

## Key support services

Physical and mental health  
and wellbeing

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## Dealing with the stress of a claim or complaint

Facing a complaint, litigation or a disciplinary hearing is one of the most stressful events a doctor can experience in their career and it carries significant professional and personal impacts. Research looking at the psychological wellbeing of doctors has shown that many doctors describe having a medico-legal complaint as the most traumatic experience in their lives, even when the matter is resolved in their favour.<sup>1</sup>

### Research

One US study found nearly 40% of doctors who had been sued experienced serious depression after the event, and in another study doctors negotiating the medico-legal process were found to be more prone to the onset of physical illness such as a myocardial infarction or the exacerbation of an existing illness.<sup>1</sup>

Other international research has shown that medico-legal actions have potentially negative long-term effects including self-doubt, a loss of confidence and negative impacts on their professional identity.<sup>1</sup>

### Impact

Such events are traumatic partly because they strike at the heart of a doctor's sense of identity and credibility. If pre-existing psychiatric morbidity exists there is a chance it may worsen, which can compromise the wellbeing of at-risk doctors.

The situation will be unique for every doctor facing a claim or complaint and it is normal for a number of feelings to surface.

Exposure to a complaint or negligence claim often involves a traumatic pattern of shock, initial panic, indignation, difficulties with work and home life and often anger or suicidal ideation.<sup>1</sup>



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# Tips for dealing with a claim or complaint

## Accept the unpredictable legal environment

An important first step is to recognise that the legal process is unpredictable. Key strategies to manage the unpredictability include:

- familiarising yourself with the legal process
- gathering any relevant documentation
- asking your lawyer to explain points of law and what to anticipate throughout the process
- participating in the process of choosing your experts
- where possible, be engaged and check everything yourself.

## Exercise control where you can – make adjustments

Being at the mercy of ‘the system’ can be distressing. Lack of control during the protracted course of a legal matter presents real challenges for doctors who are used to a high degree of professional autonomy. One way of dealing with this issue is to actively engage in the process as much as possible.

## Get to grips with what it all means

It is important to take stock and consider the big picture in complex situations like legal action and disciplinary matters. Take time to think about the meaning of your profession and career.

## Focus on coping strategies that enhance wellbeing

Examine how you manage stress. Look for gaps or less healthy strategies and replace these with new ones – get support to do this if you need it. Re-examine your life and restructure it as necessary - this can be an opportunity to put life in perspective and reprioritise.

## Jump the support barriers

Research tells us that doctors are reluctant to seek support when they need it and there are many barriers (both real and perceived) to receiving the care they need.<sup>2</sup> Faced with the extraordinary stress of litigation or a disciplinary hearing is a time to jump the barriers and make the connections with support required.

## Overcoming the barriers to accessing support

The barriers outlined above often lead doctors down a path of self-treatment and self-medication which is increasingly regarded as not only damaging but also unethical.

Seeking objective external help is essential to pick up on subtle cues, particularly when it comes to mental health issues.

Have your own GP and see them regularly. Avoid treating yourself.

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## How can Avant help?

### Avant Personal Support Program

Avant's Personal Support Program provides a range of support options to Avant members who are suffering health issues. A central plank is six sessions of confidential, external counselling provided by Benestar, a leading global provider of corporate psychology services.

The counselling service offers objective psychological support and the provision of coping skills for a range of work-related issues such as work stress, issues with patients, personal issues relating to anxiety or depression, and legal issues around medico-legal complaints. Options available include face to face counselling, phone support or video counselling.

Contact: **1300 360 364**

### Avant Medico-legal Advisory Service

Expert medico-legal advisers provide medico-legal advice and support to Avant members. Available 24 hours a day 7 days a week in emergencies, the service offers legal support throughout a claims process, practical advice to minimise the chance of a complaint or claim, and services to identify your exposure and prevent a recurrence.

Contact: **1800 128 268**



### References

<sup>1</sup> Nash L, et al. The psychological impact of complaints and negligence suites on doctors. *Australasian Psychiatry* 2004; 12(3): 278-281.

<sup>2</sup> National Mental Health Survey of Doctors and Medical Students, *beyondblue*, October 2013.

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## External support services

### Doctors' Health Advisory Services

Doctors' Health Advisory Services provide personal advice to medical practitioners and students facing difficulties, personal crisis and stress.

#### **Australian Capital Territory**

Doctors' Health  
Advisory Service  
24 hour service  
[dhas.org.au](http://dhas.org.au)  
**02 9437 6552**

#### **New South Wales**

Doctors' Health  
Advisory Service  
24 hour phone assistance  
[dhas.org.au](http://dhas.org.au)  
**02 9437 6552**

#### **Northern Territory**

Doctors' Health NT  
24 hour phone assistance  
[doctorshealthnt.com.au](http://doctorshealthnt.com.au)  
**08 8366 0250**

#### **South Australia**

Doctors' Health SA  
24 hour phone assistance  
and clinical services  
[doctorshealthsa.com.au](http://doctorshealthsa.com.au)  
**08 8366 0250**

#### **Tasmania**

Victorian Doctors  
Health Program  
[vdhp.org.au](http://vdhp.org.au)  
**03 9280 8712**

#### **Queensland**

Doctors' Health Queensland  
24 hour phone assistance  
[dhas.org.au](http://dhas.org.au)  
**07 3833 4352**

#### **Victoria**

Peer Support Service  
Phone advice service  
8am-10pm  
[amavic.com.au](http://amavic.com.au)  
**1300 853 338**

Doctors' Health Program  
Clinical services with  
some phone support  
[vdhp.org.au](http://vdhp.org.au)  
**03 9280 8712**

#### **Western Australia**

Doctors' Health  
Advisory Service  
24 hour phone assistance  
[dhas.org.au](http://dhas.org.au)  
**08 9321 3098**

### Medical benevolent associations

Medical benevolent associations provide counselling, support and some financial assistance to doctors and their families during times of need.

Victoria: **(03) 9496 4205**

New South Wales and Australian Capital Territory: **(02) 9987 0504**

South Australia: **(08) 8361 0107**

Queensland: **(07) 3872 2222**

# Contact us

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## Australian Capital Territory office

Unit 10, George Turner House  
11 McKay Gardens  
Turner ACT 2612

Telephone 03 9026 5961 Fax 03 8673 5015

## New South Wales office

Level 6, Darling Park 3, 201 Sussex Street  
Sydney NSW 2000  
PO Box 746, Queen Victoria Building NSW 1230

Telephone 02 9260 9000 Fax 02 9261 2921

## Queensland office

Level 18, 345 Queen Street  
Brisbane QLD 4000  
GPO Box 5252, Brisbane QLD 4001

Telephone 07 3309 6800 Fax 07 3309 6850

## South Australia office

Level 1, 195 Melbourne Street  
North Adelaide SA 5006  
PO Box 1263, Adelaide SA 5001

Telephone 08 7071 9800 Fax 08 7071 5250

## Tasmania office

Suite 4, 147 Davey Street  
Hobart TAS 7000

PO Box 895, Hobart TAS 7001

Telephone 03 6223 5400 Fax 1800 228 268

## Victoria office

Level 36, Melbourne Central Tower  
360 Elizabeth Street, Melbourne VIC 3000  
GPO Box 1606, Melbourne VIC 3001

Telephone 03 9026 5900 Fax 03 8673 5015

## Western Australia office

Level 1, Schiavello, 1315 Hay Street  
West Perth WA 6005

PO Box 950, West Perth WA 6872

Telephone 08 6189 5700 Fax 08 6189 5713

For more information on dealing with a claim or complaint, or details on support services available visit: [avant.org.au/health-and-wellbeing/your-health/Physical-and-Mental-Health-and-Wellbeing](https://www.avant.org.au/health-and-wellbeing/your-health/Physical-and-Mental-Health-and-Wellbeing)

 1800 128 268

 [avant.org.au](https://www.avant.org.au)