Plumbers,
Gasfitters and
Drainlayers Board

# Guidance for practitioners – disclosed health conditions

We recently introduced a requirement for all registered people to provide information about their fitness to practice when renewing licenses. One of the Board's functions is to protect the health and safety of the public and an important part of that function is assessing whether registered people are 'fit and proper'.

Part of this process involves ensuring we are aware of any health conditions that may affect a registered person's ability to do plumbing, gasfitting, or drainlaying safely. What this means is you are now required to answer a question about any relevant health conditions as part of renewing your licence.

**You need to declare any health condition that impacts on your ability to work**

You are required to declare mental or physical conditions that *may* affect your ability to do plumbing, gasfitting or drainlaying safely.

In general, the kinds of health conditions that may affect a person's ability to practise safely are limited. Examples are things like dementia and cognitive impairment (for example, from a head injury, or a stroke), although each individual circumstance is unique.

It is unlikely minor physical conditions would affect your ability to affect to practise safely.

The Board has the power to cancel a registered person's practicing licence if it was obtained by making a false or misleading declaration. So if you have any doubts about whether your mental or physical health condition *may* affect your ability to practise safely, it is better to answer 'yes'.

**Having a health condition does not mean you cannot renew your licence**

Health information is very personal and private. We understand that you may be concerned if you declare an existing, mental, or physical health condition it will affect your chance of renewing your licence.

However, answering 'yes' does not mean you will be unable to practice or renewal your licence. What it means is we will work with you to find out more about any condition and what impact it may have on your ability to work safely.

**We will ask you for information about your health condition**

If you answer yes to the health condition question, you will be asked some further questions and may be asked to provide further information about your health condition. Some questions you can expect include:

- the nature of your condition; and whether it is short term or ongoing
- how you manage your condition
- general details of treatment you are receiving (if applicable)
- whether you have discussed your condition with your employer (if applicable)

- whether you think your condition affects your ability to work safely and, if so, how
- whether you have made adjustments to your work to accommodate your condition

We may ask for a letter from a medical professional, such as your General Practitioner (GP) or an appropriate specialist. We will only ask for this information if it is necessary to do so.

In rare circumstances, we may ask you to complete a competence assessment before renewing your licence. We will advise you in writing before taking this step.

**We will assess your health condition based on your particular circumstances**

All information disclosed by applicants for renewal is considered on a case-by-case basis.

The overarching test is whether your health condition means you are unable to practise safely.

In general, we will consider the following factors:

- the nature of the condition, and whether it is short term or long term
- whether you have shown insight and understanding about how your condition may affect your ability to work
- how you manage your condition
- any reports from a medical professional about whether you can practise safely
- all other relevant factors.

**We will keep you informed and comply with our natural justice obligations**

When dealing with you about a health condition, we will keep you informed throughout the process. We will also comply with our natural justice obligations. Natural justice means we will:

- consider only relevant factors
- disclose all relevant information relied on (subject to any legal grounds for withholding information)
- not pre-determine the outcome of our consideration
- provide reasonable opportunities to comment on any potentially unfavourable decisions
- provide reasons for an unfavourable decision
- advise your any rights of appeal you may have against our decision.

**Not providing information about your health condition may mean your licence cannot be renewed**

We can decline an application to renew a licence if we are not satisfied that a persona is fit and proper person to hold a licence. If we are unable to obtain sufficient information from you, in order to be satisfied that you are able to practice safely, we may decline your application.

Before doing so, we will give you an opportunity to supply information or an explanation about why you cannot do so.

**We will protect your health information**

We are subject to the Privacy Act 2020 and will always deal with your information in accordance with our obligations under that Act consistently with the Privacy Act 2020 and the Health Information Privacy Code 2020.

We will only collect your personal information for purpose connected with a function or activity of the Board. We will not use your health information for any other purposes.

We will store your health information securely and protect it to against, loss and unauthorised access, use or modification.

We will not keep your health information for any longer than necessary.

We will not disclose your health information to unless authorised by you or disclosure is necessary to prevent or lessen a serious threat to health and safety of you, another individual, or the public.