

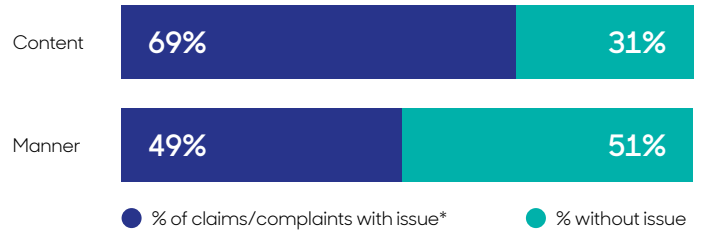
Doctor-patient communication

Claims and complaints insights

4 in 10 claims and complaints involved doctor-patient communication

In these claims and complaints, the content of the communication (or lack thereof) was the most common concern raised, followed by the manner of communication.

Data source: claims and complaints closed 2017-18 to 2021-22



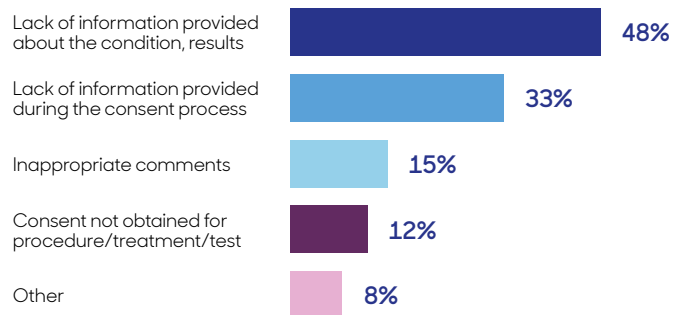
*Some cases had more than one issue.

Data source: claims and complaints involving communication issues closed 2017-18 to 2021-22

Content issues

Lack of information was the main reason for allegations relating to the content of doctor-patient communication, specifically:

- Lack of information provided about a patient's condition or results of tests (e.g. patients and family felt uninformed or received an inadequate explanation)
- Lack of information provided during the consent process (e.g. inadequate/absence of discussion of options or risks, non-disclosure of fees).



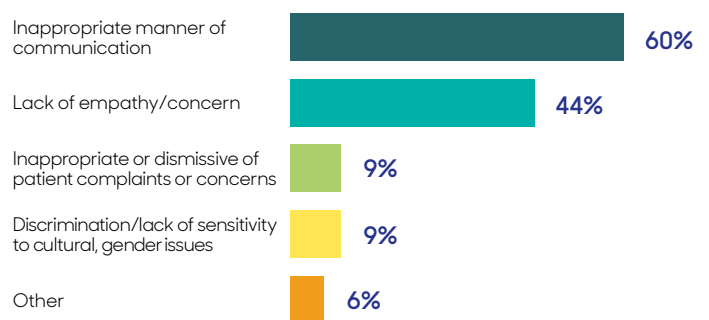
(% of total claims and complaints involving allegations about the content communicated. Some cases had more than one issue.)

Manner issues

Most frequently reported allegations were:

- Inappropriate manner of communication (e.g. doctor ignored or did not listen to the patient, doctor was brusque, angry or irritated with the patient)
- Lack of empathy and concern (e.g. patient did not feel respected, doctor appeared arrogant, judgmental, inconsiderate).

The analysis found that a perceived lack of care or consideration for the patient was common in many manner-related allegations.



(% of total claims and complaints involving allegations about the manner of communication. Some cases had more than one issue.)

Assessment of the care provided

In one in five allegations about communication, experts and/or regulators assessed that the doctor did not meet the standard of care.



(% of total allegations where the assessment of the expected standards is known.)

Key points

- Content and manner were the two main issues in claims and complaints about doctor-patient communication.
- Lack of information provided was the most common allegation about the content communicated.
- Inappropriate manner of communication and lack of empathy were the key allegations regarding manner of communication.
- Perception of lack of care or consideration for the patient underlies many allegations about the manner of communication.
- One in five communication-related allegations was assessed not to meet the standard of care.

About the analysis

This report is based on our analysis of the underlying themes of 5,833 complaints to regulators and compensation claims for Avant members from all specialties involving doctor-patient communication allegations. These were classified as those for which this was the primary or secondary allegation. Only claims and complaints finalised between July 2017 and June 2022 were included in the analysis.

More resources



For more information on communicating with patients, including advice about obtaining consent and a wide range of other topics, visit the Avant Learning Centre, avant.org.au/avantlearning-centre, where you will find articles, case studies, podcasts, webinars, videos, factsheets and many other resources.

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 [March 2023]. © Avant Mutual Group Limited 2023. MJN-1086 03/23 (DT-3052)