



National Health
Practitioner
Ombudsman

Biannual performance report

1 July 2023 to 31 December 2023

Ombudsman's message

I am pleased to present my office's biannual performance report for 1 July 2023 to 31 December 2023.

It has been another busy and productive period for my office. We have focussed on delivering empathetic and high-quality complaint handling services while also contributing to positive improvements in the National Registration and Accreditation Scheme. Our independent review work demonstrates this focus on achieving systemic change. During the reporting period this has included:

- Publishing part one of the Processes for progress review in November 2023: *A roadmap for greater transparency and accountability in specialist medical training site accreditation*
- Continuing work on part two of the Processes for progress review, which is considering the accreditation-related processes of accreditation authorities and specialist medical colleges in relation to the assessment of overseas qualified practitioners
- Providing the draft report regarding our review into Ahpra's framework for identifying and managing vexatious notifications to Ahpra for response in December 2023
- Joining and contributing to the review into the regulation of podiatric surgery as an expert advisory group member.

My office has seen a small reduction in the number of approaches and Ombudsman complaints received. However, we have also seen an increase in the number of Freedom of Information review matters and privacy complaints received. This may be due to our increased focus on these lesser-known functions. While my team has managed less Ombudsman complaints, it appears that the complexities associated with these complaints has increased. This is evidenced by my office making more early resolution transfers and preliminary inquiries.

I anticipate that my office will see an increase in approaches in the second half of the financial year, due to a number of factors including:

- significant increases in the number of notifications being received by Ahpra (for example, a 26 per cent increase in notifications received in Victoria during the first half of 2023–24)
- increases in the number of internationally qualified practitioners seeking registration in Australia, and increasing awareness of our expanded role in receiving accreditation-related complaints
- upcoming registration periods that often lead to complaints (such as registration renewal for nurses and midwives in May).

I look forward to continuing my office's collaborative approach to achieving positive systemic change.

Biannual progress report overview

1 July 2023 to 31 December 2023

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@nhpo.gov.au.

879

approaches
received



Down from 962 in
July to December
2022



311

Ombudsman
complaints received



Down from 346 in July
to December 2022



18

FOI matters
received



Up from 14 in July to
December 2022



6

privacy
complaints received



Up from 3 in July to
December 2021



539

enquiries
received



Down from 594 in
July to December
2022



16,089

new website
users



Review commenced
into compliance
with Information
Publication Scheme



5

notifiable
data breaches
assessed

Complaints to the Ombudsman

103

early resolution
transfers made



Up from 86 in
July to December 2022



87

preliminary
inquiries made



Up from 57 in
July to December 2022



4

investigations
launched



2 own motion
investigations
commenced

2



Part one of the Processes for progress review published: *A roadmap for greater transparency and accountability in specialist medical training site accreditation*

Submissions made on important issues, including:

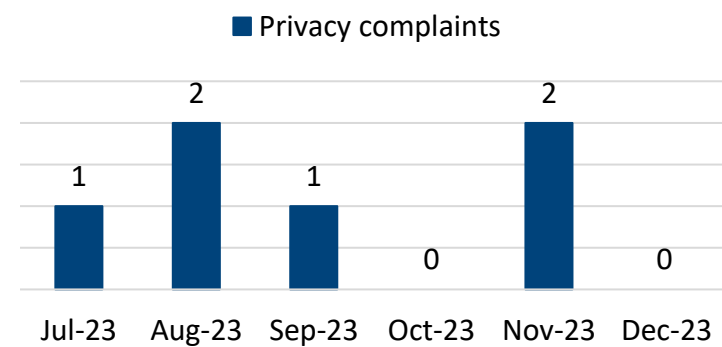
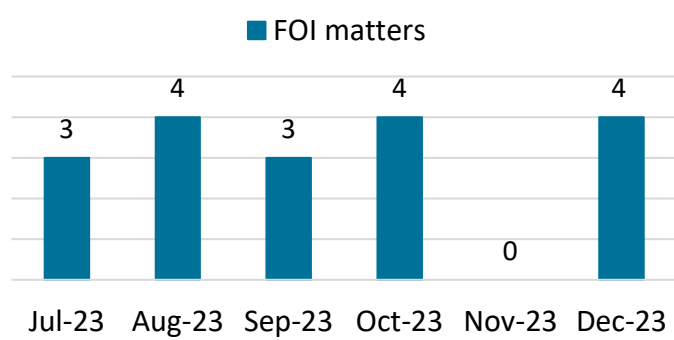
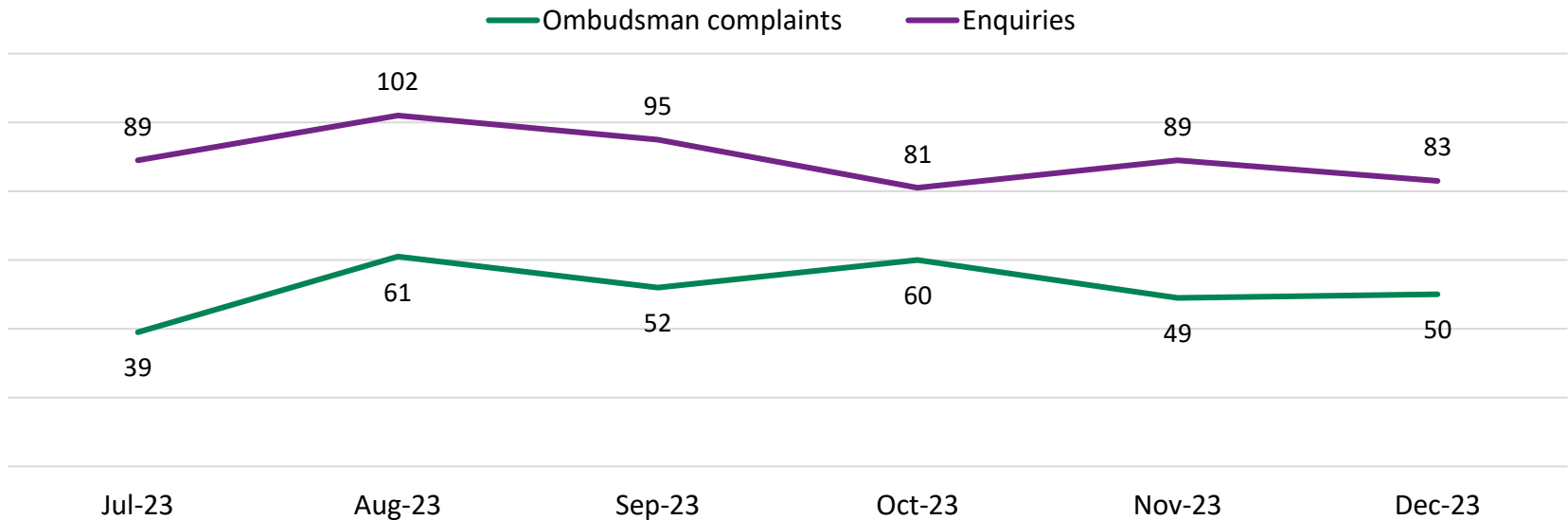
- the Nursing and Midwifery Board's draft Registration Standard: General registration for internationally qualified registered nurses
- Ahpra's review of the Criminal History Registration Standard and other work to improve public safety.

Approach trends

1 January 2023 to 31 December 2023



National Health
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Ombudsman complaints received from 1 July 2023 to 31 December 2023

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Types of complaints received

197 ↓ Down from 223 in the same period last financial year

Notification-related

55 ↓ Down from 78 in the same period last financial year

Registration-related

27 Accreditation-related

32 Other types

Who made complaints

171 health practitioners

140 Non-practitioners

↓ Down from 188 in the same period last financial year

↓ Down from 158 in the same period last financial year

Professions most complaints were about

 **200** medical

 **39** nursing

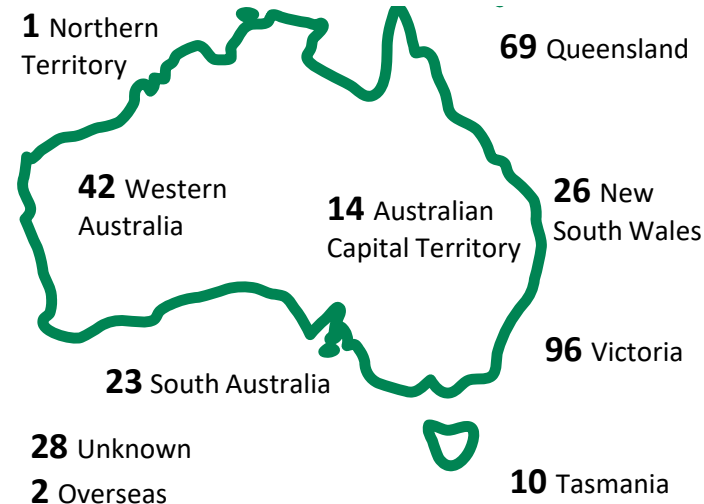
 **21** psychology

↑ Up from 192 in the same period last financial year

↓ Down from 48 in the same period last financial year

↓ Down from 38 in the same period last financial year

Location the complaints were made from



Most common notification-related issues that drove complaints

1. Notifier believes a decision to take no further action at the assessment stage was unfair or unreasonable
2. Notifier believes a decision to take no further action at the assessment stage was made without all relevant information being considered
3. Notifier believes inadequate steps were taken before a decision to take no further action was made at the assessment stage

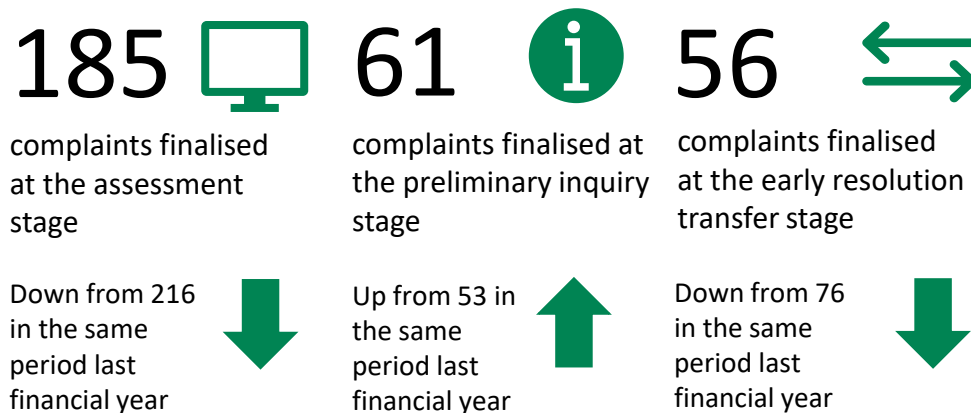
Most common registration-related issues that drove complaints

1. Practitioner seeking general registration believes the fees they have been charged for registration are unfair or unreasonable
2. Practitioner seeking general registration believes the application of the English Language Skills Registration Standard has resulted in a decision that is unfair or unreasonable
3. Practitioner seeking general registration believes the process for satisfying the English Language Skills Registration Standard is unfair

Resolution of Ombudsman complaints from 1 July 2023 to 31 December 2023

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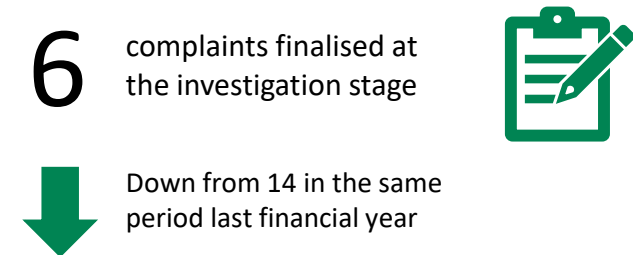
Early resolution mechanisms



Most common outcomes at early resolution stages (assessment, preliminary inquiry and early resolution transfer)

1. An investigation into the complaint was not warranted in the circumstances
2. The organisation's response to the complaint was fair and reasonable
3. The complainant did not provide information our office had requested
4. The complaint concerned the merits of the organisation's decision and we do not have the power to review the merits of a decision
5. The underlying matter complained about was still active and the organisation should be given an opportunity to finalise the matter

Investigations



Most common investigation outcomes

1. We provided feedback to the organisation being complained about regarding its handling of the matter
2. An apology or acknowledgement was provided by the organisation being complained about
3. We provided formal comments or suggestions for improvement to the organisation being complained about
4. We provided a further explanation of the matter to the complainant
5. We are monitoring the concern raised as a possible systemic issue

Biannual progress report highlights

Report publication: A roadmap for greater transparency and accountability in specialist medical training site accreditation

Part one of the Processes for Progress review report was published on 10 November 2023. It outlines the review's findings on key processes related to specialist medical training site accreditation in relation to five priority areas for improvement, beginning with enhancing accountability and transparency in accreditation standards. The review also emphasised the importance of ensuring grievances about accreditation processes and decisions are managed fairly and transparently.

Health Ministers supported all 23 recommendations made by the Ombudsman as part of her review of specialist medical training site accreditation in Australia.

The second part of the accreditation processes review is currently underway.

Responding to accreditation-related complaints

27 January 2024 marked a year since the office's powers were expanded to allow the consideration of more accreditation-related complaints.

Between July and December 2023, the NHPO received 27 accreditation-related Ombudsman complaints. In some months, the office received more accreditation-related complaints than registration-related complaints. The NHPO expects this trend to continue as awareness about the office's expanded role continues to grow.

Accreditation-related complaints were most commonly about assessments of overseas qualified practitioners. The office assists individuals to achieve meaningful resolutions based on the concerns they raise. However, the NHPO has also initiated two own motion investigations into issues related to assessment processes to address system-wide areas of concern.

Improving processes through complaint-handling

The NHPO has welcomed a small reduction in the number of enquiries it received when compared with the previous biannual performance report. While this trend continues to be analysed, the reduction may have been driven by increased stakeholder engagement to help facilitate clearer referral pathways for health-related grievances.

The office also saw a minor reduction in complaints to the Ombudsman when compared with last financial year. However, complaints related to the medical profession have increased.

The top three issues recorded on notification complaints all related to a decision to take no further action at the assessment stage of the notifications process. The office has also seen an increase in complaints from health practitioners regarding registration fees.

Identifying and addressing issues raised through complaints enables the NHPO to create fair and positive change in the National Scheme.