outcome: 1 referred to Health Care Complaints Commission for investigation.
The other was pending awaiting further information from complainant

Alleged sexual assault in course of practice as osteopath 1

Outcome: Referred to the Health Care Complaints Commission for investigation

Adverse treatment 1

Outcome: Referred to the Health Care Complaints Commission for investigation. Investigation completed. Respondent no longer registered and undertook not to practise osteopathy in any jurisdiction.

5.5.3 INVESTIGATIONS/INSPECTIONS BY BOARD'S INVESTIGATORS / INSPECTORS

The Health Professionals Registration Boards Investigation and Inspections Unit had two matters under investigation relating to possible breaches of the Act or Regulations. These matters related to practice by an unregistered practitioner (plea of guilty) and professional practice. (investigation continuing).

5.5.4 SPINAL MANIPULATION

In addition to the above 2 matters, the Board was involved in the prosecution of two unregistered practitioners, in the local court, under the Chiropractors and Osteopaths Act 1991, for practising spinal manipulation in breach of the Act.

The two unregistered people were found guilty of professional misconduct.

The Chiropractor and Osteopaths Board's costs for the prosecution were in excess of \$300,000.00. One practitioner was ordered to pay the prosecution cost of \$305,464 along with a \$250.00 fine for each of the 13 offences.

The other practitioner was ordered to pay \$20,000.00 in costs and fined \$100.00 in relation to his single offence.

The offence for spinal manipulation is now under section 10 AC of the Public Health Act 1991 and is as follows.

Part 2A 10AC Spinal manipulation not to be practised by unregistered person

- (1) A person must not engage in spinal manipulation in the course of providing a health service (as defined in the *Health Care Complaints Act 1993*) unless the person:
 - (a) is a registered chiropractor, or
 - (b) is a registered medical practitioner, or
 - (c) is a registered osteopath, or
 - (d) is a registered physiotherapist.

Part 2A 10AC (4)

"spinal manipulation" means the rapid application of a force (whether by manual or mechanical means) to any part of a person's body that affects a joint or segment of the vertebral column.

5.5.5 TRIBUNALS

CHIROPRACTORS AND OSTEOPATHS TRIBUNAL

One matter from the previous reporting period involving transgression of professional boundaries was heard by the above Tribunal in the reporting period. The registrant was found guilty, reprimanded and ordered to pay costs.

5.5.6 REFERRAL OF COMPLAINTS TO OSTEOPATHY CARE ASSESSMENT COMMITTEE

No matters were referred during the reporting period.

5.5.7 BOARD INQUIRIES

No matters were referred during the reporting period.

5.6 PROFESSIONAL INDEMNITY INSURANCE

It is a requirement under Principle 17 of the draft Osteopaths Code of Professional Conduct, that osteopaths in practice maintain \$10,000,000.00 in professional indemnity insurance coverage.

The Board continued to notify osteopaths in practice, including educators within the profession, of the requirement that they maintain professional indemnity insurance coverage while practising in New South Wales and for a period of 7 years after they cease practising. Compliance is monitored through the annual returns, which are completed and returned with the registrants' annual renewal documentation discussed below.

5.7 REPORTING OF CONVICTIONS AND CRIMINAL FINDINGS

Section 21 of the Osteopaths Act requires an osteopath to advise the Board in writing within 7 days in the event of being convicted of a criminal offence in NSW or elsewhere.

Part 3, Division 2 of the Act makes provision for the self-reporting of (inter alia) convictions and criminal findings, in annual returns to the Board.

5.8 ANNUAL RETURN TO BE SUBMITTED

Section 20 of the Act provides for the annual return in writing of the following information:

- (a) details of any conviction of the osteopath for an offence in this State or elsewhere during the return period (together with details of any penalty imposed for the offence),
- (b) details of the making of a sex/violence criminal finding against the osteopath for an offence, in this State or elsewhere, during the return period (together with details of any penalty imposed for the offence),
- (c) details of the making of a criminal finding against the osteopath for an offence committed in the course of the practice or purported practice of osteopathy, in this State or elsewhere, during the return period (together with details of any penalty imposed for the offence),
- (d) details of any criminal proceedings pending against the osteopath at the end of the return period, in this State or elsewhere, for a sex/violence offence alleged to have been committed in the course of the practice or purported practice of osteopathy.
- (e) details of any criminal proceedings pending against the osteopath at the end of the return period, in this State or elsewhere, for a sex/violence offence alleged to have been committed against a minor or to involve child pornography (whether or not alleged to have been committed in the course of the practice or purported practice of osteopathy),
- (f) details of any significant illness (physical or mental) from which the osteopath suffered at any time during the return period and that may reasonably be thought likely to detrimentally affect the osteopath's physical or mental capacity to practise osteopathy,
- (g) details of any suspension of, cancellation of, or imposition of conditions on, the registration of the osteopath as a osteopath in another jurisdiction (either within Australia or elsewhere) during the return period,
- (h) details of any suspension of, cancellation of, or imposition of conditions on, any registration of the osteopath under a health registration Act during the return period,
- (i) a statement as to whether the osteopath is registered under a health registration Act as at the date of the return,
- (j) a statement as to whether the osteopath has been refused registration as a osteopath in another jurisdiction (either within Australia or elsewhere) during the return period,
- (k) details of any continuing professional education undertaken by the osteopath during the return period,
- (l) details of professional indemnity insurance held

5.9 OSTEOPATH EDUCATION AND RESEARCH ACCOUNT

The new account commenced operation on 1 August 2002 in accordance with the commencement of Section 126 of the Act.

During the reporting period there were no applications for funding under the OERA provisions

5.10 EDUCATION COMMITTEE

The functions of the committee are inter-alia to advise the Board on issues submitted relating to osteopathy education, including entry levels, post graduate and continuing professional education.

In the reporting period the committee noted and made recommendations relating to the overall management of osteopathy programs and recommended the accreditation of the Bachelor of Applied Sciences Osteopaths)/ Master of Osteopathy conducted by the University of Western Sydney.

5.11 POLICY COMMITTEE

The Policy Committee during the reporting period was requested to review and where appropriate develop guidelines on the following matters for the Board's consideration:

- Advertising
- Competence
- Making and keeping records
- Professional boundaries

5.12 EXAMINATION COMMITTEE

The Board established an Examination Committee to inter-alia process applications for examination and advise on performance in the examinations.

5.13 OVERSEAS TRAVEL

Board members did not undertake any overseas travel during the reporting period.

5.14 PUBLICATIONS

Publications available from the Board and the Board's website:

- Osteopaths Regulation 2002
- Osteopaths Act 2001
- Registration of Osteopaths in New South Wales
- Re-registration of Osteopaths in New South Wales
- Health Care Complaints Act 1993
- Mutual Recognition (NSW) Act 1992
- Trans-Tasman Mutual Recognition (NSW) Act 1996
- Osteopath Impact Assessment Statement
- Interim Code of Professional Conduct

5.15 FREEDOM OF INFORMATION

There were no applications made pursuant to the Freedom of Information Act for information held by the Board.

6. Legal Change

Following from the partial commencement of the Act on 1 February 2002, the remaining provisions commenced on 1 August 2002. Those provisions broadly concerned:

- Registration
- Practice
- Complaints & Disciplinary Proceedings
- Impairment
- Appeals & Review of Disciplinary Action
- Functions & Delegations (Board)
- Osteopathy Care Assessment Committee (OCAC)
- Impaired Registrants Panel
- Osteopaths Tribunal
- Registration Procedures (Schedule 1), OCAC provisions (Schedule 4), Proceedings of the Tribunal (Schedule 5), Amendment of other Acts (Schedule 6), Savings & Transitional Provisions (Schedule 7)

In summary, the commencement of the above provisions provided a framework for the Board to achieve the legislative objective of protecting public health and safety. The initiatives from the Act are as follows:

1. Applicants for registration must be competent to practise. The Board may refuse registration or impose practice conditions, when not satisfied on competence. Provisions permit the Board to conduct an inquiry into competence
2. Annual returns to be submitted by practitioners upon renewal of registration. Reportable matters cover criminal convictions/findings, character, refusal of registration in another jurisdiction, suspension/cancellation of registration, imposition of conditions in another jurisdiction or by another health registration board in NSW and continuing educational activities.
3. Provisions for Boards to be notified (eg. by Courts) regarding practitioners who are convicted of criminal offences or made the subject of criminal findings, regarding sex or violence offences.
4. A two (2) tier definition of misconduct to include “professional misconduct” “unsatisfactory professional conduct”. This permits the Board to deal with se and less serious matters in the most appropriate way.
5. a strengthened complaint handling system including:
 - *Osteopaths Tribunal* – handling serious complaints that may lead to susper or deregistration, appeals against Board decisions regarding disciplinary matters, registration and restoration matters
 - *Osteopathy Care Assessment Committee* – dealing with less serious complaints made by consumers of osteopath services, through conciliation and consensual agreement between the complainant and the subject osteopath. The Committee may require the registrant to undergo skills testing.
 - *Board inquiries* – disciplinary proceedings held at a Meeting of the Board and attaching powers to caution/reprimand, impose practice/ reporting conditions, order the withholding or refund of payment for osteopathic services and order the attendance of educational courses or the obtaining of practice management advice

- *Impaired Registrants Panel* – assisting osteopaths with complaint-reported and self-reported impairment problems, to be managed in the registration system in a non-disciplinary way, through registration conditions and impairment management solutions
6. general increase in the transparency and flexibility of the registration system, including revised processes for accreditation of courses
 7. provision for the establishment of a osteopathy *education and research account* and for the Board to issue guidelines regarding voluntary continuing education
 8. appointment of an Inspector with a diverse range of investigative and other powers and prohibition of the use of the title “Doctor”, except for qualified medical practitioners and persons otherwise holding an appropriate university qualification which confers that title
 9. powers to delegate functions and to establish committees, thereby facilitating effective administration and efficiency

The *Osteopaths Regulation 2002* commenced on 1 August 2002 and detailed:

- procedures for Board meetings
- provisions concerning certain forms of advertising of osteopathic services
- specific information required in annual returns and excluded offences
- provisions regarding notification of mental incapacity of registered chiropractors
- procedures regarding appeals on a point of law, where the Board deals with a complaint by way of an inquiry at a Board meeting

7. CONSULTANTS

The Board did not engage consultants during the reporting year.

8. ETHNIC AFFAIRS PRIORITIES STATEMENT

The Osteopaths Registration Board is one of nine health professional boards administered by the Health Professionals Registration Boards (HPRB) on behalf of the Health Administration Corporation. The Board in conjunction with the HPRB undertakes a number of initiatives to support our culturally diverse population under the key areas of social justice, economic and cultural opportunities.

These initiatives include to:

- (i) promote the recognition and registration of overseas trained health professionals
- (ii) assist overseas trained applicants to register
- (iii) increase the number and range of bilingual health professionals employed by HPRB
- (iv) ensure ethnic media is used in any information languages sponsored by the Board
- (v) ensure the Board receives advice on matters relating to people of culturally diverse backgrounds
- (vi) promote use of culturally diverse workforce
- (vii) ensure the Board is aware of the Government's commitment to implementing the principles of multiculturalism as set out in section 3 of the Community Relations Commission and Principles of Multiculturalism Act 2000

9. NSW GOVERNMENT ACTION PLAN FOR WOMEN

The principle of equality of access and rights of participation are the cornerstones of the NSW Government's philosophy in relation to women.

Central to the core business of all government agencies is the promotion of the position of women in all aspects of society.

The focus is on women with the least access to social and economic resources. The key objectives are to eradicate violence against women, to improve the health and quality of life of women and to provide the responsive environment for women to participate fully in the economic social and educational life of our society.

The Government is committed to ensuring that membership of Boards reflects the broader community and that in filling current vacancies consideration is given, inter-alia, to the nomination of female representatives. It is the Government's intention to progressively increase the number of women on Boards to 50% of Board representation. It is recognised that not all nominations to Boards are made by the Minister. Nominating bodies are advised of the Government's policy in relation to female representation when vacancies occur or when nominations for a new Board are requested.

Of the 7 members, the Osteopaths Registration Board currently has 4 female members. Whilst the Board is not responsible for the promotion of access to the profession for women it is in a position to indicate the number of women who have satisfied registration requirements and who currently hold an authority to practise.

Whilst the Board is not responsible for the promotion of access to the profession for women it is in a position to indicate the number of women who have satisfied registration requirements and who currently hold an authority to practise.

The number of female registrants for 2002-2003 was 109 (28.4% of total registrants).

These figures vary during the reporting period in line with the changing status of registrants during renewal periods.

10. WASTE REDUCTION AND PURCHASING POLICY

Throughout the major part of the reporting period, the Waste Reduction and Purchasing Policy (WRAPP) reporting guidelines of 2001 – 2003 applied. The Health Professionals Registration Boards (HPRB), through its WRAPP Plan (Plan), implemented measures to reduce waste, increase the purchase of materials with recycled content and generally recycle its paper products and office equipment and consumables.

The period commenced with *policies* and *contractual provisions* in place, whereby all white A4/A3 paper purchases were for 60% recycled content product and all envelopes continued to possess a minimum of 70% recycled content.

Purchases of A4 recycled white paper increased by 15% and total paper waste sent to recycling increased from 6.5 tonnes in 2001/2002 to 8.6 tonnes in the current period. However, HPRB:

1. recycled 88% of its *total* paper waste
2. made no purchases of A3 paper in the period, limiting usage to available stock
3. restricted its purchase (and corresponding use) of writing pads, to the equivalent of two (2) pads per staff member across the entire period
4. recycled 100% of paper/cardboard packaging

Operational policies in place ensured that all toner cartridges were returned to suppliers. Purchases of recycled content cartridges commenced on a trial basis, forming 8% of acquisitions.

Various *agency practices* ensured an improvement in *waste avoidance* and *recycling* systems across the agency:

- message and note taking on scrap recycled paper
- increased use of internal email, archiving messages and minutes of importance to the agency
- paper recycling containers at all desks for later transfer to recycling bins, avoiding usage of waste paper baskets and decreasing waste to landfill
- double sided printing
- promotion of web site usage to clients, as an alternative to hard copy information packages

Following the purchase of new computers (CPU's) and monitors, a stock-take indicated a number of unused units in the agency. *Affirmative waste avoidance* and *recycling action* entailed:

- recycling unused older units to community organizations, utilising contractors listed with Resource NSW. This action complied with the NSW Government's *ReConnect.nsw Computer Program* guidelines and HPRB liaised closely with the ICT Skills Unit of the Office of Information Technology, DITM, throughout the process
- upgrading existing CPU's displaced by the acquisitions and recycling to staff members. Upgrades included CD burners, in an attempt to reduce paper usage and waste

Excel and Word tables complimented waste audits, in providing effective data collection systems for the reporting of agency progress in the implementation of WRAPP. The rotation of WRAPP Officer duties and attendance of a WRAPP seminar, combined successfully with Resource NSW literature to increase *staff awareness* of WRAPP.

Several Boards commenced using recycled content letterhead and following a trial in the next period, it is anticipated that the remaining Boards will follow. Suppliers of stationery advise the agency of products containing recycled content and this practice will assist HPRB in increasing its *range* and *quantity of purchases* of such items.

The end of the period witnessed the introduction of the *NSW Waste Avoidance & Resource Recovery Strategy 2003*. In accordance with the Premier's Memorandum No.2003-5, the HPRB moves to the next period with a commitment to achieving *sustainable waste minimisation* and *resource recovery targets* by:

- critically considering waste management issues associated with the agency's operational responsibilities and
- monitoring facilities, product and usage patterns, to enable strategic updates to the agency's Plan

11. FINANCE AND BUDGET

11.1 FORMAT

In order to comply with statutory and audit requirements the Board's fees received and transmitted to the Health Administrative Corporation are shown as entries in the Statement of Income and Expenditure. The income and expenditure for administrative purposes appear in the accounts of the Department of Health for the Health Administration Corporation. Details of the administrative operations are also contained in the notes to the audited accounts set out in the annual report.

11.2 PERFORMANCE

The accounts in respect of the Board's administrative operations expenditure for the year show \$75,524. This compared to the budgeted operating expenditure of \$112,143 (after adjusting for the Education and Research allocation) as contained in last year's annual report. The actual position reflects significant savings in legal costs.

11.3 BUDGET

The budget in respect of the administrative operation for the period 1 July 2003 to 30 June 2004 is as follows:-

INCOME	\$
Fees	106,940
Interest	3,937
Total	<u>110,877</u>
EXPENDITURE	
Salaries & Associated Staff Costs	65,805
Building Expenses	1,186
Subsistence & Transport	3,217
Members Fees	5,157
Fees for Service	20,987
Post & Communications	2,191
Printing & Stationery	1,335
Plant & Equipment	6
Education & Research	7,000
Miscellaneous	807
Depreciation	120
Total	<u>107,811</u>
Operations Surplus	<u>3,066</u>

11.4 EXPENSES

The 2003/2004 year's budget includes salary oncost charges which reflect deferred liability provisions for superannuation.

11.5 PAYMENTS PERFORMANCE

The payments in respect of the Boards' administration expenditure is included in the accounts of the Health Administration Corporation. A selected sample for each quarter of the year provided the following information: -

Quarter	Accounts paid on time		Less Than 30 days overdue (%)	Between 30 to 60 days overdue (%)	More than 90 days overdue (%)
	Target %	Actual %			
September	100.00	74.74	19.21	6.05	-
December	100.00	83.38	15.39	1.23	-
March	100.00	65.55	22.55	10.53	1.37
June	100.00	84.75	12.75	2.08	0.42

No interest was paid on late payments.

Similarly, in regard to the payments made out of the Education and Research Account administered by the Board, the expenditure performance is as follows: -

Aged analysis at the end of each quarter

Quarter	Current (within due date) \$	Less than 30 days overdue \$	Between 30 and 60 days overdue \$	Between 60 and 90 days overdue \$	More than 90 days overdue \$
September	-	-	-	-	-
December	-	-	-	-	-
March	-	-	-	-	-
June	-	-	-	-	-

Accounts paid on time within each quarter

Quarter	Total Accounts Paid on time			Total Amount Paid \$
	Target %	Actual %	\$	
September	-	-	-	-
December	-	-	-	-
March	-	-	-	-
June	-	-	-	-

No interest was paid on late payments.

11.6 INVESTMENT PERFORMANCE

The Board through a Special Interest Arrangement with the Commonwealth Bank of Australia earned an average of 4.25%p.a. on its daily bank balances. In addition an average rate of interest of 4.73%p.a. was earned on investments held in Negotiable Certificates of Deposit.

11.7 INSURANCE RISK MANAGEMENT

Insurance activities were undertaken by the Department of Health Insurance cover, as follows:

- < Industrial Special Risks Policy to cover all buildings, plant and contents;
- < Comprehensive Motor Vehicle Insurance Policy;
- < Public/Liability Insurance Policy;
- < Personal Accident Policy.

Risk Management were as follows:-

- < Regular preventive maintenance programs on all plant and equipment;
- < Security alarm system for premises occupied by the Board;
- < Security entry system for access to the Board's building during office hours;
- < Disaster Recovery Plan for the computer system;
- < Off site back-up of computer data.

11.8 ANNUAL REPORT COSTS

This year the Board has planned to publish 330 copies of the Annual Report at an approximate cost of \$3.40 per copy (includes GST).

11.9 INDEPENDENT AUDIT REPORT



GPO BOX 12
SYDNEY NSW 2001

INDEPENDENT AUDIT REPORT

CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD

To Members of the New South Wales Parliament

Scope

I have audited the accounts of the Chiropractors and Osteopaths Registration Board for the year ended 30 June 2002. The members of the Board are responsible for the financial report consisting of the accompanying statement of financial position, statement of financial performance and statement of cash flows, together with the notes thereto and the information contained therein. My responsibility is to express an opinion on the financial report to Members of the New South Wales Parliament based on my audit as required by the *Public Finance and Audit Act 1983* (the Act).

My audit has been conducted in accordance with the provisions of the Act and Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates.

These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with the requirements of the Act, Accounting Standards and other mandatory professional reporting requirements, in Australia, so as to present a view which is consistent with my understanding of the Board's financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

In my opinion, the financial report of the Chiropractors and Osteopaths Registration Board complies with section 41B of the Act and presents fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements the financial position of the Board as at 30 June 2002 and the results of its operations and its cash flows for the year then ended.

P.K. Brown

P K Brown FCA
Director of Audit

SYDNEY
18 October 2002

11.10 STATEMENT BY MEMBERS OF THE BOARD

OSTEOPATHS REGISTRATION BOARD


YEAR ENDED 30 JUNE 2003

STATEMENT BY MEMBERS OF THE BOARD


Pursuant to the Public Finance and Audit Act, 1983, and in accordance with the resolution of the members of the Osteopaths Registration Board, we declare on behalf of the Board that in our opinion:-

- 1 The accompanying financial statements exhibit a true and fair view of the financial position of the fees received on behalf of the Health Administration Corporation as at 30 June 2003 and transactions for the year then ended.
2. The statements have been prepared in accordance with the provisions of Australian Accounting Standards, Urgent Issues Group Consensus views, other authoritative pronouncements for the Australian Accounting Standards Board, the Public Finance and Audit Act, 1983, the Public Finance and Audit (General) Regulation, 1995, and the Treasurer's Directions.

Further, we are not aware of any circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.



Date



Date

12. STATEMENT OF THE FINANCIAL POSITION

STATEMENT OF FINANCIAL POSITION
OSTEOPATHS REGISTRATION BOARD
AS AT 30 JUNE 2003

	Notes	2003 \$
Current Assets		
Cash	9	19,809
Accrued expenses to be paid by Health Administration Corporation	9	20,472
Receivables	5 & 9	64
Total Current Assets		40,345
Total Assets		40,345
Current Liabilities		
Accrued expenses	9	20,472
Total Liabilities		20,472
Net Assets		19,873
Equity		
Accumulated Funds	1.1 & 6	19,873
Total Equity		19,873

The statement of financial position should be read in conjunction with the accompanying notes.

12.01 STATEMENT OF THE FINANCIAL PERFORMANCE

OSTEOPATHS REGISTRATION BOARD STATEMENT OF FINANCIAL PERFORMANCE FOR THE YEAR ENDED 30 JUNE 2003

	NOTES	2003 \$
Income		
Value of Services provided and costs met by Health Administration Corporation	8	75,524
Contributions by Health Administration Corporation for Education & Research	3	1,871
Interest	4	740
		<hr/>
		78,135
Expenditure		
Expenses from ordinary activities excluding Education & Research activities	8	75,524
Surplus for the year from ordinary activities		2,611
Total revenues, expenses and valuation adjustments other than with owners as owners		-
		<hr/>
Total changes in equity other than those resulting from transactions with owners as owners	6	2,611
		<hr/> <hr/>

The statement of financial performance should be read in conjunction with the accompanying notes.

12.02 Statement Of The Cash Flows

OSTEOPATHS REGISTRATION BOARD

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2003

	Notes	2003 \$
Cash flows from operating activities		
Allocation from Fees		3,742
Interest Received		726
GST Received		402
Transferred from Joint Board	1.1	<u>14,939</u>
Net cash flows provided by/(used in) operating activities	7	19,809
Cash at the beginning of the financial year		<u>-</u>
Cash at the end of the financial year		<u><u>19,809</u></u>

The statement of cash flows should be read in conjunction with the accompanying notes.

**12.03 NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENT FOR THE YEAR ENDED
30 JUNE 2003**

OSTEOPATHS REGISTRATION BOARD

**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2003**

1. ACCOUNTING POLICIES

- 1.1 The Osteopaths Registration Board performs the duties and functions contained in the Osteopaths Act 2001 and its financial affairs are administered by the Health Administration Corporation. The Chiropractors and Osteopaths were formerly part of a joint Board. The new Board took effect from 1 August 2002. Pre-existing decisions and actions of the joint Board were assumed by the new Board. As a consequence the financial reports reflect the whole year's operations (commencing 1 July 2002 to 30 June 2003).
- 1.2 The Board's financial report is a general purpose financial report which has been prepared in accordance with Accounting Standards, Urgent Issues Group Consensus views, other authoritative pronouncements of the Australian Accounting Standards Board, Public Finance and Audit Act, 1983, and the Treasurer's Directions. An accrual basis of accounting has been adopted. The Statement of Financial Position has been prepared on an historical cost basis and does not take into account changing money values.
- 1.3 The Board only holds the assets of the Education and Research Account in its name and is responsible only for the liabilities arising from the operation of the Education and Research Account. All other assets and liabilities relating to the Board are recorded in the financial statements of the Department of Health (Health Administration Corporation).
- 1.4 All income and expenditure of the Board's operations, including those transactions accounted for through the Health Administration Corporation (HAC) (See Note 8), are prepared on an accrual basis.

The expenses paid by HAC on behalf of the Board, are not included in the Statement of Cashflows as they are not a cashflow of the Board.

2. TRANSMISSION OF FEES

The Osteopaths Registration Board is required by statute to collect fees from its registrants and transmits the monies to the Health Administration Corporation. The Corporation may pay out from such monies the amounts required to meet the costs incurred in the administration or execution of the Act establishing the Board. An amount of \$105,519 was transmitted. The figures relate to actual receipts as distinct from accrual figures.

3. FEES FOR EDUCATION AND RESEARCH PURPOSES

The Osteopaths Registration Board is responsible for the administration of the Education and Research Account.

The Minister for Health may determine that a set amount out of the fees received from Osteopaths be transferred to the Education and Research Account. In 2002/2003 an amount of \$1,871 was transferred.

OSTEOPATHS REGISTRATION BOARD
NOTES TO AND FORMING PART OF THE FINANCIAL
STATEMENTS FOR THE YEAR ENDED 30 JUNE 2003

4. INTEREST

	2003
	\$
Commonwealth Bank of Australia	740

The interest received from the Commonwealth Bank of Australia, was paid under a Special Interest Arrangement with the Bank which applied to all daily balances of bank accounts administered on behalf of all health professional boards by the Health Administration Corporation. In addition to daily balances receiving interest at a rate revised each week, the Bank also waived normal bank fees payable such as transaction fees, dishonoured cheques fees and charges applicable to overseas drafts.

The average interest rate earned for the year was:
Special interest arrangement 4.25% p.a.

5. RECEIVABLES

	2003
	\$
Interest receivable - Commonwealth Bank of Australia	64
	64

6. TOTAL ACCUMULATED FUNDS RECONCILIATION

	2003
	\$
Total accumulated funds at the beginning of the year	17,262
Total changes in equity other than those resulting from transactions with owners as owners – (Note 1.1)	-
Surplus for the year from ordinary activities	2,611
	19,873

OSTEOPATHS REGISTRATION BOARD

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2003

7. NOTES TO THE STATEMENT OF CASH FLOWS

- 7.1 For the purpose of the statement of cash flows, cash relates to cash in the Bank.
7.2 Reconciliation of net cash flows from operating activities to surplus for the year.

	2003
	\$
Surplus for the year from ordinary activities	2,611
Increase in receivables	(64)
Transfer of equity from joint Board	17,262
	<hr/>
Net Cash flows provided by/(used in) operating activities	19,809
	<hr/> <hr/>

8. EXPENDITURE ACCOUNTED FOR THROUGH THE HEALTH ADMINISTRATION CORPORATION

Expenditure in respect of the Board's operations form part of the accounts of the Department of Health for the Health Administration Corporation. The Health Administration Corporation has determined which costs are allocated to the Board and the basis of allocation. The costs may not include all costs associated with running the Board.

OSTEOPATHS REGISTRATION BOARD

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2003

Details of transactions accounted for through the Health Administration Corporation are as follows:

	2003
	\$
Expenditure	
Salaries & Associated Staff Costs	58,287
Building Expenses	748
Subsistence & Transport	3,136
Members Fees	5,026
Fees for Service	2,036
Post & Communications	2,137
Printing & Stationery	1,302
Plant & Equipment	83
Miscellaneous	936
Audit Fees (allocation)	<u>1,833</u>
Total	<u><u>75,524</u></u>

As at 30 June 2003 the Health Administration Corporation recorded cash and investments of \$120,019 held in relation to this Board.

9. FINANCIAL INSTRUMENTS

Financial instruments give rise to positions that are a financial asset of either the company or its counterpart and a financial liability (or equity instrument) of the other party. They include cash at bank, receivables and creditors. All classes of financial instruments, including revenue, expenses or other cash flows arising from instruments, are recognised at cost on an accrual basis.

In accordance with Australian Accounting Standard AAS33, information is disclosed regarding interest risk and credit risk of financial instruments. All amounts are carried in the accounts at net fair value which is considered to be the same as the carrying amount in the balance sheet.

Interest rate risk affects cash at bank and investments where the value of these instruments is subject to fluctuation due to changes in market interest rates.

OSTEOPATHS REGISTRATION BOARD

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2003

The board's exposure to interest rate risk and the effective interest rates of financial instruments at year end are:

	2003
	\$
Cash all at floating interest rates	19,809
Receivables all at non-interest bearing	64
Accrued expenses Health Administration Corporation all at non-interest bearing	20,472
Accrued expenses all at non-interest bearing	20,472

It is considered that the receivables are not subject to a credit risk.

10. CONSULTANCY CHARGES

The Health Administration Corporation arranged for consultancy services on behalf of the boards it administered during the year. The Osteopaths Registration Board's share of these consultancy costs was \$nil.

11. SUBSEQUENT EVENTS

None to report.

End of Audited Financial Statements

INDEX

Access	1	Inquiries By Professional Standards	
Aims And Objectives	1	Committees	9
Appeals Against Decisions Of The Board	7	Legal Change	12
Attendance At Meetings	3	Management And Structure	2
Board Membership	2	Notes To And Forming Part Of The Financial	
Charter	1	Statement For The Year Ended 30 June	
Codes Of Professional Conduct	7	2003	25
Committees	3	NSW Government Action Plan For Women	15
Complaints	7	Organisational Chart Health Professionals	
Complaints Committee	8	Registration Boards	5
Consultancies	13	Professional Indemnity Insurance	9
Convictions For Offences	10	Publications	11
Ethnic Affairs Priorities Statement	13	Registration Statistics	6
Examinations For Registration As A		Review Of Operations	6
Chiropractor/Osteopath In NSW	11	Statement By Members Of The Board	21
Finance And Budget	17	Statement Of The Cash Flows	24
Freedom Of Information	11	Statement Of The Financial Performance ..	23
Independent Audit Report	20	Statement Of The Financial Position	22
		Waste Reduction And Purchasing Policy ...	15