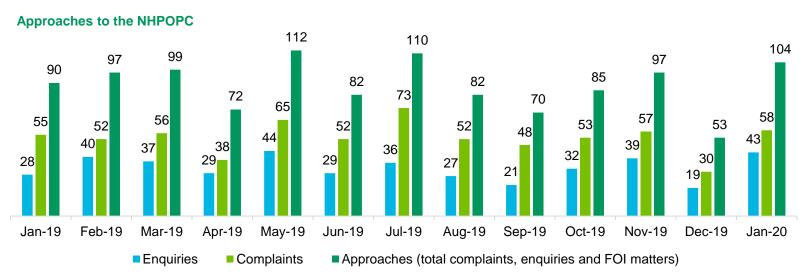
## Monthly complaints report

Reporting period: 1 January 2020 to 31 January 2020





Approach	January 2020		July 2019 anuary 2		January 2019	July 2018 – January 2019
Enquiries	43	<b>^</b>	217	<b>V</b>	28	241
Complaints	58	<b>1</b>	372	<b>1</b>	55	323
FOI matters	3	Ψ	13	<b>1</b>	7	10
Total	104	<b>^</b>	602	1	90	574

Complaints by professionJanuary 2020Type of complaintJanuary 2020Medical40Notification – complaint by notifier34Nursing8Registration – delay10Dental3Registration – process/policy5Psychology2Other4Chiropractic1Notification – complaint by practitioner2Paramedicine1Notification – complaint by practitioner2Physiotherapy1General health regulation concerns1Podiatry1Notification – complaint by general public1Unknown1Registration – fees1Total58Total58		July 2019 –		July 2019
Medical  Nursing  8  Registration – complaint by notifier  34  Registration – delay  10  Psychology  2  Chiropractic  1  Paramedicine  1  Physiotherapy  1  Notification – complaint by notifier  34  Registration – delay  5  Other  4  Notification – process/policy  5  Other  4  Notification – complaint by practitioner  2  Physiotherapy  1  Notification – complaint by practitioner  1  Notification – complaint by general public  1	Total	58	Total	58
Medical  Nursing  8  Pental  Psychology  Chiropractic  Paramedicine  Physiotherapy  Medical  40  Notification – complaint by notifier  8  Registration – delay  10  Registration – process/policy  5  Other  4  Notification – complaint by practitioner  2  General health regulation concerns  1  Notification – complaint by practitioner  2  Notification – complaint by practitioner  1  Notification – complaint by practitioner  2  Notification – complaint by practitioner  1  Notification – complaint by practitioner  1	Unknown	1	Registration – fees	1
Medical 40 Nursing 8 Dental 3 Psychology 2 Chiropractic 1 Paramedicine 1 Notification – complaint by notifier 34 Registration – delay 10 Registration – process/policy 5 Other 4 Notification – complaint by practitioner 2	Podiatry	1	Notification – complaint by general public	1
Medical 40 Nursing 8 Dental 3 Psychology 2 Chiropractic 1  Medical 40 Notification – complaint by notifier 34 Registration – delay 10 Registration – process/policy 5 Other 4	Physiotherapy	1	General health regulation concerns	1
Medical 40 Nursing 8  Dental 3  Psychology 2  Notification – complaint by notifier 34  Registration – delay 10  Registration – process/policy 5  Other 4	Paramedicine	1	Notification – complaint by practitioner	2
Medical 40 Nursing 8 Dental 3  Notification – complaint by notifier 34  Registration – delay 10  Registration – process/policy 5	Chiropractic	1	Other	4
Medical 40 Nursing 8  Registration – delay 10	Psychology	2	Registration – process/policy	5
Medical 40 Notification – complaint by notifier 34	Dental	3	Registration – delay	10
Medical 40	Nursing	8		
Complaints by profession January 2020 Type of complaint January 2020	Medical	40	N	0.4
	Complaints by profession	January 2020	Type of complaint	January 2020

Location of complainant	<ul><li>Victoria</li></ul>	
2 2 1	<ul><li>Queensland</li></ul>	
3 2 2	<ul><li>Western Australia</li></ul>	
4	<ul><li>New South Wales</li></ul>	
	<ul><li>Unknown</li></ul>	
	<ul> <li>Australian Capital Territory</li> </ul>	
14	<ul><li>South Australia</li></ul>	
14	Tasmania	
	<ul><li>Outside Australia</li></ul>	

Investigations	January 2020	July 2019 – January 2020	Outcomes or
Open investigations	34	N/A	Investigated – provided to co
Investigations commenced	7	64	NHPOPC
Investigations finalised	5	87	Investigated – a
Early resolution*/Warm transfers to AHPRA			Investigated – s provided to AH Board
*Early resolution transfer process commenced 1 September 2019, replacing	16	113	Investigated – a
warm transfers			Total

Total		30
Outcomes on investigation	ns January 2020	July 2019 - January 2020
Investigated – explanation provided to complainant by NHPOPC	3	56
Investigated – assisted resolu	tion 2	16
Investigated – s 12(4) comme provided to AHPRA/National Board	nts 0	13
Investigated – apology provide	ed 0	2
Total	5	87

## Case study

On 6 February 2020, the NHPOPC finalised its first formal review of a decision made by Ahpra to refuse access to a document that had been requested under Freedom of Information (FOI) legislation. The power to review the merits of FOI decisions is a new function for the NHPOPC.

The FOI applicant in this instance had previously made a notification about a medical practitioner to Ahpra and the Medical Board. After the Medical Board decided to take no further action, the applicant sought access to the practitioner's response to the notification via the FOI process.

Ahpra decided that the requested document was fully exempt from release. The applicant then approached the NHPOPC for a review of that decision.

During our review, we considered the document in issue, and the submissions of the applicant, Ahpra and the practitioner who had authored the document. We also considered previous decisions of the Australian Information Commissioner and relevant tribunals in relation to FOI matters, as well as the relevant legislative frameworks.

The NHPOPC concluded that the practitioner's response to the notification was fully exempt from release. However, the reasons for this decision varied slightly from those given by Ahpra. The NHPOPC decided that:

- the document was conditionally exempt on the basis that disclosure would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of Ahpra, and giving access would be contrary to the public interest
- the document was conditionally exempt on the basis that disclosure would involve the unreasonable disclosure of personal information, and giving access would be contrary to the public interest.

The full decision will be published on the NHPOPC's website at https://nhpopc.gov.au/foi-review-decisions/.

Please note: our data is subject to change due to ongoing investigations and quality assurance activities. If you have a question about our data, please contact us on 1300 795 265 or by email via complaints@nhpopc.gov.au.