

# Office of the Health Services Commissioner Report



**January - March 2007 Quarter**

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## COMMISSIONER'S REPORT

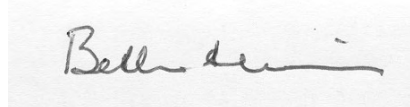
The first quarter of 2007 saw an increase in complaint numbers made under the *Health Services (Conciliation and Review) Act 2007* and a decrease in *Health Records Act* (HRA) complaints. Reasons for this are unknown, however it may be that services have now become more aware of their obligations to protect the privacy of health information under the HRA. The Commissioner continues to provide support and training for complaints officers and other people and organisations affected by legislation.

Requests for public speaking engagements continued during the quarter being reported on. Many organisations were visited and included Probus Clubs, community groups, hospitals and health care professionals. The demand for public speaking has been fuelled by a feature article in *The Age* on Saturday, 31 March 2007. I have reluctantly made a decision to limit my visits to Probus Clubs to one only for each club. While it is important to be accessible and to advise the public about HSC services, this has to be balanced with other duties.

Policy work and participation by the HSC this quarter has included the ALRC Privacy Advisory Committee, ACSQHC Focus Group – National Safety and Quality Accreditation Standards, and COAG National Registration and Accreditation.

During May the Attorney-General and guests, including myself, farewelled Julian Gardner, Victoria's Public Advocate and Patricia Faulkner, the Secretary of the Department of Human Services. Both have served the Victorian public very well and have provided valued services to the Health Services Commissioner. We have also welcomed new Commissioners including Ms Victoria Marles, Legal Services Commissioner, Mr James Hartnett, Public Transport Ombudsman, and Mr Laurie Harkin, Disability Services Commissioner. I have also re-instituted regular lunches for Ombudsmen and Commissioners located in Victoria. The first lunch was held at the Office of the Health Services Commissioner on Thursday, 29 March 2007. All participants agreed that discussion was very useful and the meetings will continue.

The quarter under review has also seen the culmination of a productive cooperation between the HSC, Consumer Affairs Victoria and the ACCC, which resulted in successful court action against a "so called cancer cure" service. I intend to continue with interagency cooperation in the public interest. I thank the members of the HSRC and my staff for their commitment to the work of the Office.



Beth Wilson  
**Health Services Commissioner**

## ANALYSIS OF COMPLAINTS TRENDS

The majority of complaints lodged with the HSC are made under the Health Services (Conciliation and Review) Act (HSC&R). Only 10% of complaints received are made under the Health Records Act (HRA).

In comparison with the same quarter last year, this quarter shows a 7% increase in the numbers of complaints lodged under the HSC&R while, at the same time; there has been a 14% decrease in complaints lodged under the HRA. If the decrease in numbers of HRA complaints is due to an increased awareness of the Act then it is possible the trend will continue.

Overall complaint numbers have increased by 8% in comparison with the previous quarter and by 5% over the same quarter in the previous year.

### Complaints Lodged this Quarter

Table 1: New Complaints lodged with OHSC  
(Complaints received complaint forms sent out)

	Current Quarter					Previous Quarter		Previous Year	
	Jan 2007	Feb 2007	Mar 2007			Oct - Dec 2006		Jan - March 2005	
<b>HSC&amp;R</b>	178	150	168	<b>496</b>	91%	<b>458</b>	91%	<b>464</b>	89%
<b>HRA</b>	14	19	15	<b>48</b>	9%	<b>45</b>	9%	<b>56</b>	11%
<b>Total</b>	<b>192</b>	<b>169</b>	<b>183</b>	<b>544</b>		<b>503</b>		<b>520</b>	

### Single Contact Complaints this Quarter

Table 2: Single Contact complaints  
(Complaints closed because no complaint form returned)

	Current Quarter					Previous Quarter		Previous Year	
	Jan 2007	Feb 2007	Mar 2007			Oct - Dec 2006		Jan - March 2005	
<b>HSC&amp;R</b>	62	74	70	<b>206</b>	90%	<b>221</b>	92%	<b>199</b>	92%
<b>HRA</b>	4	5	13	<b>22</b>	10%	<b>28</b>	8%	<b>18</b>	8%
<b>Total</b>	<b>66</b>	<b>79</b>	<b>83</b>	<b>228</b>		<b>249</b>		<b>217</b>	

As for the same period last year, approximately 40% of all complaints were not confirmed by the return of a completed complaint form and authority.

### Accepted Cases this Quarter

Table 3 Accepted cases  
(Complaint Forms received and approved for assessment)

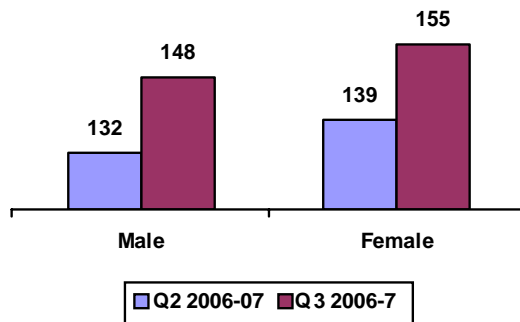
	Current Quarter					Previous Quarter		Previous Year	
	Jan 2007	Feb 2007	Mar 2007			Oct - Dec 2006		Jan - March 2005	
<b>HSC&amp;R</b>	97	114	75	<b>286</b>	94%	<b>255</b>	93%	<b>236</b>	92%
<b>HRA</b>	7	5	5	<b>17</b>	6%	<b>20</b>	7%	<b>23</b>	8%
<b>Total</b>	<b>104</b>	<b>119</b>	<b>80</b>	<b>303</b>		<b>275</b>		<b>259</b>	

The number of accepted cases for this quarter has risen 10% compared to last quarter and 17% compared to the same period in 2006. The increase is only in HSC&R complaints as the numbers of accepted HRA cases decreased from the last quarter and from the same quarter last year.

Table 4 - Consumer Profile of accepted

Age Range	Female	Male	Total	%
0 To 01	0	2	2	1%
01 to 04	5	1	6	2%
05 to 14	2	1	3	1%
15 to 24	5	6	11	4%
25 to 34	18	9	27	9%
35 to 44	18	12	30	10%
45 to 54	10	14	24	8%
55 to 64	29	21	50	17%
65 to 74	17	13	30	10%
75 +	16	15	31	10%
Unknown	35	53	88	29%
<b>Total</b>	<b>155</b>	<b>148</b>	<b>303</b>	<b>100%</b>

Figure 1 Consumer Gender



There were similar numbers of male and female service users reported for this quarter as for the same quarter last year.

### Primary Issues in Accepted Complaints

Figure 2: HSC Accepted Complaint Issues (n=286)

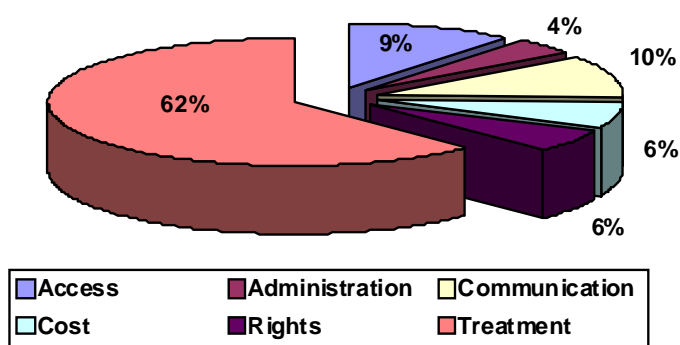


Table 5: HSC Issues

	3rd Qtr 2006/7	2nd Qtr 2006/7		3rd Qtr 2006/7	2nd Qtr 2006/7
Access			Cost		
Communication breakdown	1	2	Amount charged	10	4
Delay in admission	4	0	Billing practices	4	2
Delay in treatment	7	9	Information on costs	1	3
Discharge arrangements	2	1	Fraud	0	0
Discharge/Transfer	0	0	Over servicing	0	0
Transfer unsuitable	0	0	Over servicing - treatment	0	0
No/inadequate service	16	21	Public/Private election	0	0
Non attendance	0	0	Private health insurance	0	0
Non attendance - service busy	0	0	Public health insurance	0	0
Refused to refer	0	0	Unnecessary treatment	1	0
Other	0	1	Other	2	1
Refused admission	1	2			
Transport	0	0			
Waiting list	0	0			
11%	<b>31</b>	<b>36</b>	6%	<b>18</b>	<b>10</b>
Administration			Rights		
Management practices	0	0	Access to records	3	0
Administration	2	4	Accuracy of records	2	0
Advertising	0	0	Assault	1	0
Failure to provide certificate	3	5	Discrimination	1	1
Hygiene	1	0	No/insufficient consent	1	4
No/inadequate response	3	7	Other	2	1
Other	1	1	Privacy/confidentiality	1	0
Policy	1	0	Refusal to treat	2	1
Quackery/legality	0	0	Unprofessional conduct	3	3
Retaliation	1	0			
4%	<b>12</b>	<b>17</b>	6%	<b>17</b>	<b>10</b>
Communication			Treatment		
Absence of caring	3	3	Inadequate diagnosis	32	24
Failure to consult	2	2	Inadequate treatment	57	60
Inconsiderate/undignified service	9	4	Medication	21	8
Other	2	1	Negligent treatment	36	33
Poor attitude/discourtesy	9	10	Other	5	4
Wrong/misleading Information	5	9	Rough treatment	4	5
			Unskilful/incompetent treatment	11	7
			Wrong diagnosis	5	7
			Wrong treatment	7	2
11%	<b>30</b>	<b>29</b>	62%	<b>178</b>	<b>150</b>
			Not Specified	0	1
			Grand Total	<b>286</b>	<b>252</b>

Table 5 reflects the issues raised by complainants rather than those identified in the assessment of the complaint. Treatment issues constitute 62% of issues raised.

Figure 3: HRA Accepted Complaint Issues (n=17)

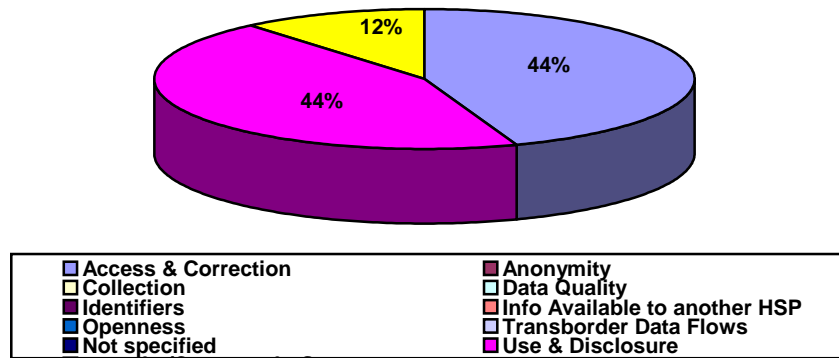


Table 6: HRA Issues

	3 <sup>rd</sup> Qtr 2006/7	2 <sup>nd</sup> Qtr 2006/7		3 <sup>rd</sup> Qtr 2006/7	2 <sup>nd</sup> Qtr 2006/7	
<b>Access &amp; Correction</b>		<b>Info available to another HSP</b>				
Access refused	8	6	Information refused	0	1	
Amended statement not appended	0	0	Unreasonable time in delivery	0	0	
Correction refused	0	0	Excessive fee	0	0	
Inaccurate information not concealed	0	2		0	1	
No amendment advise	0	0	<b>Identifiers</b>			
No written reason for refusal	0	2	Misuse	0	1	
	<b>8</b>	<b>10</b>	<b>Openness</b>			
<b>Anonymity</b>		Policies unavailable, unclear or inadequate		0	0	
Refusal of anonymity	0	1	Insufficient details given	0	0	
<b>Collection</b>						
Breach of in-confidence details		0	0	<b>Transborder data flows</b>		
Unlawful/Intrusive collection		0	1	Unauthorised Transborder transfer	0	0
Third party collection		0	0	Transborder dataflow unreasonable	0	0
Third party collection - Notification		0	0		0	0
Inadequate collection statement		0	0	<b>Transfer/Closure of HSP</b>		
Unnecessary collection		0	0	Inadequate notification	0	0
	<b>0</b>	<b>1</b>	Unsafe storage of records	2	1	
<b>Data Quality</b>						
Data inaccurate, incomplete or out of date		0	0	<b>Use &amp; Disclosure</b>		
Deleted without notation		0	0	Disclosure – Inadequate consent	5	4
Destruction of information of non HSP		0	0	Disclosure - Inadequate disclosure	0	1
Transferred without notation		0	0	Use - Insufficient information	2	0
Unlawful deletion		0	0		7	5
Unsatisfactory protection		0	0	Not specified	0	0
	<b>0</b>	<b>0</b>	<b>Total</b>	<b>17</b>	<b>19</b>	

Almost 90% of the HRA cases received this quarter involved issues of access and correction of records or issues about the use & disclosure of records. There were two complaints about lost records (unsafe storage).

## Respondent Analysis by Primary Issue

Table 7 – Respondent Type by Issue Category

	3rd Qtr 2006-7						2nd Qtr 2006-7							
	Dentists in Private Practice	Hospitals	Medical Practitioners	Remaining Providers	Not specified		Dentists in Private Practice	Hospitals	Medical Practitioners	Remaining Providers	Not specified			
<b>HSC</b>														
Access	0	9	7	14	1	<b>31</b>	10%	0	13	2	20	1	<b>36</b>	14%
Administration	0	5	3	3	1	<b>12</b>	4%	0	3	6	5	3	<b>17</b>	6%
Communication	0	11	12	7	0	<b>30</b>	10%	0	10	11	5	3	<b>29</b>	11%
Cost	3	3	7	5	0	<b>18</b>	6%	2	1	4	2	1	<b>10</b>	4%
Rights	1	4	5	5	2	<b>17</b>	6%	1	2	5	2	0	<b>10</b>	4%
Treatment	8	65	50	48	7	<b>178</b>	58%	7	58	55	23	7	<b>150</b>	54%
Not Specified	0	0	0	0	0	<b>1</b>		0	0	0	0	0	<b>0</b>	
	<b>12</b>	<b>97</b>	<b>84</b>	<b>82</b>	<b>1</b>	<b>286</b>	94%	<b>10</b>	<b>87</b>	<b>83</b>	<b>57</b>	<b>5</b>	<b>252</b>	93%
<b>HRA</b>														
Access & Correction	0	1	1	4	2	<b>8</b>	3%	0	1	5	4	0	<b>10</b>	5%
Anonymity	0	0	0	0	0	<b>0</b>	0%	0	0	0	0	1	<b>1</b>	0%
Collection	0	0	0	0	0	<b>0</b>	0%	0	0	0	0	1	<b>1</b>	0%
Data Quality	0	0	0	0	0	<b>0</b>	0%	0	0	0	0	0	<b>0</b>	0%
Identifiers	0	0	0	0	0	<b>0</b>	0%	0	0	0	0	0	<b>0</b>	0%
Info Available to another HSP	0	0	0	0	0	<b>0</b>	0%	1	0	0	0	0	<b>1</b>	0%
Openness	0	0	0	0	0	<b>0</b>	0%	0	0	0	0	0	<b>0</b>	0%
Transborder data flows	0	0	0	0	0	<b>0</b>	0%	0	0	0	0	0	<b>0</b>	0%
Transfer/Closure of HSP	0	0	1	1	0	<b>2</b>	1%	0	0	1	0	0	<b>1</b>	0%
Use & Disclosure	0	3	0	4	0	<b>7</b>	3%	0	0	2	3	0	<b>5</b>	2%
Not specified	0	0	0	0	0	<b>0</b>	0%	0	0	0	0	0	<b>0</b>	0%
	<b>0</b>	<b>4</b>	<b>2</b>	<b>9</b>	<b>2</b>	<b>17</b>	6%	<b>1</b>	<b>1</b>	<b>8</b>	<b>7</b>	<b>2</b>	<b>19</b>	7%
<b>Grand Total</b>	<b>12</b>	<b>101</b>	<b>86</b>	<b>83</b>	<b>1</b>	<b>303</b>	<b>100%</b>	<b>11</b>	<b>88</b>	<b>91</b>	<b>64</b>	<b>7</b>	<b>271</b>	<b>100%</b>
	4%	33%	30%	29%	4%			4%	32%	34%	24%	6%	100%	

The issues identified for each of the respondent types are similar to previous quarters. The largest proportion of complaints is about treatment provided by hospitals, medical practitioners and others.

## HOW COMPLAINTS ARE MANAGED

Table 8: Comparison by Stage of Closure

Stage of Complaint Process	2nd Qtr 2006-7				2nd Qtr 2006-7			
	HRA	HSC	Total	%	HRA	HSC	Total	%
Closed in Assessment	21	210	231	80%	28	221	249	78%
Closed in Conciliation	3	57	60	20%	4	69	73	22%
Closed in Investigation	0	0	0	0%	0	0	0	0%
<b>Complaints closed</b>	<b>24</b>	<b>267</b>	<b>291</b>	<b>100%</b>	<b>32</b>	<b>290</b>	<b>322</b>	<b>100%</b>

Most complaints closed this quarter (80%) were in assessment, with the remaining 20% of cases closed in conciliation.

### Primary Issue In Complaint By Seriousness Rating At Closure

Table 9: Issue by Seriousness

	3rd Qtr 2006-7				2nd Qtr 2006-7					
	High	Medium	Low	Total	High	Medium	Low	Total		
<b>HSC</b>										
Access	1	9	21	31	11%	1	6	32	39	12%
Administration	0	4	12	16	5%	0	6	16	22	7%
Communication	0	21	10	31	11%	0	15	23	38	12%
Cost	0	2	8	10	3%	1	2	10	13	4%
Rights	1	8	7	16	5%	2	2	14	18	6%
Treatment	21	97	45	163	56%	20	84	57	161	49%
Not specified	0	0	0	0	0%	0	1	3	3	0%
	<b>23</b>	<b>141</b>	<b>103</b>	<b>267</b>	<b>92%</b>	<b>24</b>	<b>116</b>	<b>155</b>	<b>295</b>	<b>90%</b>
All HSC	8%	53%	39%	100%	8%	38%	44%	100%		
<b>HRA</b>										
Access & Correction	0	4	7	11	4%	0	4	6	10	4%
Anonymity	0	0	1	1	0%	0	0	1	1	1%
Collection	0	1	0	1	0%	0	3	0	3	1%
Data Quality	0	1	0	1	0%	0	0	1	1	0%
Identifiers	0	0	0	0	0%	0	0	1	1	0%
Info Available to another HSP	0	0	0	0	0%	0	0	1	1	1%
Openness	0	0	0	0	0%	0	0	0	0	0%
Trans border data flow	0	0	0	0	0%	0	0	0	0	0%
Transfer/Closure of HSP	0	0	1	1	0%	0	0	0	0	0%
Use & Disclosure	1	1	7	9	3%	0	3	3	6	3%
Not specified						0	0	1	1	0%
	<b>1</b>	<b>7</b>	<b>16</b>	<b>24</b>	<b>8%</b>	<b>0</b>	<b>10</b>	<b>14</b>	<b>24</b>	<b>10%</b>
All HRA	4%	29%	66%	100%	0%	42%	58%	100%		
<b>Total Complaints Closed</b>	<b>23</b>	<b>154</b>	<b>113</b>	<b>291</b>	<b>100%</b>	<b>24</b>	<b>126</b>	<b>168</b>	<b>318</b>	<b>100%</b>
<b>All complaints</b>	<b>9%</b>	<b>53%</b>	<b>38%</b>	<b>100%</b>	<b>8%</b>	<b>43%</b>	<b>49%</b>	<b>100%</b>		

There was no significant variation in the proportion of cases reported as serious.

## Assessment & Investigation

Under the relevant legislation the Commissioner has the power to decline a complaint if certain criteria apply. An example of this is where the issues outlined in the complaint have been determined elsewhere. When this is not apparent until the complaint form and other documents have been received, a proportion of accepted complaints will subsequently be declined in assessment.

In this quarter, 105 cases were declined in this way and Table 11 sets out the reasons for the decision. Thirty percent were declined because additional information was not received when requested or the authority to proceed was not received. (ie they were not "confirmed in writing" )

A further 29% were declined because they had been determined elsewhere such as by a registration board, or the Coroner.

Table 10 - Resolution in assessment

	HSC	HRA	Total	%
Apology	5	0	<b>5</b>	2%
Compensation	1	0	<b>1</b>	0%
Declined	94	11	<b>105</b>	43%
Explanation	71	8	<b>79</b>	33%
Fees/Cost waived or reduced	7	0	<b>7</b>	3%
HRA - Access to records	0	2	<b>5</b>	2%
HRA - Dismissed	0	2	<b>2</b>	1%
Non-conciliable	2	0	<b>2</b>	1%
Quality change	5	1	<b>6</b>	3%
Referred Out	11	1	<b>12</b>	5%
Service obtained	15	1	<b>16</b>	5%
Withdrawn	3	2	<b>5</b>	2%
<b>Grand Total</b>	<b>219</b>	<b>23</b>	<b>242</b>	<b>100%</b>
	90%	10%		

Table 11 – Reason for decline in assessment

	HSC	HRA	Total	%
19 (1) The complaint is frivolous, vexatious or trivial	5	0	<b>5</b>	5%
19 (2) The complaint has been determined elsewhere	30	0	<b>30</b>	29%
19 (3) The incident occurred more than 12 months ago	1	0	<b>1</b>	0%
19 (4) (a) The complaint was not confirmed in writing	27	4	<b>31</b>	30%
19 (4) (b) The complaint contains insufficient detail	6	0	<b>6</b>	6%
19 (5) Reasonable steps not taken	1	1	<b>2</b>	2%
19 (6) The complaint has been referred to a registration board	9	0	<b>9</b>	9%
19 (7) The complaint has been referred to an external person, organisation or agency	5	0	<b>5</b>	5%
19 (8) (a) The complaint was rejected (Outside of jurisdiction)	10	0	<b>10</b>	10%
45 (4) Complaint not confirmed in writing	0	2	<b>2</b>	2%
51 1(a) Not an interference with the privacy of an individual	0	2	<b>2</b>	2%
51 1(f) Complaint is subject to another enactment, court or tribunal	0	2	<b>1</b>	0%
<b>Grand Total</b>	<b>94</b>	<b>11</b>	<b>105</b>	<b>100%</b>
	90%	10%		

## Conciliation

Of the 242 complaints closed this quarter 69 were in conciliation.

There were 22 meetings with the individual parties or their representatives, including 6 in regional Victoria, along with 9 conciliation meetings between the parties, with 1 in regional Victoria. The conciliators gave 4 lectures or talks, none of which were in regional Victoria and attended 14 conferences or seminars.

Table 12 - Resolution in Conciliation

	HSC	HRA	Total	%
Apology	10	0	<b>10</b>	14%
Compensation	2	0	<b>2</b>	3%
Declined	9	0	<b>9</b>	13%
Explanation	16	3	<b>19</b>	28%
Fees/Cost waived or reduced	3	1	<b>4</b>	6%
HRA - Access to records	0	1	<b>1</b>	1%
HRA - Dismissed	0	0	<b>0</b>	0%
Non-conciliable	3	0	<b>3</b>	4%
Quality change	2	0	<b>2</b>	3%
Referred Out	1	0	<b>1</b>	1%
Service obtained	11	1	<b>12</b>	17%
Withdrawn	6	0	<b>6</b>	9%
<b>Grand Total</b>	<b>63</b>	<b>6</b>	<b>69</b>	<b>100%</b>
	91%	9%		

Of thought complaints that were declined the following Reason was given:

Table 13 – Reason for decline in Conciliation

	HSC	HRA	Total	%
19 (1) The complaint is frivolous, vexatious or trivial	1	0	<b>1</b>	11%
19 (2) The complaint has been determined elsewhere	0	0	<b>0</b>	0%
19 (3) The incident occurred more than 12 months ago	0	0	<b>0</b>	0%
19 (4) (a) The complaint was not confirmed in writing	3	0	<b>3</b>	34%
19 (4) (b) The complaint contains insufficient detail	0	0	<b>0</b>	0%
19 (5) Reasonable steps not taken	0	0	<b>0</b>	0%
19 (6) The complaint has been referred to a registration board	0	0	<b>0</b>	0%
19 (7) The complaint has been referred to an external person, organisation or agency	0	0	<b>0</b>	0%
19 (8) (a) The complaint was rejected (Outside of jurisdiction)	0	0	<b>0</b>	0%
20 (6) (a) Resolved in conciliation	1	0	<b>1</b>	11%
20 (6) (b) No agreement reached in conciliation	4	0	<b>4</b>	44%
45 (4) Complaint not confirmed in writing	0	0	<b>0</b>	0%
51 1(a) Not an interference with the privacy of an individual	0	0	<b>0</b>	0%
51 1(f) Complaint is subject to another enactment, court or tribunal	0	0	<b>0</b>	0%
51 1(h) Respondent dealing/dealt with or hasn't had opportunity to deal with complaint	0	0	<b>0</b>	0%
51 1(h) Respondent dealing/dealt with or hasn't had opportunity to deal with complaint	0	0	<b>0</b>	0%
Outside jurisdiction	0	0	<b>0</b>	0%
<b>Grand Total</b>	<b>9</b>	<b>0</b>	<b>9</b>	<b>100%</b>
	100%	0%		

## Registrar

The last quarter saw a significant increase in the total number of complaints exchanged between HSC and the Registration Boards, with the increased numbers being predominantly notifications lodged with the Medical Practitioners Board of Victoria. Of the 303 complaints on which information was exchanged a small number of 19 complaints were formally referred to or by the Boards during the past quarter, thus each agency virtually retaining almost all complaints received by them. A total of 112 complaints were received by the HSC during this period of which 91 were about medical and dental practitioners. Of the combined Boards' total of 191 notifications 175 were about medical and dental practitioners, pharmacists and nurses. The total number of complaints about psychologists doubled during the quarter under review, in comparison with the last quarter. Likewise, complaints about pharmacists saw a significant increase by both the HSC and the Board.

Table 14 Registration Board Contacts

Registration Boards	Board Complaints discussed With HSC	HSC Complaints discussed with Boards	HSC Complaints formally referred to Boards	Board Complaints formally referred to HSC
Chinese Medicine Registration Board	3	1	0	0
Chiropractors Registration Board of Victoria	1	1	0	0
Dental Practice Board of Victoria	19	16	3	2
Medical Practitioners Board of Victoria	118	75	8	2
Medical Radiation Technologists Board of Victoria	0	1	0	0
Nurses Board of Victoria	15	2	0	0
Optometrists Registration Board of Victoria	0	7	0	0
Osteopaths Registration Board of Victoria	0	0	0	0
Pharmacy Board of Victoria	23	7	2	0
Physiotherapists Registration Board of Victoria	3	0	0	0
Podiatrists Registration Board of Victoria	0	1	0	0
Psychologists Registration Board of Victoria	9	1	1	1
	<b>191</b>	<b>112</b>	<b>14</b>	<b>5</b>

## Prisoner Complaints

Table 15– breakdown of prisoner complaints

	Jan-07	Feb-07	Mar-07	Total	
Access	0	9	1	10	28%
Administration	0	1	0	1	3%
Communication	0	0	0	0	0%
Cost	0	0	0	0	0%
Rights	0	0	0	0	0%
Treatment	11	9	5	25	69%
<b>Total</b>	<b>11</b>	<b>19</b>	<b>6</b>	<b>36</b>	<b>100%</b>
	31%	53%	17%	100%	

The number of prisoner complaints decreased by 10 in the last month. Treatment (25%) and access to treatment (28%) were the most frequent issues.

## Psychiatric Services

Table16 Psychiatric Services

	Jan-07	Feb-07	Mar-07	Total	
Hospitals	2	4	2	8	62%
Medical Practitioner	1	0	1	2	15%
Psychiatric Health Service	2	1	0	3	23%
<b>Total</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>13</b>	<b>100%</b>
	30%	40%	30%	100%	

Figure 4: Types of Service

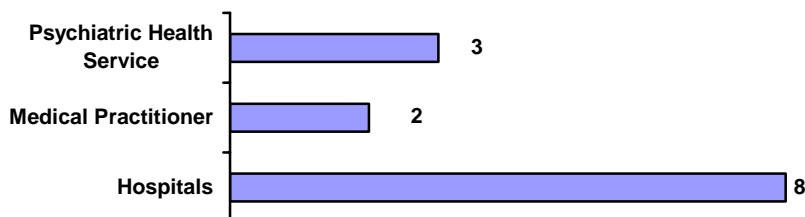
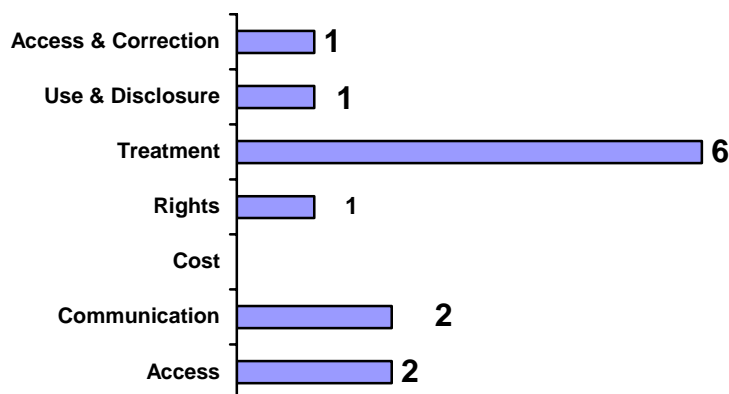


Figure 5: Issues in Psychiatric Complaints



There were 13 complaints about psychiatric services this quarter and they were mostly against hospitals (62%)

### Aboriginal Outreach Program

The ALO focussed on a number of activities during the quarter including outreach, presentations, training and resolving complaints.

### Aboriginal Outreach/Training

#### Wodonga

The ALO visited the Albury-Wodonga region and met with a number of individuals and organisations including Wodonga Base Hospital, Mungabareena Aboriginal Corporation and Albury Aboriginal Health Service. Requests were made for health privacy training of Aboriginal health care staff in the region during the next quarter.

## Koories, Know Your Rights!

Committee meetings for the "Koories, Know Your Rights!" campaign were attended with a range of visits to different regions organised and to be rolled out in the next quarter. The campaign involves a partnership between a number of agencies including the Health Services Commissioner, Consumer Affairs Victoria, Privacy Victoria, the Ombudsman, Energy & Water Ombudsman Victoria, Victims Support Agency and the Sheriff's Office amongst others

## Presentations

### Consumer Participation Conference, February 2007

The Consumer Participation Conference was held in February and the ALO presented a paper for the Aboriginal Consumer Participation session. Participants came from across the country to hear about positive examples of engagement with Aboriginal communities and how organisations can encourage active consumer participation in their services. Favourable feedback was received from all participants.

## Resolving Complaints

A number of issues were raised during the quarter with some visits to Aboriginal prisoners with concerns about their health care in custody. Ten meetings were held with individuals who had concerns about their health care with four being confirmed in writing and the other six being resolved informally.

### Advice & Referral

Table 17 - Complaints (ATSI)

ATSI Reports/Brochures	47
Request for Speaking Engagement	14
Food or Environmental Health	2
Health Insurance	2
Referral to Legal Service	5
Referral to other dispute settlement service	0
Refer elsewhere	11
Ref Abor Legal Serv	0
Other	58
<b>TOTAL</b>	<b>139</b>

### Provision of information (ATSI)

Table 18 - Complaints (ATSI)

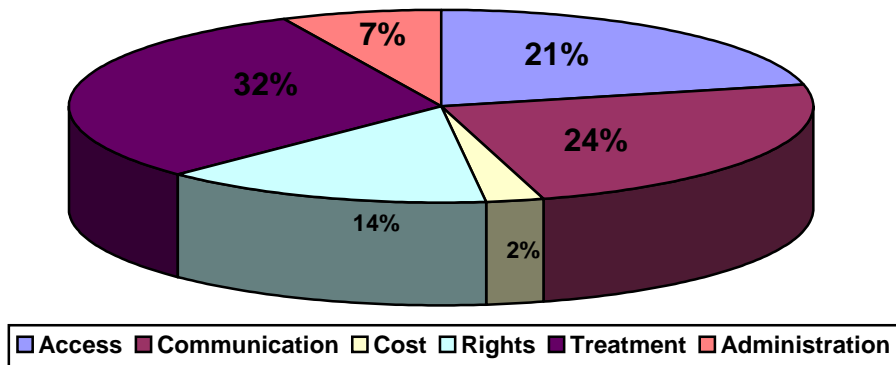
HSC Complaints		HRA Complaints	
Access	6	Access & Correction	0
Administration	0	Anonymity	0
Communication	1	Collection	0
Cost	0	Data Quality	0
Rights	2	Identifiers	0
Treatment	1	Info Available to another HSP	0
None	0	Openness	0
		Transborder data flows	0
		Transfer/Closure of HSP	0
		Use & Disclosure	0
	<b>10</b>		<b>0</b>

## HOSPITAL HEALTH COMPLAINTS DATA

During this quarter 21 hospitals/community centers provided complaints data, which showed they received 506 complaints. The major area of concern to people was access making up 21% (108), treatment 32%(155) and communication 24% (123).

### Issues in Complaints

Figure 6: Issues in HCIP Complaints (n=506)



### Primary Issue in Complaint by Seriousness Rating

Table 19: Issue by Seriousness

	Access	Admin	Communication	Cost	Rights	Treatment	Total	
Trivial	0	0	0	0	0	0	0	0%
Minor	78	31	76	11	55	109	306	71%
Routine	7	1	13	0	6	22	49	10%
Substantial	23	3	34	1	12	23	96	19%
Serious	0	0	0	0	0	1	1	0%
<b>Total</b>	<b>108</b>	<b>35</b>	<b>123</b>	<b>12</b>	<b>73</b>	<b>155</b>	<b>776</b>	<b>100%</b>
	21%	7%	24%	2%	14%	31%	100%	

Most complaints (71%) were of a minor nature or considered routine.

Table 20: Site by Issue

	Access	Admin	Communication	Cost	Rights	Treatment	Total	
Admissions	19	15	8		6	22	70	14%
Aged Care	2		8		2	6	18	4%
Day Procedure Unit	2	1	1				4	1%
Emergency department	11	3	11		13	22	60	12%
Hospital grounds	27		25	1	5	9	67	13%
Intensive care unit	1	1	2	2	1		7	1%
Operating theatre					1	4	5	1%
Other	19	5	34	7	15	50	130	26%
Outpatient clinic	8	2	3	1	4	5	23	5%
Ward	19	8	31	1	26	37	122	24%
<b>Total</b>	<b>108</b>	<b>35</b>	<b>123</b>	<b>12</b>	<b>73</b>	<b>155</b>	<b>506</b>	<b>100%</b>
	21%	7%	24%	2%	14%	31%	100%	

Nearly 1/2 of all complaint happens in the wards or in other (not specified) location. Emergency department and the outpatient clinic accounted for another 1/3<sup>rd</sup> of all complaints.

Table 21: Outcome by Issue

	Access	Admin	Communication	Cost	Rights	Treatment	Total	
CHANGE IN POLICY	12	3	4	4	1	6	30	2%
LAPSED	104	25	53	5	36	52	275	18%
NOT UPHELD	26	4	10	4	16	9	69	4%
REFERRED	6	1	9	2	8	6	32	2%
REMEDIAL	15	1	28	2	12	28	86	6%
RESOLVED	334	56	267	23	91	294	1065	68%
<b>Total</b>	<b>497</b>	<b>90</b>	<b>371</b>	<b>40</b>	<b>164</b>	<b>395</b>	<b>1557</b>	<b>100%</b>
	32%	6%	24%	3%	11%	25%	100%	

## EXECUTIVE SERVICES

The Executive Services Unit comprises two staffing streams and provides corporate support services for the office including Finance, Human Resources, Information Technology, Purchasing, Vehicle Management, Building Services and Reception Services. It is also responsible for the operation of the *Health Records Act 2001*(Vic) (HRA) and the provision of legal advice to the Commissioner and staff.

### ***Health Records Act 2001***

The office continues to offer training, education and support to holders of health information and consumers on their respective responsibilities and rights under the legislation. These organisations include health services providers, government departments and agencies, local government, employers and many other holders of health information. Holding joint training sessions with Privacy Victoria and also a 'train the trainer' session held at the OHSC office provided education. Nine presentations were provided in the January - March quarter.

Table 22: HRA Requests

<b>Requests</b>	
Published articles	0
Consultation in office	4
Presentation to a group	9
Response to question	1
Telephone inquiries	98
Written inquiries	14
Review policy documents	2

Table23: HRA Contacts

<b>HRA Team Contacts</b>	
HRA brochures sent out	306
HSC brochures sent out	251
Access to records brochures sent out	55
No of posters sent	0
Amount of people attending presentations	285

## Website

The office website ([www.health.vic.gov.au/hsc](http://www.health.vic.gov.au/hsc)) is featured prominently in all of the office promotional material. It is a source of information for the community on the role of the OHSC and includes publications produced by the office, appropriate links and the latest information.

The following table is for the period 1 January to 31 March 2007.

Table 24: Website Statistics

Month	Pages Viewed	Sessions	Visitors
Jan	4'881	1'236	1'454
Feb	4'334	1'210	1'383
Mar	5'990	1'539	1'817
Average	15'205	3'985	4'654
Totals	5'068	1'328	1'551

## Staff Training and Development

Dr Grant Lester, Consultant Forensics Psychiatrist provided an informative education session for OHSC staff on 'Managing anger and aggression and unreasonable behaviours in complainants'. Dr Ruth Vine, Director, Mental Health at the Department of Human Services met with OHSC staff to discuss current and new directions in delivery of psychiatric services.

## Conferences

Two staff attended the Human Rights Conference - Freedom, Respect, Equality, Dignity held at the Arts Centre on Tuesday 27th February. More than 300 people from the public sector, local government, legal profession, community and welfare organisations and Human rights advocates and educators attended the event. The conference provided delegates with the opportunity to learn more about the Charter of Human Rights and Responsibilities and the role of the Victorian Equal Opportunity and Human Rights Commission. It also provided a platform to share and expand their understanding of human rights, and contribute to debate about human rights issues.

## APPENDICES

### APPENDIX 1 - Providers by Type and Specialities

Grouping	Type of organisation	Speciality	Sub speciality			
<b>Dentists in Private Practice</b>	12	Dental Surgery	1			
		Dentist	11			
<b>Hospitals</b>	101	Hospitals	101			
			<i>Dental</i>	1		
			<i>Private</i>	3		
			<i>Public</i>	61		
			<i>Not specified</i>	24		
			<i>Psychiatric</i>	8		
		<i>Specialist</i>	4			
<b>Medical Practitioners</b>	86	Medical Clinic	13			
			<i>24 Hour Clinic</i>	0		
			<i>Group Practice</i>	1		
			<i>Laser Eye Clinic</i>	0		
			<i>Mens Health</i>	7		
			<i>Not specified</i>	5		
			Medical Practitioner	73	<i>Anaesthetist</i>	0
					<i>Cardiologist</i>	1
					<i>Dermatologist</i>	1
					<i>Ear, Nose and Throat</i>	1
					<i>Gastroenterologist</i>	1
					<i>General Practitioner</i>	73
					<i>Locum</i>	0
		<i>Medico-legal Examiner</i>			1	
		<i>Neurologist</i>			0	
		<i>Not specified</i>			4	
		<i>Obstetrician/Gynaecologist</i>			3	
		<i>Oncologist</i>			0	
		<i>Ophthalmologist</i>			1	
		<i>Paediatrician</i>			2	
		<i>Psychiatrist</i>			2	
		<i>Radiologist</i>			0	
		<i>Rehabilitation medicine</i>			0	
		<i>Respiratory Medicine</i>			0	
		<i>Rheumatologist</i>			0	
		<i>Urologist</i>	1			
		<i>Surgeon</i>	13			
				General	3	
				Neurological	0	
				Not specified	2	
				Orthopaedic	4	
				Plastic	4	
		Vascular	0			
<b>Not specified</b>	11					

Remaining Providers	82		
Age Care	0		
Aboriginal Health	1		
Alcohol & Drug Service	0		
Allied Health	0		
Alternative therapist	4	Acupuncture	0
		Masseur	0
		Magnetic therapy	1
		Naturopath	1
		Other	2
Ambulance Service	2		
Audiologist	0		
Beauticians/ laser therapists	1		
Beauty Therapy Clinic	1		
Chiropractic Service	0		
Community Health Centre	0		
Complementary Health	0		
Corrections Health	36	Not specified	26
		Private	8
		Public	2
Counsellor	0		
Dental Prosthetist	1		
Diagnostic Service	10	Diagnostic Imaging	5
		Not specified	2
		Pathology	3
Dep't of Human Services	1		
Education	2		
Health/Insurance	1		
Infant Welfare Centre	0		
Law Firms	0		
Locum Service	1		
Not a health service provider (individual)	0		
Not a health service provider (organisation)	0	Educational institution	0
		Employer	0
		Govt Dept/Agency	0
		Not specified	0
		Other	0
Nurse	0		
Nursing Home	1	Not specified	1
		Private	0
Nursing service	0		
Occupational therapist	0		
Optical dispenser	5		
Optometrist	1		
Osteopath	1		
Pharmaceutical supplier	1		
Pharmacist	2		
Podiatrist	0		
Podiatry Service	2		
Police	0		
Psychiatric Health Service	3		
Psychologist	4		
Radiographer	0		
Rehabilitation Service	0		
Statutory Authority	0		
<b>Grand Total</b>	<b>303</b>		

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