

## Practices

### Overview

- Regulatory complaints, compensation claims and employment disputes were the most common medico-legal matters involving practices.
- Practice staff behaviour issues, particularly communication and patient access to doctors, were prominent themes in complaints and claims.
- Other frequent issues were the use and disclosure of patient information, and administration of medication.
- In the majority of complaints and claims, practices were found to have met the expected standard of care.

### Practice points

- Train staff so they are proficient in effective and empathetic patient communication.
- Promote a respectful and culturally safe practice environment for staff and patients.
- Regularly review systems and policies to optimise patient access to doctors, particularly for follow-up care.
- Maintain a clear and up-to-date privacy policy to guide patients and staff on the collection, use, disclosure and access to medical records.
- Access Avant's [practice resources](#) to support quality improvement and risk management. For tailored assistance, [Avant Practice Solutions](#) offers support to practices – you don't need to be insured with Avant to obtain this.

Incidence and types of matter are based on all matters indemnified for Avant practice policyholders from 1 July 2020 to 30 June 2025. Underlying themes and assessment of care are based on Avant complaints and claims closed from 1 July 2020 to 30 June 2025.



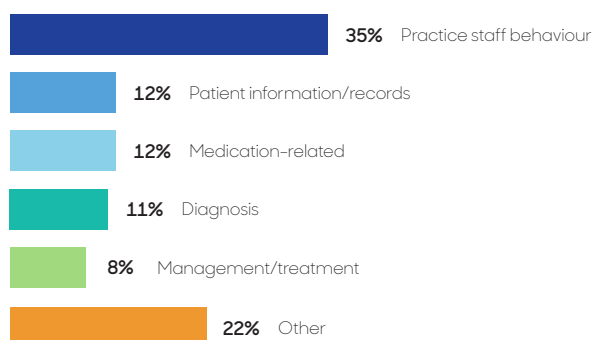
**1 in 13\***

Avant practice policyholders had a medico-legal matter raised each year (five-year average\*).

### Types of medico-legal matters



### Main issues in complaints and claims



### Practice staff behaviour

Almost half of practice staff behaviour allegations were associated with communication issues.

-  Communication, manner and empathy (e.g. discrimination against a patient, failure to communicate results to a patient) 46%
-  Access and availability (e.g. inadequate access to a doctor, poor appointment management) 17%
-  Continuity of care (e.g. termination of the doctor-patient relationship) 11%
-  Billing (e.g. inappropriate billing practices) 11%
-  Other 15%

(% of complaints and claims related to practice staff behaviour)

### Patient information

56% of patient information allegations were about the use and disclosure of information, including disclosure without consent and delays in releasing information.

Issues relating to medical reports and assessments, such as failure or delay in providing reports and assessments, accounted for 14%.

(% of complaints and claims related to patient information)

### Medication-related

60% of medication-related allegations against practices were associated with the administration of medication, with the wrong drug, poor technique, and incorrect dosage being prominent issues.

(% of complaints and claims related to medication)

## Diagnosis

Allegations relating to delayed, missed or incorrect diagnosis at various stages of care were the basis of diagnosis-related issues raised against practices.

**51%** **Initial assessment** e.g. failure or delay to refer for appropriate diagnostic testing, inadequate examination

**29%** **Testing and results** e.g. incorrect interpretation of image

**20%** **Follow-up** e.g. failure or delay to follow-up tests and investigations

(% of complaints and claims related to diagnosis)

## Practice standard of care assessment

Experts and/or regulators assessed the care provided in practice claims, with the following results:



(% of complaints and claims where the assessment of the expected standards on the main factor is known.)

## Glossary

1. 'Matters' includes claims, complaints, coronial cases and other matters such as employment disputes and Medicare.
2. 'Claims' refers to claims for money, compensation and civil claims.
3. 'Complaints' relates to formal complaints to regulators.
4. 'Employment disputes' refers to matters where Avant defends members against complaints or supports members to resolve employment issues.
5. 'Medicare matters' includes Medicare investigations and audits.

## Medico-legal advice

Practices can contact the [Medico-legal Advisory Service \(MLAS\)](#) for expert medico-legal advice. If you receive a claim or complaint, contact us on **1800 128 268**. The service is available 24/7 in emergencies.

For any queries on this analysis, please contact us at [research@avant.org.au](mailto:research@avant.org.au)



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IMPORTANT: Avant routinely codes information collected in the course of assisting member doctors in medico-legal matters into a standardised, deidentified dataset. This retrospective analysis was conducted using this dataset. The findings represent the experience of these doctors in the period of time specified, which may not reflect the experience of all doctors in Australia. This publication is not comprehensive and does not constitute legal or medical advice. You should seek legal or other professional advice before relying on any content, and practise proper clinical decision-making with regard to the individual circumstances. Persons implementing any recommendations contained in this publication must exercise their own independent skill or judgement or seek appropriate professional advice relevant to their own particular practice. Compliance with any recommendations will not in any way guarantee discharge of the duty of care owed to patients and others coming into contact with the health professional or practice. Avant is not responsible to you or anyone else for any loss suffered in connection with the use of this information. Information is only current at the date initially published. © Avant Mutual Group Limited 2026. Insight-029a Published and current as of: 10/26 (DT-5012)