# GENERAL ADVICE FOR SONOGRAPHY STUDENTS ON CLINICAL PLACEMENTS

Australian workplace arrangements and useful resources



The following represents general advice for sonography students undertaking clinical placements in Australia as part of an accredited course, including a summary of employment law and avenues to address workplace concerns; general expectations of students; and useful student resources. Students may also be referred to as *trainees*.

This does not represent legal advice. The ASA does not have the authority or ability to manage complaints or undertake investigations; it cannot represent or advocate on behalf of individual students; and is not able to find or arrange placements opportunities.

### Introduction

To practice in Australia under Medicare and to be eligible for inclusion on the Australian Sonographer Accreditation Registry, students must complete an accredited course of study. Clinical training placements are a key component of all courses and need to be undertaken in a clinical setting for a recommended minimum of 3 days/week over a 2-year period, full-time equivalent.

Placements can be paid or unpaid depending on the type of arrangement in place. However, all placements must comply with employment law and other relevant legislation.

### **Employment law**

# What does employment law say about student placements?

To be lawfully *unpaid*, placements must meet all of the following criteria under the Fair Work Act:

- It is 'vocational placement'. That is, it is a required part of a course approved by an educational institution.
- There is no entitlement to wages. That is, the placement is primarily for the benefit of the student's training, not for the organisation's ordinary business benefit.
- The student is not doing productive work that would otherwise be done by an employee in a paid position.

For more information see the Fair Work
Ombudsman webpage on Unpaid Work

# When can a placement become an employment relationship?

If the placement *does not* meet the definition of a genuine vocational placement, then the student may be considered an employee under

the Fair Work Act and entitled to minimum pay and conditions. This includes National Employment Standards such as minimum wage, leave entitlements, notice of termination; and relevant award or enterprise agreement entitlements if they apply.

Examples of when a placement may become *employment-like* include:

- The student is performing work that contributes significantly to the business's normal operations.
- The work goes beyond what is necessary for skill development or assessment.
- The student is doing work that would otherwise require a paid employee.

# What other legal protections apply to students on placement?

Even when a placement is genuine, and unpaid, students may still have important legal protections under other legislation, including:

- Work health and safety legislation (and state or territory provisions also): Organisations must provide a safe environment for all workers, including students on placement.
- Anti-discrimination laws: Students are protected under state and federal discrimination laws from unlawful discrimination, harassment, bullying, or victimisation.
- Students may have protections if they engage in workplace rights activities or make complaints about their conditions. This includes protections from discrimination based on race, sex, age, disability, religion, pregnancy, sexual orientation, and more; and protection from Adverse Action including dismissal, due to exercising workplace rights or engaging in industrial activity.

For more information see the Fair Work

Ombudsman Fact Sheet on Student Placements



### **Professional expectations** of training sites

### While on placement, students can expect a training site to provide:

- A supportive and well-structured learning environment under the supervision of a recognised clinical supervisor
- Prioritisation of both educational needs and patient safety
- Compliance with safety regulations and current standards for professional practice.

### Training sites should:

- Continuously improve their training environment through feedback, reflection and ongoing learning
- Support students with supervision, appropriate examination times, and type of ultrasound examination based on the student's stage of learning, competence and confidence.

### For more information, please see:

- ASA Clinical Supervision | A Guide for Trainees | This guide outlines expectations for clinical supervision and offers tools to aid learning and professional conduct.
- ASA Sonography Clinical Supervision Framework | This outlines practical, evidence-based strategies to enhance supervision of students.
- ASA Position statement on clinical training placements for sonography students in Australia | This outlines the ASA position and recommendations regarding placements.
- Code of Conduct for Sonographers | Standard 19 and 20 provide guidance on sonographer responsibilities for students they work with and those under their supervision.
- Reducing the risk of litigation: Information for Sonographers | This joint statement between the ASA and BMUS provides practical medicolegal information for sonographers to help reduce the risk of litigation in the workplace.

### **Expectations of students** while on placement

While on placement, students are expected to conduct themselves in a professional and respectful manner and abide by the policies, procedures and guidelines set out by the course provider, the workplace, as well as the overarching professional standards for sonographers. This includes:

- Any student code of conduct or guidelines set out by the course provider
- Clinical site policies and patient confidentiality requirements
- Any pre-placement training or certifications if required by the employer, such as, a record of immunisation; CPR and first aid training; hand hygiene training; infection control training; working with children check; and a criminal history check.
- Accreditation requirements set by ASAR including being registered as an Accredited Student Sonographer (ASS) and maintaining a logbook.

### **Professional Indemnity Insurance**

- Most universities and placement providers have insurance policies that protect students undertaking specified placement, training, and supervised work, meaning students generally do not need individual indemnity insurance. However, students should check with their education provider and workplace to confirm the extent of their coverage before considering additional insurance.
- Once students have completed their studies and are working in a professional capacity, they are required to have appropriate indemnity insurance arrangements in place as outlined in the National Code of Conduct for Health Care Workers and Code of Conduct for Sonographers. Information on insurance available via the ASA can be found here.



### Where to find general support when undertaking a placement

### **Education and workplace contacts**

Any student that is experiencing difficulties or needs assistance should first seek help from their primary university or site contact, such as their university coordinator, supervisor, or workplace manager. It is best to do this early, in a clear and professional manner.

Many universities also offer a range of student support services, including health and wellbeing support, counselling, and learning and inclusion support.

#### HR Advice Online - free for ASA members

ASA members, including student members, can access free workplace advice from HR Advice Online by phone or email. Qualified HR professionals can provide confidential advice, including checking awards and agreements, reviewing a contract before signing, and assisting with workplace bullying or harassment concerns. See here for more details, or see you ASA member dashboard online to access this service.

### ASA membership – free for students

Student sonographers can join the ASA for free. This is a great way to keep up to date with sonography news and events. If you have questions, ASA office staff will assist and point you in the right direction. Contact the ASA team by phone +61 3 9552 0000 or email memberservices@sonographers.org.

#### Mental health and well-being resources

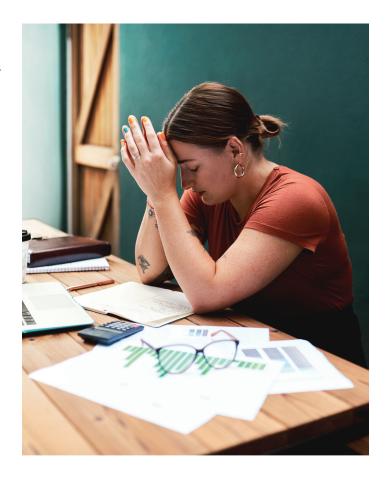
Undertaking study and placements can be both physically and emotionally demanding. It is important to take care of your mental health and wellbeing. Below are some resources that may assist.

#### General resources

- Lifeline | https://www.lifeline.org.au/
- Beyond Blue | https://www.beyondblue.org.au/
- Black Dog Institute | https://www.blackdoginstitute.org.au/
- Headspace | <a href="https://headspace.org.au/">https://headspace.org.au/</a>

### **ASA-member resources**

- ASA Webinar | <u>The importance of wellness</u> practices for sonographers
- ASA OLM Professional growth | Stress <u>Management</u>
- ASA OLM Focus On | 5-Day Challenge to Improve Your Mental Health
- ASA OLM Focus On R U Ok? Dealing with stress, pressure and burnout
- ASA Podcast Ep 23 -Sound Minds. Sonographer mental health





### **Avenues for action**

Students should always contact their course provider first when needing help or facing a challenge. However, if a student has a significant concern outside the remit of their course provider. or one that they have not been able to resolve through other channels, there are several external organisations where they can seek advice and even make a formal complaint if necessary. This is particularly relevant if it relates to a significant safety issue or a notable apparent breach of professional or ethical conduct.

### Fair Work Ombudsman

The Fair Work Ombudsman (FWO) regulates Australian workplaces. It provides advice and can investigate and help resolve certain workplace problems, such as underpayment. See here for contact details or further guidance on: Student placements, Effective dispute resolution, Employing young workers, and Health and wellbeing support.

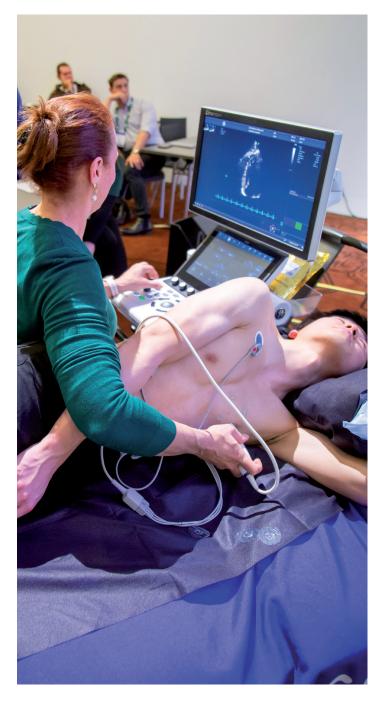
### **Health Complaints Agencies**

Each state and territory in Australia has a health complaint agency - such as a health commission or ombudsman - that can investigate concerns about the health system or health service providers. They manage a wide range of issues, including concerns about professional conduct, quality and safety issues, and behaviour of providers. It also extends to concerns about fees and charges, which may be relevant to students if they feel there is a lack of transparency around placement fees or expectations, or that a placement arrangement appears to be exploiting students. Links to your local health complaint agency can be found here.

### **Australian Health Practitioner Regulation Agency (AHRPA)**

AHPRA-regulated professionals, such as medical practitioners and medical radiation practitioners. must comply with the relevant National Board Code of Conduct. This includes the requirement to support the role of teaching, supervising and mentoring; model professional and ethical behaviour; and treat students with respect and patience.

Information about the process for raising concerns about an AHPRA registered practitioner can be found here.



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