



Aboriginal and Torres Strait
Islander Health Practice
Chinese Medicine
Chiropractic
Dental
Medical
Medical Radiation Practice
Nursing and Midwifery
Occupational Therapy
Optometry
Osteopathy
Pharmacy
Physiotherapy
Podiatry
Psychology

Australian Health Practitioner Regulation Agency

Complaint handling policy and procedure

1 July 2015

Introduction

The National Registration and Accreditation Scheme (the National Scheme) exists to ensure Australians have access to safe high quality health practitioners. The Australian Health Practitioner Regulation Agency (AHPRA) administers the National Scheme in partnership with the National Boards. AHPRA and the National Boards are committed to delivering high standards of accountability in business and customer service functions.

This complaints policy forms part of those standards.

This complaint handling procedure is designed to ensure that the concerns of individual members of the public are treated seriously and are addressed promptly and fairly. Feedback is always welcome, whether positive or negative, to enable service improvement. This policy sets out our process for addressing complaints.

The Chief Executive Officer has overall responsibility for ensuring that complaints are investigated fully. Making a complaint under this policy does not take away from any other rights a complainant may have against AHPRA or a National Board.

Definitions

Agency Management Committee

The Agency Management Committee is AHPRA's management committee

Board

Board is a National Board of Australia, or the State Board of the National Board of Australia as a delegate of a National Board.

Committee

Committee is the delegate of a National Board of Australia.

Complaint

A complaint is an expression of concern, dissatisfaction or frustration with the quality or delivery of service, a policy or procedure, or the conduct of another person.

Enquiry

An enquiry is when a member of the public seeks information or has queries about:

- a request for a service
- a general operational matter
- an explanation of a policy or practice
- a third party or matter not directly related to an action or inaction of AHPRA or other agency within the National Scheme
- how to lodge an appeal in accordance with a standard procedure or policy.

Notification

A notification is the process of providing information about the professional conduct, professional performance or health of a registered health practitioner or student to the relevant National Board. Any person or organisation can make a notification if they believe that an individual health practitioner may be putting the public at risk.

What this policy covers

This policy applies to complaints about:

- decisions by AHPRA, a Board or Committee, except the outcome of a notification about a practitioner or the application of a National Standard in relation to a practitioner, and
- the behaviour of an AHPRA staff member or a Board or Committee member.

What this policy does not cover

This policy does not cover matters such as notifications concerning health practitioners. There is a different process for making a notification about a health practitioner. A notification about a health practitioner can be made: by following the [Make a notification](#) link on the AHPRA website (www.ahpra.gov.au).

However, a complaint may be made about AHPRA or a Board's process in managing the notification. A complaint cannot be made about the outcome of a notification.

Making a complaint

Any person may make a complaint. To enable the timely consideration of a complaint, specific details of the incident, conduct or behaviour giving rise to the complaint should be provided.

Complaints can be made over the phone, or in writing. AHPRA encourages complaints, where possible, to be submitted in writing (by email or letter). Complaints can also be made by completing the form on the AHPRA website. There are instructions on 'How to make a complaint' on the website.

www.ahpra.gov.au/About-AHPRA/Complaints.aspx

AHPRA supports National Boards and the Agency Management Committee in managing complaints. In most circumstances, the complaints handling officer will be a member of AHPRA staff, who will act as a central contact point within each office.

How to make a complaint

A complaint (or any feedback) can be made by:

- Completing the form on the AHPRA website www.ahpra.gov.au/About-AHPRA/Complaints.aspx
- Sending a complaint to:

The State or Territory Manager
AHPRA
G.P.O. Box 9958
In your capital city

AHPRA encourages all complaints to be submitted in writing.

- By telephone: 1300 419 495

The complaint will be managed by a Complaints Officer, whose details will be communicated to the complainant.

COMPLAINTS PROCESS

When a complaint is made

A response will be guided by the following principles.

1. A complainant will be treated fairly.
2. A complaint will be acknowledged promptly, assessed and assigned priority.
3. If the complaint cannot be resolved with the 45 day time frame the complaint handling officer will provide information relating to the investigation of the complaint.
4. Where an investigation is required it will be planned with a timeline established.
5. The investigation will be objective, impartial and managed confidentially in accordance with privacy obligations.
6. The investigation will aim to resolve factual issues and consider options for complaint resolution and future improvement.
7. The response to the complaint will be timely, clear and informative.
8. If the complainant is not satisfied with the response, internal review of the decision will be offered and information about external review options provided.

What will happen after a complaint is received?

The complaint will be acknowledged in writing within 14 days. Complaints will be effectively assessed, investigated, and in all but exceptional circumstances a response will be provided within 45 days. More complicated complaints may require more time to investigate. AHPRA will communicate its expectations where a longer period is required.

In all instances, complainants will be advised of the name of the officer who is addressing their complaint.

What if a complainant remains dissatisfied with AHPRA's response?

If a complainant remains dissatisfied, they should write within 30 days to the Complaints Officer providing reasons why they feel that the response is not satisfactory. In most cases, the complaint will be referred to the State or Territory Manager for internal review. The State or Territory Manager will prepare a response, usually within 30 days.

In exceptional circumstances an internal review may be conducted by another officer, nominated by the Chief Executive Officer. In the event that a complainant remains dissatisfied, the Chief Executive Officer may review the matter.

National Health Practitioner Ombudsman

A National Health Practitioner Ombudsman has been established to receive complaints and help people who believe they may have been treated unfairly in administrative processes by the national agencies within the National Scheme.

Complaints can also be made directly to the National Health Practitioners Ombudsman. However the Ombudsman may refer complaints to a AHPRA or the Boards to manage the complaint in accordance with this policy and procedure. If no resolution is achieved, or if a person has concerns with the handling of the complaint, the National Health Practitioner Ombudsman may conduct an independent review of the complaint and its management.

Contact details for the Office of the National Health Practitioners Ombudsman

Name: Office of the National Health Practitioner Ombudsman and Privacy Commissioner

Address: 50 Lonsdale Street, Melbourne, VIC 3000

Telephone: 1300 795 265

Email: complaints@nhpopc.gov.au

Website: www.nhpopc.gov.au

Reporting

AHPRA will report on de-identified complaints in the annual report and its website.

Resources

Legislation

- The Health Practitioner Regulation National Law Act (the National Law).
www.ahpra.gov.au/Legislation-and-Publications/Legislation.aspx
- The *Ombudsman Act 1976* (Cth) as adopted by the National Law and amended by the National Law Regulations.
www.austlii.edu.au/au/legis/cth/consol_act/oa1976114
- The *Privacy Act 1988* (Cth) as adopted by the National Law and amended by the National Law Regulations.
www.austlii.edu.au/au/legis/cth/consol_act/pa1988108

Guidelines and Standards

- 'Better Practice Guide to Complaint Handling', Commonwealth Ombudsman, 1 April 2009. Available at: www.ombudsman.gov.au/docs/better-practice-guides/onlineBetterPracticeGuide.pdf
- 'The Why and How of Complaints Handling', Standards Australia, 26 June 2006. (HB 229—2006)
- 'Customer satisfaction—Guidelines for complaints handling in organizations', Standards Australia, 5 April 2006. (ISO 10002:2004, MOD).

Freedom of information

For information about Freedom of Information, see the Freedom of Information Policy. When a complainant makes a FOI application in relation to an administrative complaint and it is in the public interest, no fee will apply.

Commencement and review

The Complaint Handling Policy & Procedure was initially adopted by the Agency Management Committee and National Boards on 22 September 2010. The revised policy and procedure was adopted in May 2012 with a commencement date of 1 July 2012.