



<b>HEALTH PROFESSIONS LICENSING AUTHORITY</b>	
<b>TITLE:</b> Access to Information Policy	
<b>EFFECTIVE DATE:</b> February 2004	<b>REVIEWED:</b> February 2009
<b>BOARD:</b> All Health Practitioner Registration Boards	

### **Introduction**

The Health Practitioner Registration Boards (the Boards) are established under the *Health Practitioners Act 2004* (the Act). The statutory objectives of the Act include:

- protection and promotion of public health and safety;
- promotion of the highest standard of professional health care practice;
- determination of the standards for registration and enrolment of practitioners;
- determination of standards for professional health care practice; and
- facilitation of the continuing competence of health practitioners

In order to fulfil their statutory responsibilities, the Boards collect a variety of information about registrants. This information includes, but is not limited to, the information required for the Registers and Rolls. The information is held in both electronic and paper form at the Health Professions Licensing Authority (HPLA). Both HPLA and the Boards have an obligation to ensure the security, confidentiality and integrity of this information.

A legislated requirement for the Boards is that they keep registers and/or rolls containing specified information about registrants (see sections 43 and 44 of the Act). Some of the information contained in the Registers/Roll is public information and must be made available in certain circumstances. Other information is private and cannot be made available for public inspection (see section 48). For details of the information held on the Public Register/Roll see the General Policy "*Information on Register Available to the Public*".

### **Issue**

From time to time requests are received at the Health Professions Licensing Authority (HPLA) from individuals and organisations wishing to access "bulk" registrant information collected and held by HPLA on behalf of the Boards. These requests often involve access to information that is not part of a public register or roll.

The requests for bulk information are of two main types:

- 1 Requests for access to the names and postal address details of registrants for the purpose of conducting a "mailout" of information or survey material; and
- 2 Requests for access to data held by HPLA/the Boards.

## **Assessment Criteria**

The central consideration for the Boards in assessing applications from individuals or organisations for access to information held by the HPLA and the Boards is whether the request is consistent with the statutory objectives of the Act.

The Boards will also need to be satisfied that the application, if accepted, will not breach the confidentiality or privacy of practitioners and that the application also complies with other relevant ethical standards.

Boards will also take into account the practical implications of the request for HPLA, including whether the information can be easily extracted from the database and the workload associated with complying with the request.

### **Requests that will not be approved**

The Boards will not approve requests that, in the opinion of the Board:

- seek to exploit, for commercial gain, the information obtained;
- seek to market products or recruit staff;
- are inconsistent with the statutory objectives of the Act;
- have the potential to breach the privacy or confidentiality of registrants or any other relevant ethical standard;
- have the potential to damage the professional standing of registrants; or
- cannot be met because of practical limitations of the database or in the staffing resources of HPLA.

Where an application clearly falls into one of the above categories, the organisation will be advised by the HPLA Director that the request has been refused. A copy of the request and refusal will be tabled at the next meeting of the Board.

### **Application and approval process – requests for mailouts**

- A completed application form must be forwarded to the Director, HPLA, for assessment.
- Copies of all the material that the applicant is intending to be mail out to registrants are to be forwarded with the application form.
- If the mailout is for the purpose of research, copies of the research proposal, the Research Ethics Committee approval, the names and qualifications of the researchers, research instruments, consent forms etc must be forwarded with the application form.
- Applications will be placed on the Agenda for the next meeting of the Board or, if urgent, discussed with the Chair of the Board
- Applicants will be advised of the outcome of their application in writing.

### **Application and approval process – access to data**

- A completed application form must be forwarded to the Director HPLA for assessment.
- For applications for the purpose of conducting research, copies of the research proposal, the Research Ethics Committee approval and the names and qualifications of the researchers must be forwarded with the application form.
- For applications seeking data for a purpose other than research, a detailed explanation of the request must be forwarded with the application form.

- Applications will be placed on the Agenda for the next meeting of the Board or, if urgent, discussed with the Chair of the Board.
- Applicants will be advised of the outcome of their application in writing.

**Procedure following approval**

The Director or his/her delegate, in conjunction with the Registrations Manager, will liaise directly with applicants regarding their requests.

All applicants will be advised that the costs associated with their request will be borne by the requesting organisation.

No direct access will be granted to the database or to paper records held by HPLA.