

PROCEDURE

Office of the Health Ombudsman Complaints Management

PR 2013/##
Version No. 1.0

PURPOSE

- To ensure that Metro South Hospital and Health Service ('Metro South Health') meets the complaints management requirements stipulated by the Office of the Health Ombudsman (OHO)
- To provide guidelines for the management of consumer complaints lodged with OHO at a health service level
- To define the roles and responsibilities of employees involved in the OHO complaints management process

OUTCOME

Following this procedure will ensure that Metro South Health meets the Office of the Health Ombudsman's requirement to respond to requests for information and formal notices within 14 calendar days. This will support efforts to deal with health complaints in an expeditious, thorough and fair manner, as stipulated in the *Health Ombudsman Act 2013*.

KEY PRINCIPLES

1. All health service complaints previously received by the Health Quality and Complaints Commission (HQCC) are now managed by the Office of the Health Ombudsman (OHO).
2. Individuals and organisations can lodge complaints against public, private and not-for-profit health service providers in Queensland, including hospitals and GP clinics, as well as individual registered and unregistered practitioners.
3. Under sections 48 and 54 of the *Health Ombudsman Act 2013*, OHO can require information by notice from a complainant, a health service provider or any other relevant person, which is obtained by means of a formal notice.
4. Upon receipt of a formal notice from OHO, the recipient (Metro South Health) has up to 14 calendar days in which to respond. Failure to comply with this notice, without a reasonable excuse, can result in a maximum penalty of 50 penalty units.
5. Metro South Executive Services acts as the single point of contact to whom OHO sends all information requests and notices.
6. Metro South Network/Service Executive Directors or delegates hold authority for authorising responses to OHO following information requests and notices.

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7. Metro South Health Hospitals and Service is responsible for internally investigating each complaint and responding to OHO within the given timeframe.
8. If the matter involves allegations of inappropriate employee behaviour, that component of the complaint should be referred to the relevant Workforce unit and the Manager of Staff Complaints to deal with in accordance with the Workforce Services procedure on Investigations.

LEGISLATION OR OTHER AUTHORITY

- *Hospital and Health Boards Act 2011*
- *Health Ombudsman Act 2013*
- *Industrial Relations Act 2011*
- *Public Service Act 2008*
- *Crime and Corruption Act 2001*
- *Right to Information Act 2009*
- *Mental Health Act 2000*
- *Anti-Discrimination Act 1991*
- Australian Commission on Safety and Quality in Health Care

RESPONSIBILITIES

Metro South Hospital and Health Board: Monitor reporting data, via the Quality and Safety Committee demonstrating Metro South Health's adherence to the 14 day response timeframe stipulated by OHO and take action as necessary.

Health Service Chief Executive, Metro South Health: Accountable for adherence to the 14 day response timeframe and penalties associated with failing to comply. Request quality audits of adherence to timeframes as required.

Metro South Network/Service Executive Directors / Delegates: Review complaints received from OHO regarding their facility and grant approval prior to Patient / Consumer Liaison Services submitting a response to OHO's request for information.

Metro South Executive Services

- Receive formal notices concerning complaints made against Metro South Health from OHO and forward to the Executive Director and Patient / Consumer Liaison Services of the relevant facility or service.
- Collate monthly complaints management reporting data for OHO complaints from facility Executive Services and report to the Metro South Hospital and Health Board.

Facility Executive Services

Complete the Office of the Health Ombudsman Complaints Tracking spreadsheet and submit to Metro South Executive Services on a monthly basis.

Patient / Consumer Liaison Services:

Receive OHO complaints relevant to their facility or service from Metro South Executive Services, process according to local complaints management procedures and coordinate a response directly to OHO within 14 calendar days.

SUPPORTING DOCUMENTS

Attachment 1: Office of the Health Ombudsman Complaints Management Policy

Attachment 2: Office of the Health Ombudsman Complaints Tracking Spreadsheet

Attachment 3: Notification to Health Ombudsman Procedure

DEFINITIONS

Complaint: A consumer complaint is an expression of dissatisfaction on a consumer's behalf to a responsible party.

Office of the Health Ombudsman (OHO): Queensland's health service complaints agency responsible for managing health service complaints received from individuals and organisations.

Patient / Consumer Liaison Service: Responsible for providing responsive, high quality complaint and compliment management services within Metro South Health facilities and services.

Penalty Units: In Australian law, a penalty unit (abbreviated as PU) is an amount of money used to compute pecuniary penalties for many breaches of statute law. Fines are calculated by multiplying the value of one penalty unit by the number of penalty units prescribed for the offence.

PROCEDURE – Office of the Health Ombudsman Complaints Management

STEP 1: The Office of the Health Ombudsman (OHO) emails a formal notice regarding the receipt of a complaint against Metro South Health, the decision to assess the complaint, and request for further information to Metro South Executive Services.

STEP 2: Metro South Executive Services shall forward the formal notice within one business day to the Executive Director of the relevant facility or service, carbon copying the local Patient / Consumer Liaison Service.

STEP 3: The Patient / Consumer Liaison Service shall action the request for information according to local complaints management procedures and provide a response directly to OHO as requested in the formal notice within 14 calendar days. Prior to submitting the response, approval must be obtained by the Network/Service Executive Director or their Delegate. Processing details, including relevant completion dates, must be tracked in the Office of the Health Ombudsman Complaints Tracking spreadsheet and shared with local Executive Services.

STEP 4: The Health Ombudsman must assess the complaint within 30 days after deciding to carry out the assessment, but may extend this timeframe by a period of up to 30 days if necessary due to size or complexity of the complaint or the time taken to obtain further information. Once reviewed by OHO, Metro South Health Executive Services are advised of the assessment outcome and will relay this information to the relevant Patient / Consumer Liaison Service.

STEP 5: Once Metro South Health has been informed of the outcome of the decision, a review of the decision can be sought in writing should Metro South Health disagree with the decision. The written reply should outline:

- The full details of the decision that should be reviewed (including the date of the decision and if possible, a copy of the decision)
- Why the decision is not being agreed with and whether disagreement is with the whole decision or parts of the decision.
- Whether there is another preferred outcome that may be appropriate (if any) and why.

New material can be submitted if required.

STEP 6: Metro South Executive Services will request Executive Services of each facility and service to submit the completed Office of the Health Ombudsman Complaints Tracking spreadsheet on a monthly basis and report this data to the Metro South Hospital and Health Board.

Procedure Number

PR 2013/## (assigned by Policy Officer)

Approving Officer

Dr Michael Daly, Executive Director of Clinical Governance

Procedure Name

Office of the Health Ombudsman Complaints Management Procedure

Approving Date

Date

Policy Reference

PL 2013/##

Office of the Health Ombudsman Complaints Management Policy

Effective From

Date

Supersedes

Nil

Date of Last Review

Date

Procedure Author

Jenifer Itel, Senior Project Officer, Health Reform

Date of Next Review

Date (within the next 3 years)

Portfolio Executive Director

Dr Michael Daly, Executive Director of Clinical Governance