

OCANZ POLICY

CANDIDATE MISCONDUCT POLICY



Introduction

The Optometry Council of Australia and New Zealand (OCANZ) is the independent accreditation authority responsible for assessing overseas trained optometrists who wish to practice in Australia or New Zealand. Our mission is to uphold public safety by ensuring optometrists are competent, well trained, and equipped to deliver high standards of care.

The purpose of this policy is to uphold the integrity, fairness and reliability of OCANZ's assessment processes by:

- defining candidate misconduct;
- outlining expected standards of conduct;
- establishing transparent procedures for responding to allegations; and
- identifying potential penalties and appeal mechanisms.

Scope

This policy applies to:

- all current, former, suspended or withdrawn candidates;
- candidates temporarily on leave from the assessment process; and
- any person who has participated in, or is preparing to participate in, an OCANZ assessment.

It applies to alleged misconduct occurring before, during or after any part of the OCANZ assessment activity, including written, clinical, preparatory, administrative or follow-up components.

Definitions

Assessment

Includes all parts of current or former OCANZ assessments including all parts of the Competency in Optometry Examination (COE) and Assessment of Competence in Ocular Therapeutics (ACOT) examination and any associated preparatory or administrative tasks.

Examiners / Proctors / Supervisors

A person appointed by OCANZ to administer, supervise or assess candidates during examinations.

Work

Includes, but not limited to words, data, images, photographs, diagrams, recordings, software, calculations or any material created or submitted by a candidate.

Expected Standards of Conduct

Candidates must:

- comply with all OCANZ examination rules and instructions;
- maintain confidentiality of exam content;
- behave professionally toward examiners, staff, patients and others;
- use only permitted equipment and materials;
- follow hygiene and safety requirements in clinical examinations;
- uphold integrity consistent with professional codes of conduct.
- always provide truthful, complete, and accurate information, including in applications, eligibility declarations, correspondence with OCANZ, disclosures about prior attempts, sanctions, or conditions.

Misconduct

Misconduct is defined as any behaviour or attempted behaviour, whether intentional or not, that occurs before, during, or after a candidate's participation in the assessment process and:

- is reasonably considered to be in breach of assessment and examination policies, or any written or verbal instructions provided to candidates; or
- is otherwise inconsistent with the Health Practitioner Regulation National Law Act 2009 (National Law) and the National Board's Code of Conduct; or
- may result in an unfair advantage, or a disruption of the assessment process.

Examples of Misconduct

Examples of misconduct include, but are not limited to:

General misconduct

- engaging in behaviour towards staff, examiners, or other representatives that is deemed inappropriate or unacceptable – including, but not limited to, the use of verbal or written threats – and falls outside the expected conduct of a qualified practitioner
- submitting fraudulent or falsified documentation or making untrue statements

Misuse of examination environment or process

- participating in an examination for a purpose other than a genuine desire to pass that examination, or that may appear other than a genuine desire to pass that examination
- failing to follow the reasonable instruction of staff, examiners or delegates during an examination
- speaking out loud during an online examination
- taking unsupervised absences during an exam without appropriate authorisation
- gaining or seeking to gain unauthorised access to an examination venue
- taking photographs or other forms of visual media while at an examination venue
- taking actions which may impact on the ability of others to complete their examination tasks
- attending clinical assessments while impaired by illness, fatigue, drugs, or alcohol
- failing to declare conditions that could compromise safe patient care during assessment
- attempting to influence examiners and staff regarding outcomes

Academic integrity breaches during examinations

- allowing another person to complete an examination on behalf of a candidate
- communicating with, copying from, giving assistance to or accepting assistance, including using concealed devices to get outside assistance, during an examination
- bringing unauthorised materials/devices, including recording devices, into an examination, or receiving unauthorised materials during an examination
- removing, or attempting to remove materials from an examination, including notes and/or scrap paper
- breaching any of the OCANZ examination guidelines

Accessing or misusing examination content

- accessing or attempting to access unauthorised copies of examination materials
- sharing, distributing, discussing, selling or attempting to share, distribute, discuss or sell examination questions or any of their content through any medium, digital or otherwise, including on social media and/or internet
- disclosure of patient information or findings identified during the clinical examination following its completion

- acting or attempting to act in any way that is in breach of OCANZ's intellectual property rights in the examination content or procedures, or is inconsistent with those rights

Academic Dishonesty

- presenting work that is not one's own (plagiarism)
- presenting any work as independent work when it has in fact been produced in whole or in part with others or using generative artificial intelligence (collusion), including contract cheating.

Identifying and Reporting Misconduct

- Any person may report suspected misconduct
- OCANZ staff, examiners or proctors who observe potential misconduct must document the incident
- Where misconduct occurs during an exam, a candidate may receive notice of the alleged misconduct at the time or as soon as practical
- All documentation will be forwarded promptly to the OCANZ CEO (or delegate).

Preliminary Review

- The CEO (or delegate) will conduct a preliminary review to determine whether sufficient evidence exists to support the allegation of misconduct
 - Upon making a positive determination, the candidate will be notified in writing within 5 business days of the allegation, evidence, and next steps. The process of formal investigation will be initiated
- If the preliminary review finds no evidence supporting the allegation, the allegation will be dismissed, and the assessment will be marked in the usual manner.

Formal Investigation

Candidates will be invited to respond to the allegation in writing.

Candidate Response

Candidates will have 10 business days to provide a written response. If the candidate does not respond, the process may proceed in their absence. Candidates are expected to cooperate with OCANZ misconduct investigations and provide information when reasonably requested.

Misconduct Panel

The Misconduct Panel (Panel) will comprise of up to three members, usually including:

- an OCANZ Examination Committee member;
- a senior OCANZ representative not involved in the allegation; and
- one member external to OCANZ with experience in complaints, investigations or misconduct matters

Panel members must:

- act impartially and without bias;
- declare and avoid conflicts of interest;
- base decisions solely on relevant evidence;
- maintain confidentiality;
- apply the balance of probabilities standard;
- adhere to procedural fairness and natural justice.
- not be provided with information regarding any previous findings of misconduct or previous disciplinary history until after determining whether the current allegation is substantiated.

Process

The Panel may seek further information as required. Candidate may have an opportunity to appear in

front of the Panel, however this is at the discretion of the Panel. The Panel determines whether misconduct occurred and determines any penalty.

Outcomes and Penalties

Following consideration of an allegation of misconduct, OCANZ may determine that:

- the allegation is dismissed and no further action is taken; or
- the allegation is substantiated and one or more of the penalties listed below apply.

Where the Panel determines that misconduct has occurred, it may then be provided with information regarding any previous findings of misconduct or disciplinary action involving the candidate for the sole purpose of determining an appropriate penalty.

Penalties

Penalties may be applied individually or cumulatively, considering severity, intent, prior history and mitigating factors. Penalties may include:

- Written warning
- Requirement to re-sit the assessment at the candidate's expense
- Voiding of exam attempt or results
- Termination of an examination session
- Suspension from assessments for up to 3 years
- Permanent exclusion from OCANZ assessments
- Withdrawal of an OCANZ completion certificate
- Referral to appropriate regulatory or law enforcement authorities

Where misconduct affects the broader integrity of the assessment process, OCANZ may escalate the matter to its Examination Committee for further action.

Communication of Outcome

Candidates will be advised of the outcome of the misconduct proceedings within 10 business days from the date when the outcome is determined. Written reasons for the decision will be provided where penalties are applied.

Where appropriate, OCANZ will notify the Optometry Board of Australia and/or the Optometrists and Dispensing Opticians Board (New Zealand) of findings of misconduct where the information is relevant to public protection or registration.

Appeals

Appeals relating to findings of misconduct may only be made on the grounds of procedural error or deficiency in the process, and must be submitted within 20 business days, in accordance with the OCANZ Examination Appeals Policy.

Confidentiality

Misconduct matters are confidential. Information will only be shared on a need-to-know basis to make a determination on the misconduct. In certain instances, information may be shared with relevant people or authorities. These instances include:

- the candidate gives their expressed consent;
- there is risk to safety, people or property;
- procedural fairness requires disclosure;
- disclosure is required by law; or
- referral to relevant authorities such as regulatory and administrative bodies like Ahpra and the National Boards, the Australian or New Zealand Police or the Department of Home Affairs is necessary.

Recording Misconduct

All records of complaints, investigations, and outcomes will be securely maintained by the CEO (or delegate) and stored in accordance with OCANZ's privacy and data management requirements.

OCANZ related documents

OCANZ Examination review and appeals policy

OCANZ Competency in Optometry Examination Guide

Assessment of Competence in Ocular Therapeutics Information for candidates

Policy Review

This policy will be reviewed at least every three years, or earlier if required due to legislative or organisational changes.

Date approved	19 August 2026
Effective Date	19 August 2026
Policy Review date	August 2029
Reference:	