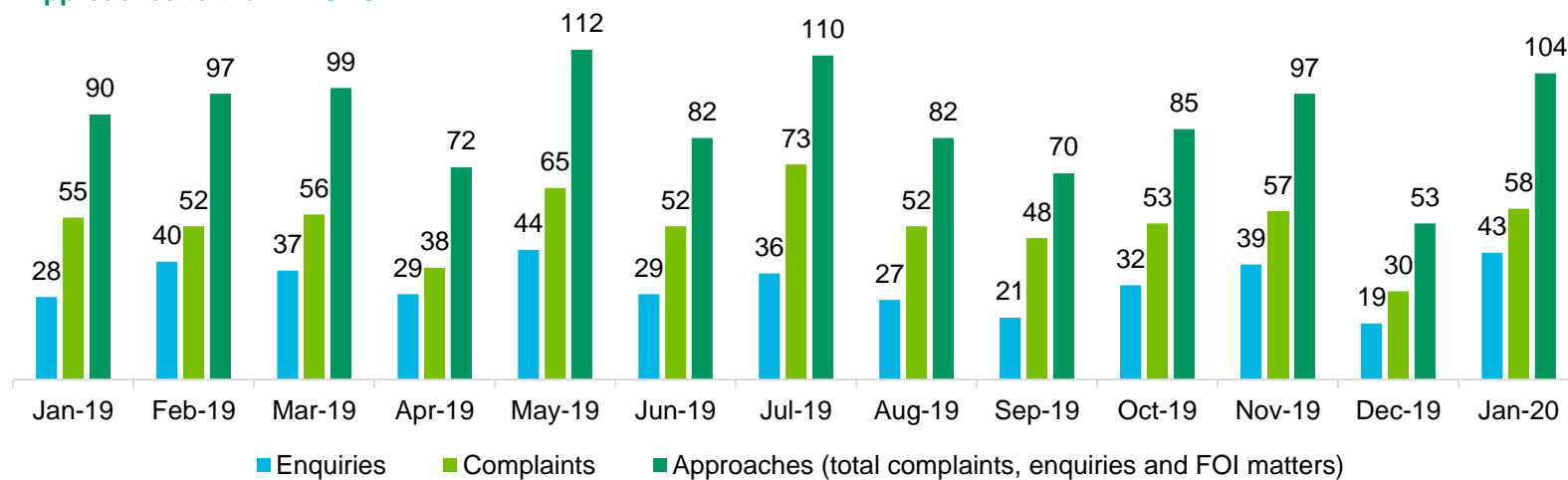


# Monthly complaints report

Reporting period: 1 January 2020 to 31 January 2020

## Approaches to the NHPOPC



Complaints by profession	January 2020
Medical	40
Nursing	8
Dental	3
Psychology	2
Chiropractic	1
Paramedicine	1
Physiotherapy	1
Podiatry	1
Unknown	1
<b>Total</b>	<b>58</b>

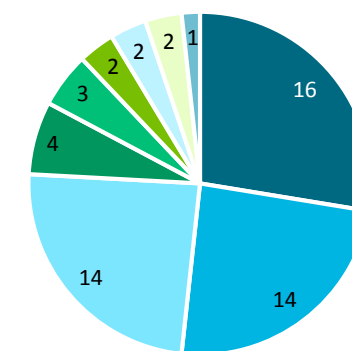
Type of complaint	January 2020
Notification – complaint by notifier	34
Registration – delay	10
Registration – process/policy	5
Other	4
Notification – complaint by practitioner	2
General health regulation concerns	1
Notification – complaint by general public	1
Registration – fees	1
<b>Total</b>	<b>58</b>

Investigations	January 2020	July 2019 – January 2020
Open investigations	34	N/A
Investigations commenced	7	64
Investigations finalised	5	87
Early resolution*/Warm transfers to AHPRA		
*Early resolution transfer process commenced 1 September 2019, replacing warm transfers	16	113

Outcomes on investigations	January 2020	July 2019 – January 2020
Investigated – explanation provided to complainant by NHPOPC	3	56
Investigated – assisted resolution	2	16
Investigated – s 12(4) comments provided to AHPRA/National Board	0	13
Investigated – apology provided	0	2
<b>Total</b>	<b>5</b>	<b>87</b>

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

## Location of complainant



- Victoria
- Queensland
- Western Australia
- New South Wales
- Unknown
- Australian Capital Territory
- South Australia
- Tasmania
- Outside Australia

## 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/>.