

Submission

No 16

**INQUIRY INTO HEALTH CARE COMPLAINTS AND COMPLAINTS
HANDLING IN NSW**

Organisation: Medical Services Committee
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Medical Services Committee

Established under the health Administration Act 1982

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Parliament of New South Wales
Legislative Council
Committee on the Health Care Complaints Commission
Enquiry into Health Care Complaints and Complaints Handling
In New South Wales

Submission by the Medical Services Committee of NSW.

Introduction.

The Medical Services Committee is established under the Health Administration Act to advise the Government and the Department on matters affecting or likely to affect patients or medical practitioners in their respective roles as such, particularly in relation to legislation, regulations and major administrative matters.

The Committee was involved in and had significant input into the initial Health Care Complaints Commission legislation.

It recommended strongly to the Minister of the day and the Department, during the time of the development and adoption of the National Registration and Accreditation legislation, that the complaints handling mechanisms in New South Wales be retained for the proper protection of the public. That advice is strongly reiterated.

Terms of Reference

The Committee has considered the terms of reference and provides the following advice.

a) A comparative analysis of complaints lodged with the Health Care Complaints Commission by regional and metropolitan consumers including the quantity and nature of complaints and consumer satisfaction.

The Committee does not have the necessary information on which to provide informed advice in regard to this matter but would be grateful to have this information in order that it could provide useful comment.

b) Consumer awareness and understanding of the complaints handling systems and processes available to them both within the hospital system and in relation to external systems.

The anecdotal information that the Committee has received over the years is that particularly the socio-economically disadvantaged groups in the community and those with poor English language skills, both regional and metropolitan, have little understanding of when to lodge a complaint, the appropriate mechanisms to lodge a complaint and the complaints handling process.

Other consumers are generally aware that a complaint may be made about a service provided in a hospital or by medical practitioners or nurses and to a lesser extent in relation to services provided by other registered health practitioners.

The Committee is concerned that there appears to be a general lack of understanding by consumers: –

as to what constitutes a health service, including those involving skin penetration;

that a complaint can and should be made regarding a health service provided by an unregistered health practitioner where that service has had a significantly unfavourable outcome and

the appropriate mechanisms for lodging a complaint and the ensuing complaints handling process.

It should be emphasised that the lodging of a complaint in regard to a significantly unfavourable outcome or unsatisfactory conduct by a health practitioner is important for the protection of other persons.

It should be noted that the lodging of a complaint does not necessarily involve disciplinary action but may involve the provision of advice and recommendations from an expert in the field.

The Committee apologises for this late submission but only became aware of the Inquiry last week and would appreciate the opportunity to submit advice relating to further Inquiries regarding the Health Care Complaints Commission.



Associate Prof Peter Thursby OAM
Acting Chairman.