

Continuing Professional Development: special consideration policy

Issue date: March 2007
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Introduction

1. The Board's code of practice on Continuing Professional Development (CPD) allows for an exemption from complying with CPD requirements if a practitioner is registered as non-practising (under the terms of section 11 of the *Health Practitioners Registration Act 2005*) for the full term of the CPD cycle.
2. In any other situations, practitioners must apply to the Board to have their case for special consideration evaluated.
3. This document has been developed to help practitioners understand the type of matters that may be taken into account in assessing eligibility for exemption from undertaking CPD and those matters that will not.

General Principles

4. The Special Consideration process allows practitioners to identify circumstances that may have adversely affected their ability to participate in CPD.
5. Applicants for Special Consideration need to document the severity of the impairment/disadvantage they have suffered and the timeframe over which the disadvantage occurred.
6. They need to provide independent evidence of this in the form of a report from a medical practitioner or other person competent to comment on the circumstances leading to the disadvantage. If the disadvantage does not result from ill health, but from some other circumstances, documentary evidence of those circumstances must be provided.
7. Special Consideration may be granted where a practitioner has been substantially disadvantaged in completing the required CPD hours.
8. The cause of the disadvantage must be something that is not a consequence of any choice exercised by the practitioner.

When should applications for special consideration be made?

9. Applications need to be made within a month of the disadvantage having ceased to exist or prior to the end of the cycle in which they are relevant.
10. They will be considered less favourably if the matters are raised for the first time when a practitioner is audited.

How should applications for special consideration be made?

11. Applications need to be made on the standard form, available on the Board's website.
12. The applicant and the health care or appropriate professional need to classify the nature of the disadvantage incurred as one of the following **Severe**; **Moderate**; **Slight** based on the nature of the disadvantage and the degree to which they believe it has adversely affected the person's ability to undertake CPD.
13. The assessment must also provide details of the timeframe over which the disadvantage/impairment occurred (i.e. the number of months the person was affected).
14. Applications based on medical grounds need to be accompanied by a medical certificate or similar and/or report by health care professional giving an opinion on the severity of the problem.

How will applications be assessed?

15. Staff of the Board will assess special consideration applications and make a recommendation to the Board. The Board will make the final decision.
16. The severity of the disadvantage will be evaluated based on the reason given for non-compliance and the duration of the disadvantage.

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17. Documentation must be complete; if there is no supporting evidence to substantiate the evaluation of the severity of the disadvantage, the application will be assessed on a judgement about the merits of the claims in the application.
18. Examples of circumstances that may lead to severe, moderate or slight disadvantage include, but are not limited to, the following:
- Severe**
- ▶ A serious, ongoing medical condition, including a chronic severe medical condition with significant debilitation
 - ▶ Death of a relative, friend or family member
 - ▶ Ongoing life-threatening illness of a close family member or partner
 - ▶ A combination of moderate and/or slight problems.
- Moderate**
- ▶ Injury to part of the body that does not affect practitioner's ability to attend or undertake CPD activities but causing pain and discomfort (e.g. broken leg etc)
 - ▶ Medical condition of a more serious nature that has affected the practitioner's ability to undertake CPD for a period of up to one year
 - ▶ Family member or partner with long-term medical condition requiring care, but not life-threatening
 - ▶ Relationship break-up
 - ▶ Significant financial crisis outside the practitioner's control
 - ▶ Combination of slight problems (e.g. mild medical condition plus death of a relative outside the immediate family)
- Slight**
- ▶ Work problems, where these are unexpected, and beyond the practitioner's control
 - ▶ Medical condition that has affected the practitioner's ability to undertake CPD for a period of up to one month
 - ▶ Family member or partner with a medical condition requiring some care but not life-threatening
19. Examples of circumstances that should **NOT** lead to approval of applications for special consideration, may include, but are not limited to, the following:
- ▶ Ignorance of CPD requirements
 - ▶ Work load
 - ▶ Part-time practice
 - ▶ Travelling overseas
20. The Board's website lists a wide range of appropriate CPD activities spread over the full two year cycle. Practitioners can always apply for approval for any activities that are not listed on the website. Any claim that no suitable activities were available at a suitable time will need to be supported by particularly strong evidence.
21. While this document has tried to anticipate the range of circumstances that could give rise to disadvantage the Board recognizes that the range of human experience is infinite and it will always consider any circumstances of disadvantage that fall outside those mentioned in this policy.

Possible actions

22. Following the assessment of the application for Special Consideration, the Board may decide one or more of the following:
- ▶ grant extension of time to complete the hours;
 - ▶ make a pro-rata adjustment of hours;
 - ▶ waive requirements [in highly exceptional circumstances and only if person is no longer practising];
 - ▶ disallow the application.

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23. If at the end of the cycle the practitioner has not complied with the CPD code the Board may choose to hold an informal hearing into the practitioner's conduct.
 24. The effect of special consideration being granted will most often be an extension of time to complete the required hours of CPD activity.