

Office of the Health Ombudsman

Performance report October 2014

November 2014



Office of the Health Ombudsman—Performance report October 2014

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Table of contents

Introduction	4
Number of contacts	4
Decisions	5
Number of decisions made	5
Decisions made within seven days	5
Reason for decisions being made outside of seven days	5
Health service complaints profile	6
Main issues raised in complaints	6
Number and type of complaints by health practitioner	7
Number and type of complaints by health service organisation	8
Assessment	9
Assessments started and completed	9
Completed assessment timeframes	9
Assessment decisions	10
Local resolution	11
Local resolutions started and completed	11
Completed local resolution timeframes	11
Local resolution outcomes	11
Decisions for matters where resolution wasn't reached	12
Conciliation	12
Conciliations started and closed	12
Agreement to participate in conciliation	12
Closed conciliation timeframes	13
Closed conciliation outcome	13
Decisions for matters where conciliation wasn't reached	14
Open conciliation timeframes	14
Investigation	15
Investigations started and completed	15
Closed investigation timeframes	15
Open investigation categories	15
Open investigation timeframes	16
Immediate action	16
Show cause notices	16
Immediate registration action	16

Demographics	17
Gender	17
Age	17
Location of healthcare consumers	18
Location of health service providers	19
Australian Health Practitioner Regulation Agency (AHPRA)	20
Transitional matters	20
Notifications from AHPRA	20
Matters referred to AHPRA	21

Introduction

This document contains our performance data for October 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 5 November 2014, but is subject to change.

Number of contacts

Type of contact	Number	Percentage
Complaint	326	46.00
Enquiry	359	50.70
Yet to be classified	23	3.25
Total	708	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 in the first instance to allow for a determination, and additional information is being sought. They can also be 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 that are '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	241	76.50
Not accepted	38	12.10
Decision pending	36	11.40
Total	315	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	231	82.80
No	48	17.20
Total	279	100.00

Reason for decisions being made outside of seven days

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 in October, however the steps taken to build capacity and improve the timeliness of decision making, while still ensuring all matters are reviewed thoroughly and impartially by trained staff, are delivering improvements.

There has been a reduction in decisions not made within seven days from 38 per cent in August, to 23 per cent in September, and down to 17 per cent in October.

As noted in previous performance reports, the office has commenced recruitment of extra staff to assist in the processing of complaints. In addition, the office is refining existing, and implementing new, operational processes to improve the processing of complaints, in alignment 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
Treatment	16	5.23
Communication/information	44	14.38
Professional conduct	36	11.76
Medication	35	11.44
Fees/cost	2	0.65
Access	10	3.27
Environment/management of facilities	5	1.63
Reports/certificates	3	0.98
Consent	1	0.33
Medical records	14	4.58
Grievance processes	5	1.63
Professional health	15	4.90
Professional performance	112	36.60
Enquiry service only	0	0.00
Discharge/transfer arrangements	8	2.61
Total	306	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	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Chinese medicine	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chiropractor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dentistry	-	2	1	-	-	-	-	-	1	-	2	1	9	-	-	16
Emergency care	-	1	-	2	-	-	-	-	-	-	1	-	1	-	2	7
General medical	-	14	-	-	-	-	1	-	5	16	6	5	39	-	5	91
Medical radiation	-	1	-	-	-	-	-	-	-	-	-	1	-	-	-	2
Medical specialty	1	2	-	1	-	-	-	-	-	3	1	-	8	-	-	16
Nursing	-	-	-	-	-	-	-	-	3	2	8	4	4	-	-	21
Optometry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	2	-	2	1	-	5
Pharmacy	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1
Physiotherapy	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	2
Podiatry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Psychology	-	5	-	-	-	-	-	-	2	-	8	3	5	1	-	24
Surgical	1	4	-	1	-	-	-	1	2	-	-	-	11	-	2	22
Not yet known	-	1	-	-	-	-	-	-	1	-	2	-	-	1	-	5
Total	2	30	1	4	-	-	1	1	14	22	32	15	79	3	9	213

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	-	-	-	-	2	-	-	5	-	-	9
Allied health service	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Ambulance service	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Community health service	-	2	-	-	-	-	-	-	-	-	1	-	-	-	-	3
Correctional facility	3	-	-	-	-	-	-	-	-	3	-	-	7	-	1	14
Dental service	-	1	-	-	-	-	-	-	-	-	-	-	2	-	-	3
Health Service District	-	-	-	-	1	-	-	1	-	-	-	-	1	-	-	3
Laboratory service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Licensed Private Hospital	-	2	-	-	1	-	-	1	-	2	-	-	-	-	-	6
Medical Centre	-	1	-	-	-	-	1	-	-	-	1	-	1	-	-	4
Mental health service	-	-	-	1	-	-	-	-	-	2	-	-	4	-	-	7
Other government department	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other support service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pharmaceutical service	-	1	-	-	-	-	-	1	-	-	-	-	-	-	-	2
Public health service	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Public Hospital	3	5	-	3	-	-	-	1	-	3	2	-	8	-	6	31
Specialised health service	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	2
Not yet known	1	-	-	-	2	-	-	-	-	1	-	-	2	-	-	6
Total	8	14	-	4	5	-	1	4	-	13	4	-	33	-	7	93

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	242
Assessments completed	176

Completed assessment timeframes

Assessment timeframes	Number	Percentage
Completed within 30 days	127	72.16
Completed within 60 days*	39	22.16
Completed greater than 60 days**	10	5.68
Total	176	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 39 assessments completed within 60 days, 21 matters were eligible for and received an approved extension, while the remaining 18 matters ran over due to a higher than expected level of complaints.

**The 10 matters that were completed outside of 60 days were a 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	47	25.40
Conciliation	3	1.60
Investigation	21	11.35
Referred to AHPRA and the national boards	50	27.00
Referral to another entity	8	4.30
Immediate action	0	0.00
No further action	56	30.30
Total	185	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.

Local resolution

Local resolutions started and completed

Local resolutions this month	Number
Local resolutions started	49
Local resolutions completed	79

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	63	79.75
Completed within 60 days *	15	19.00
Completed over 60 days **	1	1.25
Total	79	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. Of the 15 local resolutions completed within 60 days, 5 matters were eligible for and received an approved extension.

**The matter that was completed outside of 60 days was also eligible for and received an approved extension for an additional 30 days, but ran over time.

Local resolution outcomes

Local resolution outcomes	Number	Percentage
Resolution reached	63	79.75
No resolution reached	15	19.00
Complaint withdrawn*	1	1.25
Total	79	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	2	13.33
Investigation	0	0.00
Referred to AHPRA and the national boards	1	6.67
Referral to another entity	0	0.00
Immediate action	0	0.00
No further action	12	80.00
Total	15	100.00

Conciliation

Conciliations started and closed

Conciliations this month	Number
Conciliations open at the start of the month	48
Conciliations started	5
Conciliations closed	14

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*	11
Party/ies did not agree to conciliation*	0
Decision pending at end of month**	8

*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	2	14.30
3–6 months	4	28.60
6–9 months	2	14.30
9–12 months	0	0.00
More than 12 months	6	42.80
Total	14	100.00

Closed conciliation outcome

Conciliation outcomes	Number	Percentage
Closed—party/ies chose not to participate*	2	14.30
Agreement reached	8	57.10
No agreement reached	4	28.60
Ended by Health Ombudsman**	0	0.00
Total	14	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	4	100.00
Total	4	100.00

Open conciliation timeframes

Conciliations open	Number	Percentage
Less than 3 months	13	33.33
3–6 months	13	33.33
6–9 months	11	28.21
9–12 months	0	0.00
More than 12 months	2	5.13
Total	39	100.00

Investigation

Investigations started and completed

Investigations this month	Number
Investigations open at the beginning of the month	114
Investigations started	39
Investigations completed	10

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	0	0.00
3–6 months	3	30.00
6–9 months	3	30.00
9–12 months	1	10.00
More than 12 months	3	30.00
Total	10	100.00

Open investigation categories

Type of investigation	Number
Health service complaint	138
Systemic issue	0
Another matter*	5

*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	68	47.60
3–6 months	18	12.60
6–9 months	17	11.90
9–12 months	16	11.20
More than 12 months*	24	16.80
Total	143	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 October.

As outlined in the *Health Ombudsman Act 2013*, upon receipt of a show cause notice, a health service provider is invited to make a submission within a stated period of time. The Health Ombudsman will then consider the submission before deciding whether to take immediate action against the provider.

Immediate registration action

No immediate registration actions were taken in October.

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.

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	85	48.57
Male	75	42.86
Unknown	15	8.57
Total	175	100.00

Age

Age	Number	Percentage
Less than 18	7	4.00
18–24 years	3	1.71
25–34 years	29	16.57
35–44 years	32	18.29
45–54 years	31	17.71
55–64 years	22	12.57
65–74 years	8	4.57
Over 75 years	8	4.57
Unknown*	35	20.00

*Not recorded or not provided for a particular matter.

Location of healthcare consumers

Location of healthcare consumers	Number	Percentage
Brisbane	77	44.00
Central West	0	0.00
Darling Downs	7	4.00
Far North	4	2.29
Fitzroy	5	2.86
Gold Coast	19	10.86
Mackay	7	4.00
North West	0	0.00
Northern	9	5.14
South West	0	0.00
Sunshine Coast	13	7.43
West Moreton	2	1.14
Wide Bay-Burnett	14	8.00
Outside Queensland	5	2.86
Unknown	13	7.43

The above data is based on health consumer location

Location of health service providers

Location of health service providers	Number	Percentage
Brisbane	83	47.70
Central West	0	0.00
Darling Downs	1	0.57
Far North	12	6.90
Fitzroy	7	4.02
Gold Coast	21	12.07
Mackay	4	2.30
North West	0	0.00
Northern	9	5.17
South West	0	0.00
Sunshine Coast	11	6.32
West Moreton	0	0.00
Wide Bay-Burnett	11	6.32
Outside Queensland	5	2.87
Unknown	10	5.75

The above data is based on health service provider location.

Australian Health Practitioner Regulation Agency (AHPRA)

Transitional matters

Thirteen transitional files were received from AHPRA this month. These had been requested in previous months.

Discussions are continuing on a further 11 matters.

Notifications from AHPRA

Three new notifications (s193 of the Act) about possible serious matters were received this month. One matter was required to be transferred to the OHO as it related to a practitioner already under investigation by the OHO. Two other matters were left with AHPRA.

In addition, in October responses were provided to AHPRA in relation to five matters which were the subject of s193 notifications in late September. Of these, one was requested for transfer to the OHO and four others were left with AHPRA.

Matters referred to AHPRA

Registered practitioner type	Access	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Enquiry service	Fees and costs	Grievance process	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/certificates	Treatment	Total
Aboriginal and Torres Strait Islander health	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chinese Medicine	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chiropractic	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	2
Dental	-	-	-	-	-	-	-	-	1	-	-	2	4	-	-	7
Medical	-	4	-	-	-	-	-	-	2	4	1	2	19	1	5	38
Medical Student	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	2
Medical Radiation	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Nursing and Midwifery	-	2	-	-	-	-	-	-	4	7	4	5	8	-	-	30
Occupational Therapy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Optometry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Osteopathy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pharmacy	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	2
Physiotherapy	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Podiatry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Psychology	-	2	-	-	-	-	-	-	-	-	3	1	1	-	-	7
Total	-	8	-	-	-	-	-	-	7	13	11	13	32	1	5	90



Office of the
**HEALTH
OMBUDSMAN**

Listen. Respond. Resolve.