

# Office of the Health Ombudsman

## Performance report November 2014

December 2014



Office of the  
**HEALTH  
OMBUDSMAN**

*Listen. Respond. Resolve.*

## Office of the Health Ombudsman—Performance report November 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](mailto:communications@oho.qld.gov.au), phone 133 OHO (133 646).

An electronic version of this document is available at [www.oho.qld.gov.au](http://www.oho.qld.gov.au)

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# Introduction

This document contains our performance data for November 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.

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. These matters are also included within the data of this report.

Data in this report is correct as at 3 December 2014, but is subject to change.

## Number of contacts

Type of contact	Number	Percentage
Complaint	273	40.87
Enquiry	346	51.80
Yet to be classified	49	7.34
<b>Total</b>	<b>668</b>	<b>100.00</b>

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 initially to allow for a determination, and additional information is being sought, or are 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 '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 the next reporting period.

# Decisions

## Number of decisions made

Number of decisions made	Number	Percentage
Accepted	265	76.81
Not accepted	40	11.59
Decision pending	40	11.59
<b>Total</b>	<b>345</b>	<b>100.00</b>

'Decision pending' relates 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

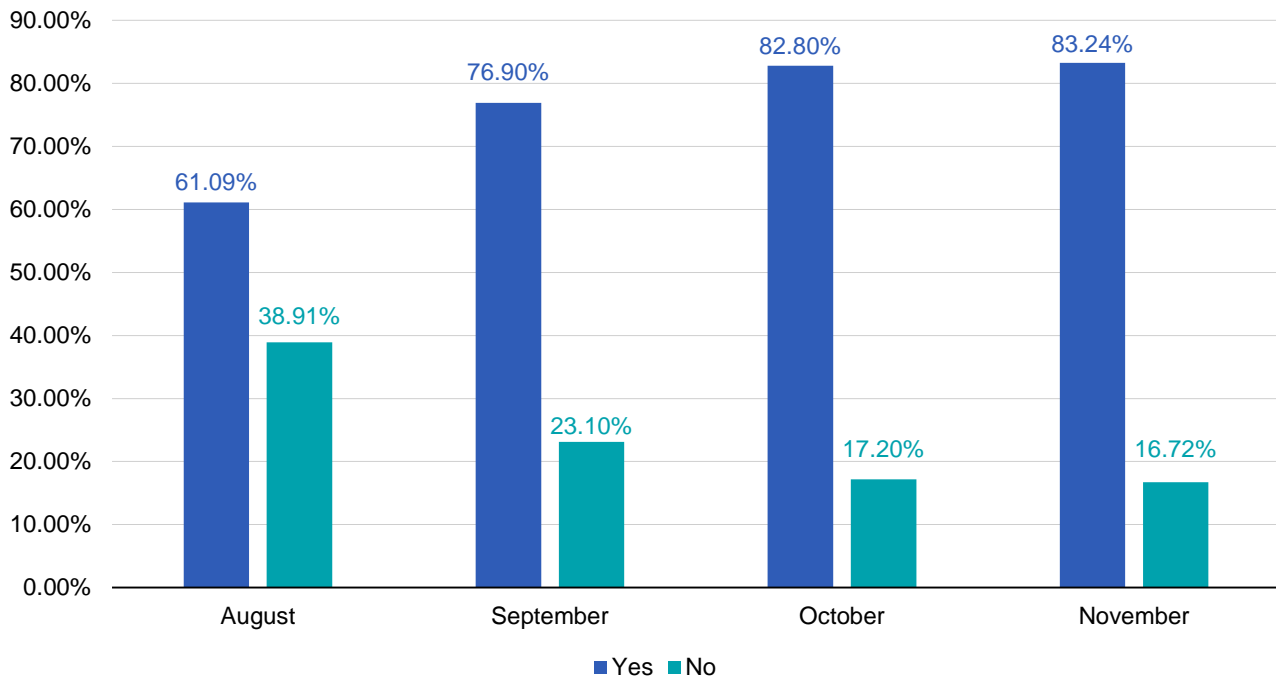
Decision made within seven days of receiving a complaint	Number	Percentage
Yes	254	83.28
No	51	16.72
<b>Total</b>	<b>305</b>	<b>100.00</b>

## Reason for decisions being made outside of seven days

While the impact of higher than expected levels of new health service complaints being made to the Office of the Health Ombudsman is still being felt, steps taken to build capacity and improve the timeliness of decision making is yielding positive results.

There has been a continued increase in the percentage of decisions made within seven days from 61 per cent in August, to 83.2 per cent in November.

### Complaints accepted in seven days



As noted in previous performance reports, the office commenced recruitment of extra staff to assist in the processing of complaints. In addition, the office is continuing to refine existing, and implementing new, operational processes to improve the processing of complaints, in line 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 continue to be seen over the coming months.

# Health service complaints profile

## Main issues raised in complaints

Issue	Number	Percentage
Access	13	5.94
Communication/information	41	18.72
Consent	3	1.37
Discharge/transfer arrangements	4	1.83
Enquiry service only	1	0.46
Environment/management of facilities	3	1.37
Fees/cost	7	3.20
Grievance processes	3	1.37
Medical records	12	5.48
Medication	17	7.76
Professional conduct	26	11.87
Professional health	7	3.20
Professional performance	69	31.51
Reports/certificates	3	1.37
Treatment	10	4.57
<b>Total</b>	<b>219</b>	<b>100.00</b>

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

Practitioner type	Access	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Enquiry service	Fees and costs	Grievance process	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/certificates	Treatment	Total
Alternative care	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chinese medicine	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chiropractor	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Dentistry	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Emergency care	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General medical	1	11	-	-	-	-	-	-	3	7	8	1	16	2	-	49
Medical radiation	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Medical specialty	-	6	1	-	-	-	1	-	1	2	3	2	5	1	2	24
Nursing	-	1	-	-	-	-	-	-	2	1	3	1	4	-	-	12
Optometry	-	1	-	-	-	-	-	-	-	-	1	-	1	-	-	3
Other	-	-	-	-	-	-	-	-	-	-	3	1	3	-	-	7
Pathology	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Pharmacy	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	2
Physiotherapy	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Podiatry	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Psychology	-	1	-	-	-	-	1	-	-	1	-	-	-	-	-	3
Surgical	-	2	-	-	-	-	-	-	-	-	-	-	3	-	5	10
Not yet known	-	1	-	-	-	-	1	-	-	-	1	1	1	-	-	5
<b>Total</b>	<b>1</b>	<b>25</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>-</b>	<b>6</b>	<b>11</b>	<b>22</b>	<b>7</b>	<b>35</b>	<b>3</b>	<b>7</b>	<b>121</b>

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

Organisation type	Access	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Enquiry service	Fees and costs	Grievance process	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/certificates	Treatment	Total
Aged care facility	-	-	-	-	1	-	-	-	-	2	-	-	-	-	-	3
Allied health service	-	2	-	-	-	-	-	-	1	1	-	-	1	-	-	5
Ambulance service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Community health service	1	-	-	-	-	-	-	-	-	1	1	-	-	-	-	3
Correctional facility	5	-	-	-	-	1	-	-	-	1	-	-	10	-	-	17
Dental service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Health Service District	-	1	-	-	-	-	-	-	-	-	-	-	1	-	-	2
Laboratory service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Licensed Private Hospital	-	2	-	-	-	-	1	-	-	1	-	-	3	-	-	7
Medical Centre	3	4	-	-	-	-	3	-	-	-	-	-	-	-	-	10
Mental health service	-	1	1	-	-	-	-	1	-	-	-	-	-	-	-	3
Other government department	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other support service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pharmaceutical service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public health service	-	-	-	-	-	-	-	-	-	-	1	-	2	-	-	3
Public Hospital	3	6	1	4	2	-	-	2	5	-	2	-	13	-	3	41
Specialised health service	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	2
Not yet known	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	2
<b>Total</b>	<b>12</b>	<b>16</b>	<b>2</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>6</b>	<b>6</b>	<b>4</b>	<b>-</b>	<b>34</b>	<b>-</b>	<b>3</b>	<b>98</b>

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	266
Assessments completed	133

### Completed assessment timeframes

Assessment timeframes	Number	Percentage
Completed within 30 days	78	58.65
Completed within 60 days*	44	33.08
Completed greater than 60 days**	11	8.27
<b>Total</b>	<b>133</b>	<b>100.00</b>

\*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 44 assessments completed within 60 days, 30 matters were eligible for and received an approved extension, while the remaining 14 matters ran over due to a higher than expected level of complaints.

\*\*The 11 matters completed outside of 60 days were primarily the result of delays in sourcing the necessary independent clinical advice required to appropriately assess the matters. The engagement of independent clinical experts is an important element of the assessment process for more complex 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

Type of relevant action	Number	Percentage
Local resolution	44	27.00
Conciliation	2	1.23
Investigation	16	9.82
Referred to AHPRA and the national boards	50	30.67
Referral to another entity	3	1.84
Immediate action	1	0.61
No further action	47	28.83
<b>Total</b>	<b>163</b>	<b>100.00</b>

Total assessment decisions won't equal the total number of assessments (in previous tables), as a single assessment can result in multiple relevant actions.

The figures for the type of relevant action decided in the assessment stage may not correspond with totals for respective relevant actions (e.g. local resolution, conciliation, investigation etc.) due to the time between a decision being made and an action taken crossing over different reporting periods.

\*Immediate action assessment decision figures may not align with the immediate action figures later in the report due to immediate actions decisions being made outside of the assessment process.

# Local resolution

## Local resolutions started and completed

Local resolutions this month	Number
Local resolutions started	40
Local resolutions completed	38

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 time between a decision being made and an action taken crossing over different reporting periods.

## Completed local resolution timeframes

Local resolution timeframes	Number	Percentage
Completed within 30 days	35	92.11
Completed within 60 days *	3	7.89
Completed over 60 days	0	0.00
<b>Total</b>	<b>38</b>	<b>100.00</b>

\*Local resolutions are able to be completed within 60 days when granted an extension of 30 days as a result of legislated requirements being met. All three local resolutions completed within 60 days were eligible for and received an approved extension.

## Local resolution outcomes

Local resolution outcomes	Number	Percentage
Resolution reached	33	86.84
No resolution reached	5	13.16
Complaint withdrawn*	0	0.00
<b>Total</b>	<b>38</b>	<b>100.00</b>

\*Complainants can choose to withdraw their complaint at any stage during local resolution.

## Decisions for matters where resolution wasn't reached

Type of relevant action	Number	Percentage
Conciliation	0	0.00
Investigation	0	0.00
Referred to AHPRA and the national boards	0	0.00
Referral to another entity	0	0.00
Immediate action	0	0.00
No further action	5	100.00
<b>Total</b>	<b>5</b>	<b>100.00</b>

# Conciliation

## Conciliations started and closed

Conciliations this month	Number
Conciliations open at the start of the month	39
Conciliations started	2
Conciliations closed	2

The number of conciliations started in the month may not directly match the number of assessment decisions to undertake conciliation, due to the time between a decision being made and an action taken crossing over different reporting periods.

## Agreement to participate in conciliation

Agreement to participate in conciliation	Number
Party/ies agreed to conciliation*	0
Party/ies did not agree to conciliation*	1
Decision pending at end of month**	10

\*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, the conciliation is closed. The above data for 'agreed/did not agree' is taken from closed conciliations.

\*\*Decisions pending includes decisions still to be made at the end of the reporting period, as well as matters that have been referred to a National Board and will not commence conciliation until the National Board concludes its processes.

## Closed conciliation timeframes

Conciliations closed	Number	Percentage
Less than 3 months	1	50.00
3–6 months	1	50.00
6–9 months	0	0.00
9–12 months	0	0.00
More than 12 months	0	0.00
<b>Total</b>	<b>2</b>	<b>100.00</b>

## Closed conciliation outcome

Conciliation outcomes	Number	Percentage
Closed—party/ies chose not to participate*	1	50.00
Agreement reached	1	50.00
No agreement reached	0	0.00
Ended by Health Ombudsman**	0	0.00
<b>Total</b>	<b>2</b>	<b>100.00</b>

\*Once the decision is made to attempt conciliation of a matter, both parties must agree to the conciliation process. If either one, or both, of the parties do not agree to participate, the conciliation is closed.

\*\*If the Health Ombudsman ends conciliation the reasons for this decision are to be included.

## Open conciliation timeframes

Conciliations open	Number	Percentage
Less than 3 months	6	15.38
3–6 months	11	28.21
6–9 months	19	48.72
9–12 months	1	2.56
More than 12 months	2	5.13
<b>Total</b>	<b>39</b>	<b>100.00</b>



# Investigation

## Investigations started and completed

Investigations this month	Number
Investigations open at the beginning of the month	143
Investigations started	24
Investigations completed	4

The number of investigations started in the month may not directly match the number of assessment decisions to undertake investigation, due to the time between a decision being made and an action taken crossing over different reporting periods.

## Closed investigation timeframes

Investigations closed	Number	Percentage
Less than 3 months	3	75.00
3–6 months	0	0.00
6–9 months	0	0.00
9–12 months	0	0.00
More than 12 months	1	25.00
<b>Total</b>	<b>4</b>	<b>100.00</b>

## Open investigation categories

Type of investigation	Number
Health service complaint	155
Systemic issue	0
Another matter*	8

\*Matters that are brought to the Health Ombudsman's attention by means other than through a health service complaint or notification.

## Open investigation timeframes

Investigations open	Number	Percentage
Less than 3 months	62	38.00
3–6 months	40	24.54
6–9 months	11	6.75
9–12 months	19	11.66
More than 12 months*	31	19.02
<b>Total</b>	<b>163</b>	<b>100.00</b>

\*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](http://www.oho.qld.gov.au)

## Immediate action

### Show cause notices

Three show cause notices were issued in November.

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.

### Immediate registration action

No immediate registration actions were taken in November.

The Health Ombudsman can take immediate action against both registered and non-registered health practitioners if the Health Ombudsman reasonably believes the practitioner poses a serious risk to the health and safety of the public.

For registered health practitioners, the Health Ombudsman can temporarily suspend or impose conditions on registration, and for unregistered practitioners, temporarily restrict or prohibit a practitioner from providing a particular health service.

### Interim prohibition orders

One interim prohibition order was made in November. The details can be found on the OHO website ([www.oho.qld.gov.au](http://www.oho.qld.gov.au)) on the interim prohibition order register.

The Health Ombudsman can issue an interim prohibition order if a non-registered health practitioner's health, conduct or performance means they pose a serious risk to people, and immediate action is necessary to protect public health and safety.

An interim prohibition order can **prohibit** or **restrict** a health practitioner from providing any health service, or a specific health service.

## 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	60	46.15
Male	69	53.08
Unknown	1	0.77
<b>Total</b>	<b>130</b>	<b>100.00</b>

### Age

Age	Number	Percentage
Less than 18	6	4.62
18–24 years	11	8.46
25–34 years	18	13.85
35–44 years	25	19.23
45–54 years	18	13.85
55–64 years	19	14.62
65–74 years	9	6.92
Over 75 years	6	4.62
Unknown*	18	13.85

\*Not recorded or not provided for a particular matter.

## Location of healthcare consumers

Location of healthcare consumers	Number	Percentage
Brisbane	63	48.46
Central West	0	0.00
Darling Downs	1	0.77
Far North	5	3.85
Fitzroy	5	3.85
Gold Coast	24	18.46
Mackay	3	2.31
North West	0	0.00
Northern	11	8.46
South West	0	0.00
Sunshine Coast	5	3.85
West Moreton	1	0.77
Wide Bay-Burnett	5	3.85
Outside Queensland	5	3.85
Unknown	2	1.54

The above data is based on health consumer location

## Location of health service providers

Location of health service providers	Number	Percentage
Brisbane	67	50.38
Central West	0	0.00
Darling Downs	1	0.75
Far North	8	6.02
Fitzroy	6	4.51
Gold Coast	22	16.54
Mackay	2	1.50
North West	0	0.00
Northern	6	4.51
South West	0	0.00
Sunshine Coast	4	3.01
West Moreton	1	0.75
Wide Bay-Burnett	6	4.51
Outside Queensland	0	0.00
Unknown	10	7.52

The above data is based on health service provider location.

# Australian Health Practitioner Regulation Agency (AHPRA)

## Transitional matters

Discussions are continuing on a further 11 matters. The transition of files from AHPRA will be completed by 31 December 2014.

## Notifications from AHPRA

Three new notifications (s193 of the Act) about possible serious matters were received this month. Two matters were left with AHPRA to manage. One matter remains under consideration by the Health Ombudsman.

In addition, in November responses were provided to AHPRA in relation to two matters which were the subject of s193 notifications in late October. Both of these matters were left with AHPRA.

## Matters referred to AHPRA

Registered practitioner type	Access	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Enquiry service	Fees and costs	Grievance process	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/certificates	Treatment	Total
Aboriginal and Torres Strait Islander health	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chinese Medicine	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chiropractic	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Dental	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	2
Medical	-	4	-	-	-	-	-	-	-	4	2	3	11	-	-	24
Medical Student	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Medical Radiation	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Nursing and Midwifery	-	-	-	-	-	-	-	-	1	2	2	-	1	-	-	6
Occupational Therapy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Optometry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Osteopathy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pharmacy	-	-	-	-	-	-	-	-	-	1	3	-	-	-	-	4
Physiotherapy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Podiatry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Psychology	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	-	<b>5</b>	-	-	-	-	-	-	<b>1</b>	<b>7</b>	<b>9</b>	<b>4</b>	<b>12</b>	-	-	<b>38</b>





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