

Avant factsheet

Responding to a direct patient complaint

Quick guide

- Having a system in place to manage complaints can ensure that they are handled appropriately and in a timely way.
- Acknowledging a patient's concerns and responding in a caring way has the potential to deescalate the complaint.
- Consider any options for improvement to your practice and let the patient know what has been done to prevent the issue that caused the complaint happening again.

Receiving a complaint can be a confronting experience. Complaints often occur because a patient's expectations were not met in some way. How a doctor or practice handles a complaint initially can assist in deescalating the complaint and end in a better outcome for all involved.

All patient feedback, including complaints, can be used to improve the quality of the healthcare that you and your practice provide. Responding to complaints demonstrates that you value your patient's opinions and needs, and this can contribute to a more positive healthcare experience for the patient.

You are required under your indemnity or practice insurance policy to notify Avant of any matter you become aware of that could lead to a claim, investigation or complaint.

Why do patients complain?

The basis of many patient complaints is miscommunication. Patients may complain if something goes wrong, but more specifically if the outcome does not meet their expectations. They are less likely to complain about a sub-optimal outcome that they were warned of and knew was a possibility. This highlights the importance of a sound consent process that shares the decision making with the patient about any clinical management or procedure you propose.

Patients may also complain about non-clinical aspects of their experience. These could include: fees that were charged, the amount of time kept waiting in the reception area or breaches of their privacy. These too can be linked back to their expectations not being met in some way.

How do I respond to a patient complaint?

When a patient complains it can be important to them that their grievance is heard, acknowledged and understood. Often, they would like details and a further explanation about their concerns. They may also like an apology if something went wrong or was perceived by them as having gone wrong.

Most patients who have had a bad experience, significant enough to complain, would also like to see some improvement or change. This is to reduce the risk of something similar happening to someone else.

When you receive a complaint directly from a patient, the initial response is crucial and will influence the patient's decision to potentially escalate their concerns further - to their lawyer or a complaints entity (for example, Ahpra or the Information Commissioner). For this reason, it is important that your reception and administration staff understand the significance of their responses if they are the first point of contact.

If patients perceive that their complaint is being taken seriously and is being handled by someone with sufficient authority and sensitivity to address and resolve their concerns, they are generally more likely to accept the outcome.

Have a complaint handling protocol

You should have a protocol at your practice for dealing with complaints from patients. This will help you deal with complaints in a systematic way. All protocols in your practice should also be supported by training for your staff, so they are aware of the protocol and their responsibilities.

Protocols should outline who is responsible for dealing with complaints. We recommend that you designate a staff member as the single point of contact for all complaints about your practice. Doctors should then seek to deal with complaints about clinical care but complaints about the practice or administrative issues could be dealt with by the practice manager.

It may be appropriate to discuss patient complaints at practice meetings and include the discussion in the minutes of those meetings. This will demonstrate that the complaint has been considered and allow for improvements in the practice to be discussed.

Responding to the complaint

It is important to act promptly, do not ignore complaints. If a complaint cannot be dealt with immediately, acknowledge that you have received the complaint and let the patient know when they can expect a response.

One aim of resolving the complaint early is to try to preserve the therapeutic relationship with the patient. This involves listening to the patient's concerns and showing empathy, even if you think the complaint is trivial or you do not accept the basis of the complaint.

Steps to take in response to a complaint:

Consider whether you need specific advice from Avant about the complaint and/or plan of management before you respond.

Where possible and appropriate make personal contact with the patient by phone.

Make sure you fully understand the nature of the complaint and the patient's main concerns. You may need to take some time to gather the facts but advise the patient if this is the case.

Where appropriate, suggest a face-to-face meeting to discuss the patient's concerns. Encourage the patient to bring a relative or friend to accompany them if they wish. Suggest an interpreter if language is a barrier. Allow plenty of time. Find a quiet, private room for the conversation. It is advisable not to charge the patient for this discussion.

Show empathy to the patient even if you do not accept the basis of the complaint

If the patient has had an unexpected or adverse outcome, acknowledge the patient's distress and, if appropriate, validate it. If you are also upset about an outcome, tell the patient, "This is not the outcome either of us wanted or anticipated". There is nothing wrong with demonstrating empathy or apologising.

In most cases it will be appropriate to follow up the discussion with the patient with a written response. An effective response usually contains the following elements:

- Acknowledgment of the patient's point of view.
- A description of the factual information to address the issues raised.
- Clarification or correction of misunderstandings.
- An apology.
- A description of changes that you will make in your practice to avoid a similar set of circumstances, or at least an assurance that you have considered the patient's comments carefully.
- A suggestion for an action that may resolve the patient's complaint.

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Improvement options

Consider the factors that led to the complaint and whether there are changes that can be made to prevent a recurrence. If so, tell the patient, as they will wish to see that you take the complaint seriously and that it will make a difference.

Every complaint should be a learning opportunity – use complaints to recognise possible problems with your systems or expectations of your patients.

With every complaint ask:

- is there more training of staff required?
- how can we prevent a recurrence?
- what can we do to improve?

Delay billing the patient or pursuing payment until the complaint has been resolved. Pursuing payment when there is a complaint can lead the patient to take the matter further. As an act of good will, consider not sending a bill.

Sometimes, despite your best efforts, the therapeutic relationship will have broken down to such an extent that you feel the relationship can no longer be sustained. There are ways of managing this, see our factsheet: [How to end the doctor-patient relationship](#).

Looking after yourself

One study found that 95% of doctors experienced some degree of stress during the complaints process. This stress is at its worst when you initially receive the complaint. It can interfere with your professional and personal life.¹

It is important to take care of yourself and seek support if you need it. Please see Avant's [Health and Wellbeing](#) resources for more information.

Additional resources

¹ Bismark, M., Spittal, M., Studdert, D., (2013) **Identification of doctors at risk of recurrent complaints: a national study of healthcare complaints in Australia.** *BMJ Qual Saf* 2013;22:10 879880 doi:10.1136/bmjqs-2013-002340

[Avant factsheet: Responding to negative feedback online](#)

For sample complaints handling protocols, template letters and other useful resources, see [Australian Commission on Safety and Quality in Healthcare's Complaints Management Handbook for Health Care Services](#)

For more information or immediate **medico-legal advice**, call us on **1800 128 268**, 24/7 in emergencies.