



australian  
nursing federation

Submission to the Nursing and Midwifery Board  
of Australia on the Draft English Language Skills  
Registration Standard

December 2010

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## 1. Introduction

The Australian Nursing Federation (ANF) was established in 1924. The ANF is the largest professional and industrial organisation in Australia for nurses, midwives and assistants in nursing, with Branches in each State and Territory of Australia. The core business for the ANF is the professional and industrial representation of our members and the professions of nursing and midwifery.

The ANF has membership of over 196,000 nurses, midwives and assistants in nursing who are employed in a wide range of enterprises in urban, rural and remote locations in both the public and private health and aged care sectors.

The ANF participates in the development of policy relating to: nursing and midwifery practice, professionalism, regulation, education, training, workforce, and socio-economic welfare; health and aged care, community services, veterans' affairs, occupational health and safety, industrial relations, social justice, human rights, immigration, foreign affairs and law reform.

The ANF has been a strong supporter of the move to a national registration and accreditation scheme for health professions in Australia.

The ANF welcomes the NMBA review of the English Language Skills Registration Standard. This issue is of national interest and the ANF has voiced concerns in relation to the current NMBA Registration Standard. The existing standard doesn't recognise that applicants have been deemed competent by undertaking an Australian Nursing and Midwifery Nursing Council (ANMC) accredited course in Australia. The ANF appreciates the NMBA's willingness to review the current English Language Skills Registration Standard. However, we are disappointed that the review does not have a broader remit. The limitations prove problematic as detailed in the comments to follow.

The draft standard provided by the NMBA is somewhat confusing in both terminology and intent and we seek clarification regarding this throughout our response. Our response is structured using the headings provided in the draft standard.

### 1. Summary (p1)

- 1.1 The statement 'all applicants seeking initial registration to demonstrate English language skills on the International English Language Testing System (IELTS) academic module examination....' implies that all persons including Australian citizens who have completed either a Certificate IV in Nursing, Diploma of Nursing or Bachelor of Nursing or Midwifery are required to demonstrate English language skills by examination. The ANF purports that, all students educated in Australia by an ANMC accredited and NMBA approved course have met the English requirements necessary to complete the course. Despite this, it appears that students who do not have English as a first language are required to meet the English language requirements even though they have met all requirements of the course including demonstration of competence relating to communication.

The ANF therefore recommends the first paragraph of the summary should state 'all internationally qualified applicants seeking recognition of their nursing or midwifery qualifications to gain registration in Australia as a nurse or midwife must demonstrate English language skills'. This is on the understanding that all those who have undertaken their entry to practice qualification in Australia are accepted by the NMBA, as meeting English language requirements by demonstrating the ANMC competencies during their course.

Recommendation 1:

The ANF recommends the English Language Skills Registration Standard should apply to **only** internationally qualified nurses or midwives seeking recognition of their nursing and/or midwifery qualifications when applying for initial registration in Australia.

- 1.2 The IELTS academic module is questionable given the paucity of evidence to support the use of the academic module as opposed to the general training module. The IELTS and Occupational English Test (OET) have been validated in relation to consistency in the testing process, however, there is minimal evaluation of the successful participants ability to competently function in the health and aged care settings. The ANF believes there is significant research required to determine which test/s accurately determine an applicant's English language competency in the practice setting. The ANF would be willing to support and participate in a joint research project with the NMBA to determine the appropriate English language test and/or evidence.

Recommendation 2:

The ANF recommends that research be conducted within the next twelve months, in partnership with the ANF, to evaluate the efficacy of current English language tests, IELTS and OET, and the ability of internationally qualified nurses and/or midwives to demonstrate English language competency in the practice setting.

- 1.3 The following statement requires clarification as the word 'tertiary' is not defined and is subject to interpretation.

*The Board considers that applicants who have been taught **and** assessed in English in their **tertiary**, entry to practice nursing and/or midwifery education in the countries listed here should meet this requirement. The countries are:*

- *Australia*
- *Canada*
- *New Zealand*
- *Republic of Ireland*
- *South Africa*
- *United Kingdom and*
- *United States of America.*

The above statement implies that any applicant who has completed their qualification which leads to registration as a nurse and/or midwife from the countries listed above **should** meet the English Language requirements. The word 'should' needs to be removed as they either do or they do not meet requirements, otherwise further explanation is required.

What is of interest is that the NMBA removed the designated countries from the previous standard and have subsequently included the list in this draft. The ANF has argued previously there is no evidence to support the inclusion of these countries except for the fact that English is the first language. However, there are many other countries (including countries of the Commonwealth) where courses leading to registration as a nurse or midwife are taught in English such as India, Philippines, Hong Kong and Singapore. Consequently, the ANF strongly recommends removal of the designated countries from the Standard, and instead the NMBA identify those countries where applicants have been taught and assessed in English in their entry to practice nursing and/or midwifery course, and would consider these applicants to have met the English language requirements.

Recommendation 3:

The ANF recommends removal of the designated countries from the Standard. Instead those countries where applicants have been taught and assessed in English in their entry to practice nursing and/or midwifery course should be identified and applicants be considered to have met the English language requirements.

## 2. Scope of Application (p1)

The ANF believes the Standard should apply **only** to internationally qualified nurses or midwives seeking recognition of their nursing and/or midwifery qualifications when applying for initial registration in Australia. The rationale for this belief is that any graduate of an ANMC accredited and NMBA approved course, as indicated in the draft document under Requirements 1, meets the NMBA English Language requirements.

If a domestic graduate has met the relevant NMBA competency standards, which include competencies in relation to communication, then they meet the requirements for registration. However, a difficulty arises if a student has been confirmed by a Head of School as competent to practice nursing and/or midwifery using the English language and it is later determined they are **not** competent in their communication skills. The recourse is then with the NMBA to investigate the Head of School and education provider as to why this has occurred and take appropriate action. Therefore, the need to include domestic applicants in this Standard is not required as this is addressed by the ANMC *Standards and Criteria for the Accreditation of Nursing and Midwifery Courses Leading to Registration, Enrolment, Endorsement and Authorisation in Australia* (2009).

### 3. Requirements (p1)

**Point 1 (p1)** As discussed above under 'Summary'.

**Point 2 (p2)** The three concerns regarding this requirement are the contradictory statement around 'test' and 'evidence'; the confusion about the use of 'minimum' and the concern about the legitimacy of requiring a 'single sitting'.

The statement relating to evidence is contradictory in that the test is evidence, therefore the statement should read 'All applicants must provide evidence of test results of competency in English language skills, demonstrated by having completed....' or 'provide equivalent evidence of competency in English language skills'.

The word 'minimum' is used inconsistently as this is not stated in the second paragraph under Summary, only in relation to the OET. It would be prudent to ensure consistency by including the word 'minimum' in both cases and that, until further research is conducted, state that 'the requirements are a minimum of IELTS score 7 in all bands and a minimum score of B in the OET'.

The notion of completion in a single sitting should also be challenged, as anecdotally ANF members have indicated the time frames used during the testing are unrealistic and equipment used in some testing centres is of poor quality making it difficult for applicants to hear the spoken word. Again, research needs to be conducted to explore the assertion that undertaking all components of the test in one sitting makes a difference in the applicant's ability to practice in the clinical setting.

**Point 3 (p2)** It is not clear why the NMBA has determined to accept both the IELTS and OET position of the results being valid for only 2 years as this could be seen as a vested interest and not necessarily a competence issue. Further research should be undertaken as to when and how language competency reduces. The position of a 2 year requirement does not take into account the English competence level if a student achieves A in all subunits in OET and whether they have the same rate of competency loss as someone achieving Bs in all categories. In addition this position is inconsistent with the requirement that candidates must be successful in all four subunits in the one sitting. If the score is achieved in some units but not all in the one sitting the ANF questions why it is assumed this score is not valid for 2 years as well.

**Recommendation 4:**

The ANF recommends the NMBA request the English language test providers of IELTS and OET to furnish them with justification for a single sitting for all components of the test and rationale for a 2 year timeframe requirement.

**Point 4a (p2)** The ANF is very pleased this point is included and commends the NMBA for acknowledging that nurses or midwives do learn while employed in an English speaking environment.

**Point 4b (p2)** This point is defunct if the standard applies only to internationally qualified nurses or midwives. However, given the applicant may not have employment as a nurse or midwife it would be prudent to include employment as an assistant in nursing (AIN) in this category particularly as many internationally qualified nurses obtain work as AINs pending gaining their registration in Australia.

**Point 5 (p2)** This should be deleted as discussed under point 2.

**Point 6 (p2)** The ANF supports that applicants are responsible for the cost of the test, however questions the significant cost in the absence of a competitive environment.

**Point 7 (p2)** This should be deleted as discussed under point 2.

**Point 8 (p2)** While the ANF supports the right of the NMBA to require an applicant to undertake an English language test the conditions under which this occurs need to be made explicit to the applicant.

#### 4. Exemptions

**Point 1 (p3)** The ANF supports the three points where the NMBA may grant an exemption. However, the ANF strongly asserts that an appeal process is developed for applicants who believe they are able to demonstrate that they meet the English language requirements by different means.

**Point 2 (p3)** The ANF supports the NMBA's right to revoke an exemption with reasons being provided to the applicant. However, an appeal process must also be included for applicants where an exemption has been revoked.

Recommendation 5:

The ANF recommends there is an NMBA appeals process available for unsuccessful applicants who believe they have equivalent evidence to support they meet the NMBA competencies specifically in relation to English language competence.

#### 5. Definitions (p3)

*Internationally-Qualified Applicant* - There is a definition for an *Internationally-Qualified Applicant* however there is no reference to this wording in the document.

*Tertiary* - It would be beneficial to include a definition of *tertiary* in the context used in the documents as this word appears to be used in a very distinct manner and is subject to interpretation.

## Summary of ANF Recommendations

It is recommended by the ANF that:

1. The English Language Skills Registration Standard apply to **only** internationally qualified nurses or midwives seeking recognition of their nursing and/or midwifery qualifications when applying for initial registration in Australia.
2. Research is conducted within the next twelve months, in partnership with the ANF, to evaluate the efficacy of current English language tests, IELTS and OET and the ability of internationally qualified nurses and/or midwives to demonstrate English language competency in the practice setting.
3. There be removal of the designated countries from the Standard. Instead those countries where applicants have been taught and assessed in English in their entry to practice nursing and/or midwifery course should be identified and applicants be considered to have met the English language requirements.
4. The NMBA request the English language test providers of IELTS and OET furnish them with justification for a single sitting for all components of the test and rationale for a 2 year timeframe requirement.
5. There is an NMBA appeals process available for unsuccessful applicants who believe they have equivalent evidence to support they meet the NMBA competencies specifically in relation to English language competence.

## CONCLUSION

The Australian Nursing Federation welcomes the opportunity to provide advice to the Nursing and Midwifery Board of Australia on the issue of English Language Skills competence. The ANF, in consultation with the ANF State and Territory Branches, has considered this proposed issue on which the NMBA is seeking input and has had extensive discussion on the matter. The ANF supports an English Language Skills Standard **only** for internationally qualified nurses or midwives seeking recognition of their nursing and/or midwifery qualifications when applying for registration in Australia.

The fact that successful graduates of nursing and midwifery undergraduate programs have met the minimum competency standards (which include communication), should be sufficient assurance of English language competence. The impost of responsibility for ensuring English language skills competence must rightly lie with the education providers offering courses accredited by ANMC and approved by the NMBA. The ANF supports further research in relation to determining English language competence and would be willing to contribute to, and participate in, such research.

The ANF looks forward to continued participation in ongoing consultations with the NMBA to develop and approve codes and guidelines to provide guidance to the nurses and midwives it registers.