

# Regulations

## Education Committee



<b>Authorising Committee / Department:</b>	Board
<b>Responsible Committee / Department:</b>	Corporate Governance and Risk Committee
<b>Document Code:</b>	<b>REG EDT Education Committee</b>

### Background

In May 2013, the Board of Education was replaced by the Education Committee. This change was as a result of the implementation of a new governance model that was passed by the Fellowship in August 2012. The Board of Education replaced the Fellowship Board in 2008.

### 1. ROLE

The role of the Education Committee is to:

- a) Formulate and develop strategic education policy advice for the Board on all matters relating to Fellowship and the award of certificates of advanced training in those special areas of psychiatric practice as the Board may approve.
- b) Liaise with College staff in implementation and monitoring of such policy.
- c) Oversee all activities of its constituent Committees and any other bodies established by the Board in terms of their respective composition, function, and budget.

### 2. RESPONSIBILITIES

The Education Committee shall be responsible for:

- a) Advising the Board regarding decisions taken about suitably qualified persons for admission as Fellows and advising the Board on the award of certificates related to training in special areas of psychiatry.
- b) Identifying appropriate measures for assessment of specialist international qualified medical graduates and for determining requirements for further training, assessment, examination or exemption which may be appropriate to achieve Fellowship.
- c) Formulating advisory policy, programs and procedures for continuing medical education for Fellows and fostering on-going participation therein; wider Congress involvement; and standards in continuing professional development activities.
- d) Proposing Education projects to the Board, and overseeing and directing Education projects, providing regular progress and risk management reports for these projects to the Board.
- e) Providing advice to relevant external authorities and bodies on all matters relating to the regulation of training, assessment and examination required to achieve Fellowship and professional development in Australia and New Zealand, and establishing liaisons and alliances with those entities.
- f) Ensuring that the several activities and responsibilities of the constituent Committees are directed to ensuring a collaborative approach.
- g) Maintaining links with other specialist medical colleges nationally and internationally, and in particular, continuing the dual fellowship training program and its requirements with The Royal Australasian College of Physicians (RACP).
- h) Establishing sub-committees and working parties to advise and assist in carrying out its responsibilities and functions from time to time.

- i) Instituting an appropriate level of monitoring of committee activities and outcomes to facilitate both quality and financial reporting at regular intervals.
- j) Development and implementation of an annual work plan.
- k) Identifying and overseeing risks associated with all College Committees and its own Committee, in accordance with the College's Risk Management Policy, and for reporting high level risks to the Board.

### **3. REPORTING RELATIONSHIPS**

- a) The Education Committee shall report on its activities and the activities of its constituent Committees to each meeting of the Board.
- b) The Chair of the Committee is a Board Director.
- c) The Chair shall be an ex-officio member on each of the constituent committees of the Education Committee.
- d) The Committee shall liaise with College committees including Faculties, Sections and Special Interest Groups where required.
- e) The Committee will work closely with the Chief Executive Officer and Senior Management to ensure its responsibilities are met.

### **4. COMPOSITION / MEMBERSHIP**

The Committee shall be chaired by a Board Director.

In addition, the committee will include the following members:

- Deputy Chair, Education Committee
- An additional Board Director may be appointed by the President in consultation with the Board. The term will be for 12 months and will be reviewed in May of each election year.
- Chair, Committee for Training (CFT)
- Chair, Committee for Examinations (CFE)
- Chair, Committee for Specialist International Medical Graduate Education (CSIMGE)
- Chair, Committee for Continuing Medical Education (CCME)
- Chair, Accreditation Committee (AC)
- Chair, Committee for Education Quality and Reporting (CEQR)
- Two (2) Fellow (Independent) members without portfolio
- Representative, Trainee Representative Committee (TRC)
- Representative, Overseas Trained Psychiatrists' Representative Committee (OTPC)
- A Community Representative.

In addition, the Executive Manager responsible for the Education portfolio (or nominee) will be in attendance at the meetings.

The Committee shall include appropriate representation from Australia and New Zealand (at a minimum of one member from each).

The Committee shall endeavour to achieve appropriate gender balance.

### **5. ELECTIONS AND APPOINTMENTS**

#### **5.1 Chair**

- a) The Chair shall be appointed by the Board from amongst the members of the Board.

- b) The term of office for the Chair shall be in accordance with the Board Director's term and shall commence from the conclusion of the Annual General Meeting in the election year in which he/she was elected or such later date, when a successor is elected.
- c) The Chair so elected shall be an ex-officio member of all Committees under the Education Committee.

## **5.2 Deputy Chair**

- a) Nominations for the Deputy Chair will be called for from amongst the Fellows of the College. The Deputy Chair shall be appointed by the Board on the recommendation of the Education Committee.
- b) The term of office for the Deputy Chair shall be three (3) years from the conclusion of the Annual General Meeting in the election year in which he/she was elected or such later date, when a successor is elected.
- c) The Deputy Chair will be eligible for re-appointment to this position to serve a maximum of two (2) consecutive terms i.e. 6 years.
- d) The Deputy Chair will be an ex-officio member of all committees under the Education Committee.

## **5.3 Education Committee Constituent Committee Chairs**

- a) The Chairs of the Education Committee's six (6) constituent committees are appointed to the Committee by virtue of their position (ex-officio).
- b) Their term of office shall coincide with their term on their constituent Committee.
- c) In no case shall any member serve a term longer than three (3) years, with a maximum of two (2) consecutive terms, i.e. six (6) years.

## **5.4 Fellows (Independent) x 2**

- a) Nominations for the two (2) independent members without portfolio, will be called for from amongst the Fellows of the College. The independent members shall be appointed by the Board on the recommendation of the Education Committee.
- b) The term of office for the independent members shall be three (3) years from the conclusion of the Annual General Meeting in the election year in which he/she was elected or such later date, when a successor is elected.
- c) The independent members will be eligible for re-appointment to this position to serve a maximum of two (2) consecutive terms i.e. 6 years.

## **5.5 Trainee Representative**

- a) The trainee representative is appointed in accordance with the Procedure for appointing trainee representatives to College committees.
- b) The term of the trainee representative will commence in May each year at the conclusion of the Annual General Meeting and will be for 12 months.
- c) The trainee representative will be eligible for re-appointment to this position to serve a maximum of five (5) consecutive years.
- d) In the event that the trainee is admitted to Fellowship during their term on a committee, they may complete their annual term, but they are not eligible for appointment thereafter.
- e) In the event that the trainee resigns from the committee, a casual vacancy will arise and the vacancy will be filled for the remainder of the term as per the Procedure for appointing trainees to College committees.

## **5.6 Overseas Trained Psychiatrist Representative**

- a) Nominations are called for amongst the overseas trained psychiatrists of the College, recommended by the Overseas Trained Psychiatrists' Representative Committee (OTPC) and then appointed by the Education Committee. To nominate the overseas trained psychiatrist does not need to be a member of the OTPC.

- b) The process for nomination, endorsement and appointment is in accordance with the Procedure for appointment of trainees to College committees.
- c) The term of office shall be the same as the overseas trained psychiatrist on the OTPC and shall commence from the conclusion of the Annual General Meeting in the election year in which he/she was elected or such later date when a successor is appointed.
- d) The overseas trained psychiatrist representative will be eligible for re-appointment to this position to serve a maximum of six (6) years.
- e) In the event of the resignation of the representative, a call for nominations for a casual vacancy to fill the vacancy for the remainder of the term will be made. Appointment will be made in consultation with the OTPC and the Education Committee. Nominations will be called for from current overseas trained trainees.
- f) Upon appointment to the Education Committee, the overseas trained psychiatrist representative shall provide a written report to the OTPC in relation to their representation on the Committee.

### **5.7 Community Member Representative**

- g) The Community member will be appointed in accordance with the procedure for Appointment of Community members to College Committees.
- h) Community members have voting rights.
- i) The term of office of community members shall coincide with their term on the Community Collaboration Committee (CCC).

### **5.8 Co-opted Members**

- a) The Committee may co-opt additional members with particular specified knowledge and/or expertise from time to time.
- b) The number of co-opted members shall be a maximum of two (2). The need for co-opted members shall usually be reviewed by the Committee each two (2) years at the time of elections to the Committee, but may be reviewed more frequently as considered necessary.
- c) Co-opted members of the Committee shall not have voting rights.

### **5.9 Observers**

- a) The Committee may invite persons from time to time to attend some or parts of a Committee meeting as an Observer.
- a) Observers would be expected to maintain confidentiality of the meeting's proceedings.
- b) The number of observers will be at the discretion of the Committee.
- c) Observers shall not have voting rights.
- d) The need for observers shall be reviewed by the Education Committee each year.

### **5.10 Casual Vacancies**

- a) In the event of the resignation of the Chair, the Board shall appoint an interim Chair;
- b) In the event of the resignation of the Deputy Chair, whose term is not due to finish for 12 months or more, a call for nominations from the College Fellowship shall take place. Nominations will be considered by the Education Committee with the preferred candidate appointed by the Board.
- c) In the event of the resignation of the Deputy Chair, whose term is due to finish within 12 months, the Board will appoint a casual vacancy from the Fellowship for the remainder of the term.
- d) In the event of the resignation of an independent Fellow without portfolio, whose term is not due to finish for 12 months or more, a call for nominations from the College Fellowship shall take place. Nominations will be considered by the Education Committee with the preferred candidate appointed by the Board.

- e) In the event of the resignation of an independent Fellow without portfolio, whose term is due to finish within 12 months, the Board will appoint a casual vacancy from the Fellowship for the remainder of the term.
- f) In the event of the resignation of a member, whose term is not due to finish for 12 months or more, their position will be filled by the casual vacancy clause from the regulations of the committee that they chair.
- g) In the event of the resignation of a member of the Committee whose term is due to finish within 12 months, their position will be filled by the casual vacancy clause from the regulations of the committee that they chair.
- h) In the event of the resignation of the TRC, OTPC or community representative, the appointment will be made in consultation with the TRC, OTPC or CCC, and noted by the Board.
- i) The casual vacancy appointment shall be for the remainder of the term.
- j) A person appointed as a casual vacancy shall be eligible for appointment in accordance with this Regulation. For the purposes of this Regulation, the period of time served as a casual vacancy shall not be counted as a period of membership.

## **6. POWERS AND DELEGATION**

- a) The Education Committee shall observe any regulations or directions that may from time to time be imposed upon it by the Board.
- b) Pursuant to Article 8.2 of the Constitution:
  - a) "The Board may delegate any of its powers (other than that of delegation) to Boards or Committees comprising persons appointed by the Board".
  - b) "The Board may revoke any delegation of its powers by ordinary resolution".
  - c) Any Committee exercising the delegated power of the Board shall comply with all Regulations and any conditions or limitations that may be imposed by the Board.
- c) The Education Committee shall have the following authority and delegation and subject to these Regulations and the Constitution of the College, the Committee shall have and exercise the following authority:
  - a) Determine requirements for admission to Fellowship;
  - b) Recommend to the Board the admission of eligible candidates to Fellowship;
  - c) Provide to the Board for ratification specialist international medical graduates for admission to Fellowship and/or determine requirements for them to achieve Fellowship;
  - d) Monitor, assess and accredit all aspects of education functions and activities;
  - e) Monitor, assess and deal with progression of candidates in training (including examinations);
  - f) Consider and determine applicable exemptions;
  - g) Conduct and monitor continuing medical education activities and programs;
  - h) Consider, assess and monitor education projects;
  - i) Report as appropriate to and liaise with external bodies and authorities;
  - j) Such other decisions or determinations necessary or desirable to carry out its responsibilities in these Regulations;
  - k) Have the power to establish sub-committees and working parties to advise and assist in carrying out its responsibilities and functions, with such powers, procedures and purposes as the Committee determines and the Board approves.

## **7. LIMITATION ON POWERS**

Pursuant to Article 14.1, 14.3, 14.4 and 14.5 of the Constitution:

- a) "The Board may establish committees comprising such persons as the Board determines or otherwise determined in accordance with the Regulations".
- b) "The Board shall determine the powers and duties of each Committee (its Regulations or Terms of Reference) and each Committee shall in the exercise of its powers comply with the Regulations or the Committee Terms of Reference".

## **8. COMMITTEE SUPPORT**

The Education Committee shall be supported by the staff of the College. In particular, the Executive Manager of Education and Training, or if unavailable, a nominated Education Manager, shall attend meetings of the Education Committee. Other staff members may be requested to attend on an as-required basis.

## **9. REVIEW**

- a) Pursuant to Article 14.8 of the Constitution, "the Board shall review the need for each Committee and the members thereof at least every two (2) years".
- b) These Regulations shall be reviewed two (2) years from commencement.

## **10. OPERATION OF THE EDUCATION COMMITTEE**

### **10.1. Meetings**

- a) The Committee may meet for the transaction of business and adjourn and otherwise regulate its meetings as it thinks fit, taking into account budget implications. The Committee shall only meet face-to-face up to three (3) times a year;
- b) Meetings of the Committee may be in person, by telephone or other telecommunications or electronic means at the discretion of the Chair;
- c) The Chair may convene a meeting of the Committee by written notice to members of the Committee. An agenda shall be circulated in advance of the meeting.

### **10.2. Meeting Attendance**

- a) If a Chair is unable to attend three consecutive Committee meetings, the Chair should raise this with the Chair of the relevant parent committee and/or the appropriate Board constituent Committee Chair.
- b) It is expected that a committee member will attend all meetings of the Committee. However, it is acknowledged by the College that an individual's work and family commitments/responsibilities may prevent a member from attending a meeting.
- c) If a committee member is unable to attend a meeting, the Chair and/or relevant staff member should, where possible, be advised as soon as possible in advance of the meeting..
- d) Non-attendance at three consecutive meetings will be reviewed by the Chair in consultation with the individual member concerned. If it is agreed that the Committee member needs to step down from the committee, a casual vacancy shall arise.

### **10.3. Notice of Meeting**

- a) At least 24 hours' notice of a meeting of the Committee must be given to each Committee member specifying the place, time and date of the meeting;
- b) Notice may be given in writing, by email, by fax, by telephone or other electronic and appropriate means.

### **10.4. Chair**

- a) The Chair shall preside at all meetings of the Committee. In the absence of the Chair, the Deputy Chair shall act as the Chair for that meeting.

- b) If the Chair or Deputy Chair are not present at any meeting of the Committee within 15 minutes after the time appointed for holding the meeting, the members present shall elect a Committee member (Fellow) present to Chair the meeting.

#### **10.5. Quorum**

- a) For items involving a change or establishment of policy/procedure/process or matters of great complexity, as determined by the Chair, the quorum for a meeting shall be 50% whether held face-to-face, via teleconference or out-of-session by email vote. Decisions will be recorded in the minutes and circulated within the College's usual processes.
- b) For items which are deemed to apply an already approved policy/procedure/process to a set of facts or extending an established decision, the Chair in consultation with any other committee members present (face-to-face, teleconference or email), shall make the decision, in consultation with the Executive Manager, or Chief Executive Officer. Decisions will be recorded in the minutes and circulated within the College's usual processes
- c) The Committee may act notwithstanding any vacancy on the Committee.

#### **10.6. Proxies**

- a) Committee members are only able to appoint a proxy to attend a meeting on their behalf if the position held by the member on the Committee is a representative position. The appointed proxy must be a member of the Committee they are representing;
- b) The onus is on the Committee member to advise the Chair, in advance of the meeting, of their proxy's details;
- c) A proxy has the same voting rights as the person they are replacing.
- d) A proxy may only receive the meeting papers for the meeting they are attending.

#### **10.7. Voting**

- a) All Committee members, except co-opted members, observers and those without authority to vote, shall have full voting rights;
- b) Decisions arising at a meeting of the Committee shall be decided by a majority of votes of members present and voting;
- c) A decision by a majority of the members present and voting is for all purposes a decision of the Committee;
- d) The Chair of the meeting has a casting vote in addition to a deliberative vote where there is an equality of votes.

#### **10.8. Written Resolution**

A written resolution signed or approved by electronic mail by 50% of all members (other than any member on leave of absence) is taken to be a decision of the members passed at a meeting of the Committee duly convened and held.

#### **10.9. Minutes of Meetings**

- a) A written record of all proceedings of Committee meetings shall be kept by the College;
- b) Draft minutes of all meetings should be promptly circulated to all Committee members;
- c) The minutes of the Committee's meeting will be submitted to the Board meeting held immediately following the Committee's meeting.

#### **10.10. Defects in Appointment or Qualification of a Member**

All acts done in good faith by a meeting of the Committee or by any person acting as a Committee member will be valid and effective notwithstanding that it is afterwards discovered that there was some defect in the appointment of that person or that the person was disqualified from acting for any reason.

### **10.11. Conflict of Interest and Confidentiality**

- a) All people attending a meeting of the Committee must declare any conflicts of interest to the Chair. Conflicts of interest will be managed and declared in accordance with the College's Conflict of Interest Guideline.
- b) The Committee must maintain a Conflict of Interest Register
- c) Each member of the Committee including co-opted members, community members, proxies and observers, must sign a Deed of Undertaking in relation to Confidentiality and Conflict of Interest;
- d) The Deed is valid for the period of time the member is part of the Committee and after they have finished on the Committee, particularly in relation to confidentiality;
- e) All signed Deeds must be forwarded to the College's Governance Officer.

### **10.12. Other Committees of the Education Committee**

The Education Committee may establish Subcommittees or Working Groups. This must occur in consultation with the relevant Executive Manager. Approval to establish a Subcommittee or Working Group must be sought from the Finance Committee (for budget purposes), the Corporate Governance and Risk Committee (CGRC) and the Board.

### **10.13. Financial responsibility**

- a) The Education Committee must develop an annual budget based on the budget process developed by the College in conjunction with the College's Finance Department;
- b) The Education Committee is required to operate in accordance with College Policy and within the budgetary constraints as determined by the Board. Any spending above and beyond the allocated budget requires explicit authorisation as per the College's delegation of authority Policy.

## **11. MEDIA & AUTHORISED STATEMENTS**

- a) With respect to making media or other external comment or representation, the College's Media and Communications Policy (available on the RANZCP website) should be consulted and adhered to;
- b) Pursuant to Articles 8.4.1 and 8.4.2 of the Constitution, "the President or the Board may authorise any Committee or individual to represent the College before any government or governmental body or committee or to make statements or express views on behalf of the College. The authority may be given generally or for a specific situation and may be given on such conditions as the President or the Board thinks fit. Unless duly authorised to do so under this Article, no Member may make any statement or express any view which purports to be a statement or view of the College or as having been made or expressed on behalf of or with the concurrence of the College";

## **12. INTERPRETATION**

- The Regulation shall be known as the "Education Committee Regulations".
- "Article(s)" means an article or clause of the Constitution.
- "Affiliate" means a Member admitted pursuant to Article 3.5 of the Constitution.
- "Associate" means a Member admitted pursuant to Article 3.4 of the Constitution.
- "Board" means the board of the College established under the Constitution, each member of which shall be a Director of the College.
- "Carer" means a family member, friend or another whose life, because of their active caring and supporting role, has been affected by their close association with an individual who has, or who has had experience of mental illness.
- "Casual Vacancy" means a position that becomes vacant before the expiration of the term for which the holder was elected. A successor shall, if the term has not then expired, be appointed to hold the place from the date of his/her appointment until the expiration of the original term or the next



election/appointment period (whichever is first). The period of time served as a casual vacancy shall not be counted as a period of office. A Casual Vacancy has voting rights.

- “Co-opted” means a person that has been co-opted for their area of expertise or knowledge of a particular area. A co-opted member is a nonvoting member.
- “College” or RANZCP means The Royal Australian and New Zealand College of Psychiatrists.
- “Community Member” encompasses Carers, Consumers and Community Organisation Representatives as defined here
- “Community Organisation Representative” means a representative (s) of non-government, community based or mental health-based organisations or volunteer organisations.
- “Consumer” means an individual who has, or has had experience of mental illness.
- “Committee” means the Education Committee.
- “Constitution”, means the Constitution of The Royal Australian and New Zealand College of Psychiatrists (August 2012).
- “Election Year” means the year the College Constitution came into effect and every second year thereafter.
- “Ex-officio” means a member of a body, (Committee, Section etc) who is part of it by virtue of holding another office. Ex-officio (excepting College staff) members are voting members.
- “Elected” means the formal election process undertaken to elect a member. Call for nominations (from amongst the Fellows) must be undertaken and conducted in accordance with this Regulation. If a ballot is required, the method of voting will be “first past the post”.
- “Fellow” means a Member who holds Fellowship of the College pursuant to Article 3.3 of the Constitution.
- “Fellow (Independent)” means a Fellow from the general Fellowship, i.e. a Fellow who is not representing the Board, another College Committee, Faculty, Section, or an external organisation.
- “Financial year” shall be defined in the same manner as for the activities of the Board of the College.
- “General Meeting” means a general meeting of the College.
- “Proxy” means a person appointed to represent a committee member at a meeting on their behalf. Committee members are unable to appoint a proxy unless the position held by the committee member is a representative position. The appointed proxy must be a member of the committee they are representing.
- “Terms of Reference” are the powers and duties of each Committee and are determined by the Board.

### **13. ASSOCIATED DOCUMENTS**

- Board and relevant Board constituent committee Regulations
- Education Committee Position Descriptions
- RANZCP Constitution, Media and Communications Policy, Code of Conduct, Code of Ethics, Conflict of Interest Guideline Conflict of Interest Register, Risk Management Policy, Risk Register, Document Approval Pathway Procedure and website.
- Deed of Undertaking in relation to Confidentiality and Conflict of Interest
- Procedure for the appointment of trainees to College Committees
- Procedure for the appointment of Community Members to College Committees
- Corporations Act 2001
- ACNC Act 2013 and ASIC legislation

## APPROVAL / REVISION RECORD

<b>Contact:</b>		<b>Manager, Governance and the Office of the President and CEO</b>	
<b>Date</b>	<b>Version</b>	<b>Approver</b>	<b>Description</b>
17/11/2012	1.0	GC2012/4 R51	New document
30/11/2013	1.1	Board – B2013/7 R18	Updated to reflect the changes approved by the Board under the new education governance model.
23/1/2014	1.2	Governance and Risk Committee	Updated to include an alteration to Section 4 regarding Australian and NZ committee representation.
<b>18/8/2016</b>	1.3	Governance and Education and Training	Updated to reflect the independent members without portfolio are Fellows include previous Board decisions in relation to meeting attendance, quorum and COI
<b>20/9/2016</b>	1.4	Manager, Governance and OPCEO	Regulations updated to include new and updated wording relating to quorum, written resolutions, other committees, additional Board Director on constituent committees, trainee and overseas trained psychiatrist representatives on College committees and associated documents.
<b>27/11/2017</b>	1.5	Senior Manager, Corporate Governance and Risk	Updated to reflect administrative changes and appropriate related resources.
<b>01/2018</b>			<b>Next review</b>