



PARLIAMENT OF NEW SOUTH WALES

Committee on the Health Care Complaints Commission

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?

It can be difficult for distressed consumer to understand why it takes 60 days to assess complaints but the time frame is reasonable, especially given that some matters are complex and may involve needing to gather information from several sources to determine whether further investigation is required.

AMT knows from its cooperation with the NSW HCCC that complaints may be lodged with multiple parties and this can put some pressure on response times, especially matters that are the subject of police investigations.

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

Yes

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?

Yes.

- In your experience, has the HCCC consistently completed reviews of assessment decisions within its 60-day timeframe?

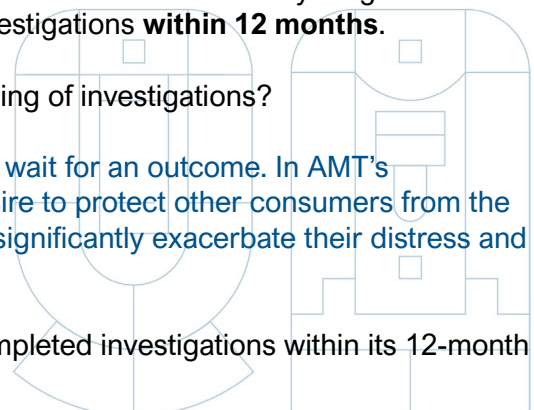
Yes.

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?

Twelve months is a long time for a distressed consumer to wait for an outcome. In AMT's experience, complainants are primarily motivated by a desire to protect other consumers from the same experience. Waiting 12 months for an outcome can significantly exacerbate their distress and trauma.

- In your experience, has the HCCC consistently completed investigations within its 12-month timeframe?



Yes.

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?

Qualitative measures of complainants' experiences would provide dimensionality to the outcomes being measured and potentially enhance consumer confidence in the functions performed by the Commission.

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?

Accessibility would be greatly enhanced if all community members could lodge complaints verbally. AMT has, on many occasions, taken calls from distressed members of the public seeking advice. When informed of the services and role of the HCCC, a significant percentage of these callers did not feel that they had the stamina or wherewithal to lodge a formal complaint but would have welcomed the capacity to verbally lodge a complaint with a complaint officer.

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

6. Do you believe there is wide and strong community awareness of the role and functions of the Commission?

No. Based on the calls AMT receives, the level of community awareness is critically low. We routinely refer to the HCCC and it's rare that anyone we speak to is familiar with the HCCC. An education campaign is needed.

Under the NSW Code of Conduct, non-regulated health practitioners are required to display signage about how to make a complaint but it's not clear to us how practitioners who are not associated with a professional association would know about their obligation to provide this information.

The regulated health professions should also be leveraged to raise public 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?

One approach could be to identify community leaders who could act as intermediaries to provide information and resources in an inherently culturally appropriate way. Establishing advisory groups with senior community members to guide HCCC's CALD/First Nations strategy in a culturally informed way would also seem to be a sensible move.

The concept of "nothing about us without us" should really be the guiding principle.

