

Fact sheet

December 2016

For education providers on student registration

The Nursing and Midwifery Board of Australia (NMBA) undertakes functions as set by the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law). The NMBA regulates the practice of nursing and midwifery in Australia, and one of its key roles is to protect the public.

Under the National Law, all nursing and midwifery students enrolled in an [approved program of study](#), or who are undertaking [clinical training](#), must be registered as a student with the NMBA.

Why students need to be registered

The National Law states that students must be registered in the interests of public safety.

Student registration allows the NMBA to act on matters relating to students with impairment or when convictions of a serious nature may affect public safety.

The NMBA and the Australian Health Practitioner Regulation Agency (AHPRA) have no role in the academic progress or conduct of students, other than when they have:

- offences punishable by 12 months imprisonment or more, or
- a conviction of, or are the subject of, a finding of guilt for an offence punishable by imprisonment.

Students enrolled in approved programs of study

Education providers are responsible for making sure they have provided the Australian Health Practitioner Regulation Agency (AHPRA), on behalf of the NMBA, details of all students enrolled in an [NMBA-approved program of study](#) or who are undertaking clinical training.

Getting students registered

On behalf of the NMBA, AHPRA requests an update of all new and existing students enrolled in an approved program of study from all education providers twice a year to coincide with each academic census date (March and August).

AHPRA works closely with education providers to make sure ongoing data transfer is smooth. To promote this, education providers must:

- nominate a single point of contact for the collection, collation and submission of all student data from all professions across all campuses/locations
- provide a single file only that contains details of all students from all professions across all campuses/locations (where relevant)
- record file information in the sheet named 'File Info' of the [Education Provider Student Data Template](#) (16KB,XLS)
- include all of the required fields stipulated either using the template provided or by ensuring any data extracts replicate all the column headers exactly and in the same order as noted in the template, and
- provide a full extract of all students in approved programs of study to AHPRA. This will ensure AHPRA is advised of any changes to student details and/or students who have ceased/completed their approved programs of study and/or clinical training

Sending information to AHPRA

- AHPRA requests only information required under the National Law. If the information is not available, or is not held by the institution, education providers should advise AHPRA of this to avoid any delays.
- Send populated Education Provider Student Data Template to studentregistration@ahpra.gov.au or contact AHPRA on this email address to arrange secure file transfer.
- AHPRA will confirm students are registered with the education provider only after all student data received has been successfully processed.
- Where there are data errors within a file, the education provider will receive a report outlining which records need corrections.
- Individual students do not need to do anything to register with the NMBA.

Mandatory and voluntary notification requirements for education providers

As an education provider, you are required under the National Law to make a mandatory notification to AHPRA if you reasonably believe a student:

- enrolled in an approved program of study provided by the education provider has health impairment that, in the course of the student undertaking the clinical component as part of the program of study, may place the public at substantial risk of harm, or
- for whom you have arranged clinical training has health impairment that, in the course of the student undertaking clinical training, may place the public at substantial risk of harm.

Any entity (person or organisation) may make a voluntary notification about a student to AHPRA when they believe that the student has:

- been charged with an offence, or has been convicted or found guilty of an offence, that is punishable by 12 months imprisonment or more
- or may have a health impairment that you believe may harm the public, or
- or may have contravened a condition of the student's registration or an undertaking given by the student to the NMBA.

The National Law provides protection from civil, criminal and administrative liability for those persons, who in good faith make a notification under the National Law.

More information on [notifications and outcomes](#) is published on the AHPRA website.

Reporting requirements

In circumstances when the NMBA suspends a student, imposes conditions on their registration or accepts an undertaking from a student, the NMBA is required to give written notice of the event to the education provider.

When this happens, as an education provider you must, as soon as practicable after receiving the written notice, give notice to any entity with whom the student is undertaking clinical training.

Privacy and confidentiality

- Under the [National Law](#), information on the student register must remain confidential. AHPRA, on behalf of the NMBA, cannot provide validation of student enrolment to health services that are not the designated education provider.
- AHPRA and the NMBA take their obligations to protect individual's privacy seriously. The National Law imposes a duty of confidentiality on persons exercising functions under the National Law, and AHPRA or the NMBA may only disclose information if such disclosure is within the law.
- The Privacy Act 1988 (Cth) and the National Privacy Principles under the Privacy Act (Cth) apply to the National Scheme. The National Law states that a NMBA may request information from an educational body where the Board requires the information to exercise its functions under this Law. An educational body receiving such a request is expressly authorised to give the information to the NMBA.

Definitions

Clinical training

The [National Law](#) does not provide a definition for the term 'clinical training'.

Under the obligations imposed by section 91 of the National Law, the NMBA takes this term to mean any form of clinical experience (also known as clinical placements, rotations etc.) in a health profession that does not form part of an [approved programs of study](#) and where the person does not hold registration in the health profession in which the clinical training is being undertaken.

This might apply, for example when an:

- overseas student arranges a clinical placement as part of the course requirements set out by the education provider in their home country, or
- education provider is running a course that is accredited by an [Accreditation Authority](#) but has not yet been approved for listing in the [approved programs of study](#) by the NMBA, or
- education provider is running a course that has not yet been accredited by an Accreditation Authority or approved by a National Board.

Approved program of study

An approved program of study, for a health profession means an accredited program of study:

- approved under section 49(1) by the National Board established for the health profession, and
- included in the list published by the AHPRA under section 49(5).

A list of [approved programs of study](#) is available on the NMBA website.

Education provider

The definition of an education provider in the [National Law](#) is broad.

'Education provider' is defined as:

- a university
- a tertiary education institution, or another institution or organisation, that provides vocational training, or
- a specialist medical college or other health profession college

The meaning of this definition includes:

- education providers delivering Board-approved programs of study leading to registration, and
- education providers, health services and other organisations or individuals who host students for clinical experience placements (clinical training).

Student

A student is a person whose name is entered in a student register as being currently registered under the [National Law](#).

Document control

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