



Office of the Auditor General Western Australia

Public Sector Performance Report 2010

Report 3 – May 2010

This is the first Public Sector Performance Report for 2010. It contains the results of one examination and the Auditor General's opinions on three 'Ministerial Notifications' of decisions not to provide information to Parliament.

Registration of Medical Practitioners

Background

Legislation for the registration of doctors has been in place in Western Australia for over 100 years. The *Medical Act 1894* governed the registration of doctors until it was replaced by the *Medical Practitioners Act 2008*. The Act establishes the Medical Board of Western Australia (MBWA) and gives it responsibility for registering medical practitioners.

In March 2008, the Council of Australian Governments agreed to introduce a national registration system for health professionals, including medical practitioners. The National Health Professional Regulation Authority has already been established and all states and territories are expected to roll in so that national registration can commence on 1 July 2010. The legislation required to enable Western Australia's participation has not yet been introduced into Parliament.

In expectation of national registration, medical registration boards in Australia have already signed up to consistent registration practices for overseas-trained doctors. Nationally consistent practices acknowledge the risk associated with registering doctors who do not have Australian medical qualifications. They attempt to ensure that doctors trained overseas have the appropriate levels of skill to practise medicine in Australia.

What the examination found...

MBWA adequately ensures that medical practice in Western Australia is carried out by properly qualified practitioners who meet appropriate standards. The information on the Register of Medical Practitioners is accurate and up to date, but the security of the Register needs to be improved. MBWA properly investigates and takes action on complaints it receives about medical practitioners, although it does not always meet the timeframes set in legislation. Specifically we found:

- Before registering people as medical practitioners, MBWA conducts appropriate checks as required by legislation and policy, both for doctors trained in Australia and those trained overseas. While not a legislative requirement, MBWA should strengthen its process by requiring criminal records checks.
- The Register of Medical Practitioners contains accurate and up to date information, but the internal security of the register is weak. Poor internal security poses a risk to the confidentiality and integrity of information held on the register.
- MBWA adequately investigates complaints it receives about medical practitioners, although it sometimes exceeds legislated timeframes. Legislation requires MBWA to make a recommendation for resolving complaints within 56 days. Where this timeframe was exceeded, MBWA took between 57 and 308 days to investigate and make a recommendation.

Opinions on three 'Ministerial Notifications' - ministerial decisions to not provide information to Parliament

Background

Section 82 of the *Financial Management Act 2006* requires that if a Minister decides that it is reasonable and appropriate not to provide certain information to Parliament concerning the conduct or operation of an agency, then within 14 days the Minister shall cause written notice of the decision to be given to the Auditor General. Section 24 of the *Auditor General Act 2006* requires the Auditor General to report to Parliament an opinion "as to whether a decision by a Minister not to provide information to Parliament concerning any conduct or operations of an agency is reasonable and appropriate".

This report deals with three decisions not to provide information to Parliament. The decisions were taken by Minister O'Brien, in his role as Minister for Transport. One matter related to the operations of Main Roads Western Australia. The other two matters related to the Public Transport Authority.

Auditor General's Opinions

Decisions by the Minister for Transport to delay tabling or to not table three contracts in Parliament were not reasonable and therefore were inappropriate. The specific decisions were:

- to delay tabling a contract in Parliament relating to the maintenance of the Northbridge Tunnel
- to not to table a contract in Parliament relating to the delivery of a transport study for Alexander Drive
- to not to table a contract in Parliament relating to the provision of security services to bus facilities in Perth