

Office of the Health Ombudsman

Performance report August 2014

September 2014



Office of the
**HEALTH
OMBUDSMAN**

Listen. Respond. Resolve.

Office of the Health Ombudsman—Performance report August 2014

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For more information contact:

Office of the Health Ombudsman, PO Box 13281 George Street, Brisbane Qld 4003, email communications@oho.qld.gov.au, phone 133 OHO (133 646).

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Introduction

This document contains our performance data for August 2014. Over time, our monthly data will identify trends, which will inform our work in promoting improved health service delivery by health service providers, and identifying systemic issues. As we continue to monitor our performance data, we will also look for areas of improvement, innovation and greater efficiency.

Importantly, our monthly performance reporting highlights our commitment to transparency and accountability, and our desire to ensure Queenslanders have confidence in the management of health service complaints.

The Office of the Health Ombudsman (OHO) commenced operation on 1 July 2014 as Queensland's health service complaints management agency. On commencement, the office not only started receiving enquiries and health service complaints, but assumed responsibility for 289 matters previously managed by the Health Quality and Complaints Commission (HQCC).

All matters transitioned from the HQCC that have been reviewed, audited and processed within the OHO's health service complaints management system are integrated within this data. Data in this report is correct as at 4 August 2014, but is subject to change.

In addition, during August, the OHO began reviewing current Australian Health Practitioner Agency (AHPRA) matters to determine those that are most appropriately dealt with by the OHO, and those that will continue to be dealt with by AHPRA. This is in conjunction with the notification of new serious matters by AHPRA to the OHO for determination and action, as appropriate.

Number of contacts

Number of contacts

Type of contact	Number	Percentage
Complaint	321	59.33
Enquiry	155	28.65
Yet to be classified	65	12.01
Total	541	100.00

This data is based on contacts with the OHO during the month. Matters that are 'yet to be classified' are contacts in which not enough information was provided in the first instance to allow for a determination, and additional information is being sought. They can also be matters that came in just before the end of the reporting period and were still being processed.

The number of complaint contacts will not equal the number of decisions made in the table below. Contacts that are 'yet to be classified' at the time of running this report will continue to be allocated as complaints (and enquiries), as additional information is received, however decisions on these complaints will be registered in next month's reporting. In addition, decisions recorded in the following table may have resulted from contacts received last month.

Decisions

Number of decisions made

Number of decisions made	Number	Percentage
Accepted	329	84.36
Not accepted	13	3.33
Decision pending	48	12.31
Total	390	100.00

Pending decisions relate to matters where more information is required before deciding whether to accept or not accept a complaint, or because a matter came in just before the end of the reporting period and is still be processed.

Decisions made within seven days

Decision made within seven days of receiving a complaint	Number	Percentage
Yes	201	61.09
No	128	38.91
Total	329	100.00

Reason for decisions being made outside of seven days

The impact of higher than expected levels of new health service complaints being made to the Office of the Health Ombudsman has continued in August. Steps have already been taken, and processes commenced, in order to build capacity and improve the timeliness of decision making, while still ensuring all matters are reviewed thoroughly and impartially by trained staff.

As noted in the July performance report, the office has commenced recruitment of extra staff to assist in the processing of complaints. In addition, the office is refining existing, and implementing new, operational processes to improve the processing of complaints, in alignment with our commitment to continually look for ways of improving our service delivery to meet the needs of Queenslanders. It is expected the results of these actions will start to become apparent in the coming months.

Health service complaints profile

Main issues raised in complaints

Issue	Number	Percentage
Treatment	89	16.76
Communication/information	73	13.75
Professional conduct	60	11.30
Medication	49	9.23
Fees/cost	15	2.82
Access	11	2.07
Environment/management of facilities	2	0.38
Reports/certificates	7	1.32
Consent	11	2.07
Medical records	15	2.82
Grievance processes	3	0.56
Professional health	20	3.77
Professional performance	168	31.64
Enquiry service only	0	0
Discharge/transfer arrangements	8	1.51
Total	531	100.00

These figures are based on complaints that completed the assessment process during the month. Basing figures on completed assessments produces accurate reporting of the type(s) of issues identified, as all relevant details of a matter have been identified at the time an assessment is completed. Please note, there can be multiple issues identified within a single complaint.

Number and type of complaints by health practitioner

	Access	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Enquiry service	Fees and costs	Grievance process	Medication	Medical records	Professional conduct	Professional health	Professional performance	Reports/certificates	Treatment	Total
Alternative care	-	1	-	-	-	-	1	-	1	-	4	-	2	-	2	11
Dentistry	-	5	2	-	-	-	4	1	-	-	12	-	25	-	11	60
Emergency care	-	2	-	-	-	-	-	-	-	-	3	1	1	-	3	10
General medical	-	21	2	1	-	-	1	-	14	1	13	8	34	2	18	115
Medical radiation	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	2
Medical Specialty	-	14	4	1	-	-	-	-	5	2	5	3	26	1	4	65
Nursing	-	-	-	-	-	-	-	-	3	1	7	3	2	2	-	18
Other	-	-	-	-	-	-	-	-	1	-	1	-	2	-	-	4
Pharmacy	-	-	-	-	-	-	-	-	2	-	1	-	-	-	-	3
Psychology	-	-	-	-	-	-	-	-	1	-	-	-	3	-	-	4
Surgical	1	5	-	1	-	-	-	-	1	1	3	-	16	1	13	42
Not yet known	-	-	-	-	-	-	1	-	-	-	1	3	6	-	-	11
Total	1	48	8	3	-	-	7	1	28	5	50	20	117	6	51	345

These figures are based on complaints that completed the assessment process during the month. Basing figures on completed assessments produces accurate reporting of the type(s) of issues identified, as all relevant details of a matter have been identified at the time an assessment is completed. Please note, there can be multiple issues identified within a single complaint.

Number and type of complaints by health service organisation

	Access	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Enquiry service	Fees and costs	Grievance process	Medication	Medical records	Professional conduct	Professional health	Professional performance	Reports/certificates	Treatment	Total
Aged care facility	-	-	-	-	-	-	-	-	-	-	-	-	3	-	1	4
Allied health service	-	-	-	-	-	-	1	1	-	-	-	-	2	-	-	4
Ambulance service	-	2	-	-	-	-	-	-	-	1	1	-	-	-	-	4
Community health service	-	2	1	1	-	-	-	-	-	-	-	-	-	-	-	4
Correctional facility	2	2	-	-	-	-	-	1	8	1	-	-	7	-	8	29
Dental service	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	2
Health Service District	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	2
Laboratory service	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	2
Licensed Private Hospital	-	3	-	1	1	-	2	-	5	2	-	-	5	-	4	23
Medical Centre	1	-	-	-	-	-	2	-	1	-	1	-	2	-	1	8
Mental health service	-	2	-	-	-	-	-	-	-	-	1	-	-	1	3	7
Other government department	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1
Other support service	-	-	-	-	-	-	-	-	-	-	2	-	2	-	-	4
Pharmaceutical service	-	-	-	-	-	-	1	-	3	-	-	-	-	-	-	4
Public health service	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Public Hospital	7	13	1	3	1	-	1	-	3	5	3	-	25	-	18	80
Specialised health service	-	-	-	-	-	-	1	-	-	1	1	-	1	-	-	4
Not yet known	-	1	-	-	-	-	-	-	1	-	-	-	1	-	-	3
Total	10	25	3	-	-	-	8	2	21	10	10	-	51	1	38	186

These figures are based on complaints that completed the assessment process during the month. Basing figures on completed assessments produces accurate reporting of the type(s) of issues identified, as all relevant details of a matter have been identified at the time an assessment is completed. Please note, there can be multiple issues identified within a single complaint.

Assessment

Assessments started and completed

Assessments this month	Number
Assessments started	329
Assessments completed	311

Completed assessment timeframes

Assessment timeframes	Number	Percentage
Completed within 30 days	280	90.03
Completed within 60 days	31	9.97
Total	311	100.00

Assessments are able to be completed within 60 days when granted an extension of 30 days as a result of legislated requirements being met. Of the 31 assessments completed within 60 days, two matters received an approved extension, while the remaining 29 matters ran over due to a higher than expected levels of complaints. As [noted earlier in this report](#), steps are being taken to build capacity and improve timeliness, with improvements expected over the coming months.

Assessment decisions (relevant action)

Type of relevant action	Number	Percentage
Local resolution	119	37.07
Conciliation	10	3.11
Investigation	13	4.05
Referred to AHPRA and the national boards	109	33.96
Referral to another entity	0	0
Immediate action	0	0
No further action	70	21.81
Total	321	100.00

Local resolution

Local resolutions started and completed

Local resolution this month	Number
Local resolutions started	117
Local resolutions completed	19

The number of local resolutions started in the month may not directly match the number of assessment decisions to undertake local resolution, due to the decision being made at the end of the month, and the action not being started within the same period.

Completed local resolution timeframes

Local resolution timeframes	Number	Percentage
Completed within 30 days	19	100.00
Completed within 60 days	0	0
Total	19	100.00

Local resolution outcomes

Local resolution outcomes	Number	Percentage
Resolution reached	19	100.00
No resolution reached	0	0
Total	19	19

Conciliation

Conciliations started and closed

Conciliations this month	Number
Conciliations open at the start of the month	30
Conciliations started	9
Conciliations closed	1

Agreement to participate in conciliation

Once the decision is made to attempt conciliation, both parties must agree to participate in the process. If either one, or both, of the parties do not agree to participate, the conciliation is closed. This data relates to both conciliations started this month and any from the previous month where the decision was still pending.

Agreement to participate in conciliation	Number
Party/ies agreed to conciliation	1
Party/ies did not agree to conciliation	1
Decision pending	8

Closed conciliation timeframes

Conciliations closed	Number	Percentage
Less than 3 months	1	100.00
3–6 months	0	0
6–9 months	0	0
9–12 months	0	0
Total	1	100.00

Open conciliation timeframes

Conciliations open	Number	Percentage
Less than 3 months	15	39.47
3–6 months	16	42.11
6–9 months	0	0
9–12 months	2	5.26
More than 12 months	5	13.16
Total	38*	100.00

*29 of these 38 conciliations are matters that transferred to the OHO from the HQCC.

Investigation

Investigations started and completed

Investigations this month	Number
Investigations open at the start of the month	20
Investigations started	45
Investigations completed	0

Open investigation categories

Type of investigation	Number
Health service complaint	64
Systemic issue	0
Another matter	1

Open investigation timeframes

Investigations open	Number	Percentage
Less than 3 months	26	40.00
3–6 months	7	10.80
6–9 months	18	27.70
9–12 months	13	20.00
More than 12 months	1	1.50
Total	65	100.00

All investigations that have been open for more than 12 months are published on our investigations register, available on our website www.oho.qld.gov.au

Show cause notices

One show cause notice was issued in August.

As outlined in the *Health Ombudsman Act 2013*, upon receipt of a show cause notice, a health service provider is invited to make a submission within a stated period of time. The Health Ombudsman will then consider the submission before deciding whether to take immediate action against the provider.

Demographics

The following demographic data is based on matters that have completed the assessment process. Basing figures on completed assessments produces accurate reporting, as all relevant details of a matter have been identified.

Unless otherwise specified, data is based on healthcare consumers, not the complainant, as the complainant in a matter may not be the consumer of the health service. Matters where the healthcare consumer is an organisation are not included in these figures.

Gender

Gender	Number	Percentage
Female	158	50.97
Male	117	37.74
Unknown	35	11.29
Total	310	100.00

Age

Age	Number	Percentage
Less than 18	14	4.52
18–24 years	16	5.16
25–34 years	35	11.29
35–44 years	37	11.94
45–54 years	43	13.87
55–64 years	43	13.87
65–74 years	22	7.10
Over 75 years	19	6.13
Unknown*	81	26.13

*Age not recorded for a particular matter.

Location of healthcare consumers

Location of healthcare consumers	Number	Percentage
Brisbane	121	39.03
Central West	0	0.00
Darling Downs	10	3.23
Far North	10	3.23
Fitzroy	7	2.26
Gold Coast	48	15.48
Mackay	8	2.58
North West	2	0.65
Northern	14	4.52
South West	1	0.32
Sunshine Coast	23	7.42
West Moreton	5	1.61
Wide Bay-Burnett	16	5.16
Outside Queensland	29	9.35
Unknown	16	5.16
Total	310	100.00

The above data is based on health consumer location

Location of health service providers

Location of health service providers	Number	Percentage
Brisbane	144	46.45
Central West	0	0.00
Darling Downs	12	3.87
Far North	17	5.48
Fitzroy	6	1.94
Gold Coast	62	20.00
Mackay	7	2.26
North West	0	0.00
Northern	12	3.87
South West	1	0.32
Sunshine Coast	18	5.81
West Moreton	3	0.97
Wide Bay-Burnett	12	3.87
Outside Queensland	2	0.65
Unknown	14	4.52
Total	310	100.00

The above data is based on health service provider location.

Australian Health Practitioner Regulation Agency (AHPRA)

Transitional matters

The OHO received an overview of current AHPRA matters on 29 July 2014, with further information requested and provided throughout August. A review and audit of these matters has been underway to determine the most appropriate action, including identifying those serious matters that are most appropriately dealt with by the OHO, and those that will continue to be dealt with by AHPRA.

From this review of matters, the OHO has initially identified 38 matters to be transitioned from AHPRA to the OHO. Of these matters, 31 have been received, with the remainder due in the near future. During August, the OHO also requested information from AHPRA for 114 additional matters. The majority of this information has been received and is now being reviewed to determine the most appropriate action for each matter.

Notifications from AHPRA

In addition to the transitional matters above, AHPRA have notified the Health Ombudsman of 18 serious matters, as prescribed under Section 193 of the Health Practitioner Regulation National Law (Queensland) (National Law), since 1 July 2014.

Of these matters, the Health Ombudsman:

- requested five be referred to the Office of the Health Ombudsman (Section 193(2)(a) National Law)
- asked the National Board to continue to deal with nine matters (Section 193(2)(b) National Law)
- is currently assessing four matters.

Matters referred to AHPRA

	Access	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Enquiry service	Fees and costs	Grievance process	Medication	Medical records	Professional conduct	Professional health	Professional performance	Reports/certificates	Treatment	Total
Dental	-	2	-	-	-	-	-	-	-	-	11	-	8	-	3	24
Medical	-	13	1	1	-	-	-	-	6	1	6	13	24	2	23	90
Nursing and Midwifery	-	1	-	-	-	-	-	-	3	1	10	6	1	1	-	23
Pharmacy	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Total	-	16	1	1	-	-	-	-	9	2	28	19	33	3	26	138

Health Quality and Complaints Commission

The OHO assumed responsibility for existing Health Quality and Complaints Commission (HQCC) matters on 1 July 2014. A total of 289 matters were transitioned to the OHO from the HQCC.

The OHO reviewed these 289 matters and identified the relevant part of the complaints management process to which each matter related and the numbers of matters in each:

- Triage (69)—these are complaints received by HQCC for which further information had been requested and received just prior to 1 July. These matters had not progressed to assessment or resolution by 30 June. These matters were processed as new complaints received by the OHO.
- Assessment (155)
- Local resolution (7)
- Conciliations (31)
- Investigations (12)
- Applications for review (15)—these are applications requesting a review of HQCC complaint management decisions made prior to 1 July 2014. These matters are being dealt with as new complaints.

HQCC matters post–1 July

Of the 289 matters transitioned to the OHO on 1 July, 259 have been processed and are being actioned appropriately within the relevant stages of the OHO health service complaints management process. These matters are reported in the performance data within this document.

The final 30 matters, of the 289 transitioned, have been reviewed in a staged approach and will be entered into the OHO complaints management system in September.