

JPC – JUNE 2022 – RESPONSES TO SUPPLEMENTARY QUESTIONS

1. *Can the Commission provide any analysis on differences seen in General Practice (GP) complaints as compared with other medical specialties now that there is separate data available for GP complaints?*

Answer:

In 2020-21, the Commission added 'general practice' service area as a separate data category to assist in differentiating complaints relating to patient-practitioner interactions in the primary health care sector from those relating to general medicine, and other health service areas.

As we do not yet have time series data, our current analysis is limited but will evolve over time.

For 2020-21 onwards we now have the ability to report on:

- (i) **Complaints about the service area of general practice.** This enables us to:
 - Compare the volume, issues and outcomes of complaints relating to services offered in the general practice environment with other types of health service areas, and with all complaints received.
 - This dataset covers all complaints received in the whole general practice service area, not only those about medical practitioners and general practitioners within that broader medical practitioner category. It therefore includes (for instance) complaints about nurses or non-clinical staff, etc in a general practice context.
- (ii) **The proportion of complaints within each of the individual health practitioner and health organisation categories that relate to services delivered in a general practice context,** including the proportion of individual registered medical practitioners who work within general practice and distinguishing them from other service areas such as general medicine.
- (iii) **The issues for medical practitioners working within medical practice.**

GENERAL PRACTICE SERVICE AREA COMPARED TO ALL SERVICE AREAS

Volume

In 2020-21, the Commission received 8,702 complaints in total. Of these, 1,641 (18.9%) had a service area of general practice. This is set out in Table A.11 on page 166 of the 2020-21 report. In comparison, the Commission received 783 complaints with a service area of general medicine, 591 with a service area of emergency medicine and 426 with a service area of surgery.

Issues

The Annual Report also breaks down the data on issues raised in complaints about general practice service area complaints relative to other service areas, in Table A.10 on page 164 of the 2020-21 report. Note that one complaint may raise several issues, so the number of issues exceeds the number of complaints received.

In 2020-21, of the total issues raised in the service area of general practice, almost half (1,159 of 2,558, or 45.3%) related to treatment. The next highest issue type raised was communication / information (430 of 2,558, or 16.8%) and then professional conduct (305 of 2,558, or 11.9%).

These proportions for general practice service area differed from the portions across all complaints, as follows:

- In all complaints, treatment was raised in a higher proportion - 47.2%.
- In all complaints, communication was a lower proportion in all complaints – 14%.
- In all complaints, professional misconduct was a higher proportion - 19.3%.

The issues within the general practice service area can also be compared to other service area types such as general medicine, emergency medicine and surgery, as set out in Table 1 below.

Generally, issues raised in complaints about the general practice service area raise a higher level of communication issues, fewer treatment issues, and a higher level of professional conduct issues (other than against general medicine). Future analysis will need to consider whether these issues categories shift over time (and what may cause such shifts) and how service areas compare.

Table 1: Issues raised by service area – 2020-21.

Service area	Issue raised		
	Treatment	Communication/information	Professional conduct
General practice	45.3%	16.8%	11.9%
General medicine	53.7%	11.2%	16.1%
Emergency medicine	66.2%	15.6%	2.9%
Surgery	65.2%	12.4%	5.5%

Outcomes

The Annual Report (in Table A.18, on page 176) breaks down the outcome of complaints with a service area of general practice in 2020-21, relative to the outcome of all complaints and complaints in other service areas.

Table2: Outcomes of General Practice Service Area Complaints

Assessment outcome									
Service area	Discontinued	Discontinued with comments	Refer to professional council*	Investigation	Refer for local resolution	Refer to Resolution Service	Refer to another body	Resolved during assessment	Not yet finalised
General practice	51.3%	23.1%	13.0%	4.1%	0.1%	0.1%	3.2%	4.3%	0.8%
ALL COMPLAINTS	43.9%	12.4%	17.2%	6.2%	6.0%	5.0%	4.0%	3.9%	1.8%

* The referral to professional council is not readily comparable as that outcome is only available for registered practitioners. As the general practice service area includes organisations and unregistered practitioners this proportion would always be lower.

Generally, the proportional outcomes for the general practice service area differ from the proportions across all complaints. Compared to all complaints, within general practice complaints:

- A higher proportion were discontinued and discontinued with comments (74.4% for general practice complaints compared to 56.3% for all complaints). This is not unexpected. In particular, the outcome of discontinue with comments is applied if a complaint raises lower-level issues (such as practitioner rudeness, poor information or long waiting times at medical centres), which are of understandable concern to health consumers, but do not raise significant issues of risk to public health and safety. Given the nature of general practice, a higher proportion of this outcome is not unexpected.
- A lower proportion were referred for investigation (4.1% compared to 6.2%)
- A higher proportion were resolved during assessment – reflecting the frequency with which the issues are of a less serious nature, and more likely to be able to be addressed through informal explanation or apology.

INDIVIDUAL PRACTITIONERS AND HEALTH ORGANISATIONS WITHIN THE GENERAL PRACTICE SERVICE AREA

The Commission can now identify how many complaints within each provider category are within the general practice service area, compared to other service areas.

The volume of complaints received about the sub-types within these categories can be seen in Table A.3 on page 151 and Table A.6 on page 156 of the 2020-21 report. The 2020-21 annual report also breaks down the total complaints about medical practitioners by service area, including general practice, in Table A.4 on page 153.

In 2020-21, the Commission received 5,421 complaints about registered health practitioners, of which 3,029 were about medical practitioners. Of these 1,289 (42.6%) involved a medical practitioner delivering a service in a general practice.

- This is significantly higher than the next highest category, surgery, which is 7.9%.
- The service area of general medicine was 6.9%.
- The service area of emergency medicine was 2.6%.

Of the 3,037 complaints about health organisations, 11.1% related to medical centres, and of these 274 (9% of all health organisation complaints) were in the general practice service area.

Of the 219 complaints about unregistered health practitioners very few relate to the general practice service area.

	Total complaints received	Service area			
		General practice	General medicine	Emergency medicine	Surgery
Provider type*					
Registered practitioner	5,421				
Medical practitioner	3,029	1,289	210	79	240
Nurse/midwife	874	44	147	29	6
Dental practitioner	421	1	0	0	2
Pharmacist	395	0	0	0	0
Psychologist	348	0	0	0	0
Health organisation	3,037				
Public hospital	1,387	0	229	454	120
Medical centre	337	274	0	0	3
Private hospital	206	0	41	21	50
Correction and detention facility	163	0	131	0	0
Psychiatric hospital/unit	160	0	5	4	0
Unregistered practitioner	219				
Counsellor/therapist	45	0	0	0	0
Assistant in nursing	34	1	2	0	0
Massage therapist	24	0	0	0	0
Social worker	21	0	0	1	0
Other	14	0	0	0	0

*Includes top five sub-types within each of the three provider types, by volume of all complaints received.

ISSUES FOR MEDICAL PRACTITIONERS WITHIN GENERAL PRACTICE

The Commission can also compare the data on issues raised in complaints about general practitioners, as compared to both the issues raised in all complaints received, and the issues raised in complaints about medical practitioners.

This data for 2020-21 is as follows:

Practitioner type	Treatment	Professional conduct	Communication / information	Medication	Reports/certificates	Fees/costs	Consent	Access	Medical records	Environment / management of facilities	Grievance processes	Discharge/transfer arrangements	Grand Total
Medical practitioners (general practice service area)	981	257	339	219	85	34	22	69	32	8	14	0	2,060
	47.6%	12.5%	16.5%	10.6%	4.1%	1.7%	1.1%	3.3%	1.6%	0.4%	0.7%	0	100%
Medical practitioner (all service areas)	2,358	817	751	372	165	84	92	94	53	16	23	26	4,851
	48.6%	16.8%	15.5%	7.7%	3.4%	1.7%	1.9%	1.9%	1.1%	0.3%	0.5%	0.5%	100%
All complaints	6,224	2,619	1,894	879	269	307	274	381	177	225	119	196	13,564
	45.9%	19.3%	14.0%	6.5%	2.0%	2.3%	2.0%	2.8%	1.3%	1.7%	0.9%	1.4%	100%

As can be seen in the above table, the trends in issues raised are largely similar for GPs as against other medical practitioners, with a slightly lower proportion of professional conduct issues raised, and a slightly higher proportion of communication/information, and medication issues raised.

2. *In recent years there has been a significant increase in the number of GPs, sexual health physicians and in some cases specialists offering what is described as affirmation treatment for individuals who were, or believed they were gender dysphoric. The following link will take you to the TransHub webpage that lists 83 such GPs, sexual health physicians and specialists practicing across New South Wales <https://www.transhub.org.au/doctors>.*

With respect to the 2020/2021 reporting period did the HCCC receive any complaints relating to diagnosis, treatment, care, support or any other matters regarding individuals who were, or believed they were gender dysphoric and who sought treatment from a gender affirming GP, sexual health physician or specialist?

- I. *If so, how many complaints were made to the HCCC regarding:*
 - a. *GPs;*
 - b. *sexual health physicians; and*
 - c. *specialists?*
- II. *What were the issue category (subject matter) of the complaints for:*
 - a. *GPs;*
 - b. *sexual health physicians; and*
 - c. *specialists?*
- III. *Were any of the complaints investigated?*

- IV. *Of those complaints investigated, what were the outcomes?*
- V. *Were any prosecutions launched regarding investigations?*
- VI. *What were the outcomes of those prosecutions?*

Answer:

The complaint handling and reporting data sets do not identify or extract the precise nature of the presenting health condition of a patient that is the subject in a complaint.

The Commission's assessment and triaging teams do not have any recollection of receiving or assessing any complaints relating to patients with gender dysphoria in 2020-21.

It can be confidently confirmed that the Commission has not investigated or prosecuted any complaints of this type in 2020-21.

- 3. *With respect to the Sydney Children's Hospitals Network Gender Clinic and John Hunter Children's Hospital, in the 2020/2021 reporting period did the HCCC receive any complaints regarding the diagnosis, treatment, care, support or any other matters for children and adolescents who were, or believed they were gender dysphoric?*
 - I. *If so, how many complaints were made to the HCCC?*
 - II. *What were the issue category (subject matter) of the complaints?*
 - III. *Were any of the complaints investigated?*
 - IV. *Of those complaints investigated, what were the outcomes?*
 - V. *Were any prosecutions launched regarding investigations?*
 - VI. *What were the outcomes of those prosecutions?*

Answer:

There is no record of such complaints to the Commission.