

Yearly performance report
2020-21



OFFICE OF THE
HEALTH
OMBUDSMAN



Yearly performance report 2020-21

Published by the Office of the Health Ombudsman September 2021.



This document is licensed under a Creative Commons Attribution 3.0 Australia licence. You are free to copy, communicate and adapt the work, as long as you attribute the Office of the Health Ombudsman. To view a copy of this licence, visit creativecommons.org/licenses/by/3.0/au.

© Office of the Health Ombudsman 2021

For more information contact:

Office of the Health Ombudsman, PO Box 13281 George Street, Brisbane Qld 4003, email communications@oho.qld.gov.au.

An electronic version of this document is available at www.oho.qld.gov.au.

Disclaimer:

The content presented in this publication is distributed by the Office of the Health Ombudsman as an information source only. The Office of the Health Ombudsman makes no statements, representations or warranties about the accuracy, completeness or reliability of any information contained in this publication. The Office of the Health Ombudsman disclaims all responsibility and all liability (including without limitation for liability in negligence) for all expenses, losses, damages and costs you might incur as a result of the information being inaccurate or incomplete in any way, and for any reason reliance was placed on such information.

Contents

Introduction	4
Intake of complaints	5
Type of contacts	5
Type of complaints	5
Complaint decisions	6
Health service complaints profile	8
Main issues raised in complaints	8
Subcategories of professional performance issues raised in complaints	9
Profile of complaints about health practitioners	10
Profile of complaints about health service organisations	11
Assessment	13
Assessments started and completed	13
Completed assessment timeframes	13
Assessment decisions	13
Local resolution	14
Local resolutions started and completed	14
Completed local resolutions	14
Decisions for matters that were not resolved	15
Conciliation	16
Conciliations started and closed	16
Agreement to participate in conciliation	16
Completed conciliations	16
Decisions for conciliations that were not successful	17
Open conciliation timeframes	17
Investigation	19
Investigations started and closed	19
Closed investigations	19
Open investigations	21
Monitoring investigation recommendations	23
OHO recommendations monitoring	23
Open recommendations monitoring case timeframes	23
Director of Proceedings	24
Matters referred to the Director of Proceedings by practitioner type	24
Matters currently with the Director of Proceedings by practitioner type	25
Outcomes of matters reviewed by the Director of Proceedings	25
Immediate action	27
Show cause notices	27
Immediate registration actions	27
Interim prohibition orders	29
Monitoring practitioner compliance	31
Practitioner monitoring cases	31
Open monitoring cases	31
Australian Health Practitioner Regulation Agency	35
Consultation on matters	35
Number of practitioners referred to AHPRA by practitioner type	38



Number of issues referred to AHPRA by practitioner type.....	39
Demographics of healthcare consumers.....	40
Gender of healthcare consumers.....	40
Age of healthcare consumers.....	40
Location of healthcare consumers.....	41
Location of health service providers.....	42



Introduction

This document reports on Office of the Health Ombudsman (OHO) performance data for the 2020–21 financial year.

The OHO is the agency responsible for health service complaints management in Queensland. We are committed to protecting the health and safety of the public by assessing, investigating and resolving complaints made about health services provided in Queensland.

We are impartial and independent, and our vision is to be the cornerstone of a transparent, accountable and fair health complaints management system. As testament to this, our performance reports—which are published monthly, quarterly and yearly—are available to the public on our website www.oho.qld.gov.au.

Data in this report is correct as at 19 July 2021, though figures may differ from those published in previous reports due to subsequent adjustments which occurred after the publication of those reports.

Intake of complaints

Type of contacts

Type of contact	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Complaint	2442	73.05	2289	74.22	2441	80.11	2215	78.99	9387	76.45	9703	76.04
Enquiry	778	23.27	689	22.34	503	16.51	475	16.94	2445	19.91	2733	21.42
Information	123	3.68	106	3.44	97	3.18	105	3.74	431	3.51	317	2.48
Yet to be classified	0	0.00	0	0.00	6	0.20	9	0.32	15	0.12	7	0.05
Total	3343	100.00	3084	100.00	3047	100.00	2804	100.00	12278	100.00	12760	100

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 may also be matters that came in just before the end of the reporting period and were still being processed.

Type of complaints

Type of complaints	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Health consumer complaint	2165	88.66	2076	90.69	2132	87.34	1958	88.40	8331	88.75	8762	90.30
Mandatory notification*	96	3.93	71	3.10	89	3.65	82	3.70	338	3.60	225	2.32
Voluntary notification*	158	6.47	127	5.55	195	7.99	156	7.04	636	6.78	643	6.63
Self-notification*	13	0.53	12	0.52	14	0.57	16	0.72	55	0.59	53	0.55
Referral from another agency	10	0.41	3	0.13	11	0.45	3	0.14	27	0.29	20	0.21
Total	2442	100.00	2289	100.00	2441	100.00	2215	100.00	9387	100.00	9703	100

*Notifications are matters defined under the Health Practitioner Regulation National Law (Queensland) and only relate to registered practitioners.

Complaint decisions

On 1 March 2020, amendments were made to the *Health Ombudsman Act 2013* enabling the office to ‘Not accept’ a complaint in situations where the Health Ombudsman is satisfied:

- the complaint would be more appropriately dealt with by a different entity; or
- the complainant has not yet sought a resolution with the relevant health service provider and it is reasonable in the circumstances for the complainant to first do so.

As a result of these changes, the table “Accepted vs Not Accepted” has been replaced with the table “Decisions made” included below.

Cases previously categorised as “Not Accepted” are now reported under the category of “Accepted and no further action taken” and relate to the number of decisions to take no further action under s 44 of the Act. This change is to definition only, and no alterations have been made to how these cases are managed by the office.

Decisions timeframes—within seven days

Decision made	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Yes	2252	95.71	2249	95.18	2185	95.58	2071	94.44	8757	95.24	8943	94.76
No	101	4.29	114	4.82	101	4.42	122	5.56	438	4.76	495	5.24
Total	2353	100.00	2363	100.00	2286	100.00	2193	100.00	9195	100.00	9438	100.00

Decisions made

Number of decisions made	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Accepted and further relevant action taken	1412	60.01	1567	66.31	1509	66.01	1272	58.00	5760	62.64	5978	63.34
Accepted and no further action taken*	462	19.63	482	20.40	454	19.86	489	22.30	1887	20.52	2912	30.85
Not accepted under s35A**	479	20.36	314	13.29	323	14.13	432	19.70	1548	16.84	548	5.81
Total	2353	100.00	2363	100.00	2286	100.00	2193	100.00	9195	100.00	9438	100.00

*These decisions relate to matters in which the Health Ombudsman has decided to take no further action under section 44 of the *Health Ombudsman Act 2013*. Prior to 1 March 2020, this category was reported as “Not Accepted”.

**Matters may not be accepted under s35A of the Act where the matter would be more appropriately dealt with by an entity other than the health ombudsman or where the complainant has not yet sought a resolution with the health service provider.

An additional 204 matters were determined to fall outside the jurisdiction of the Act, and one matter was determined to not yet be a complaint under s34(5).

Accepted decision outcomes

Type of relevant action	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Assessment	354	23.57	374	23.16	334	21.63	212	16.25	1274	21.35	1484	23.83
Local resolution	317	21.11	402	24.89	396	25.65	382	29.27	1497	25.09	1293	20.76
Conciliation	0	0.00	0	0.00	1	0.06	0	0.00	1	0.02	1	0.02
Investigation	11	0.73	7	0.43	11	0.71	6	0.46	35	0.59	73	1.17
Referred to AHPRA and the national boards	552	36.75	470	29.10	361	23.38	390	29.89	1773	29.72	1975	31.72
Referred to another entity	268	17.84	362	22.41	441	28.56	315	24.14	1386	23.23	1400	22.48
Referred to director of proceedings	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	0.02
Total	1502	100.00	1615	100.00	1544	100.00	1305	100.00	5966	100.00	6227	100.00

Accepted decisions may result in multiple issues and/or practitioners being identified, each requiring its own action. The data in the above table includes all identified issues/practitioners requiring action that were identified in the accepted complaints where further relevant action was taken (noted in category 'Accepted and further relevant action taken' included the previous 'Decisions made' table).

Health service complaints profile

Main issues raised in complaints

Issue	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Access	379	10.11	396	10.89	436	11.56	395	11.20	1606	10.94	1666	11.07
Code of conduct for healthcare workers	49	1.31	40	1.10	36	0.95	41	1.16	166	1.13	118	0.78
Communication/information	430	11.47	399	10.97	378	10.03	407	11.54	1614	10.99	1784	11.85
Consent	93	2.48	55	1.51	87	2.31	84	2.38	319	2.17	318	2.11
Discharge/transfer arrangements	54	1.44	69	1.90	65	1.72	63	1.79	251	1.71	248	1.65
Environment/management of facilities	218	5.81	162	4.45	184	4.88	149	4.22	713	4.86	475	3.16
Fees/cost	110	2.93	123	3.38	114	3.02	126	3.57	473	3.22	506	3.36
Grievance processes	116	3.09	149	4.10	122	3.24	140	3.97	527	3.59	353	2.35
<i>Health Ombudsman Act 2013</i> offence	2	0.05	3	0.08	3	0.08	2	0.06	10	0.07	2	0.01
Medical records	129	3.44	110	3.02	123	3.26	153	4.34	515	3.51	403	2.68
Medication	393	10.48	359	9.87	368	9.76	301	8.53	1421	9.68	1842	12.24
Professional conduct	412	10.99	362	9.95	418	11.09	359	10.18	1551	10.56	1501	9.97
Professional health	88	2.35	74	2.03	73	1.94	72	2.04	307	2.09	301	2.00
Professional performance	1189	31.72	1270	34.92	1288	34.16	1144	32.43	4891	33.31	5180	34.41
Reports/certificates	87	2.32	66	1.81	74	1.96	91	2.58	318	2.17	353	2.35
Research/teaching/assessment	0	0.00	0	0.00	1	0.03	1	0.03	2	0.01	3	0.02
Total	3749	100.00	3637	100.00	3770	100.00	3528	100.00	14684	100.00	15053	100.00

These figures are based on issues recorded during the reporting period. A single complaint can contain multiple issues. Reporting on all issues identified in complaints allows comprehensive monitoring of trends, which can in turn inform a range of health complaint management system functions, such as education and information provision.

Subcategories of professional performance issues raised in complaints

Issue	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Competence	37	3.11	29	2.28	25	1.94	39	3.41	130	2.66	169	3.26
Coordination of treatment	95	7.99	102	8.03	106	8.23	107	9.35	410	8.38	410	7.92
Delay in treatment	59	4.96	63	4.96	68	5.28	67	5.86	257	5.25	349	6.74
Diagnosis	100	8.41	113	8.90	90	6.99	93	8.13	396	8.10	489	9.44
Inadequate care	109	9.17	113	8.90	118	9.16	88	7.69	428	8.75	527	10.17
Inadequate consultation	62	5.21	92	7.24	67	5.20	100	8.74	321	6.56	292	5.64
Inadequate prosthetic equipment	13	1.09	16	1.26	13	1.01	18	1.57	60	1.23	58	1.12
Inadequate treatment	334	28.09	378	29.76	443	34.39	289	25.26	1444	29.52	1514	29.23
Infection control	37	3.11	17	1.34	15	1.16	11	0.96	80	1.64	91	1.76
No or inappropriate referral	36	3.03	53	4.17	30	2.33	31	2.71	150	3.07	155	2.99
Public or private election	0	0.00	1	0.08	0	0.00	0	0.00	1	0.02	2	0.04
Rough and painful treatment	40	3.36	30	2.36	44	3.42	38	3.32	152	3.11	115	2.22
Teamwork and supervision	5	0.42	3	0.24	12	0.93	7	0.61	27	0.55	22	0.42
Unexpected treatment outcome or complications	217	18.25	212	16.69	204	15.84	212	18.53	845	17.28	760	14.67
Withdrawal of treatment	3	0.25	11	0.87	6	0.47	4	0.35	24	0.49	34	0.66
Wrong or inappropriate treatment	42	3.53	37	2.91	47	3.65	40	3.50	166	3.39	193	3.73
Total	1189	100.00	1270	100.00	1288	100.00	1144	100.00	4891	100.00	5180	100

Professional performance represents the largest proportion of complaint issues. Additional information on this category of issue provides greater transparency around the issues being managed by OHO.

Profile of complaints about health practitioners

Practitioner type	Number of practitioners identified in complaints*	Number and type of issues** identified in complaints about health practitioners**																Total
		Access	Code of conduct for healthcare workers	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Fees and costs	Grievance process	Health Ombudsman Act 2013 Offence	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/certificates	Research/Teaching/Assessment	
Aboriginal and Torres Strait Islander health practitioner	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Chinese medicine practitioner	14	1	-	3	-	-	-	-	-	-	-	13	-	-	-	-	-	17
Chiropractor	40	-	-	3	-	-	1	-	1	-	-	-	28	5	15	1	-	54
Dental practitioner	337	4	-	31	11	-	3	20	10	-	9	10	39	7	300	-	-	444
Medical practitioner	2436	104	-	478	61	12	29	110	28	3	141	388	465	101	1372	162	-	3454
Medical radiation practitioner	10	-	1	1	-	-	-	-	-	-	-	1	2	-	6	1	-	12
Midwife	19	-	-	-	-	-	-	-	-	-	1	-	14	5	5	-	-	25
Nurse	577	3	3	20	6	-	8	2	6	-	23	51	416	146	103	1	-	788
Occupational therapist	23	-	1	5	-	-	-	-	-	-	1	-	7	-	11	3	-	28
Optometrist	10	1	-	2	-	-	-	1	-	-	-	-	2	-	9	1	-	16
Osteopath	5	1	-	-	2	-	-	-	1	-	1	-	1	1	2	-	-	9
Paramedic	75	1	-	2	-	-	-	-	-	-	3	2	60	12	22	-	-	102
Pharmacist	84	1	-	15	-	-	4	-	3	-	1	48	21	5	6	-	-	104
Physiotherapist	38	1	1	4	3	-	-	1	1	-	3	-	20	1	18	2	-	55
Podiatrist	19	-	-	-	-	-	-	2	-	-	-	-	12	-	12	-	-	26
Psychologist	253	6	3	42	7	-	5	14	8	1	21	2	105	19	74	36	-	343
Student practitioner	21	-	7	-	-	-	-	-	-	-	-	-	12	3	2	-	-	24
Unknown practitioner	173	6	8	33	5	1	2	5	-	-	2	15	36	1	64	17	-	195
Unregistered practitioner	160	1	111	3	-	-	-	2	1	5	-	2	55	1	10	4	-	195
Total	4288	130	135	642	95	13	52	157	59	9	206	519	1308	307	2031	228	0	5891

* The figures reported in this column are a count of the number of health practitioners identified in complaints during the reporting period. A single complaint may identify more than one health provider. In circumstances where a health practitioner is identified in relation to multiple complaints, the health practitioner would be counted per complaint.

** This data is a count of the number of issues identified within the reporting period. A complaint may also identify more than one issue per health practitioner.

Profile of complaints about health service organisations

Organisation type	Number of facilities identified in complaints*	Number and type of issues** identified in complaints about health service organisations																Total
		Access	Code of conduct for healthcare workers	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Fees and costs	Grievance processes	Health Ombudsman Act 2013 Offence	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/certificates	Research/Teaching/Assessment	
Administrative service	6	-	-	-	-	-	1	2	-	-	2	-	1	-	-	-	-	6
Aged care facility	90	5	-	10	-	1	26	4	9	-	4	13	4	-	73	2	-	151
Allied health service	84	6	1	20	-	-	19	17	7	-	5	4	10	-	15	3	-	107
Ambulance service	41	4	1	11	1	1	2	2	3	-	-	2	3	-	21	-	-	51
Community health service	79	14	1	15	5	-	7	7	5	-	5	12	7	-	24	4	-	106
Correctional facility	1533	772	-	52	-	-	52	-	4	1	11	495	7	-	296	2	-	1692
Dental service	253	70	-	19	2	-	24	26	39	-	7	1	6	-	138	2	-	334
Health information service	3	-	-	2	-	-	-	-	-	-	-	-	-	-	1	-	-	3
Health promotion service	3	-	-	-	-	-	2	1	-	-	-	-	-	-	-	-	-	3
Hospital and Health Service	119	17	-	22	5	9	15	2	15	-	5	9	10	-	82	-	-	191
Laboratory service	73	4	-	11	-	-	21	24	4	-	2	-	1	-	20	2	-	89
Licensed day hospital	8	-	-	2	-	1	7	-	1	-	2	3	-	-	6	-	-	22
Licensed private hospital	249	26	-	52	8	23	42	32	29	-	16	16	11	-	146	5	1	407
Medical centre	670	136	3	150	5	1	103	68	79	-	119	40	34	-	138	19	-	895
Mental health service	411	33	2	84	89	23	39	5	21	-	18	57	34	-	181	9	-	595
Nursing service	9	1	-	2	-	-	2	-	-	-	-	1	-	-	10	-	-	16
Optical store	17	-	-	2	-	-	5	7	1	-	-	-	-	-	6	1	-	22
Other government department	79	14	-	8	-	-	37	2	5	-	3	2	1	-	5	3	-	80
Other support service	36	1	1	5	-	-	8	4	3	-	-	3	3	-	18	2	-	48
Paramedical service	5	-	-	1	-	-	-	-	-	-	-	1	-	-	3	-	-	5
Pharmaceutical service	125	3	-	23	1	-	18	21	9	-	3	67	7	-	2	1	-	155
Private organisation	100	4	10	12	2	-	14	16	11	-	7	6	8	-	37	3	-	130
Public health service	91	13	-	18	-	8	12	1	6	-	6	10	5	-	69	1	-	149
Public hospital	1966	328	4	416	102	169	171	30	194	-	88	141	81	-	1492	24	1	3241
Residential care service	16	1	-	3	-	-	10	1	3	-	-	7	-	-	5	-	-	30



Social work service	1	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	1
Specialised health service	149	18	6	29	1	-	12	42	20	-	5	8	7	-	52	6	-	206
Welfare service	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2	1	-	3
Unknown organisation	52	6	2	3	3	2	11	2	-	-	1	4	3	-	18	-	-	55
Total	6270	1476	31	972	224	238	661	316	468	1	309	902	243	0	2860	90	2	8793

* The figures reported in this column are a count of the number of health service organisations identified in complaints during the reporting period. A single complaint may identify more than one provider. In circumstances where a health service organisation is identified in multiple complaints, the organisation would be counted per complaint. For example, a health service organisation identified in three complaints would be counted three times in this column.

** This data is a count of the number of issues identified within the reporting period. A complaint may also identify more than one issue per health service organisation.

Assessment

Assessments started and completed

Assessments	Q1	Q2	Q3	Q4	2020-21	2019-20
Assessments started	400	411	376	235	1422	1742
Assessments completed	355	412	348	315	1430	1777

Completed assessment timeframes

Assessment timeframes	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Within legislative timeframes*	331	93.24	378	91.75	288	82.76	308	97.78	1305	91.26	1635	92.01
Outside legislative timeframes	24	6.76	34	8.25	60	17.24	7	2.22	125	8.74	142	7.99
Total	355	100.00	412	100.00	348	100.00	315	100.00	1430	100.00	1777	100.00

*Includes matters completed within 30 days or 60 days with an approved extension.

Assessment decisions

Type of relevant action	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Local resolution	0	0.00	1	0.23	0	0.00	0	0.00	1	0.07	4	0.22
Conciliation	19	5.07	17	3.93	12	3.28	10	3.00	58	3.85	62	3.40
Investigation	22	5.87	23	5.31	23	6.28	18	5.41	86	5.70	60	3.29
Referred to AHPRA and the national boards	57	15.20	90	20.79	76	20.77	74	22.22	297	19.69	267	14.66
Referred to another entity	38	10.13	47	10.85	63	17.21	44	13.21	192	12.73	167	9.17
Director of Proceedings	1	0.27	0	0.00	0	0.00	0	0.00	1	0.07	0	0.00
No further action	238	63.47	255	58.89	192	52.46	187	56.16	873	57.89	1261	69.25
Total	375	100.00	433	100.00	366	100.00	333	100.00	1508	100.00	1821	100.00

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

Local resolution

Local resolutions started and completed

Local resolutions	Q1	Q2	Q3	Q4	2020-21	2019-20
Local resolutions started	324	411	412	406	1553	1383
Local resolutions completed	310	367	434	368	1479	1406

Completed local resolutions

Timeframes

Local resolution timeframes	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Within legislative timeframes*	299	96.45	354	96.46	406	93.55	325	88.32	1384	93.58	1328	94.45
Outside legislative timeframes	11	3.55	13	3.54	28	6.45	43	11.68	95	6.42	78	5.55
Total	310	100.00	367	100.00	434	100.00	368	100.00	1479	100.00	1406	100.00

*Includes matters completed within 30 days or 60 days with an approved extension.

Outcomes

Local resolution outcomes	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Resolution reached	264	85.16	299	81.47	351	80.88	276	75.00	1190	80.46	1114	79.23
No resolution reached	19	6.13	24	6.54	44	10.14	60	16.30	147	9.94	154	10.95
Complaint withdrawn*	19	6.13	30	8.17	35	8.06	24	6.52	108	7.30	119	8.46
Local resolution did not commence**	8	2.58	14	3.81	4	0.92	8	2.17	34	2.30	19	1.35
Total	310	100.00	367	100.00	434	100.00	368	100.00	1479	100.00	1406	100

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

Decisions for matters that were not resolved

Type of relevant action	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Assessment	0	0.00	1	4.17	0	0.00	0	0.00	1	0.68	1	0.65
Conciliation	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Investigation	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Referred to AHPRA and the national boards	2	10.53	0	0.00	0	0.00	1	1.67	3	2.04	12	7.79
Referred to another entity	0	0.00	0	0.00	0	0.00	1	1.67	1	0.68	1	0.65
No further action	17	89.47	23	95.83	44	100.00	58	96.67	142	96.60	140	90.91
Total	19	100.00	24	100.00	44	100.00	60	100.00	147	100.00	154	100

Conciliation

Conciliations started and closed

Conciliations	Q1	Q2	Q3	Q4	2020-21	2019-20
Conciliations started	22	19	11	12	64	60
Conciliations closed	12	24	10	25	71	52

'Conciliations started' includes all matters—including matters where agreement to participate has or has not been reached or the decision is pending—that entered the conciliation workflow during the reporting period. Similarly, 'Conciliations closed' are all matters that were closed during the reporting period, whether due to parties not agreeing to participate or the matter being closed after completing the conciliation process. Closed conciliations differ from completed conciliations below, as completed conciliations only include matters where both parties initially agreed to participate in the conciliation process.

Agreement to participate in conciliation

Agreement to participate	Q1	Q2	Q3	Q4	2020-21	2019-20
Parties agreed to participate	17	6	6	5	34	36
Party/ies did not agree to participate	4	6	7	11	28	23

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 process does not commence and the matter is closed.

Completed conciliations

Timeframes

Conciliations completed	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Less than 3 months	0	0.00	1	5.56	0	0.00	1	7.14	2	4.65	3	10.34
3–6 months	0	0.00	13	72.22	1	33.33	7	50.00	21	48.84	18	62.07
6–9 months	3	37.50	3	16.67	1	33.33	1	7.14	8	18.60	5	17.24
9–12 months	2	25.00	1	5.56	0	0.00	2	14.29	5	11.63	0	0.00
More than 12 months	3	37.50	0	0.00	1	33.33	3	21.43	7	16.28	3	10.34
Total	8	100.00	18	100.00	3	100.00	14	100.00	43	100.00	29	100.00

Outcomes

Conciliation outcomes	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Successful	1	12.50	16	88.89	1	33.33	10	71.43	28	65.12	19	65.52
Not successful	5	62.50	0	0.00	1	33.33	1	7.14	7	16.28	10	34.48
Ended by the Health Ombudsman	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Parties withdrew prior to conciliation conference	2	25.00	2	11.11	1	33.33	3	21.43	8	18.60	0	0.00
Total	8	100.00	18	100.00	3	100.00	14	100.00	43	43	29	100

The data above relates to matters where parties initially agreed to participate in conciliation. After agreeing, the conciliation process was completed with the matter either being successful or not successful—or in some instances, the Health Ombudsman may end a conciliation or parties involved may withdraw from the process prior to conciliation occurring. 'Completed conciliations' differ from 'closed conciliations'—in the table on page 16—in that they only relate to matters where parties agreed to participate in conciliation.

Decisions for conciliations that were not successful

Type of relevant action	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Local resolution	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Investigation	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Referred to AHPRA and the national boards	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Referred to another entity	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
No further action	5	100.00	0	0.00	1	100.00	1	100.00	7	100.00	10	100
Total	5	100.00	0	0.00	1	100.00	1	100.00	7	100.00	10	100

Open conciliation timeframes

Conciliations open	Q1		Q2		Q3		Q4		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%
Less than 3 months	22	50.00	18	46.15	11	27.50	9	33.33	12	35.29
3–6 months	10	22.73	9	23.08	15	37.50	3	11.11	5	14.71
6–9 months	3	6.82	2	5.13	4	10.00	7	25.93	9	26.47
9–12 months	4	9.09	2	5.13	1	2.50	3	11.11	0	0.00
More than 12 months	5	11.36	8	20.51	9	22.50	5	18.52	8	23.53

Conciliations open	Q1		Q2		Q3		Q4		2019-20	
Total	44	100	39	100	40	100	27	100.00	34	100

To allow for continued transparency in the timeliness of conciliation processes, open conciliation timeframes include the time in which a matter was on hold whilst another process was finalised.

Investigation

Investigations started and closed

Investigations	Q1	Q2	Q3	Q4	2020-21	2019-20
Investigations started	37	51	44	41	173	199
Investigations closed	30	40	42	48	160	181
Investigations amalgamated under s40(2)	1	11	9	2	23	35
Investigations separated under s40(2)	0	1	0	0	1	2

Closed investigations

Timeframes

In 2020–21, 59.38 per cent of the 160 investigations were closed within twelve months of commencement.

Closed investigation timeframes	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Less than 3 months	3	10.00	5	12.50	9	21.43	9	18.75	26	16.25	39	21.55
3–6 months	3	10.00	7	17.50	8	19.05	9	18.75	27	16.88	31	17.13
6–9 months	5	16.67	4	10.00	2	4.76	9	18.75	20	12.50	23	12.71
9–12 months	8	26.67	7	17.50	3	7.14	4	8.33	22	13.75	22	12.15
12–24 months	7	23.33	15	37.50	15	35.71	12	25.00	49	30.63	54	29.83
More than 24 months	4	13.33	2	5.00	5	11.90	5	10.42	16	10.00	12	6.63
Total	30	100.0	40	100.0	42	100.0	48	100.0	160	100.0	181	100.0

Outcomes

Investigation outcomes	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Recommended for referral to Director of Proceedings*	23	41.07	28	53.85	39	56.52	40	48.19	130	50.00	79	39.11
Recommend Health Ombudsman issue a Permanent Prohibition Order	8	14.29	5	9.62	3	4.35	5	6.02	21	8.08	7	3.47
Referred to AHPRA	12	21.43	9	17.31	6	8.70	13	15.66	40	15.38	38	18.81
Referred to another agency	4	7.14	4	7.69	6	8.70	7	8.43	21	8.08	18	8.91
No further action	9	16.07	6	11.54	15	21.74	18	21.69	48	18.46	60	29.70
Referred for conciliation	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	56	100.0	52	100.0	69	100.0	83	100.0	260	100.0	202	100.0

A single investigation may result in multiple outcomes, and as such the total number of outcomes in this table may not match the number of closed investigations detailed in the table above.

*Matters determined suitable for referral to the Director of Proceedings at the conclusion of an investigation are sent to the Health Ombudsman for consideration and determination on whether referral to the Director of Proceedings is appropriate.

Open investigations

Open investigations consist of two categories—active investigations and paused investigations.

Active investigations are being currently investigated, while paused investigations are not able to be investigated until such time as another agency—such as the Queensland Police Service or the Coroner’s Court of Queensland—concludes their own processes. Despite being unable to progress paused investigations, they are still considered to be open investigations.

Active investigation timeframes

Active investigation timeframes	Q1		Q2		Q3		Q4		Q4 2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%
Less than 3 months	30	29.13	33	33.33	27	29.67	30	40.00	22	23.16
3–6 months	17	16.50	21	21.00	16	17.58	13	17.33	17	17.89
6–9 months	11	0.68	9	9.00	18	19.78	9	12.00	15	15.79
9–12 months	11	10.68	7	7.00	7	7.69	10	13.33	16	16.84
12–24 months*	29	28.16	25	25.00	18	19.78	9	12.00	20	21.05
More than 24 months*	5	4.85	5	5.00	5	5.49	4	5.33	5	5.26
Total	103	100.0	100	100.0	91	100.0	75	100.0	95	100.0

*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).

Paused investigation timeframes

Paused investigation timeframes	Q1		Q2		Q3		Q4		Q4 2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%
Less than 3 months	4	10.53	2	4.76	4	9.09	3	5.77	3	7.50
3–6 months	4	10.53	9	21.43	7	15.91	7	13.46	9	22.50
6–9 months	10	26.32	5	11.90	9	20.45	8	15.38	2	5.00
9–12 months	1	2.63	11	26.19	8	18.18	10	19.23	8	20.00
12–24 months*	13	34.21	7	16.67	11	25.00	19	36.54	11	27.50
More than 24 months*	6	15.79	8	19.05	5	11.36	5	9.62	7	17.50
Total	38	100.0	42	100.0	44	100.0	52	100.0	40	100.0

Open investigation timeframes

Open investigation timeframes	Q1		Q2		Q3		Q4		Q4 2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%
Less than 3 months	34	24.11	35	24.65	31	22.96	33	25.98	25	18.52
3–6 months	21	14.89	30	21.13	23	17.04	20	15.75	26	19.26
6–9 months	21	14.89	14	9.86	27	20.00	17	13.39	17	12.59
9–12 months	12	8.51	18	12.68	15	11.11	20	15.75	24	17.78
12–24 months*	42	29.79	32	22.54	29	21.48	28	22.05	31	22.96
More than 24 months*	11	7.80	13	9.15	10	7.41	9	7.09	12	8.89
Total	141	100.0	142	100.0	135	100.0	127	100.0	135	100.0

Open investigation categories

Type of investigation	Q1	Q2	Q3	Q4
Health service complaint	90	87	79	73
Systemic issue	1	1	0	1
Ministerial directed investigation	0	0	0	0
Another matter*	47	51	52	52
Matters identified for further investigation**	3	3	4	1
Total	141	142	135	127

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

**Matters referred for further investigation by the Health Ombudsman under s105 of the Act following referral to Director of Proceedings

Monitoring investigation recommendations

At the completion of certain investigations, the Health Ombudsman makes recommendations to health services for how they can improve service delivery and/or prevent the issues identified in the investigation from happening again. In these instances, the OHO puts in place a recommendation monitoring program to track the implementation of the recommendations.

OHO recommendations monitoring

OHO monitoring cases	2020-21	2019-20
Recommendations monitoring cases started	3	0
Recommendations monitoring cases closed	2	3

Open recommendations monitoring case timeframes

Monitoring case timeframes*	2020-21		2019-20	
	Number	%	Number	%
Less than 6 months	0	0.00	0	0.00
6–12 months	2	0.00	0	0.00
More than 12 months	0	0.00	1	100.00
Total	2	100.00	1	100.00

Director of Proceedings

The role of the Director of Proceedings is to independently assess the merits of an investigation and determine whether the matter is suitable to be run to Queensland Civil and Administrative Tribunal (QCAT) for a determination.

Where the Director of Proceedings determines that an investigation has produced evidence of issues relating to health, conduct and/or performance that require intervention by QCAT, a comprehensive brief of evidence is prepared and in-house or external lawyers are briefed to represent the Health Ombudsman before QCAT.

Matters referred to the Director of Proceedings by practitioner type

Practitioner type	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Assistant in nursing	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	3	3.53
Chinese medicine practitioner	0	0.00	0	0.00	2	7.69	0	0.00	2	2.25	0	0.00
Dental practitioner	2	13.33	2	9.09	0	0.00	3	11.54	7	7.87	0	0.00
Massage therapist	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	5	5.88
Medical practitioner	5	33.33	13	59.09	13	50.00	13	50.00	44	49.44	46	54.12
Osteopath	0	0.00	0	0.00	0	0.00	1	3.85	1	1.12	1	1.18
Paramedic	1	6.67	1	4.55	1	3.85	0	0.00	3	3.37	0	0.00
Pharmacist	1	6.67	0	0.00	1	3.85	1	3.85	3	3.37	4	4.71
Physiotherapist	0	0.00	0	0.00	1	3.85	1	3.85	2	2.25	1	1.18
Podiatrist	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.18
Psychologist	1	6.67	1	4.55	0	0.00	3	11.54	5	5.62	1	1.18
Registered nurse	5	33.33	5	22.73	8	30.77	4	15.38	22	24.72	21	24.71
Social worker	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.18
Unregistered paramedic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.18
Total	15	100.0	22	100.0	26	100.0	26	100.0	89	100.0	85	100.0

Matters determined suitable for referral to the Director of Proceedings at the conclusion of an investigation are sent to the Health Ombudsman for consideration and determination on whether referral to the Director of Proceedings is appropriate. As a result, these figures will differ from the Investigation outcomes' figures elsewhere in this report.

Matters currently with the Director of Proceedings by practitioner type

Practitioner type	Q1		Q2		Q3		Q4		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	Number
Chinese medicine practitioner	1	2.56	1	2.27	3	5.26	0	0.00	1	2.38
Dental practitioner	1	2.56	1	2.27	1	1.75	1	3.57	4	9.52
Medical practitioner	27	69.23	33	75.00	40	70.17	21	75.00	31	73.81
Paramedic	1	2.56	1	2.27	1	1.75	0	0.00	0	0.00
Pharmacist	1	2.56	1	2.27	1	1.75	2	7.14	1	2.38
Physiotherapist	0	0.00	1	2.27	2	3.51	0	0.00	0	0.00
Psychologist	2	5.13	1	2.27	1	1.75	2	7.14	1	2.38
Registered nurse	6	15.38	5	11.36	8	14.04	2	7.14	8	19.05
Total	39	100.0	44	100.0	57*	100.0	28	100.0	42	100.0

*The Director of Proceedings has previously made decisions on two matters which are currently being reconsidered. As such, these two matters have been added back into the list of open matters. These relate to a Medical Practitioner and a Registered Nurse.

Outcomes of matters reviewed by the Director of Proceedings

Matters filed in the Queensland Civil and Administrative Tribunal

Practitioner type	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Chinese medicine practitioner	0	0.00	0	0.00	0	0.00	1	3.33	1	1.75	0	0.00
Counsellor	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.61
Dentist	0	0.00	0	0.00	0	0.00	2	6.67	2	3.51	3	4.84
Massage therapist	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	3	4.84
Medical practitioner	5	38.46	3	42.86	1	14.29	15	50.00	24	42.11	22	35.48
Osteopath	0	0.00	0	0.00	0	0.00	1	3.33	1	1.75	1	1.61
Paramedic	0	0.00	0	0.00	1	14.29	0	0.00	1	1.75	0	0.00
Podiatrist	0	0.00	0	0.00	0	0.00	0	0.00	2	3.51	2	3.23
Pharmacist	1	7.69	0	0.00	1	14.29	0	0.00	0	0.00	5	8.06
Physiotherapist	0	0.00	0	0.00	0	0.00	2	6.67	2	3.51	1	1.61
Psychologist	0	0.00	1	14.29	0	0.00	1	3.33	2	3.51	3	4.84
Registered nurse	7	53.85	3	42.86	4	57.14	8	26.67	22	38.60	21	33.87

Practitioner type	Q1		Q2		Q3		Q4		2020-21		2019-20	
Total	13	100.0	7	100.0	7	100.0	30	100.0	57	100.0	62	100.0

In March 2021, the Director of Proceedings made a decision to refer a matter to QCAT, this decision was subsequently rescinded and the matter referred back to the Health Ombudsman.

Matters referred back to Health Ombudsman

Practitioner type	Q1		Q2		Q3*		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Assistant in nursing	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	6	10.00
Audiologist	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	2	3.33
Chinese medicine practitioner	0	0.00	0	0.00	0	0.00	2	9.52	2	4.88	0	0.00
Dentist	0	0.00	1	11.11	0	0.00	1	4.76	2	4.88	1	1.67
Holding out as an enrolled nurse	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.67
Holding out as a psychologist	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.67
Holding out as a registered nurse	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.67
Massage therapist	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	3	5.00
Medical assistant	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.67
Medical practitioner	4	100	4	44.44	5	71.42	14	66.67	27	65.85	22	36.67
Medical radiation practitioner	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.67
Osteopath	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.67
Paramedic	0	0.00	1	11.11	0	0.00	1	4.76	2	4.88	1	1.67
Psychologist	0	0.00	0	0.00	1	14.29	0	0.00	1	2.44	1	1.67
Registered nurse	0	0.00	3	33.33	1	14.29	3	14.29	7	17.07	11	18.33
Social worker	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	2	3.33
Unregistered chiropractor	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1	1.67
Unregistered paramedic	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	2	3.33
Total	4	100.0	9	100.0	7	100.0	21	100.0	41	100.0	60	100.0

*From 1 March 2021, improvements to systems and processes mean that matters being referred to the Health Ombudsman are now counted based on the date of referral, rather than the date of the decision to refer.

Immediate action

The *Health Ombudsman Act 2013* allows for immediate action to be taken against a registered or unregistered health practitioner if the Health Ombudsman reasonably believes:

- that a practitioner's health, conduct or performance poses a serious risk to the health and safety of the public

or

- that action is in the public interest.


Show cause notices

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.

The Health Ombudsman issued 39 show cause notices during 2020-21.

Immediate registration actions

Practitioner type	Number	Month	Action taken	Reason/s for taking action	
				Public Interest	Serious Risk
Registered nurse	1	August	Suspension		✓
Registered nurse	2	September	Conditions		✓
Enrolled nurse	1	September	Conditions		✓
Medical practitioner	1	September	Conditions		✓
Medical practitioner	1	September	Suspension	✓	✓
Registered nurse	1	September	Suspension		✓
Registered nurse	1	October	Suspension		✓
Physiotherapist	1	November	Conditions		✓
Psychologist	1	November	Conditions		✓
Medical practitioner	1	November	Conditions		✓
Medical practitioner	1	December	Conditions		✓
Chinese medicine practitioner	1	January	Conditions		✓
Medical practitioner	1	January	Conditions		✓
Paramedic	1	January	Conditions		✓
Medical practitioner	1	February	Conditions	✓	✓
Psychologist	1	February	Conditions		✓
Nurse	1	February	Conditions		✓
Chiropractor	1	March	Conditions		✓
Dental practitioner	1	March	Conditions		✓
Psychologist	1	March	Conditions	✓	✓



Registered nurse	1	March	Conditions		✓
Medical practitioner	1	April	Conditions		✓
Nurse	1	April	Conditions		✓
Nurse	1	April	Conditions	✓	✓
Medical practitioner	1	May	Conditions		✓
Nurse	1	June	Conditions	✓	✓
Nurse	1	June	Conditions		✓
Pharmacist	1	June	Suspension		✓

Immediate registration actions apply only to registered practitioners and may result in the Health Ombudsman issuing a suspension of, or imposing conditions upon, a registered practitioner's registration.

Interim prohibition orders

Practitioner type	Number	Month	Action taken	Reason/s for taking action*	
				Public Interest	Serious Risk
Holding out as Dental Practitioner	1	July	Prohibition		✓
Aged care health worker	1	July	Restriction		✓
Massage therapist	1	August	Restriction		✓
Registered nurse	1	August	Prohibition		✓
Unregistered health educator	1	August	Restriction		✓
Registered nurse	1	September	Restriction		✓
Massage therapist	1	September	Prohibition		✓
Massage therapist	1	September	Prohibition	✓	✓
Disability support worker	1	October	Restriction		✓
Massage therapist	1	October	Prohibition		✓
Assistant in nursing	1	November	Prohibition		✓
Psychologist	1	November	Prohibition		✓
Assistant in nursing	1	December	Prohibition		✓
Aged care health worker	2	December	Prohibition		✓
Massage therapist	1	December	Prohibition	✓	✓
Massage therapist	1	December	Restriction	✓	✓
Assistant in nursing	1	January	Prohibition		✓
Chinese medicine practitioner	1	January	Restriction		✓
Massage therapist	1	January	Restriction		✓
Massage therapist	1	January	Prohibition		✓
Massage therapist	1	January	Prohibition		✓
Cosmetic tattooist	1	February	Restriction		✓
Massage therapist	1	February	Restriction		✓
Assistant in nursing	1	March	Restriction	✓	✓
Gym instructor	1	March	Restriction		✓
Personal care worker	1	March	Restriction	✓	✓
Chiropractor	1	May	Restriction	✓	✓
Massage therapist	1	June	Prohibition	✓	✓
Nurse	1	June	Prohibition	✓	✓



Ayurvedic medicine practitioner	1	June	Restrictions		✓
Chinese medicine practitioner	1	June	Restrictions	✓	✓

The Health Ombudsman has powers to issue interim prohibitions orders to unregistered practitioners and registered practitioners practicing outside their field of registration. An interim prohibition order can prohibit or restrict the practitioner from providing any health service, or a specific health service.

The details for current prohibition orders can be found on the prohibition order register on the OHO website.

Monitoring practitioner compliance

When the Health Ombudsman takes immediate action against a health practitioner, we monitor the practitioner's compliance with the conditions of the order.

For interim prohibition orders, this means monitoring compliance with the restriction(s) on or prohibitions placed of service. For immediate registration actions, this means monitoring compliance with condition(s) on or suspension of a practitioner's registration.

The Health Ombudsman may take immediate action against a single practitioner with both immediate registration action and an interim prohibition order. This can occur, for example, in instances where there is a risk that a registered practitioner may also practice in an unregistered capacity.

Practitioner monitoring cases

Cases this month	2020-21	2019-20
Practitioner monitoring cases started	64	52
Practitioner monitoring cases closed	38*	26

*One case was incorrectly reported as closed in September, but was replaced with a QCAT Disciplinary Order and therefore the practitioner remained under monitoring.

Open monitoring cases

Timeframes

Open case timeframes	2020-21		2019-20	
	Number	%	Number	%
Less than 6 months	50	29.76	44	30.99
6–12 months	32	19.05	26	18.31
More than 12 months	86	51.19	72	50.70
Total	168	100.00	142	100.00

Immediate action types

Open cases by immediate action type	2020-21		2019-20	
	Number	%	Number	%
Interim prohibition order – restrictions	24	14.29	16	11.27
Interim prohibition order – prohibited	31	18.45	38	26.76
Immediate registration action - conditions	54	32.14	48	33.80
Immediate registration action - suspension	19	11.31	22	15.49
QCAT disciplinary decision	27	16.07	16	11.27
QCAT interim decision	1	0.60	1	0.70
Permanent prohibition order	12	7.14	1	0.70
Total	168	100.00	142	100.00

Registered practitioners under monitoring by practitioner type

Open cases by practitioner type	2020-21		2019-20	
	Number	%	Number	%
Aboriginal and Torres Strait Islander health worker	0	0.00	0	0.00
Chinese medicine practitioner	4	5.41	3	4.00
Chiropractor	1	1.35	0	0.00
Dental practitioner	3	4.05	4	5.33
Medical practitioner	30	40.54	35	46.67
Medical radiation practitioner	0	0.00	0	0.00
Nursing and midwifery practitioner	23	31.08	24	32.00
Occupational therapist	0	0.00	0	0.00
Optometrist	0	0.00	0	0.00
Osteopath	1	1.35	1	1.33
Paramedic	2	2.70	2	2.67
Pharmacist	1	1.35	0	0.00
Physiotherapist	4	5.41	4	5.33
Podiatrist	0	0.00	0	0.00
Psychologist	5	6.76	2	2.67
Total	74	100.00	75	100.00

These figures are based on the number of individual registered practitioners being monitored by the OHO during the reporting period. As a single practitioner may be monitored in relation to more than one immediate action, these figures may not match the total number of open monitoring cases.

Unregistered practitioners under monitoring by type

Open cases by practitioner type	2020-21		2019-20	
	Number	%	Number	%
Aboriginal and Torres strait islander health worker	1	1.16	1	1.64
Aged care health worker	8	9.30	5	8.20
Assistant in nursing	12	13.95	8	13.11
Ayurvedic medicine practitioner	1	1.16	0	0.00
Cosmetic therapist	2	2.33	1	1.64
Counsellor	1	1.16	1	1.64
Disability support worker	2	2.33	2	3.28
Former registered health practitioner	14	16.28	12	19.67
Health educator	1	1.16	0	0.00
Health support worker	2	2.33	1	1.64
Holding out*	3	3.49	3	4.92
Kinesiologist	2	2.33	2	3.28
Massage therapist	25	29.07	15	24.59
Medical assistant	2	2.33	2	3.28
Natural therapist	2	2.33	1	1.64
Naturopath	1	1.16	0	0.00
Personal carer	3	3.49	1	1.64
Social worker	1	1.16	1	1.64
Student practitioner	0	0.00	1	1.64
Unregistered paramedic	3	3.49	4	6.56
Total	86	100.00	61	100.00

*Certain titles of registered health professions are protected under the National Law. Anyone who uses a protected title (e.g. medical practitioner), without being registered for that profession, are classified as 'holding out' as a practitioner of that profession.

These figures are based on the number of individual unregistered practitioners being monitored by the OHO during the reporting period. As a single practitioner may be monitored in relation to more than one immediate action, these figures may not match the total number of open monitoring cases.

Australian Health Practitioner Regulation Agency

Consultation on matters

The office consults with AHPRA on whether matters being considered for referral are appropriate for AHPRA to manage. For matters we are considering referring to AHPRA under section 91 of the *Health Ombudsman Act 2013*, we provide all necessary information in order for AHPRA to form a view as to whether referral is or is not appropriate.

For complex cases or where a pattern of conduct may be present, we may hold case conferences with AHPRA, either in person or electronically, which can sometimes delay the consultation process. By encouraging robust conversations during this process, productive and consistent decisions between the co-regulatory agencies is achieved.

Consultation matters	Q1	Q2	Q3	Q4	2020-21	2019-20
Matters consulted on*	763	689	589	624	2665	2759
Matters referred	744	668	572	601	2585	2707
Matters retained by the office**	12	13	21	24	70	78

*The number of matters consulted on may not equal the total number of matters referred, retained and pending as a matter may have commenced consultation prior to the start of the reporting period.

**Under certain circumstances additional information may be received in the course of consultation resulting in the office retaining carriage of the matter and/or taking other relevant action.

Relevant action proposing referral

Relevant action	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Intake and triage	621	81.39	521	75.62	472	80.14	505	80.93	2119	79.51	2173	78.76
Assessment	119	15.60	145	21.04	111	18.85	103	16.51	478	17.94	504	18.27
Conciliation	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Local resolution	5	0.66	7	1.02	1	0.17	4	0.64	17	0.64	25	0.91
Investigation	13	1.70	12	1.74	5	0.85	9	1.44	39	1.46	45	1.63
Director of proceedings	5	0.66	2	0.29	0	0.00	0	0.00	7	0.26	0	0.00
Internal review	0	0.00	2	0.29	0	0.00	3	0.48	5	0.19	12	0.43
Total	763	100.00	689	100.00	589	100.00	624	100.00	2665	100.00	2759	100

Age of matters on commencement of consultation

In order to prevent duplication of work, we aim to ensure that matters are referred to AHPRA as early as possible in the complaint management process.

Due to the type of matters in which investigation or conciliation is deemed appropriate, and the more time intensive nature of these processes, these matters are usually older when consultation commences.

Relevant action	0–7 days	8–14 days	15–30 days	30–60 days	More than 60 days
Intake	2034	51	24	3	7
Assessment	23	30	141	193	91
Local resolution	1	1	5	7	3
Conciliation	0	0	0	0	0
Investigation	0	0	2	0	37
Director of Proceedings	0	0	0	0	7
Internal review	0	0	0	2	3
Total	2058	82	172	205	148

'Age of matters' is calculated from the date on which a matter was accepted by the office.

Consultation duration

Consultation duration	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
0–3 days	583	76.41	564	81.86	521	88.46	520	83.33	2188	82.10	1754	63.57
4–7 days	168	22.02	115	16.69	67	11.38	96	15.38	446	16.74	905	32.80
8–11 days	11	1.44	3	0.44	1	0.17	4	0.64	19	0.71	64	2.32
More than 12 days	1	0.13	7	1.02	0	0.00	4	0.64	12	0.45	36	1.30

Consultation duration	Q1		Q2		Q3		Q4		2020-21		2019-20	
Total	763	100.00	689	100.00	589	100.00	624	100.00	2665	100.00	2759	100

Number of practitioners referred to AHPRA by practitioner type

Practitioner type	Q1		Q2		Q3		Q4		2020-21		2019-20	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Aboriginal and Torres Strait Islander health practitioner	0	0.00	0	0.00	0	0.00	1	0.17	1	0.04	0	0.00
Chinese medicine practitioner	1	0.13	2	0.30	1	0.17	5	0.83	9	0.35	5	0.18
Chiropractor	7	0.94	6	0.90	10	1.75	9	1.50	32	1.24	16	0.59
Dental practitioner	76	10.22	59	8.83	54	9.44	25	4.16	214	8.28	238	8.79
Medical practitioner	404	54.30	381	57.04	285	49.83	328	54.58	1398	54.08	1588	58.66
Medical radiation practitioner	2	0.27	2	0.30	1	0.17	0	0.00	5	0.19	7	0.26
Nursing and midwifery practitioner	161	21.64	120	17.96	132	23.08	149	24.79	562	21.74	487	17.99
Occupational therapist	7	0.94	4	0.60	0	0.00	2	0.33	13	0.50	17	0.63
Optometrist	2	0.27	2	0.30	2	0.35	1	0.17	7	0.27	13	0.48
Osteopath	1	0.13	0	0.00	0	0.00	3	0.50	4	0.15	4	0.15
Paramedic	11	1.48	17	2.54	12	2.10	18	3.00	58	2.24	39	1.44
Pharmacist	10	1.34	26	3.89	18	3.15	15	2.50	69	2.67	88	3.25
Physiotherapist	11	1.48	5	0.75	7	1.22	9	1.50	32	1.24	31	1.15
Podiatrist	2	0.27	6	0.90	4	0.70	2	0.33	14	0.54	12	0.44
Psychologist	43	5.78	36	5.39	44	7.69	31	5.16	154	5.96	153	5.65
Student practitioner*	6	0.81	2	0.30	2	0.35	3	0.50	13	0.50	9	0.33
Total	744	100.0	668	100.0	572	100.0	601	100.0	2585	100.0	2707	100.0

Number of issues referred to AHPRA by practitioner type

Registered practitioner type	Access	Communication and information	Consent	Discharge/ transfer arrangements	Environment/ management of facility	Fees and costs	Grievance processes	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/ certificates	Research / teaching / assessment	Total
Aboriginal and Torres Strait Islander health worker	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Chinese medicine practitioner	1	-	-	-	-	-	-	-	-	11	-	-	-	-	12
Chiropractor	-	-	-	-	1	-	1	-	-	22	5	12	-	-	41
Dental practitioner	-	10	8	-	2	6	5	7	9	33	8	207	-	-	295
Medical practitioner	13	194	37	10	8	32	10	62	245	306	97	950	70	-	2034
Medical radiation practitioner	-	-	-	-	-	-	-	-	-	5	-	1	-	-	6
Nursing and midwifery practitioner	1	9	4	-	4	2	4	19	47	390	166	93	-	-	739
Occupational therapy	-	1	-	-	-	-	-	1	-	4	-	8	-	-	14
Optometrist	-	2	-	-	-	1	-	-	-	2	-	6	1	-	12
Osteopath	1	-	1	-	-	-	1	1	-	-	1	1	-	-	6
Paramedic	1	1	-	-	-	-	-	3	1	39	12	18	-	-	75
Pharmacist	-	8	-	-	2	-	1	1	43	20	9	6	-	-	90
Physiotherapist	-	2	3	-	-	1	-	1	-	18	1	14	2	-	42
Podiatrist	-	-	-	-	-	1	-	-	-	8	1	9	-	-	19
Psychologist	1	20	5	-	4	2	3	9	2	76	23	56	19	-	220
Student practitioner	-	-	-	-	-	-	-	-	-	8	4	-	-	-	12
Total	18	247	58	10	21	45	25	104	347	943	327	1381	92	0	3618

Demographics of healthcare consumers

Gender of healthcare consumers

Gender	Number	Percentage
Female	4477	48.74
Male	4359	47.46
Prefer not to specify	169	1.84
Unknown	180	1.96
Total	9185	100.00

Age of healthcare consumers

Age	Number	Percentage
Less than 18 years	490	5.33
18–24 years	478	5.20
25–34 years	1623	17.67
35–44 years	1919	20.89
45–54 years	1468	15.98
55–64 years	1117	12.16
65–74 years	761	8.29
More than 75 years	663	7.22
Unknown*	666	7.25
Total	9185	100.00

*Age not recorded or not provided for a particular matter.

Location of healthcare consumers

Location of healthcare consumers	Number	Percentage
Brisbane	3889	42.34
Central West	6	0.07
Darling Downs	314	3.42
Far North	436	4.75
Fitzroy	367	4.00
Gold Coast	1053	11.46
Mackay	200	2.18
North West	44	0.48
Northern	418	4.55
South West	22	0.24
Sunshine Coast	497	5.41
West Moreton	280	3.05
Wide Bay-Burnett	603	6.57
Outside Queensland	265	2.89
Unknown	791	8.61
Total	9185	100.00

Location of health service providers

Location of health service providers	Number	Percentage
Brisbane	5087	47.94
Central West	5	0.05
Darling Downs	377	3.55
Far North	496	4.67
Fitzroy	383	3.61
Gold Coast	1195	11.26
Mackay	216	2.04
North West	47	0.44
Northern	502	4.73
South West	20	0.19
Sunshine Coast	595	5.61
West Moreton	195	1.84
Wide Bay-Burnett	597	5.63
Outside Queensland*	127	1.20
Unknown	770	7.26
Total	10612	100.00

*Health service provider location is taken from the primary address of the provider recorded in the OHO complaints management system. Complaints can be made about health service providers from other states who have provided health services in Queensland. This could include locums travelling to Queensland from interstate or providers who previously lived in Queensland providing services but have since moved interstate—as the OHO can deal with complaints up to two years old.