

AHPRA and the National Boards – Q4

Performance Report: Complaints management quarterly performance data

Reporting period: 1 April 2016 to 30 June 2016



Australian Health Practitioner Regulation Agency

Aboriginal and Torres Strait Islander health practice	Occupational therapy
Chinese medicine	Optometry
Chiropractic	Osteopathy
Dental	Pharmacy
Medical	Physiotherapy
Medical radiation practice	Podiatry
Nursing and Midwifery	Psychology

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Registration management

No data about AHPRA's management of registration matters has been provided in this report. AHPRA does not believe that the Health Ombudsman has jurisdiction in relation to AHPRA's performance in the management of the registration functions under the National Law.

AHPRA has published detailed information about registration management on its website and can be found at <http://www.ahpra.gov.au/About-AHPRA/What-We-Do/Statistics.aspx>.

Notifications management

Notifications overview

The tables below show the number of notifications received about registered health practitioners, the number of notifications completed and the number of notifications that remain open in the assessment, investigation, health assessment and performance assessment stage.

Table 4.1 Number of notifications received during the reporting period, by stream

Stream	Total
Health	72
Performance	326
Conduct	90
Total	488

Table 4.2 Number of notifications closed during the reporting period, by stream

Stream	Total
Health	55
Performance	338
Conduct	132
Total¹	525

Table 4.3 Number of notifications open at the end of the reporting period, by stream

Stream	June
Health	167
Performance	767
Conduct	246
Total	1,180

Immediate actions overview

Under the National Law, a National Board may take immediate action in relation to a registered health practitioner registered by the Board if the National Board reasonably believes that because of the registered health practitioner's conduct, performance or health, the practitioner poses a serious risk to persons and it is necessary to take immediate action to protect public health or safety. The Board may also take immediate action if the registered health practitioner's registration was improperly obtained because the practitioner or someone else gave the National Board information or a document that was false or misleading in a material particular or if the registered health practitioner's registration has been cancelled or suspended under the law of a jurisdiction, whether in Australia or elsewhere, that is not a participating jurisdiction.

Under the National Law, a National Board may take immediate action in relation to a student registered by the Board if the National Board reasonably believes that the student poses a serious risk to persons because the student has been charged with an offence, or has been convicted or found guilty of an offence, that is punishable by 12 months imprisonment or more; or has, or may have, an impairment; or has, or may have, contravened a condition of the student's registration or an undertaking given by the student to a National Board; and it is necessary to take immediate action to protect public health or safety. The Board may also take immediate action if the student's registration has been cancelled or suspended under the law of a jurisdiction, whether in Australia or elsewhere, that is not a participating jurisdiction.

The tables below show the number of immediate actions commenced during the period, the number of immediate actions completed during the reporting period and the number of immediate actions open at the end of the reporting period.

Table 5.1 Number of immediate actions commenced

	Total
Immediate actions commenced	33

Table 5.2 Number of immediate actions completed

	Total
Immediate actions completed	30

Table 5.3 Number of immediate actions open at end

	June
Immediate actions open	3

Outcomes and timeliness of completed immediate actions

The tables below show the outcomes of immediate actions completed during the reporting period and timeliness of immediate actions completed during the reporting period. The tables below also show the timeliness of immediate actions open at the end of the reporting period.

Table 6.1 Number of immediate actions completed, by outcome

Outcome	Total
Immediate action not proposed	0
Immediate action not taken following show cause	9
Immediate action taken	21
Total	30

Table 6.2 Immediate actions completed where immediate action was taken, by outcome

Outcome	Total
Accept undertaking	4
Impose conditions	12
Suspend registration	5
Accept surrender of registration	0
Total	21

Table 6.3 Number of immediate actions completed where immediate action was taken, by time frame

Time frame	Total
Completed in \leq 14 days	14
Completed in $>$ 14 days	7
Total	21

Timeliness of open immediate actions

Table 7.1 Number of immediate actions open at the end of the reporting period, by time frame

Time frame	June
Open for \leq 14 days	2
Open for $>$ 14 days	1
Total	3

Section 150 preliminary assessment overview

Under s150 of the National Law, a National Board must, within 60 days after receipt of a matter, conduct a preliminary assessment of the notification and decide whether or not it relates to a person who is a health practitioner or a student registered by the Board, and whether or not it relates to a matter that is a ground for notification.

The tables below show the number of s150 preliminary assessments commenced and completed during the reporting period and the number of s150 preliminary assessments open at the end of the reporting period.

Table 8.1 Number of s150 preliminary assessments commenced

	Total
s150 preliminary assessments commenced	458

Table 8.2 Number of s150 preliminary assessments completed

	Total
s150 preliminary assessments completed	473

Table 8.3 Number of s150 preliminary assessments open at end

	June
s150 preliminary assessments open	87

Outcomes of completed s150 preliminary assessments

The table below shows the outcome of each preliminary assessment conducted.

Table 9.1 Number of s150 preliminary assessments completed, by outcome

Outcome	Total
Outcome of decision to take the enquiry further	
Progressed to notification	450
Managed as offence	17
Managed as complaint by co-regulator	0
Outcome of decision to close the enquiry	
Insufficient particulars	0
HCE to retain	2
No further action	0
General information enquiry	0
Refer all of the notification to another body	3
Other	1
Total	473

Table 9.2 Number of s150 preliminary assessments completed, by timeframe

Time frame	Total
Completed in \leq 30 days	445
Completed in $>$ 30 days but \leq 60 days	8
Completed in $>$ 60 days	14
Total	473

Assessment overview

After completing a preliminary assessment of a matter, Boards have the power to take no further action, investigate the matter further, refer the matter for health assessment, refer the matter for performance assessment, refer the matter for hearing by a panel or the responsible tribunal, or to take a form of action under Division 10 of Part 8 of the National Law. If a Board proposes to take action under Division 10 of Part 8 of the National Law, it must undertake a show cause process. This applies when the Board proposes to restrict a practitioner's registration in some way as an interim step to keep the public safe. In these cases, the final assessment decision will not occur until the show cause process has concluded.

After a Board decision to take no further action after an assessment or to take action under Division 10 of Part 8, some matters may remain open to enable administrative processes to be completed.

The tables below show the number of assessments commenced and completed during the reporting period and the number of assessments open at the end of the reporting period.

Table 10.1 Number of assessments commenced

	Total
Assessments commenced	490

Table 10.2 Number of assessments completed

	Total
Assessments completed	663

Table 10.3 Number of assessments open at the end of the reporting period

	June
Assessments open	430

Outcomes and timeliness of completed assessments

The tables below show the outcomes of the assessments completed during the reporting period. The tables below also show the timeliness of conducting the assessments during the reporting period, including any administrative or show cause steps required to complete the assessment.

Table 11.1 Number of assessments completed, by outcome

Outcome	Total
Outcome of decision to take the notification further	
Investigation	225
Health or performance assessment	43
Panel hearing	1
Tribunal hearing	0
Other stage	4
Outcome of decision to close the notification	
Accept undertaking	2
Caution	69
HCE to retain	0
Impose conditions	40
No further action	278
Other	1
Total	663

Table 11.2 Number of assessments completed, by time frame

Time frame	Total
Completed in \leq 60 days	197
Completed in $>$ 60 days but \leq 90 days	140
Completed in $>$ 90 days	326
Total	663

Timeliness of open assessments

The tables below show the number of assessments that remain open at the end of the reporting period and the length of time that they have been in the assessment stage.

Table 12.1 Number of assessments open at the end of the reporting period, by time frame

Time frame	June
Open for \leq 60 days	257
Open for $>$ 60 days but \leq 90 days	66
Open for $>$ 90 days	107
Total	430

Table 12.2 Number of assessments open at the end of the reporting period that have been open \leq 60 days, by stage

Stage	June
Pending Board decision	193
Post Board decision	52
Subject to Division 10 process	12
Total	257

Table 12.3 Number of assessments open at the end of the reporting period that have been open $>$ 60 days but \leq 90 days, by stage

Stage	June
Pending Board decision	27
Post Board decision	18
Subject to Division 10 process	21
Total	66

Table 12.4 Number of assessments open at the end of the reporting period that have been open $>$ 90 days, by stage

Stage	June
Pending Board decision	16
Post Board decision	43
Subject to Division 10 process	48
Total	107

Investigations overview

The tables below show the number of investigations commenced and completed during the reporting period and the number of investigations that remain open at the end of the reporting period.

Table 13.1 Number of investigations commenced

	Total
Investigations commenced	228

Table 13.2 Number of investigations completed

	Total
Investigations completed	86

Table 13.3 Number of investigations open at the end of the reporting period

	June
Investigations open	619

Outcomes and timeliness of completed investigations

The tables below show the outcomes of investigations completed during the reporting period. The tables below also show the timeliness of these completed investigations.

Table 14.1 Number of investigations completed, by outcome

Outcome	Total
Outcome of decision to take the notification further	
Health or performance assessment	10
Panel hearing	10
Tribunal hearing	2
Other stage	3
Outcome of decision to close the notification	
Accept undertaking	1
Caution	14
Impose conditions	7
No further action	39
Practitioner surrender	0
Other	0
Total	86

Table 14.2 Number of investigations completed, by time frame

Time frame	Total
Completed in \leq 6 months	17
Completed in $>$ 6 months but \leq 12 months	17
Completed in $>$ 12 months but \leq 18 months	15
Completed in $>$ 18 months	37
Total	86

Timeliness of open investigations

The table below shows the number of investigations that remain open at the end of the reporting period and the length of time that they have been in the investigation stage.

Table 15.1 Number of investigations open at the end of the reporting period, by time frame

Time frame	June
Open for \leq 6 months	343
Open for $>$ 6 months but \leq 12 months	156
Open for $>$ 12 months but \leq 18 months	71
Open for $>$ 18 months	49
Total	619

Health assessment overview

A health assessment is an assessment of a person to determine whether the person has an impairment and includes a medical, physical, psychiatric or psychological examination or test of the person.

The tables below show the number of health assessments commenced and completed during the reporting period and the number of health assessments open at the end of the reporting period.

Table 16.1 Number of health assessments commenced

	Total
Health assessments commenced	49

Table 16.2 Number of health assessments completed

	Total
Health assessments completed	37

Table 16.3 Number of health assessments open at the end of the reporting period

	June
Health assessments open	117

Outcomes and timeliness of completed health assessments

The tables below show the outcomes of the health assessments completed during the reporting period and the timeliness of these health assessments.

The tables below also show the timeliness of open health assessments at the end of the reporting period.

Table 17.1 Number of health assessments completed, by outcome

Outcome	Total
Outcome of decision to take the notification further	
Investigation	2
Panel hearing	0
Tribunal hearing	0
Other stage	0
Outcome of decision to close the notification	
Accept undertaking	3
Caution	0
Impose conditions	21
No further action	11
Practitioner surrender	0
Other	0
Total	37

Table 17.2 Number of health assessments completed, by time frame

Time frame	Total
Completed in \leq 6 months	18
Completed in $>$ 6 months	19
Total	37

Timeliness of open health assessments

Table 18.1 Number of health assessments open at the end of the reporting period, by time frame

Time frame	June
Open for \leq 6 months	92
Open for $>$ 6 months	25
Total	117

Performance assessment overview

A performance assessment is an assessment of the knowledge, skill or judgement possessed, or care exercised by a registered health practitioner in the practice of the health profession in which the practitioner is registered.

The tables below show the number of performance assessments commenced and completed during the reporting period and the number of performance assessments open at the end of the reporting period.

Table 19.1 Number of performance assessments commenced

	Total
Performance assessments commenced	5

Table 19.2 Number of performance assessments completed

	Total
Performance assessments completed	3

Table 19.3 Number of performance assessments open at the end of the reporting period

	June
Performance assessments open	14

Outcomes and timeliness of completed performance assessments

The tables below show the outcomes of the performance assessments completed during the reporting period and the timeliness of these performance assessments.

The tables below also show the timeliness of open performance assessments at the end of the reporting period.

Table 20.1 Number of performance assessments completed, by outcome

Outcome	Total
Outcome of decision to take the notification further	
Investigation	0
Panel hearing	0
Tribunal hearing	0
Other stage	0
Outcome of decision to close the notification	
Accept undertaking	0
Caution	1
Impose conditions	0
No further action	2
Practitioner surrender	0
Total	3

Table 20.2 Number of performance assessments completed, by time frame

Time frame	Total
Completed in \leq 6 months	1
Completed in $>$ 6 months	2
Total	3

Timeliness of open performance assessments

Table 21.1 Number of performance assessments open at end, by time frame

Time frame	June
Open for \leq 6 months	10
Open for $>$ 6 months	4
Total	14

Legal services management

Panel hearing overview

A National Board may establish a performance and professional standards panel if the Board reasonably believes, because of a notification or for any other reason, that the way a registered health practitioner practises the health profession is, or may be, unsatisfactory or the registered health practitioner's professional conduct is, or may be, unsatisfactory and the Board decides it is necessary or appropriate for the matter to be referred to a panel.

A National Board may establish a health panel if the Board reasonably believes, because of a notification or for any other reason, that a registered health practitioner or student has or may have an impairment and the Board decides it is necessary or appropriate for the matter to be referred to a panel.

The Panel hearing overview encompasses data about both performance and professional standards panels and health panels.

The tables below show the number of panel hearings commenced and completed during the reporting period and the number of panel hearings that are open at the end of the reporting period.

Table 22.1 Number of panel hearings commenced

	Total
Panel hearings commenced	11

Table 22.2 Number of panel hearings completed

	Total
Panel hearings completed	12

Table 22.3 Number of panel hearings open at the end of the reporting period

	June
Panel hearings open	29

Outcomes and timeliness of completed panel hearings

The tables below show the outcomes of the panel hearings completed during the reporting period and the timeliness of these completed panel hearings.

Table 23.1 Number of panel hearings completed, by outcome

Outcome	Total
Outcome of decision to take the notification further	
Investigation	0
Health or performance assessment	0
Tribunal hearing	0
Other stage	1
Outcome of decision to close the notification	
Accept undertaking	0
Caution	4
Impose conditions	5
No further action	2
Reprimand	0
Total	12

Table 23.2 Number of panel hearings completed, by time frame

Time frame	Total
Completed in \leq 6 months	12
Completed in $>$ 6 months	0
Total	12

Timeliness of open panel hearings

The table below shows the timeliness of panel hearings that remain open at the end of the reporting period.

Table 24.1 Number of panel hearings open at end, by time frame

Time frame	June
Open for \leq 6 months	20
Open for $>$ 6 months	9
Total	29

Tribunal matters overview

A National Board refers a matter about a registered health practitioner or student to a responsible tribunal if:

(a) the Board forms the reasonable belief, that the way in which a practitioner behaved constitutes professional misconduct or

(b) a panel established by the Board asks the Board to refer the matter and it is not a matter that must be referred to the health ombudsman or the health ombudsman asks the Board under section 193(2) to continue to deal with the matter under the National Law.

The responsible tribunal for Queensland is the Queensland Civil and Administrative Tribunal (QCAT).

The tables below show the number of matters referred to the tribunal during the reporting period, the number of matters referred to the tribunal completed during the reporting period and the number of matters referred to the tribunal which remain open at the end of the reporting period.

Table 25.1 Number of matters referred to the tribunal

	Total
Matters referred to tribunal	2

Table 25.2 Number of matters referred to the tribunal completed

	Total
Matters referred to tribunal completed	21

Table 25.3 Number of matters referred to the tribunal open at the end of the reporting period

	June
Matters referred to tribunal open	79

Outcomes and timeliness of completed matters referred to the tribunal

Table 26.1 Number of matters referred to the tribunal completed, by outcome

Outcome	Total
Outcome of decision to take the notification further	
Other stage	1
Outcome of decision to close the notification	
Accept undertaking	0
Caution	0
Cancel registration	1
Fine registrant	0
Impose conditions	0
No further action	0
Practitioner surrender	0
Reprimand	0
Suspend registration	13
Other	6
Total	21

Table 26.2 Number of matters referred to the tribunal completed, by time frame

Time frame	Total
Completed in \leq 12 months	1
Completed in $>$ 12 months	20
Total	21

Timeliness of open matters referred to the tribunal

The table below shows the timeliness of open matters referred to the tribunal at the end of the reporting period. It details those matters in which the complaint has yet to be filed with the tribunal and those where the complaint has been filed with the tribunal.

Table 27.1 Number of matters referred to the tribunal open at end, by time frame

Stage	June
Matters referred to the tribunal open for \leq 12 months	
Yet to be filed with a responsible tribunal	3
Filed with a responsible tribunal	4
Matters referred to the tribunal open for $>$ 12 months	
Yet to be filed with a responsible tribunal	1
Filed with a responsible tribunal	71
Total	79

Monitoring and compliance

Registrant monitoring overview

Health practitioners and students may have restrictions placed on their registration for a range of reasons including as a result of a notification, the assessment of an application for registration or a renewal of registration, or after a referral to the tribunal. These restrictions are actively monitored to ensure compliance.

The tables below show, by stream, the number of monitoring cases commenced and completed during the reporting period and the number of monitoring cases open at the end of the reporting period. A practitioner may have more than one monitoring case.

The tables below show the number of practitioners with conditions or undertakings on their registration.

Table 28.1 Number of monitoring cases commenced

Stream	Total
Conduct	23
Health	51
Performance	44
Prohibited Practitioner / Student	17
Total	135

Table 28.2 Number of monitoring cases completed

Stream	Total
Conduct	32
Health	52
Performance	43
Prohibited Practitioner / Student	7
Total	134

Table 28.3 Number of monitoring cases open at the end of the reporting period

Stream	June
Conduct	141
Health	284
Performance	173
Prohibited Practitioner / Student	43
Total	641

Table 28.4 Number of practitioners with conditions or undertakings on their registration

Profession	June
ATSIHP	19
Chinese Medicine Practitioner	128
Chiropractor	11
Dental Practitioner	40
Medical Practitioner	358
Medical Radiation Practitioner	33
Midwife	12
Nurse	342
Nurse and Midwife	25
Occupational Therapist	12
Optometrist	2
Osteopath	1
Pharmacist	48
Physiotherapist	13
Podiatrist	4
Psychologist	31
Total	1,079

Table 28.5 Number of suspended practitioners at the end of the reporting period, by profession

Profession	June
Chinese Medicine Practitioner	1
Medical Practitioner	11
Medical Radiation Practitioner	1
Nurse	37
Nurse and Midwife	2
Pharmacist	1
Psychologist	2
Total	55

Table 28.6 Number of practitioners subject to a reprimand at the end of the reporting period, by profession

Profession	June
Chiropractor	1
Dental Practitioner	4
Medical Practitioner	27
Nurse	7
Pharmacist	8
Psychologist	4
Total	51

Table 28.7 Number of matters resulting in a practitioner being cautioned, by profession

Profession	Total
Chinese Medicine Practitioner	1
Chiropractor	1
Dental Practitioner	15
Medical Practitioner	41
Midwife	3
Nurse	19
Pharmacist	6
Physiotherapist	1
Psychologist	1
Total	88

Outcomes and duration of completed monitoring cases

The tables below show the outcomes of monitoring cases that were completed during the reporting period.

The tables below show the duration of monitoring cases completed during the reporting period. It should be noted that some matters will require monitoring of compliance activity for significant periods, including some for the lifespan of a practitioner's registration. A National Board decides when to remove a requirement for monitoring a practitioner's compliance with conditions on their registration when it is assured conditions are no longer needed to keep the public safe. The length of time a practitioner is monitored is tailored to the risk posed by the individual practitioner.

Table 29.1 Number of monitoring cases completed, by outcome

Outcome	Total
Acquired non-practising registration	4
Change or remove conditions or undertaking –under s125	61
Removal of condition or revocation of undertaking – under s127	32
Completed board requirements	11
Deceased	2
Elected not to renew	3
No further action	1
Registration cancelled	2
Surrendered registration	11
Tribunal order	2
Other	5
Total	134

Table 29.2 Number of monitoring cases completed, by duration

Duration	Total
Completed in \leq 12 months	57
Completed in $>$ 12 months but \leq 24 months	50
Completed in $>$ 24 months	27
Total	134

Duration and risk profile of open monitoring cases

Table 30.1 Number of monitoring cases open, by duration

Duration	June
Open for \leq 12 months	349
Open for $>$ 12 months but \leq 24 months	150
Open for $>$ 24 months	142
Total	641

Status of open monitoring cases

The tables below show the number of open monitoring cases, risk profile and level of compliance. These tables report on the risk profile of the practitioner and the compliance status of a monitoring case. When AHPRA's monitoring reveals a practitioner's non-compliance, the matter is referred to a Board to consider further regulatory action. The time frame for this action depends on the level of risk posed to the public by the non-compliance.

The risk profile identifies those registrants that will cause the public, themselves or the reputation of the National Boards and AHPRA significant and immediate harm if the behaviour or conduct leading to the restrictions was to recur. A registrant is evaluated to have a normal risk profile if the recurrence of the behaviour or conduct will not cause the public, the registrant or the reputation of the National Boards and AHPRA significant and immediate harm. A registrant is evaluated to have a high risk profile if the recurrence of the behaviour will cause significant and immediate harm.

The risk posed by any breach of specific restrictions is different in each case and is managed individually. Not all breaches of restrictions require action to protect the public. For example, a practitioner who is two weeks late completing a required education program due to illness, has breached the condition on their registration, but the breach does not demonstrate increased risk to the public which needs to be managed.

The risk profile of each practitioner being monitored determines both how swiftly AHPRA responds and what action is taken.

Table 31.1 Number of monitoring cases where practitioner risk profile was normal

Profession	Compliant	Suspected non-compliant	Non-compliant	Compliance status yet to be assigned ¹
ATSIHP	1			
Chinese Medicine Practitioner	2			
Chiropractor	5			
Dental Practitioner	20			
Medical Practitioner	51		5	2
Medical Radiation Practitioner	1			1
Midwife	2			
Nurse	91		8	5
Occupational Therapist	3			
Optometrist	1			
Osteopath				
Pharmacist	23	1	1	
Physiotherapist	3			
Podiatrist	2			
Psychologist	10		1	
Total	215	1	15	8

Table 31.2 Number of monitoring cases where practitioner risk profile was high

Profession	Compliant	Suspected non-compliant	Non-compliant	Compliance status yet to be assigned ¹
ATSIHP				
Chinese Medicine Practitioner	1			
Chiropractor	2		1	
Dental Practitioner	18	1	3	
Medical Practitioner	140	12	15	4
Medical Radiation Practitioner	5			
Midwife	11		1	
Nurse	125	1	18	1
Occupational Therapist	1		1	
Optometrist				
Osteopath	1			
Pharmacist	15			
Physiotherapist	1	1	2	
Podiatrist	2			
Psychologist	18		1	
Total	340	15	42	5

1 – Where the compliance status is yet to be assigned, in Tables 31.1 and 31.2, it relates to a Health, Performance or Conduct case not yet due for a Compliance Status update.

Tables 31.3 to 31.10

AHPRA does not currently have system capability to generate data requests for 31.3 to 31.10. Some of this data will be manually collected as part of the Health Ombudsman's quality assurance activities.

Online National Register

Timeliness of changes to the online register

AHPRA does not currently have system capability to measure the time taken to update the National Register when a practitioner's registration is cancelled or suspended or when sanctions are imposed or changed. A national project which will enable this information to be provided in the future is currently being scoped.