Area of Need Application Guidelines
Introduction

The Area of Need (AoN) program is a mechanism to assist public and private health service providers in Western Australia (WA) to meet gaps in service delivery by recruiting suitably qualified international medical graduates (IMGs)\(^1\) to vacant positions that have been approved by the WA Department of Health (the Department) as an AoN.

An underpinning philosophy of WA’s AoN program is that an IMG cannot be employed in an AoN position, if it will disadvantage an appropriately experienced Australian-qualified medical practitioner\(^2\).

The determination of an AoN is the process that facilitates providers to extend their recruitment program to IMGs where evidence of a shortage of Australian-qualified medical practitioners to fill a vacant position(s) can be demonstrated through labour market testing (LMT).

AoN determinations are utilised by the Department to support the distribution of the medical workforce to areas experiencing workforce shortage, and provide access to:

- General medical services: General practitioner/s (GP) working in private practice.
- Specialist medical services: Medical practitioners who have or will be required to undertake a specialist assessment by the Australian Medical Council (AMC) and the relevant medical college, excluding GPs.

The AoN Application Guidelines (Guidelines) are designed to:

- Provide additional information on AoN application requirements
- Assist potential applicants in assessing whether their vacant position meets the criteria for an AoN determination
- Guide applicants in completing and submitting an Area of Need Application Form (Application Form).

Determination process

The role of the Department is to process AoN applications and determine whether a position meets all the criteria for AoN.

Section 67(5) of the Act provides for a Minister to determine an AoN for health services in a jurisdiction if required.

In WA, the Minister for Health has delegated the authority to determine AoN to the Department’s Chief Medical Officer (CMO). Within the Office of the CMO (OCMO), the AoN Team manages the AoN program and the processing of AoN applications, and makes recommendations to the CMO on submissions.

Figure 1 briefly summarises the Department’s AoN determination process.

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\(^1\) A medical practitioner who obtained their primary medical qualification outside an accredited Australian medical school or competent authority country and is applying for registration with the Medical Board of Australia.

\(^2\) A medical practitioner whose training has been recognised by the appropriate Australian medical specialty college, and has general and/or specialist registration with the Medical Board of Australia, or a medical practitioner with provisional registration with the Medical Board of Australia via the competent authority pathway.
In some instances, an application may take up to six weeks to assess and approve from the time a completed submission has been received. It is essential to ensure that a completed Application Form is submitted to allow sufficient time for the information provided to be reviewed, and confirmed, if required. An application may be approved, not approved, or referred back to the applicant for clarification if it cannot be assessed against the AoN assessment criteria.

Due to the time and costs involved in recruiting from overseas, it is recommended that applicants await notification of the outcome of the AoN assessment process prior to recruiting an IMG. The provision of an employment contract to an IMG prior to the approval of an AoN determination will not change the outcome of the assessment process, and may result in the IMG needing to seek employment elsewhere – where there is both a vacancy and an appropriate AoN determination.

Applicants will be notified of the result of their application by the Department. Determinations will be published in the WA Government Gazette. The determination will clearly state the service to be provided, location, commencement and expiry dates.

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3 Detailed information forIMGs and employers is available at the Department’s website: [www.overseasdoctors.health.wa.gov.au](http://www.overseasdoctors.health.wa.gov.au)
Unsuccessful applicants may be eligible to appeal the decision in writing within 28 business days. Please refer to the Area of Need (AoN) Appeals Process for more information.

**Assessment criteria**

AoN applications in WA are assessed on a case-by-case basis against the following criteria:

1. **Evidence of a vacant position**
   
   Advertisements showing that a vacant position remains available including the position title, name of the facility and town, hours of work, required qualifications, skills, duties and other benefits of the position to try and attract a maximum response from suitable Australian-qualified medical practitioners.

2. **Evidence of labour market testing**
   
   The applicant has undertaken a fair and equitable recruitment process and has identified a workforce shortage through the inability to recruit a suitable Australian-qualified medical practitioner. The vacant position was advertised at state and national level. International advertisements are not admissible and should not be included in the application.

3. **Evidence of need**
   
   Demographic and statistical information supports a requirement for medical services in the location.

All criteria must be addressed to support an application for an AoN determination.

Additional information, including supporting documentation may be supplied by the applicant to strengthen the application.

**Application process**

Public and private health service providers seeking an AoN determination must complete an Application Form and submit the required supporting documentation. The Application Form has been designed to assist the Department in assessing the application against the AoN assessment criteria.

Applications for an AoN determination are assessed in a consistent, effective and efficient manner and will only be considered when all information has been received. Applicants should ensure all the required supporting documentation is submitted with their Application Form to ensure timely processing of their application.

Information by section is provided below to assist applicants to complete their Application Form.
Determination details

The purpose of this section is to identify the type and location of the AoN determination being requested. This information will be utilised to formulate the final wording of the determination, should the application be successful.

The Application Form requests the following details:

|   | Type of request | Specify if the application is to maintain the employment of currently employed IMGs OR Specify if the application is to employ additional IMGs. Please note:
|   |                | • To maintain employment of current IMGs, the registration details and qualification working towards must be provided.
|   |                | • The employment of additional IMGs will require clear evidence of labour market testing. |

|   | Determination Details | Is the request for general medical services (GPs) or specialist medical services? If specialist medical services, the name of the specialty must be provided. |
|   | Name of applying Health Service | The full name of the applying organisation (health service, hospital, clinic, medical practice). |
|   | Principal location of the position | What is the physical address of the position for which AoN is being sought? The suburb and postcode should be included. |
|   | Name of City or Shire | In what City or Shire is the principal location situated? This will be used to inform the wording of the determination should it be successful. |
|   | Secondary/rotation location/s | Is it expected that the position will provide services in any location, either in a secondary or rotational role? Every location at which it is anticipated that the IMG will provide a service must be listed in full. Please include the address of all sites, and the |
name of the City/Shire (if different to the principal location).
Please note that if a location is not included in the determination, the IMG will not be registered to provide services to that location.

| 2.6 Nearest hospital/health campus | What is the nearest hospital? |

**Determination history**

The purpose of this section is to ascertain whether there is a current determination in place. A list of determinations can be found on the Department’s Aon database. Applicants are requested to indicate whether there is a current determination (3.1) and, if so, provide the:

- Determination number (3.2).
- Determination title (3.3).
- Expiry date (3.4).

**Details of currently employed International Medical Graduates**

The following details should be provided for each IMG employed. Attach additional pages if required.

<table>
<thead>
<tr>
<th>4.1 Name</th>
<th>Name as recorded on medical registration.</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.2 Medical Registration Number</td>
<td>As registered by MBA.</td>
</tr>
<tr>
<td>4.3 Qualification IMG is working towards</td>
<td>Refer to MBA for correct registration category (i.e. general /specialist)</td>
</tr>
<tr>
<td>4.4 Month and year the IMG is expected to achieve the qualification</td>
<td>Give approximate month and year when they expect to achieve qualification pending outcome of examinations.</td>
</tr>
<tr>
<td>4.5 Registration expiry date</td>
<td>Refer to MBA for registration expiry date.</td>
</tr>
<tr>
<td>4.6 Location/s of practice</td>
<td>For IMGs employed on a rotational basis.</td>
</tr>
</tbody>
</table>

**Evidence of a vacant position/s**

The purpose of this section is to ensure there is a bona fide vacant position/s. The application form requests the following details:

<table>
<thead>
<tr>
<th>5.1 Position title/s</th>
<th>As per the job description.</th>
</tr>
</thead>
</table>
| 5.2 Required support documentation | **Job description**  
The job description provided should include the following details:
- The location(s) of the position. |
Evidence of labour market testing

This section is only required to be completed if you are seeking to employ additional IMGs.

The purpose of section 6 in the Application Form is to ensure that the applicant has undertaken a fair and equitable recruitment process, and has proven a workforce shortage requiring a determination of AoN.

Applicants must demonstrate that the initial recruitment process, including advertising, was designed to attract the maximum possible response, and that no suitable Australian-qualified medical practitioners were able to be recruited, prior to applying for AoN.

We encourage you to send your draft advertisements to areaofneed@health.wa.gov.au prior to advertising to ensure they meet the minimum requirements. This will enable sufficient time for additional advertising should it be required.

Listed below are the minimum requirements to prove evidence of LMT:

- **Location of advertising**
  
  All vacant positions must be advertised on three separate forums, at a state and national level. One forum must be the relevant medical college.
  
  International advertisements are not admissible and should not be included in the application.
  
  Examples of appropriate forums include:
  - The relevant medical college (this is mandatory)
  - National job search websites
  - Medical magazines
  - National newspapers
  - Medical recruitment websites (i.e. MedicalJobs Website, AusDoctorJobs website and Rural Health West website)

- **Timing and duration of advertising**
  
  A minimum of four consecutive weeks of advertising must have taken place within six months of the application being lodged.
  
  Applicants MUST provide copies of advertisements and payment invoices which confirm the duration of advertising.

- **Content of advertising**
  
  Each advertisement MUST contain:
  - The location(s) of the position.
- Required skills, duties and benefits for the position.
- The hours of work.

Please note: The term “Labour market testing” is used by the WA Department of Health in relation to the AoN application process and by the Australian Government Department of Home Affairs in relation to migration. Conditions of labour market testing may differ. For more information regarding labour market testing for migration please refer to the Department of Home Affairs website: https://www.homeaffairs.gov.au/trav/work.

- Recruitment outcomes

The outcome of advertising MUST demonstrate that no suitable Australian-qualified medical practitioners were able to be recruited to the position.

Please note: Australian-qualified medical practitioners will only be considered unsuitable by the Department if the applicant:
- Did not meet the essential requirements in the position description
- Had a pre-employment screen which precluded employment (e.g. criminal or disciplinary history)
- Applied for the position and subsequently withdrew interest.

The Application Form requests the following details:

<table>
<thead>
<tr>
<th>6.2</th>
<th>Recruitment outcomes</th>
<th>Information must be provided on the outcomes of the recruitment process.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Please note: Job applicants should not be identified by name.</td>
</tr>
<tr>
<td></td>
<td>Applications received</td>
<td>How many applicants were there in total? Of those, how many were Australian-qualified and how many were IMGs?</td>
</tr>
<tr>
<td></td>
<td>Interviews</td>
<td>How many applicants were interviewed? Of those, how many were Australian-qualified and how many were IMGs?</td>
</tr>
<tr>
<td></td>
<td>Number of applications withdrawn</td>
<td>How many applicants withdrew their applications? Of those, how many were Australian-qualified and how many were IMGs? What reasons, if applicable, was provided for the withdrawal of the application?</td>
</tr>
<tr>
<td></td>
<td>Number of successful applicants</td>
<td>How many applicants were successful? Of those, how many were Australian-qualified and how many were IMGs?</td>
</tr>
</tbody>
</table>
Evidence of need

The purpose of this section is to ascertain whether demographic and statistical information supports the proposal that the location is an AoN. If the applicant can provide evidence of LMT and the available information supports a requirement for medical services in the location, the evidence of need criterion will generally be considered met.

Please note:

- Although evidence on whether the location has been identified by the Australian Government as a District of Workforce Shortage (DWS) is requested, DWS is not a prerequisite for an AoN determination. Applicants should note however that DWS is linked to provisions in the Health Insurance Act 1973, specifically section 19AB which restricts access to Medicare provider numbers, requiring IMGs to work in a DWS for a minimum period of ten years from the date of their first medical registration in Australia, in order to access the Medical Benefits Scheme. If a location has not been deemed to be DWS by the Australian Government, the IMG will not be granted a Medicare Provider Number. The Department cannot intervene in this matter.

- It is the responsibility of the applicant to ensure an application has been made to the Australian Government Department of Health for the proposed location to be considered as a DWS. Further information can be found at Doctor Connect and enquiries may be made to the Australia Department of Health at 19AB@health.gov.au.

The Application Form requests the following details:

| 7 | Population information | Demographic information about the location should be provided. Information can be obtained from the Australian Bureau of Statistics or local government websites.

For each of the below items, a reference for where the information has been sourced should be included.

**Population of the suburb/s**

If the position will provide services in a secondary or rotational role in another suburb, include the population of all suburbs.

**Population of the City or Shire**

If the position will provide services in a secondary or rotational role in another City/Shire, include the population of all Cities/Shires.

| 7.2 | Health Service Information | Applicants must provide the following information:

**Opening hours and days of health service**

What days of the week is the health service open? What are the business hours?

**Number of full time and/or part time medical**
| 7.3 | Impact on service delivery if AoN is not declared | The applicant should provide information on the potential ramifications on service delivery should the AoN determination not be approved. |
| 7.4 | District of Workforce Shortage (DWS) status | Is the position located within a DWS? Applicants must indicate whether the position is located within an area of DWS as specified by the Australian Government Department of Health. If the position will provide services in a secondary or rotational role in a different location, identify both/all locations. |
| Metropolitan Areas Layer | Is the health service considered outer or inner metropolitan? |
Please note that DWS for general medical services is generally not supported by the Australian Government Department of Health for inner metropolitan areas. The Department cannot intervene in this matter.

Additional information

- All general medical services (GP) rural applications **MUST** be supported by Rural Health West.
- In section 8, applicants may choose to include additional information that is relevant to their application.
- Letters of support may be provided by an organisation with a service contract with the public or private health service provider or a specific knowledge of the medical workforce needs of the location to strengthen the application.

Contact details

Applicants should nominate the name of an individual who will be the first point of contact for any queries regarding the application and will liaise with the Department on behalf of the employing organisation. The individual need not be a member of the applying organisation, for example, it could be a workforce agency contracted to the employer.

Employer declaration

The application form must be signed and dated by the authorising officer e.g. Chief Executive/Practice Manager of the public or private health service provider lodging the application.

Submission of application

The complete application, including relevant supporting documentation should be emailed to areaofneed@health.wa.gov.au or sent to:

**Office of the Chief Medical Officer**
Department of Health
Level 2, C Block
189 Royal Street
East Perth, WA 6004

If further information is required, please contact the Area of Need Team on (08) 9222 2476.

Employment process

The contract of employment between an employer and an IMG is a contractual arrangement that is outside the scope of any AoN determination; however, it is expected that employers undertaking the recruitment and selection of an IMG ensure that it is a fair and equitable process and complies with:

- Visa requirements set by the Australian Government Department of Home Affairs.
National assessment processes and criteria conducted by the AMC and the relevant specialist medical college.

Registration with the MBA.

Public Sector Standards in Human Resource Management set out by the Public Sector Commission.

Employers should provide the MBA (through the Australian Health Practitioner Regulation Agency [AHPRA]) with details of the current AoN determination and expiry date when seeking registration for an AoN position. Where possible, employers should encourage and assist IMGs employed in AoN positions to undertake appropriate training, and provide support to progress their transition to becoming a medical practitioner registered under general registration with AHPRA.

If a contract is extended beyond the expiry date of an AoN determination, this will not influence whether a new determination is approved. AoN assessment is based on workforce shortages, not the individual needs of an employer or employee.

Useful websites for employers are listed below:
