

Mandatory Declarations Policy

Purpose

The Mandatory Declarations Policy provides a framework through which the Australian Music Therapy Association Inc. can proactively identify Registered Music Therapists whose conduct may place the public at risk of harm. Mandatory declarations are made at initial registration and membership renewal or reapplication of registration.

Non-compliance with this policy and associated policies and procedures may breach the Australian Music Therapy Association Inc.'s Code of Ethics and attract disciplinary action.

Please Note: There are no exemptions from providing a response to the Mandatory Declarations.

Scope

This policy applies to all levels of membership of the Australian Music Therapy Association Inc. and notes that each membership status has a different reporting obligation.

Related Documents

[Code of Ethics](#)

[By-laws for Grievance Procedures](#)

Continuing Professional Development Policy (please see MAPP Member's Edition, 2019)

Membership Management Policy (please see MAPP Member's Edition, 2019)

[Competency Standards in Music Therapy](#)

[Recency of Practice Policy](#)

Definitions

Mandatory Declaration - means a declaration that is required for the granting of membership by the Australian Music Therapy Association Inc.

Spent Conviction - A conviction is a "spent" conviction if it is 10 years or more since the date of the conviction, and the sentence imposed was a fine, bond, community service order or imprisonment for a period of less than 30 months and there have not been any further offences in the last 10 years.

Threshold – means the magnitude or intensity that must be exceeded for a certain reaction, result or condition to occur or be manifested.

Policy

Mandatory declarations must be made by individuals who apply for membership with the Australian Music Therapy Association Inc. In making the declarations against the mandatory declaration thresholds, the individual is self-assessing their suitability for membership of the Australian Music Therapy Association Inc. The individual is also providing an assurance that they are a suitable person to provide music therapy services. Mandatory Declarations differ across the membership types. These are outlined below and also in the application forms for each membership type.

Mandatory declarations apply throughout the membership period each year. Individuals must notify the Australian Music Therapy Association Inc., as soon as practicable, when they have reason to believe they may be in breach of the declaration. The Australian Music Therapy Association Inc. may, at its discretion, and in line with its annual renewal processes, request evidence to support mandatory declarations. Evidence to support mandatory declarations must be provided on request by the Australian Music Therapy Association Inc.

The Australian Music Therapy Association Inc. may undertake a disciplinary review when it is suspected or known that a member of the Australian Music Therapy Association Inc. has made a false declaration(s) at the time of initial application and/or renewal of membership or registration.

Mandatory declarations may include (but are not limited too):

- Commitment to abide by the Code of Ethics (All members).
- Maintenance of Continuing Professional Development (All active and inactive status members)
- Disclosure of charges, convictions and involvement in proceedings related to criminal offence(s) (All active status members)
- Completion of recency of practice requirements (All active status members)
- All information provided is true and correct to the best of the applicant's knowledge (All members).

Procedure

Mandatory declarations will be issued as part of the membership renewal process each year. It is the responsibility of the individual to ensure self-assessment and completion of mandatory declarations.

Renewals are checked by the Australian Music Therapy Association Inc. secretariat. Any declarations that are not completed on the renewal form will, in the first instance, be checked by the secretariat, with the relevant individual. This will occur via email correspondence. The secretariat will escalate the case to the Registration or Ethics Committee for further follow up and appropriate action, as required. Only the secretariat will have access to a member's confidential police check information and if needed can consult with the relevant committee using de-identified information.

Please note – An Australian National Police Check (NPC) will be requested at the time of initial registration and the 2020-2021 annual membership renewal. Thereafter, RMTs are requested to declare their criminal history against that NPC. The NPC is not requested again, unless there is a change to an RMT's status and they have something to declare.

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Additionally, the following checks will be accepted in lieu of an NPC, as long as they are current and active (understanding that each item listed below has a different expiry length):

- a Working with Children's Check as issued by a State/Territory Body
- a Victorian Institute of Teaching (VIT) card
- evidence of current registration with AHPRA if dual registered

Thresholds

1. Code of Ethics and Constitution

The Code of Ethics and Constitution Documents of the Australian Music Therapy Association Inc. act as the threshold for all levels of membership with the Australian Music Therapy Association Inc. Members are considered to have met this threshold by acknowledging their intent to practice within these guidelines, for the next twelve (12) month membership renewal period. All complaints against an RMT's behaviour, in relation to the Code of Ethics and/or Constitution must be assessed against the Complaints Procedures of the Australian Music Therapy Association Inc. Bylaws for Grievance Procedures (2019).

2. Continuing Professional Development

The Australian Music Therapy Association Inc. Continuing Professional Development (CPD) policy acts as the declaration threshold for meeting CPD requirements.

3. Disclosure of charges, convictions and involvement in proceedings related to criminal offence(s)

The Australian Music Therapy Association Inc. Disclosure of Charges, Convictions and Involvement in Proceedings Related to Criminal Offence(s) Policy acts as the declaration threshold for meeting this policy.

International RMTs

If you are an RMT living overseas, with Australian active RMT Status, and you provide practice of any description and in any format (in person/telehealth) in Australia and/or to Australian residents, the above rules will apply to you.

If you are an RMT living overseas, with Australian active RMT Status, but you no longer practice in Australia and have no intention to do so, the following threshold applies to you.

As an active RMT of the Australian Music Therapy Association Inc. you are exempt from providing an Australian National Police Check if you meet all of the following conditions:

1. You do not reside or work in Australia
2. You do not provide music therapy services to clients based in Australia. This includes in person or via telehealth services

To enact this exemption, you will declare the following as soon as this exemption applies to you:

"I {insert name} residing and working in {insert name of country} declare the following as an Active Status RMT:

- I reside and work in a country outside of Australia
- I do not provide music therapy services to clients living in Australia. This includes in person or via telehealth services
- If my situation changes and I commence the provision of music therapy services within Australia (in person or via telehealth) I will provide the Australian Music Therapy Association Inc. with either:
 - An Australian National Police check, if I qualify to obtain one. This must have been acquired within the 12 months leading up to my change in circumstances or,
 - An International Police check if I do not qualify to obtain an Australian National Police Check"

The link to the Exemption Letter can be found [here](#) under "E" in the Members' Resources Index.

All Registered Music Therapists must inform the Australian Music Therapy Association Inc., as soon as is reasonable, if they are:

- charged with an offence punishable by twelve (12) months imprisonment or more, or
- convicted or found guilty of an offence punishable by imprisonment in Australia and/or overseas

4. Recency of Practice

The Australian Music Therapy Association Inc. Recency of Practice policy acts as the declaration threshold for meeting the Recency of Practice requirements.

5. All information provided is true and correct to the best of the applicant's knowledge

Information provided by the Applicant will be taken as truth unless another mechanism indicates otherwise.

Wording for Declarations at Renewal

Code of Ethics and Constitution – "I agree to abide by the rules and constitution, code of ethics and standards of professional conduct of The Australian Music Therapy Association as long as I remain a member of the association."

Recency of Practice – "I declare that I have met and/or am working towards meeting the recency of practice requirements for my category of membership renewal."

Continuing Professional Development – "I declare that I have met and/or am working towards meeting the continuing professional development requirements for my category of membership renewal".

Disclosure of criminal offence – "I agree to submit an Australian National Police Check and/or to declare any changes to my criminal history record that was submitted as a component of my initial registration or 2020-2021 annual membership renewal with the Australian Music Therapy Association".

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Information and Knowledge – “All information provided is true and correct to the best of my knowledge.”



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