

Professional Competencies for Members

Supporting professional practice, reflection and development

Purpose

The **Professional Competencies for Members** (Professional Competencies) describe the knowledge, skills and qualities members of the Mental Health Tribunal (Tribunal) are expected to develop and demonstrate in the performance of their role.

Lived experience

In 2025, lived experience capabilities were formally integrated into the Professional Competencies. This recognises the lived experience of consumers and carers as a vital form of expertise, alongside and equal to professional knowledge. Embedding these competencies supports person-centred, trauma-informed practice and strengthens empathy, deliberation and collaboration.

In this document, the term lived experience refers to both consumer and carer lived experience.

Relationship to the Code of Conduct

The Professional Competencies and the Code of Conduct are closely linked and support one another. The **Professional Competencies** describe the knowledge, skills, and qualities members are expected to demonstrate in carrying out their role, while the **Code of Conduct** sets out the obligations and behaviour standards expected of members. Together, they support members to perform their responsibilities competently, professionally, and in line with expectations of conduct.

Shared commitment

The Professional Competencies represent a shared commitment between members and the Tribunal. Members are expected to develop and uphold these competencies, and the Tribunal supports this through induction, mentoring, professional development, resources and guidance available on the extranet, the member appraisal process, administrative support, and a safe and supportive working environment.

Competency areas

The **Professional Competencies** comprise seven areas:

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| A. Knowledge and Technical Skills | E. Decision Making |
| B. Fairness | F. Professionalism and Integrity |
| C. Communication | G. Leadership and Management |
| D. Conduct of Hearings | |

Using the competencies

The competency areas reflect the essential elements of the member role. Performance indicators illustrate how competencies may be demonstrated in practice and are not exhaustive. Members are not expected to meet all indicators on appointment; competency develops over time through experience and participation in structured professional development.

The Professional Competencies provide a fair and transparent basis for member appraisals and supports a competency-based approach to training and ongoing professional development.

A. Knowledge and Technical Skills

Relevant qualities: *Curiosity. Commitment to high standards and continuous learning. Conscientiousness. Reflective mindset especially regarding both consumer and carer lived experience and expertise.*

Competency

- Possesses a sound working knowledge of the *Mental Health and Wellbeing Act 2022 (Act)*, the *Charter of Human Rights and Responsibilities Act 2006*, the Tribunal's jurisdiction, procedures, and hearing framework materials and applies this knowledge effectively.
- Demonstrates knowledge of confidentiality, privacy and secrecy obligations and their application in Tribunal practice.
- Possesses a sound working knowledge of mental health conditions, treatments, and psychosocial supports and services in mental health practice and applies this knowledge effectively in hearings.
- Understands the role and value of lived experience and lived experience expertise, including its purpose under the Act and its role in recovery-oriented decision making.
- Demonstrates the ability to use the Tribunal's IT systems and processes required to support secure hearings and to perform related functions and engages and adapts to technological and system changes when required.

What this looks like in practice

- Accurately explains and applies the Tribunal's legal framework, jurisdiction and procedures, and maintains current knowledge of relevant legislation and human rights obligations.
- Develops and maintains current, working knowledge of mental health conditions, treatments and relevant psychosocial supports and services.
- Uses respectful, trauma-informed language and recognises how trauma or past coercive treatment may influence engagement with services, raising this in discussion where relevant.
- Demonstrates a clear understanding of lived experience in the mental health sector, including the distinction between general lived experience perspectives and specialised lived experience expertise, and applies these appropriately in deliberations, centring consumers' goals.
- Effectively uses Tribunal IT systems to conduct and manage hearings and related Tribunal functions, adapts confidently to new technologies, and seeks support appropriately for non-routine or system-level issues.
- Completes electronic determinations accurately.

B. Fairness

Relevant qualities: *Fairness. Empathy. Courtesy. Tolerance. Compassion. Respect for human rights. Awareness of power dynamics. Anti-discriminatory practice.*

Competencies

- Respects and values diversity, recognising and upholding differences in culture, beliefs, gender, race, religious customs, age, abilities, cognitive capacity, sexual orientation, social or economic status and life experiences.
- Demonstrates a strong commitment to lived experience, understanding its value in shaping mental health services and engaging respectfully and inclusively with people with lived and living experience, their carers, families and supporters.
- Promotes an environment of respect and inclusion, ensuring that diverse perspectives—particularly lived experience—are actively valued, integrated into decision making, and protected from any form of disrespect.

What this looks like in practice

- Engages with all people attending, appearing or working in the Tribunal with kindness, respect and dignity, using culturally safe, non-discriminatory and gender inclusive language, forms of address, and professional verbal and nonverbal communication.
- Recognises and responds to the diverse needs of individuals, including those with special requirements, and assists participants to engage as fully as possible in the hearing process.
- Asks questions and contributes to discussion in a manner that supports safety, rapport and meaningful participation.
- Reflects on and addresses personal bias and factors that may undermine equitable participation in hearings.
- Demonstrates awareness of appropriate boundaries and responds thoughtfully to disrespectful language or behaviour, particularly where it affects lived experience.
- Ensures lived experience perspectives are considered in a way that supports fairness and equity for all parties.
- Applies a human-rights-based understanding of lived experience by actively eliciting, respectfully engaging with, and giving due weight to consumer and carer lived experience perspectives, and by ensuring these perspectives meaningfully inform discussions, reasoning, and decisions.

C. Communication

Relevant qualities: *Clarity and transparency. Respectful. Trauma-informed approach. Accessible. Courteousness. Patience. Tolerance. Compassion. Self-discipline.*

Competency

- Communicates clearly, respectfully and effectively with all hearing participants, including people receiving treatment, families, carers, supporters, legal representatives, advocates, treating teams and Tribunal staff.
- Promotes and models kind, inclusive and respectful communication that supports a safe and constructive hearing environment.
- Uses plain, concise and recovery-oriented language in hearings.
- Prepares clear, sensitive and well-reasoned statements of reasons written in plain language.
- Genuinely values lived experience, treating it as an essential source of insight and engaging respectfully.
- Appropriately applies their own consumer and/or carer lived experience where relevant, demonstrating sound judgement and maintaining professional boundaries in hearings.

What this looks like in practice

- Communicates with all people attending, appearing or working at the Tribunal with kindness, courtesy, respect and dignity, using appropriate verbal and non-verbal communication.
- Builds rapport and supports safe participation through active listening, patience and recovery-oriented language.
- Asks clear, concise and legally relevant questions that support solution focused hearings.
- Uses interpreters, signers and communication aids appropriately to support effective and equitable communication.
- Demonstrates an understanding of cultural context, including the experiences of Aboriginal and Torres Strait Islander peoples and Culturally and Linguistically Diverse (CALD) communities, and adapts communication accordingly.
- Clearly communicates decisions in plain language, outlining reasons and outcomes respectfully and concisely.
- Acknowledges and responds respectfully to lived experience perspectives expressed by participants or colleagues.
- Uses language that accurately reflects lived experience concepts and avoids generalisation or stereotyping.
- Demonstrates appropriate digital hearing etiquette and professional online communication.
- Communicates effectively with other members during hearings and deliberations, ensuring all members can contribute.

D. Conduct of Hearings

Relevant qualities: *Procedural fairness. Sensitivity. Courtesy. Patience. Tolerance. Composure under pressure. Collaboration. Adaptability and situational awareness. Self-discipline.*

Competency

- Manages all stages of the hearing process, including preparation, conduct and deliberations, in a fair, timely and well-structured manner that addresses relevant issues and supports sound decision making.
- Conducts hearings in a manner that supports the Tribunal's independence and authority while enabling meaningful participation.
- Demonstrates understanding of procedural fairness and the objectives and principles of the Act and the Charter and applies these in hearings.
- Applies a person-centred, strengths based and solution focused approach throughout the hearing process.
- Demonstrates empathy and understanding, fostering recognition and appreciation of the lived experience of consumers and carers in hearings and deliberations.
- Participates constructively in collegial discussions to establish shared understanding of processes and to clarify issues.
- Demonstrates appropriate professional screen presence and respectful digital etiquette during hearings.

What this looks like in practice

- Is punctual and prepared for hearings, clearly explaining purpose, process, roles and expectations to participants.
- Demonstrates the ability to manage procedural matters such as attendance, representation, access to documents and adjournments in a procedurally fair manner.
- Supports meaningful participation by all participants, promoting respectful dialogue and focusing on relevant issues.
- Manages hearings efficiently by prioritising relevant issues, minimising delays and avoiding irrelevancies.
- Clearly explains parties' legal rights and options, including appeal rights and the availability of further hearings.
- Conducts hearings in a measured, respectful manner, calmly managing challenging or disruptive behaviour as needed and asking relevant, appropriate questions to facilitate participation and dialogue.
- Balances active support for participant engagement with the Tribunal's duty of impartiality.
- Applies an informed understanding of lived experience to support respectful, trauma-aware hearings, while maintaining appropriate professional boundaries.
- Applies the objectives and mental health and wellbeing principles of the Act in hearings, including family and carer inclusive practice where appropriate.
- Maintains effective, professional and cooperative working relationships with fellow members, Tribunal and mental health service staff.
- Demonstrates professional judgment in raising concerns with other members where language or conduct does not align with lived experience informed or recovery-oriented practice.
- During deliberations and discussions, highlights the importance of consumer, family and carer perspectives and encourages their consideration in decision making.

E. Decision Making

Relevant qualities: *Analytical rigour. Open-mindedness. Reflective judgment. Balance and proportionality. Decisiveness. Confidence. Courage. Independence. Impartiality.*

Competency

- Exercises objectivity, sound judgment and appropriate discretion in all decision making.
- Identifies, analyses and integrates relevant facts, evidence and lived experience perspectives.
- Applies a structured decision-making process to produce clear, concise and well-reasoned decisions.
- Demonstrates the ability to deliver decisions and statements of reasons clearly and efficiently.

What this looks like in practice

- Objectively and impartially evaluates relevant legal and factual material, weighing competing issues to reach reasoned and coherent decisions.
- Applies specialist expertise to understand and evaluate information, including lived experience expertise when appropriate (excluding personal disclosure).
- Uses sound judgement to appropriately weigh lived experience perspectives alongside clinical evidence, legal requirements and statutory criteria informing, but not replacing, Tribunal decision-making responsibilities.
- Engages in effective deliberation, supporting opportunities for all members to express their views on the issues to be decided.
- Respects differing views and supports the appropriate communication of minority opinions as part of decision making where relevant.
- Delivers clear and concise oral decisions, explaining reasons in plain language and checking participants' understanding.
- Produces or actively contributes to the production of legally sound, well-structured written reasons using clear, accessible language within required timeframes.

F. Professionalism and Integrity

Relevant qualities: *Integrity. Authenticity. Self-discipline. Ethics. Patience. Honesty. Tolerance. Consideration for others. Personal responsibility. Commitment to wellbeing (self and others).*

Competency

- Demonstrates professional judgment and conduct that supports the independence, integrity and reputation of the Tribunal.
- Demonstrates the ability to identify, apply and manage confidentiality, privacy and secrecy obligations in Tribunal practice.
- Exercises professional judgment and upholds the integrity of the Tribunal through appropriate and responsible use of information, technology and Tribunal systems.
- Provides constructive, respectful feedback to colleagues and promotes reflective practice, including around language use and valuing lived experience of consumers and carers.
- Demonstrates awareness of personal wellbeing and contributes to a safe, supportive and respectful workplace.
- Upholds the dignity and rights of people with lived experience as a consumer or carer.
- Actively challenges stigma and discriminatory attitudes within the Tribunal particularly around lived experience.

What this looks like in practice

- Demonstrates a commitment to ongoing learning and professional development, including participation in Tribunal training, professional development activities and performance appraisal processes.
- Engages in maintaining and developing professional competence.
- Recognises, discloses and appropriately manages actual or perceived conflicts of interest.
- Demonstrates professionalism, integrity and sound judgment, including in complex or pressured situations.
- Manages personal reactions, workload and competing demands effectively, demonstrating proactive self-management.
- Protects confidential information and complies with all confidentiality, privacy and secrecy obligations, including with policies relating to information security and technology use, and remain alert to the risk of unintentional disclosure.
- Demonstrates awareness of professional boundaries and acts consistently with the Tribunal's role, responsibilities and ethical standards when engaging with lived experience perspectives, including their own.
- Demonstrates awareness of the importance of impartiality and avoids language or behaviour that could give rise to a perception of bias.
- Works respectfully and collegially with other members and Tribunal staff.
- Engages in reflective practice and commits to improvement.
- Seeks and incorporates feedback, including from peers with lived experience, either consumer or carer, to strengthen practice and understanding.

G. Leadership and Management

Relevant qualities: *Responsibility. Courage to challenge stigma and inequality. Influence through example. Supportive mentorship. Cultural leadership. Strategic thinking. Commitment to efficient administration.*

Competency

All members:

- Encourages effective teamwork and supports colleagues' development through guidance, feedback and reflective professional conversations.
- Adapts to and constructively manages change.
- Demonstrates professional leadership by consistently valuing lived experience in hearings and discussions.

Members in leadership positions (including all full and part time members):

- Leads and delivers key projects with strong administrative and leadership capability.
- Supports, mentors and develops members' professional skills and knowledge through a strategic and collaborative approach.
- Demonstrates effective presentation and facilitation skills appropriate to Tribunal and stakeholder contexts.
- Champions the inclusion of lived experience in Tribunal practices and policies.

What this looks like in practice

All members:

- Engages constructively with feedback, mentoring, peer and self-appraisal, and contributes to reflective discussion and problem-solving.
- Manages allocated tasks reliably, using initiative and sound judgment to resolve problems and contribute to organisational improvement where appropriate.
- Promotes lived-experience-informed practice and addresses stigmatising language, supporting shared understanding of lived experience perspectives and expertise.

Members in leadership positions (including all full and part time members):

- Encourages a consistent, principled approach to complex legal and factual issues through guidance and discussion.
- Supports, mentors and delegates to members to build capability, promote professional growth, and foster respectful engagement with lived experience.
- Is approachable and available for consultation and discussion with other members.
- Models best practice by recognising, valuing and appropriately integrating diverse consumer and carer lived experience perspectives to inform discussion, reflection and practice in non-hearing forums.
- Leads organisational projects and continuous improvement initiatives in collaboration with the Tribunal's executive leadership.
- Facilitates meetings and professional discussions that encourages participation and lived-experience informed dialogue.
- Builds and maintains constructive relationships with external stakeholders, including mental health services, advocacy organisations and consumer representatives.