

Regulatory complaints

Overview

- Complaints are common in the practice of medicine.
- Patients and their family members are the main source of complaints.
- The majority of complaints are dismissed with no regulatory action.
- This analysis refers to complaints made to regulatory bodies, but does not include complaints made directly to a practice or practitioner.

Practice points

- Try not to take a complaint personally – complaints are common.
- To lessen the risk of a complaint to the regulator:
 - make it easy for patients to raise concerns
 - take concerns seriously and respond promptly
 - when something goes wrong, take ownership and say sorry.
- If you're concerned about a patient complaint, contact Avant.

The incidence data was based on complaints indemnified by Avant from FY2019–23. The source of complaints analysis was based on complaints closed from FY2021–23 while the outcome analysis was based on complaints closed from FY2019–23.

Practitioners

Practices

Incidence of complaints made to regulatory bodies against Avant practitioners or practices each year (5-year average)

1 in 20

1 in 24

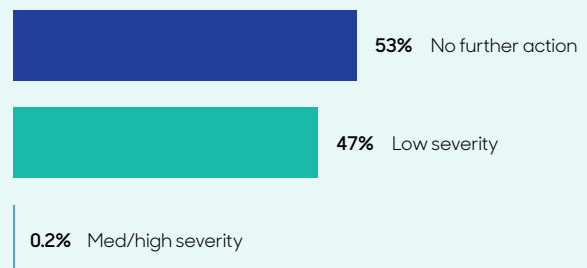
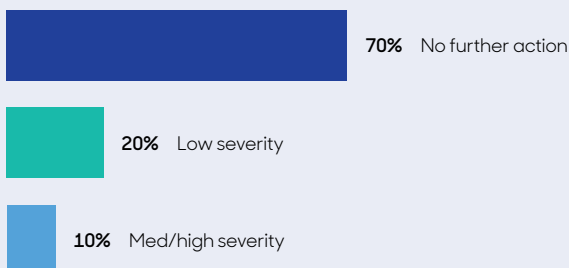
Who submitted the complaint?

- 53% patient
- 22% patient's family
- 6% other doctor or healthcare provider
- 5% regulatory board, complaints body
- 14% other

- 70% patient
- 22% patient's family
- 1% other doctor or healthcare provider
- 2% regulatory board, complaints body
- 5% other

'Other' may include employer, police, healthcare facilities, other members of the public and anonymous complaints.

What was the outcome?



- no further action (discontinued)
- low severity (counselled/cautioned/conciliation/resolution)
- medium/high severity (conditions imposed or changes to registration)

Note: the outcome summary above shows the most severe outcome for each claim, and includes matters by the regulatory board, health complaint entities and other complaints bodies. It is not directly comparable with the Ahpra summary below due to differences in outcomes for various complaints processes.

Ahpra data

Ahpra and the National Boards closed 6,087 notifications against **medical practitioners in FY 2023**. Most of the notifications resulted in no further regulatory action, which is consistent with the Avant data.

- **60.8%** no further regulatory action
- **27.9%** referred to another body or retained by a health complaints entity
- **6.6%** conditions imposed on registration or an undertaking accepted
- **3.9%** cautioned or reprimanded
- **0.7%** registration suspended or cancelled or disqualified from applying
- **0.1%** fined

Source: [Ahpra & National Boards Annual report 2022/23](#)

Our data analysis

Claims insights are based on a retrospective review of routinely collected and coded data involving regulatory complaints only against medical practitioner members and practice policy holders from across Australia. Complaints against early career doctors are excluded in the analysis.

Resource

[Receiving a complaint from Ahpra – 5 minute video](#)

Medico-legal advice

If you receive a claim or complaint, contact us (avant.org.au/MLAS) on 1800 128 268 for expert medico-legal advice on how to respond – available 24/7 in emergencies.

For any queries on this analysis, please contact us at 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 2024. Insight-030 Published and current as of: 04/24 (DT-3775)