



Office of the Health Services Commissioner INFORMATION FOR COMPLAINANTS

Complaints: 8601 5200 **Toll Free:** 1800 136 066
Fax: 8601 5219 **Website:** www.health.vic.gov.au/hsc

In Victoria individuals have a right of access to their health information and to make complaints about health service providers. The Office of the Health Services Commissioner (HSC) is an independent statutory authority established to receive and resolve complaints about health services. HSC also handles complaints about disclosure of health information and access to health information.

KEY FEATURES OF THE HSC PROCESS

It is impartial and confidential.

HSC does not charge fees.

Participation in the complaints process is voluntary.

Complaints are resolved through co-operation.

HSC encourages open discussion, with all parties asked to give their point of view.

It can be an alternative to legal proceedings.

WHO CAN BE COMPLAINED ABOUT

You can make a complaint against *any* health service provider, for example:

- doctors
- pharmacists
- alternative therapists
- dentists
- hospitals
- physiotherapists
- ambulance services
- nurses
- psychiatric services
- optometrists
- chiropractors
- counsellors

A complaint can also be made against:

- any person or organisation that collects, holds or discloses health information.

MAKING A COMPLAINT

Wherever possible, try to resolve your complaint directly with the health service provider. If your complaint involves a hospital, you can contact the complaints liaison officer or patient representative.

If this does not work, you can make a written complaint to HSC. If you need help to put your complaint in writing, ring the HSC telephone advice line: 9am to 5pm Monday to Friday.

RESPONSE TO YOUR COMPLAINT

Your complaint will be sent to the health service provider, asking for a response. The provider is asked to reply within two weeks but sometimes it takes longer.

HSC will send you a copy of the response and ask you to consider it. This may be enough to resolve the complaint for you. If so, the file will be closed. You and the provider will be notified of this in writing.

IF YOU ARE NOT SATISFIED WITH THE RESPONSE

HSC will discuss your unresolved issues with you to see if there is anything further that can be done and what your options are.

You may be asked to provide information to support your complaint. This can include reports from current treating doctors, copies of hospital records etc.

WHAT HAPPENS NEXT

If your complaint remains unresolved, a decision will be made about what should happen next. This will depend on the circumstances of the case, what outcome you are seeking and what explanation the provider has given. There are three options:

1. No further action

HSC may decide that no further action is needed, and can close your complaint.

2. Referral to a registration board or investigation

Your complaint might be referred to the relevant registration board, for example, the Medical Practitioners Board. This might happen in a case involving unprofessional conduct, where it is not suitable for conciliation or where disciplinary action is sought as an outcome. Some complaints are referred to the board when they are first received, rather than sending the complaint to the provider for a response. If there is no relevant registration board, the Commissioner may decide to conduct an investigation.

3. Referral for conciliation

Your complaint may be referred to the HSC conciliation section for confidential and impartial conciliation. This might happen where there is a claim for damages or remedial treatment, or where there is a need for a meeting between the consumer and the health service provider. At this point you will receive more information about what conciliation involves.

Most complaints that are unresolved after the initial assessment phase are either closed or referred for conciliation.

OUTCOMES

Making a complaint through HSC can achieve a number of possible outcomes. These include:

- an explanation of what happened or more detailed information about your treatment or your medical condition,
- an opportunity to discuss your concerns in a face-to-face meeting,
- an apology,
- a change to systems or procedures so a similar incident does not happen again,
- provision of remedial treatment,
- payment of compensation.

The officer assigned to your complaint will discuss these options with you.

HSC services are free and confidential.