

Such a professional body hears and considers the information and decides if the complaint is substantiated, and if so, what should happen. If the health practitioner involved in a complaint is not registered under a health registration Act, then an employing body, professional association or other organisation, such as the Australian Association of Social Workers, may be involved.

If a complaint involves a health facility, an important part of the investigation will be to establish whether new policies and procedures should be put into practice to avoid similar problems in the future. Such recommendations are sent to the Director-General of Health, or other appropriate body, for further action.

## How long will an investigation take?

An investigation may take many months, even longer, to complete. The time involved depends on how complicated a complaint is and how many other complaints the Commission has to handle.

## Can the Commission's decisions be reviewed?

If a person who has made a complaint is unhappy with the way it has been assessed or the outcome of the investigation, he or she may write to the Commission outlining the reasons for wanting a review and attaching documents or information that support the request.

## Protection

Some people have said that they are reluctant to complain about a health service provider because they receive treatment from that person or facility and are afraid they will suffer some disadvantage if they complain.

Under the *Health Care Complaints Act 1993*, there are serious penalties for people found guilty of harassing someone who has made, or intends to make, a complaint to the HCCC.

Health Care Complaints Commission  
Commission Head Office (02) 9219 7444  
Toll free in NSW (1800) 043 159  
TTY service for the deaf (02) 9219 7555  
Fax (02) 9281 4585

### Patient Support Office

Penrith	(047) 243 870
Mt Druitt	9839 1506
Zetland	9382 8129
St. Leonards	9926 8184
Liverpool	9828 5710
Concord	9736 8300
Newcastle	(049)214 943

Telephone numbers for the PSOs may change from time to time. If you have any difficulty, please ring the Health Care Complaints Commission.

**Health Care Complaints Commission Office Address:**  
Level 4, 28-36 Foveaux Street Surry Hills NSW 2010

Wheelchair access via the service entrance, at the rear of the building from Belmore Lane.

**Postal Address:** Locked Mail Bag 18  
Strawberry Hills NSW 2012

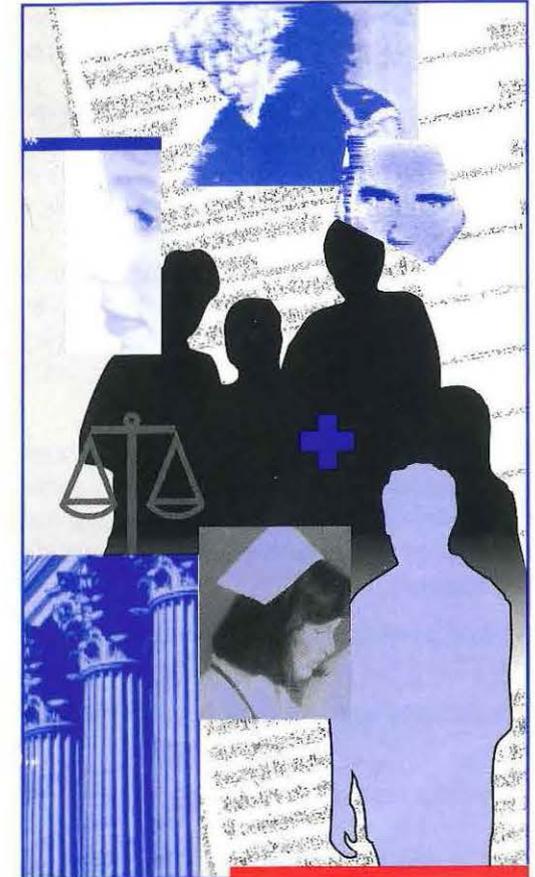
**Translated brochures** available in the following languages:  
Arabic, Assyrian, Chinese, Croatian, Greek, Italian, Japanese, Khmer, Korean, Laotian, Macedonian, Portuguese, Russian, Serbian, Spanish, Turkish and Vietnamese.

A two minute recorded message describing the Commission and how to lodge a complaint is available in the following languages. This service attracts a charge of 50 cents per minute.

Arabic	1902 260 639
Cantonese	1902 260 640
Khmer	1902 260 641
Laotian	1902 260 642
Macedonian	1902 260 643
Turkish	1902 260 644
Vietnamese	1902 260 645

## ► The complaints process

*In the Public Interest*



  
**HEALTH CARE  
COMPLAINTS  
COMMISSION**

## The Complaints Process

The Health Care Complaints Commission (HCCC) has been set up to give members of the community a means of effectively making a complaint about health services and individual health practitioners.

The Commission, which is independent of the Department of Health, was established to investigate such complaints.

### Who can make a complaint?

Everyone has the right to make a complaint. Here are some examples of the sorts of people, and groups of people, who may make a complaint.

A person who has serious concerns about a health service he or she has received, or is receiving from, say, a doctor, or a nurse, or a dentist, or a clinic or hospital. If it is difficult for the person to make the complaint, he or she may nominate someone else to make the complaint on his or her behalf.

- A person who, as an observer, is concerned about the conduct of a health practitioner, or the treatment given to someone by a health practitioner or facility. The person who wants to make such a complaint may be a relative, friend or fellow patient of someone receiving treatment.

- A person providing a health service, such as a doctor, dentist or nurse.

- A health facility such as a public hospital or a private nursing home.

- Professional associations.

### What can be complained about?

*Complaints may be made about anything to do with health care or a health service. A complaint may be made about:*

- An aspect of treatment, individual rights such as privacy, communication, inappropriate behaviour or administration.

- A hospital, a nursing home, a community health centre, a private clinic or any other place that administers health care.

- The care and treatment a person receives from a doctor, nurse, dentist or chiropractor or any other health practitioner as well as treatment from alternative and other non-registered health workers, such as acupuncturists, masseurs, or naturopaths.

### Before complaining to the HCCC

It is a good idea for people to discuss the complaint first with the hospital, health service provider or with one of the Commission's Patient Support Officers who can provide advice or help resolve complaints locally. Taking this step often works to everyone's benefit.

Of course, if the health service provider does not respond to a complaint, or the person making the complaint is not satisfied with their actions, he or she should contact the Commission.

The Commission should always be informed of serious complaints involving sexual or physical assault by a health practitioner.

### How are complaints made?

Complaints are made to the HCCC, usually by letter. If a person cannot write, he or she or a nominated advocate may visit the Commission and one of the staff members will help put the complaint in writing. If translation assistance from another language to English is necessary, a staff member from the Commission will contact the Translating and Interpreting Service.

It is a good idea to call the Commission before actually lodging a complaint, and discuss the matter with one of the enquiry staff. Such a discussion helps determine whether the complaint should be handled by another authority; for example, complaints about Medicare rebates are handled by the Health Insurance Commission.

A letter of complaint should outline clearly, in simple language, the nature of the complaint, what actually happened, where and when the event occurred, and who was involved. Extra information, such as relevant documents, should be attached to the letter of complaint.

**LODGING A COMPLAINT WITH THE HEALTH CARE COMPLAINTS COMMISSION IS A FREE SERVICE.**

### What happens when a complaint is made?

Once lodged, a complaint will be assessed by the HCCC which will then decide to:

- Decline to deal with the complaint.
- Refer the complaint for conciliation with the consent of the parties.
- Refer the complaint to another organisation or person for investigation.
- Investigate the complaint.

*Details of the complaint and who made it are sent to the person or health facility complained about. The relevant health registration authority is consulted about the complaint. For example, details of a complaint about a doctor working in a public hospital are sent to the doctor, the hospital and the Medical Board. A copy of the complaint is usually provided.*

If the HCCC decides to investigate a complaint, it will give all people and facilities who are concerned the opportunity to describe the situation as they see it. The Commission will then decide what action should be taken.

### What happens at the end of an investigation?

After the investigation into a complaint is finished, everyone involved - the person making the complaint, the health service or practitioner named - receives a letter or report explaining details of the investigation and why certain actions were taken.

The purpose of an investigation is to find out whether there is enough evidence to support a complaint and whether the complaint is serious enough to warrant disciplinary action, before a professional standards committee or tribunal.