

20 September 2024

Committee on the Health Care Complaints Commission
Sent via hccc@parliament.nsw.gov.au

PACFA ([Psychotherapy and Counselling Federation of Australia](https://www.pacfa.org.au)) is the peak registration body for tertiary-qualified counsellors and psychotherapists.

PACFA has more than 10,000 members across Australia with 33% in regional/rural and remote areas. Twenty-eight per cent (28%) work with young people, and 17% work with children. Just over half of PACFA members work in private practice, often alongside Psychologists, General Practitioners and other Allied Health professionals. Other members are employed at schools or by service providers such as Relationships Australia, the Royal Flying Doctor Service, Headspace and by government.

We appreciate the opportunity to contribute to the Committee's review of the Health Care Complaint Commission's 2021-22 and 2022-23 annual reports.

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

A 60-day timeframe is appropriate for assessing complaints. This timeframe should not be exceeded.

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?

A 60-day timeframe is appropriate for reviewing the assessment decisions. This timeframe should not be exceeded.

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?

Investigations do appear to take longer than 12 months which is disruptive to efforts to maintain an ethical system. A prolonged investigation phase can also negatively impact the mental health of both the notifier and the health service provider.

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?

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

It is crucial to report key indicators. This transparency is essential for maintaining public trust in the process. When people have confidence in healthcare organisations, they are more likely to seek out and utilise their services. PACFA

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

strives to meet the highest standards, and we believe that the Health Care Complaints Commission should also adhere to these standards.

As a self-regulated healthcare system encompassing approximately 70 professions, the HCC plays a key role in enabling community confidence. By failing to meet community expectations regarding timelines, there is a risk that the credibility and integrity of the self-regulated healthcare professions as a whole may be compromised.

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?

Not applicable

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

Not applicable

7. How can the HCCC improve engagement with, and provision of services to, First Nations and CALD communities?

Not applicable

Please do not hesitate to contact me on [REDACTED] for further information, or if I can assist in any way.

Yours sincerely,

[REDACTED]

Sophie Keramidopoulos
Head of Practice