

Office of the Health Ombudsman

Performance report December 2014

January 2015



Office of the Health Ombudsman—Performance report December 2014

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Introduction

This document contains our performance data for December 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 9 January 2014, but is subject to change.

Number of contacts

Type of contact	Number	Percentage
Complaint	236	40.48
Enquiry	345	59.18
Yet to be classified	2	0.34
Total	583	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 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	240	80.81
Not accepted	42	14.14
Decision pending	15	5.05
Total	297	100.00

'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

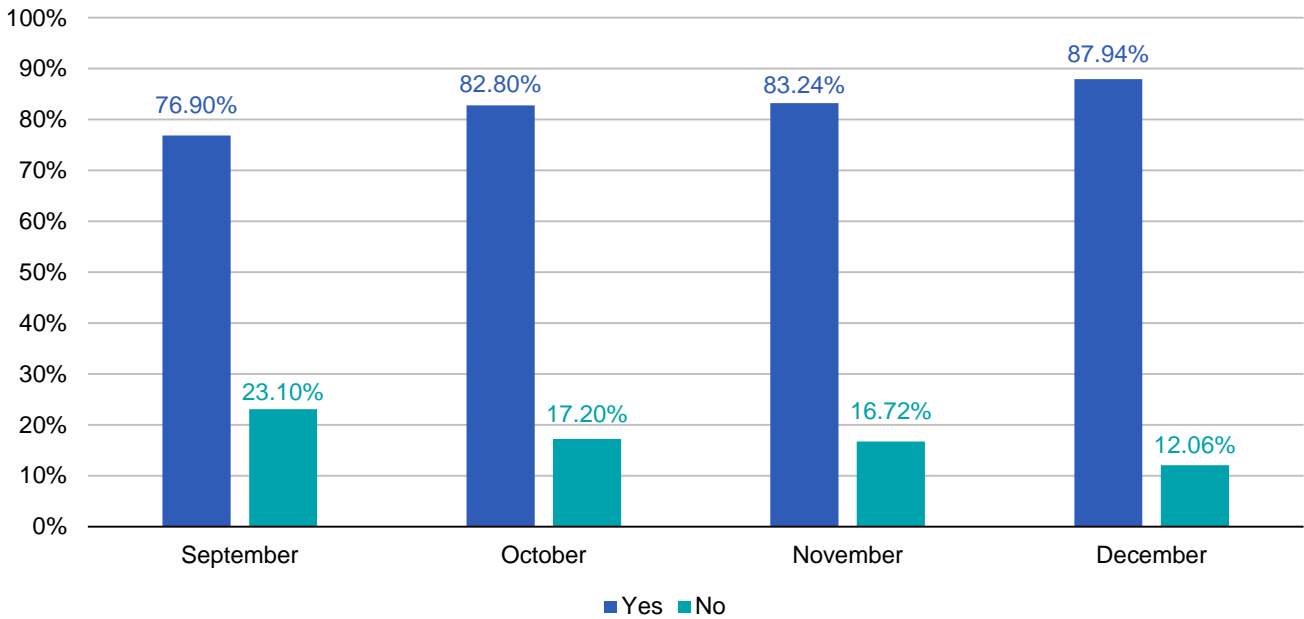
Decision made within seven days of receiving a complaint	Number	Percentage
Yes	248	87.94
No	34	12.06
Total	282	100.00

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 76.9 per cent in September, to 87.94 per cent in December.

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	20	4.80
Communication/information	57	13.67
Consent	10	2.40
Discharge/transfer arrangements	5	1.20
Enquiry service only	1	0.24
Environment/management of facilities	4	0.96
Fees/cost	11	2.64
Grievance processes	11	2.64
Medical records	15	3.60
Medication	37	8.87
Professional conduct	71	17.03
Professional health	26	6.24
Professional performance	131	31.41
Reports/certificates	4	0.96
Treatment	14	3.36
Total	417	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

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	-	-	1	-	-	-	-	-	-	-	-	1	2	-	-	4
Chiropractor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dentistry	-	6	1	-	2	-	1	-	2	-	10	1	15	-	1	39
Emergency care	-	1	-	-	-	-	-	-	3	-	1	-	2	-	-	7
General medical	4	12	-	2	-	1	2	4	3	11	19	4	34	2	-	98
Medical radiation	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Medical specialty	-	3	2	-	-	-	1	-	1	4	2	-	8	-	-	21
Nursing	-	2	-	-	-	-	-	-	-	3	15	10	2	-	-	32
Optometry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	3	-	-	-	-	-	-	1	3	11	3	3	-	-	24
Pathology	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pharmacy	-	1	-	-	-	-	-	-	-	1	1	-	-	-	-	3
Physiotherapy	-	2	-	-	-	-	-	-	-	-	1	1	-	-	-	4
Podiatry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Psychology	-	2	-	-	-	-	-	-	-	-	-	4	1	-	-	7
Surgical	-	4	1	-	-	-	-	-	-	-	4	-	12	-	-	21
Not yet known	-	3	-	-	-	-	-	-	1	2	2	1	1	-	-	10
Total	4	39	5	2	2	1	4	4	11	24	66	26	80	2	1	271

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	-	-	1
Allied health service	-	-	-	-	-	-	1	-	-	-	-	-	1	-	-	2
Ambulance service	-	1	-	-	-	-	-	1	-	-	-	-	1	-	-	3
Community health service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Correctional facility	8	2	-	-	1	-	-	-	-	8	-	-	7	-	-	26
Dental service	1	1	-	-	-	-	1	1	-	-	-	-	1	-	-	5
Health information service	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Health Service District	1	-	1	-	-	-	-	-	-	-	-	-	3	-	-	5
Laboratory service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Licensed Private Hospital	2	2	-	1	-	-	-	4	-	1	2	-	6	-	4	22
Medical Centre	-	1	1	-	-	-	-	-	1	-	-	-	1	-	-	4
Mental health service	-	-	-	-	-	-	1	-	-	-	1	-	1	-	-	3
Other government department	-	-	1	-	-	-	-	-	1	-	-	-	-	-	-	2
Other support service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pharmaceutical service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public health service	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Public Hospital	4	11	1	2	1	-	3	-	2	3	2	-	27	-	9	65
Specialised health service	-	-	1	-	-	-	1	-	-	-	-	-	-	2	-	4
Not yet known	-	-	-	-	-	-	-	1	-	1	-	-	-	-	-	2
Total	16	18	5	3	2	-	7	7	4	13	5	-	51	2	13	146

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	239
Assessments completed	235

Completed assessment timeframes

Assessment timeframes	Number	Percentage
Completed within 30 days	144	61.30
Completed within 60 days*	51	21.70
Completed greater than 60 days**	40	17.00
Total	235	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 51 assessments completed within 60 days, 22 matters were eligible for and received an approved extension, while the remaining 29 matters ran over due to a higher than expected level of complaints.

**The 40 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	79	30.74
Conciliation	3	1.17
Investigation	27	10.51
Referred to AHPRA and the national boards	74	28.80
Referral to another entity	12	4.70
Immediate action*	7	2.72
No further action	55	21.40
Total	257	100.00

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	80
Local resolutions completed	59

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	59	100.00
Completed within 60 days *	0	0.00
Completed over 60 days	0	0.00
Total	59	100.00

*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.

Local resolution outcomes

Local resolution outcomes	Number	Percentage
Resolution reached	49	83.05
No resolution reached	10	16.95
Complaint withdrawn*	0	0.00
Total	59	100.00

*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	10	100.00
Total	10	100.00

Conciliation

Conciliations started and closed

Conciliations this month	Number
Conciliations open at the start of the month	39
Conciliations started	4
Conciliations closed	15

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*	4
Decision pending at end of month**	7

*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	6.67
3–6 months	3	20.00
6–9 months	9	60.00
9–12 months	1	6.67
More than 12 months	1	6.67
Total	15	100.00

Closed conciliation outcome

Conciliation outcomes	Number	Percentage
Closed—party/ies chose not to participate*	4	26.70
Agreement reached	8	53.30
No agreement reached	3	20.00
Ended by Health Ombudsman**	0	0.00
Total	15	100.00

*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.

Decisions for matters where conciliation wasn't reached

Type of relevant action	Number	Percentage
Local resolution	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	3	100.00
Total	3	100.00

Open conciliation timeframes

Conciliations open	Number	Percentage
Less than 3 months	5	17.86
3–6 months	8	28.57
6–9 months	14	50.00
9–12 months	0	0.00
More than 12 months	1	3.57
Total	28	100.00

Investigation

Investigations started and completed

Investigations this month	Number
Investigations open at the beginning of the month	170
Investigations started	31
Investigations completed	18

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	16.67
3–6 months	8	44.44
6–9 months	0	0.00
9–12 months	2	11.10
More than 12 months	5	27.78
Total	18	100.00

Open investigation categories

Type of investigation	Number
Health service complaint	173
Systemic issue	0
Another matter*	10

*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	53	30.00
3–6 months	59	32.20
6–9 months	17	9.30
9–12 months	17	9.30
More than 12 months*	36	19.70
Total	183	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

Immediate action

Show cause notices

One show cause notice was issued in December.

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

Immediate registration action was taken against one medical practitioner for issues relating to their health and for professional misconduct, with conditions imposed.

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 and one interstate interim prohibition order was made in December. The details can be found on the OHO website (www.oho.qld.gov.au) on the 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.

The Health Ombudsman can also enforce a prohibition order, or an interim prohibition order, issued in another state or territory where that interstate prohibition order corresponds (or substantially corresponds) to the type of prohibition order that can be made in Queensland.

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	122	50.62
Male	111	46.06
Unknown	8	3.32
Total	241	100.00

Age

Age	Number	Percentage
Less than 18	11	4.56
18–24 years	7	2.90
25–34 years	39	16.18
35–44 years	35	14.52
45–54 years	37	15.35
55–64 years	39	16.18
65–74 years	24	9.96
Over 75 years	13	5.39
Unknown*	36	14.94

*Not recorded or not provided for a particular matter.

Location of healthcare consumers

Location of healthcare consumers	Number	Percentage
Brisbane	104	43.15
Central West	0	0.00
Darling Downs	9	3.73
Far North	11	4.56
Fitzroy	9	3.73
Gold Coast	35	14.52
Mackay	10	4.15
North West	0	0.00
Northern	13	5.39
South West	2	0.83
Sunshine Coast	11	4.56
West Moreton	3	1.24
Wide Bay-Burnett	17	7.05
Outside Queensland	6	2.49
Unknown	11	4.56

The above data is based on health consumer location

Location of health service providers

Location of health service providers	Number	Percentage
Brisbane	123	48.81
Central West	0	0.00
Darling Downs	10	3.97
Far North	13	5.16
Fitzroy	13	5.16
Gold Coast	37	14.68
Mackay	10	3.97
North West	0	0.00
Northern	16	6.35
South West	0	0.00
Sunshine Coast	12	4.76
West Moreton	1	0.40
Wide Bay-Burnett	11	4.37
Outside Queensland	6	2.38
Unknown	0	0.00

The above data is based on health service provider location.

Australian Health Practitioner Regulation Agency (AHPRA)

Transitional matters

No transitional files were received from AHPRA this month. Discussions were held about the remaining matters which may be subject to transition, and final correspondence was sent to AHPRA requiring an additional nine matters for transition. These matters should be transitioned in January 2015, and this will conclude the AHPRA file transition process.

Notifications from AHPRA

Five new notifications (s193 of the Act) about possible serious matters were received this month. Following an assessment of the matters, the Health Ombudsman decided to leave each of these matters with AHPRA for continued management.

In addition, in December three matters were transferred to the office in response to section 193 notifications received in previous months.

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	-	-	1	-	-	-	-	-	-	-	-	1	2	-	-	4
Chiropractic	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dental	-	2	-	-	1	-	-	-	2	-	4	-	6	-	-	15
Medical	-	10	1	1	-	-	1	-	3	4	14	1	21	1	-	57
Medical Student	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Medical Radiation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nursing and Midwifery	-	2	-	-	-	-	-	-	1	6	15	14	13	-	-	51
Occupational Therapy	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Optometry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Osteopathy	-	-	1	-	-	-	-	-	-	-	-	1	2	-	-	4
Pharmacy	-	-	-	-	-	-	-	-	-	2	1	-	-	-	-	3
Physiotherapy	-	2	-	-	-	-	-	-	-	-	1	-	-	-	-	3
Physiotherapy student	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Podiatry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Psychology	-	-	-	-	-	-	-	-	-	-	2	5	2	-	-	9
Total	-	16	3	1	1	-	1	-	6	12	38	23	46	1	-	148



Office of the
**HEALTH
OMBUDSMAN**

Listen. Respond. Resolve.