**Information sheet for decision makers:**

**Considerations when imposing supervision conditions**

**Tip: A well-drafted decision is the best accompaniment to your supervision conditions. It should clearly explain why a particular category of supervision was chosen and set out the basis for any variations to the standard requirements. Your decision will guide the Council in monitoring the practitioner, determining who may be approved as a supervisor and what information the supervisor will receive.**

1. **Why impose supervision conditions?**

**1.1 What is the purpose of supervision conditions?**

Supervision conditions are a mechanism to assist the Council to protect the public by relying on a supervisor’s ability to:

Monitor compliance with conditions of registration;

Monitor capacity to practise Chinese medicine safely;

Monitor performance;

Provide regular feedback on these matters; and

* Provide the supervised practitioner with professional guidance.

**1. 2 What is the role of the supervisor?**

The Chinese Medicine Council recognises the vital role played by the supervisor:

* To improve the subject practitioner’s performance by providing advice and feedback to the practitioner;
* To report immediate concerns such as deterioration in health, addiction relapse, poor performance or breach of conditions; and
* To provide regular feedback on a practitioner’s day-to-day practice of Chinese medicine.

The role of the supervisor is to be distinguished from that of the mentor. Whilst both mentors and supervisors act in the public interest, a mentor is expected to be a source of support for the practitioner, while a supervisor essentially acts for the Council.

1. **What to consider when imposing supervision conditions?**

**2.1 Which category of supervision to choose (A, B or C)?**

There are three categories of supervision in the Compliance Policy – Supervision

Where appropriate, decision makers can tailor each category by imposing further conditions. The final content of supervision conditions will depend on the nature of the matter being considered by the decision makers and on their reasons for requiring supervision. For instance, when imposing **Category B or C** supervision, decision makers may need to consider whether certain aspects of the practitioner’s practice need to be specifically restricted (such as dispensingherbal medicines) due to concerns that the decision makers may have about the practitioner undertaking independent practice or working in isolation.

The Council may subsequently consider easing the category of supervision at the request of the practitioner. In considering any such request, the Council will have as its paramount consideration any ongoing need for protection of the public. It will be guided by the original reasons for supervision, and will take into account the practitioner’s compliance with his/her conditions and the receipt of acceptable supervision reports.

**2.2 When will the supervision conditions take effect?**

The time required for nomination and Council approval procedures should be taken into consideration before imposing supervision conditions. It should be considered whether or not the practitioner is currently practising, the nature of their current practice and the practical implications of the conditions proposed.

**2.3 Can the practitioner practise during the approval process?**

There are two options open to the decision makers which reflect different levels of concern:

1. The practitioner cannot practise until a supervisor has been approved in accordance with the Council’s processes. It is the Council’s view that practitioners with category A supervision should not be able to practise until a supervisor is approved. A condition stating this will need to be imposed.
2. The practitioner can continue to practise during the nomination and approval process.

Ultimately the Council will be guided by the information conveyed to it by decision makers.

**2.4 Who is an ‘appropriate supervisor’?**

Please refer to the Supervisor Approval Position Statement as it establishes the criteria the Council applies in determining the appropriateness of a supervisor.

**2.5 What information will the supervisor be given?**

As part of their briefing, supervisors will receive publicly available information that is relevant to the practitioner they are supervising.

Other information may be provided, depending on the constraints of confidentiality in each particular case.

**2.6 What happens during the nomination process?**

Below is a short description of the process involved in approving a supervisor.

1. **Nomination of a supervisor** – supervision conditions require~~s~~ the subject practitioner to nominate a suitable supervisor by a specified date.
2. **Assessment of the nominated supervisor** – a brief is prepared for the Council to consider. This may take 5-10 business days to approve.
   1. **Nominated supervisor approved** – the supervisor and subject practitioner are informed and forwarded report templates.
   2. **Nominated supervisor not approved** – the process of nominating a new supervisor commences.