



10 December 2010

Kathleen Almond
Australian Health Practitioner Regulation Agency
GPO Box 9958
Melbourne Vic 3001

Dear Ms Arnold

Re: Revised English Language Skills Registration Standard Consultation response

Thank you for the opportunity to respond to the proposed English language skills registration standards for nurse and midwives in Australia.

The Nursing Council of New Zealand (NCNZ) recognises the importance of New Zealand and Australia having aligned English language assessment (ELA) requirements for internationally qualified nurses (IQN) applying for registration. This is in keeping with the principles of the Trans Tasman Mutual Recognition Agreement (TTMR). Moreover like the Nurses and Midwifery Board of Australia (NMBA), the NCNZ's primary function is to protect the health and safety of the public. Under the New Zealand Health Practitioners Competence Act (the Act) 2003, requires *that a health professional must satisfy the responsible authority that his or her ability to communicate in and comprehend English is sufficient to protect the health and safety of the public (section 16 (b)).*

The NCNZ's current ELA requirement is based on the extensive body of work completed by the NCNZ and the Australian Nursing and Midwifery Council (ANMC) (with Carramar Consulting) which resulted in the *Final Report: Development of the ANMC National Standards for the Assessment of Internationally Qualified Nurses and Midwives, June 2008.*

In addition to the work completed by ANMC and the NCNZ, the ELA standard in New Zealand for all IQN was also influenced by the *Human Rights Act 1993* where the Council was advised that it could be deemed discriminatory to have an ELA requirement for some countries and not for others. The NCNZ was also mindful of the current European Directive (EU) 2005/36/EC whereby members of EU countries are not required to demonstrate English proficiency for UK nursing registration with the Nursing and Midwifery Council (NMC).

The NCNZ introduced the ELA registration requirement for all IQN applicants in January 2009.



The NCNZ responds to the following proposed revised ELA requirements making comments where there are differences or possible concerns with the proposed revised standards

Australian Health Practitioner Regulation Agency (AHPRA) requirements

1. The NCNZ's current ELA standard is that all IQNs are required to complete a successful ELA for registration in New Zealand(NZ). The only exemptions are Australian applicants applying under TTMR and NZ citizens with an international nursing qualification who achieved their secondary educational qualifications in NZ.
 - a) The NCNZ does have some concerns re the South African ELA waiver. The 2001 South African census identified 8.2% of South Africans who recognised English as their home language. Moreover it is reported this 8.2% figure of South Africans recognising English as their home language has further decreased over the past nine years.
 - b) The NCNZ's experience is that it is not evident whether a South African nurse's education *and clinical assessments* have been conducted in English. The South African Nursing Council advises that while it is stated on a nurse's transcript that an applicant's educational preparation has been in English, the clinical placement and assessment is often not conducted in English as, per the 2001 consensus, the majority of the South African population do not speak English.
 - c) The NCNZ does have concerns there could be pressure from the Philippine (and some Indian) qualified nurses who may be able to provide evidence that their nursing qualification was taught and assessed in English and would therefore be entitled to an ELA waiver.
2. The accepted ELA tests and requirements are the same in NZ and Australia: an IQN applicant must achieve a level of 7 or more in each band of an International English Language Testing System (IELTS) academic test or a B pass in all bands of the Occupational Education Test (OET).
3. The NCNZ requires IELTS to be current and valid. The NCNZ does not accept an ELA test that is older than two years. The two year validity of both ELA tests ensures the NCNZ that an applicant's proficiency in English is maintained.
4. The NCNZ differs from the current AHPRA ELA test is that the successful ELA may be achieved over multiple sittings within a 12 month period rather than in one sitting. The multiple sitting of ELA will be reviewed by the NCNZ in early 2011

Exemptions

The NCNZ does not offer limited registration. Under the special circumstances cited in 1. a) and c), the NCNZ would recommend having an arrangement or a contract in place with the employer or university. However if the applicant is required to practise as an independent registered nurse, he/she would be required to apply for registration and meet the ELA requirements as per other IQN applicants.

The NCNZ endorses the statement that the Board reserves the right to require an applicant seeking initial registration to undertake an English test as specified by the Board.

Thank you again for the opportunity to respond to the draft AHRPA ELA standards. The NCNZ looks forward to continuing a collaborative relationship with NMBA to develop and maintain, where possible, the consistent assessment standards of nurses within Australia and NZ

Please do not hesitate to contact me if you require clarification with any of the above points.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C Reed', with a large, stylized initial 'C'.

Carolyn Reed
CEO/Registrar
Nursing Council of New Zealand