



Response from Australian and New Zealand College of Anaesthetists (ANZCA)

Benchmarks and performance measures

1. Under section 22 (a) of the [Health Care Complaints Act 1993](#), the HCCC must carry out its assessment of complaints **within 60 days** after receiving the complaint.

- Is 60 days an appropriate timeframe for assessing complaints?

ANZCA feedback: The timings seem about right – it is difficult to collate the information much faster.

- In your experience, has the HCCC consistently assessed complaints within its 60-day timeframe?

ANZCA feedback: Concerningly, there have been serious allegation/complaints made against, and communicated to, practitioners without any basic fact-checking and due diligence (i.e. never meeting the patient, not working that day anywhere and never worked at the location). No apology was provided for the significant distress caused. HCCC's triage and cursory fact check process should be assessed.

2. The HCCC aims to complete reviews of assessment decisions **within 60 days**.

- Is 60 days an appropriate timeframe for completing reviews of assessment decisions?
- In your experience, has the HCCC consistently completed reviews of assessment decisions within its 60-day timeframe?

3. Complaints are referred for investigation by the HCCC in situations where an initial assessment raises a potentially significant issue of public health or safety; significant departures from clinical treatment and professional conduct standards; and/or where there may be grounds for disciplinary action. The HCCC aims to complete all investigations **within 12 months**.

- Is 12 months an appropriate timeframe for completing of investigations?
- In your experience, has the HCCC consistently completed investigations within its 12-month timeframe?

4. In its 2020-21 annual report, the HCCC assessed its performance against a number of key indicators.¹ Some examples of indicators and targets listed in the report are contained in the box below.

- Should the HCCC report on additional performance measures? If so, what additional performance indicators are important to capture?

ANZCA feedback: There have been instances where clinicians have been exonerated of claims, however they were significantly distressed by the whole process.

The way correspondence is written, and the process is conducted is confrontational (for clinicians and assume patients too). Nobody benefits if we destroy our clinical staff, even if they have behaved inappropriately on that occasion. An important matrix should be how the parties

¹ The use of key indicators was discontinued in the reports of 2021-22 and 2022-23.

feel after the process is over. Do our patients feel their concerns have been heard and addressed and do our clinical staff feel supported to be the best they can be?

Statutory indicators

- 100% of complaints assessed within 60 days (86.6% achieved)
- 100% of decision letters sent within 14 days (84.3% achieved)

Non-statutory indicators

- <10% of finalised assessments subject to review (6.5% achieved)
- 90% of reviews completed within 6 weeks (37.7% achieved)
- 70% of resolutions completed within four months (59.3% achieved)
- 90% of investigations finalised within 12 months (80.3% achieved)
- <5% of requests for review of investigation outcome (0% achieved)
- 80% compliance with deadlines - courts, NCAT and Professional Standards Committees (68.4% achieved)

Indicators without targets

- Complaints resolved during assessment of complaint
- Complaints acknowledged within 7 days of receipt
- Publishing of disciplinary decisions

Stakeholder engagement

The HCCC reports that it is developing resources and expanding outreach to improve accessibility and awareness of its functions, in particular among First Nations and culturally and linguistically diverse (CALD) communities.

5. Is the HCCC and the services it provides accessible to the community, including First Nations and CALD communities?
6. Do you believe there is wide and strong community awareness of the role and functions of the Commission?
7. How can the HCCC improve engagement with, and provision of services to, First Nations and CALD communities?

