

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 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.

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

Membership Management Policy

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.

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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. Please refer to the application forms for each membership type, for the declarations specific to each type of membership. One commonality, across all membership types, is the requirement that the applicant abide by the Rules and Constitution of the Australian Music Therapy Association Inc.

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 to):

- Commitment to abide by the Code of Ethics
- Maintenance of Continuing Professional Development journal
- Disclosure of charges, convictions and involvement in proceedings related to criminal offence(s)
- Completion of recency of practice requirements

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 Committee for further follow up and appropriate action, as required. Only the secretariat will have access to member's confidential police check information and if needed can consult with the Registration committee using de-identified information.

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Please note – A National Police Check (NPC) will be requested at the time of initial registration. 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 RMTs status and they have something to declare.

Thresholds

1. Code of Ethics and Constitution.

The Code of Ethics and Constitution Documents of the AMTA 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 AMTA Inc. Bylaws for Grievance Procedures (2019).

2. Continuing Professional Development

The Australian Music Therapy Association Inc. CPD policy acts as the declaration threshold for meeting continuing professional development requirements.

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

When music therapists apply for initial registration with the Australian Music Therapy Association, they must provide a National Police Check. At every subsequent renewal of registration as a Registered Music Therapist thereafter, they will be asked to make a mandatory declaration that verifies no changes to their criminal history, since their initial registration. This policy is effective as of 1 January 2020.

All Registered Music Therapists must inform the Australian Music Therapy Association Inc. if they are:

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

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- Negative declarations against this category, will be referred to the Chair of Registrations for their consideration and follow up. This will be conducted with the strictest of confidentiality and sensitivity. All negative declarations will be dealt with on a case by case basis.
- There is no requirement to reveal a spent conviction.
- All costs of obtaining an Australian National Police Check will be paid by the individual applying, or renewing, their membership.

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.

There are no exemptions from the Mandatory Declarations.

Implementation Plan

1. Disclosure of charges, convictions and involvement in proceedings related to criminal offence(s):
 - a. This applies to new registrations as of 1 January 2020.
 - b. All existing members, who are impacted by the AMTA Mandatory Declarations Policy criminal history policy, will be asked to provide an Australian National Police Check by the time of their next membership renewal in June 30, 2020.

References

1. Australian Federal Police, "Spent Convictions Scheme", June 2019.

<https://www.afp.gov.au/what-we-do/services/criminal-records/spent-convictions-scheme>