



Regulation 27

Performance assessment of anaesthetists and pain medicine physicians

27. Performance assessment of anaesthetists and pain medicine physicians

27. PERFORMANCE ASSESSMENT OF ANAESTHETISTS AND PAIN MEDICINE PHYSICIANS (ASSISTANCE TO OUTSIDE BODIES)

Pursuant to article 7.3 of the Constitution:

7.3.1 *The Council has the power from time to time to make, amend, or repeal all such regulations as it deems necessary or desirable for the proper conduct and management of the College, the regulation of its affairs and the furtherance of its objectives,*

Noting that:

7.3.3 *No regulation shall be inconsistent with, nor shall it affect the repeal or modification of, anything contained in the Constitution.*

Purpose

From time to time the College is asked to nominate suitable specialist anaesthetist(s) or specialist pain medicine physician(s) to assist with performance assessment of an anaesthetist or pain medicine physician. This regulation describes the process to be used.

Scope

The College will provide nomination(s) of suitable specialist anaesthetist(s) or specialist pain medicine physician(s) to assist regulatory authorities, employers and healthcare institutions in conducting performance assessments of anaesthetists or pain medicine physicians if so requested. The College does not assess performance of specialists for these authorities. The College must assist with the review of clinical performance of an anaesthetist or pain medicine physician when this is considered necessary for the purpose of ensuring patient safety.

The College does not independently assess the performance of anaesthetists or pain medicine physicians merely because an authority requests a review. Complaints about an anaesthetist's or pain medicine physician's performance made directly to the College will be dealt with according to Regulation 26 "Standards of Professional Practice" as allowed by the relevant jurisdiction's legislation.

Pursuant to Constitution clauses 1.1.14, 1.1.15, 7.5:

Principles

27.1 Nomination of Assessors

The College will nominate one or more suitable specialist anaesthetists or pain medicine physicians from whom the relevant regulatory authority, healthcare institution or employer may choose one or more to assist with performance review.

The Chief Executive Officer will take advice from the General Manager, Faculty of Pain Medicine in suggesting the nominated specialist(s) for a performance review of a pain medicine physician. The nominated assessor(s) must be on the specialist/vocational register of the regulatory authority, and have the appropriate experience and skills for that particular assessment.

27.2 Duties of Assessors

One or more assessors selected by the relevant regulatory authority, healthcare institution or employer will act entirely on behalf of the authority requesting the review. The assessor should ask the authority to indemnify the assessors, and provide for any fees incurred and expenses involved in the review.

27.3 Performance Review in Anaesthesia or Pain Medicine

Assessors conducting a performance review will utilise the reasonable methods chosen by the regulatory authority, healthcare institution or employer, which may include, but are not limited to:

- 27.3.1 review of appropriate participation in a Continuing Professional Development Program consistent with the ANZCA/FPM Continuing Professional Development standard;
- 27.3.2 review of relevant clinical records;
- 27.3.3 audit of processes used for patient management;
- 27.3.4 structured discussions with medical and non-medical staff involved with the work of the anaesthetist or pain medicine physician being reviewed;
- 27.3.5 review of any self assessment, peer review, multi-source feedback, or other assessments undertaken as part of a Continuing Professional Development Program consistent with the ANZCA/FPM Continuing Professional Development standard;
- 27.3.6 review of any formal complaints and incident reports;
- 27.3.7 consideration of information produced by, or on behalf of the anaesthetist or pain medicine physician being reviewed;
- 27.3.8 discussion with the anaesthetist or pain medicine physician being reviewed, including his/her reflections on the material provided for the assessment; and
- 27.3.9 review of any return to practice activities under PS 50 Recommendations on Practice Re-entry for a Specialist Anaesthetist (for an anaesthetist) or similar processes for a pain medicine physician.

27.4 Report of the Assessor(s)

The assessor(s) will report to the authority requesting the review. The assessor(s) will follow the principles of natural justice in preparation of the report.

DEFINITIONS AND INTERPRETATION

In these regulations:

- *“Constitution” means the Constitution of the Australian and New Zealand College of Anaesthetists as amended from time to time; and*
- *“Regulations” means any regulation made in accordance with article 7.3; and*
- *“Council” means the ANZCA Council*
- *Heading and boldings do not affect the interpretation.*

Unless otherwise specified, or the contrary intention appears in these regulations:

- *Where a word or phrase is defined in the Constitution the word or phrase has the same meaning throughout these regulations; and*
- *The singular includes the plural and vice versa; and*
- *A person includes an individual, a body corporate, a partnership, a firm, unincorporated association or institution and a government body; and*
- *These regulations shall come into operation on the date they are approved and adopted by the Council.*

November 2015 (in toto)