



# Complaints Policy

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## Purpose and scope

The purpose of this policy is to describe the approach used by the Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG, College) to address and resolve complaints.

Complaints may be received from College members against other College members, or by notification from recognised authorities (including employers), or received from members of the public in regard to the personal or professional conduct of a College member.

Complaints may be received pertaining to College matters and issues, excluding any RANZCOG Education, Training, SIMG and CPD Program assessment or decision complaints or reviews that are dealt with by separate policies and RANZCOG Regulations.

Complaints about RANZCOG employees should be forwarded to the RANZCOG Chief Executive Officer.

## 1. Complaint Submission

Complaints are to be made in writing to the Chief Executive Officer and should include:

- the name, address, email address and telephone contact details of the person or persons making the complaint (see 1.1 below);
- the name of the person you are making a complaint about;
- the role or position of the person you are making the complaint about;
- the situation or name of the organisation where the unacceptable behavior occurred;
- an explanation of the issue;
- how the issue has affected you;
- advice if the complaint relates to a breach of the RANZCOG Code of Conduct;
- a list and attachment of any relevant supporting documentation

### 1.1 Anonymous and Confidential complaints

- An anonymous complaint is when the person doesn't want to be identified for various personal and professional reasons but still wants to raise the issue as a matter of concern.
  - In this circumstance, the College will only register the details of the concern or complaint raised on the complaints database, but will be unable to take the matter any further.
- A confidential complaint is when a person is happy to disclose their identity to the College but doesn't want their identity disclosed to the member they are concerned about.
  - In this circumstance, the College will register the identity of the complainant and the details of the concern or complaint raised, but will be unable to take the matter any further.

## 2. Complaint Issues

### 2.1 Complaint issues that are relevant to this policy include, but are not limited to:

- Conduct of a College member, that does not comply with:
  - RANZCOG Constitution
  - Code of Conduct

- Code of Ethical Practice
- Bullying, Harassment and Discrimination Policy
- Conduct of a College member, as notified by recognised authorities, including, but not limited to:
  - Australian Health Practitioner Regulation Agency (AHPRA)
  - Medical Council of New Zealand
- Conduct of a College member, as notified by a member of the public.
- Conduct of a College member lodged on behalf of another person/s that contains second or third hand information about something that happened.
  - A written and signed authority from the person/s directly affected by the unacceptable conduct will be required.
  - Without such a signed authority the College will only register the details of the concern or complaint raised on the complaints database, but will be unable to take the matter any further.
- Independent Review Requests:
  - The College can receive requests for assistance with providing independent expert opinion or clinical review of a member's practice, from another member, a hospital or a regulator. These requests must be received in writing and are managed formally.
  - The request may be seeking an expert on a particular area of practice, or may involve the examination of documentation, or could extend to visiting a practitioner to observe and assess performance.
  - Independent Reviewers are not acting as representatives of the College, rather as independent subject matter experts. This is reflected in all documentation to the requesting body and the reviewer(s). All matters are between the Health Service and the Fellow, who are indemnified by their insurer.
- Complaints pertaining to College matters and issues are to be forwarded to the RANZCOG Chief Executive Officer.
- Membership Fee issues:
  - Any concerns or complaints regarding membership fee issues will be directed from the CEO to the College Membership Office for resolution.

## **2.2 Complaint issues not relevant to this policy, that are dealt under other RANZCOG policies, include:**

- Bullying, Harassment and Discrimination
  - The RANZCOG Bullying, Harassment and Discrimination Policy applies to all College staff (including contractors), students, trainees, volunteers and visitors and outlines the behaviours that are not acceptable such as bullying, harassment and discrimination, and steps to make an Informal and Formal complaint.
- RANZCOG Education, Training, SIMG and CPD:
  - Assessment or Decision Reviews: A request for a review of an assessment or decision relevant to the RANZCOG Education, Training, SIMG and CPD Programs are dealt with under these policies or Regulations:
    - Special Consideration Policy
    - Reconsideration Policy

- Review Procedures (RANZCOG Regulation A2.4)
- Formal Appeals Procedures (RANZCOG Regulation A2.5)
- Employee conduct:
  - Complaints about RANZCOG employees from a College member or a member of the public should be forwarded in writing to the RANZCOG Chief Executive Officer
  - Staff work-related issues are dealt with under the RANZCOG Grievance and Dispute Resolution Policy and Procedure that applies to all College staff members and outlines the steps to resolve workplace grievances, disputes and complaints.
- Whistleblower disclosures:
  - The RANZCOG Whistleblower Policy details the Reportable Conduct Disclosures protected by Whistleblower Laws for an Eligible Whistleblower to disclose a Protected Matter to an Eligible Recipient.

### 3. Complaint Acknowledgement

The receipt of the complaint will be acknowledged by the Chief Executive Officer in writing within two business days.

### 4. Complaint Processes

All complaints submitted will be handled by the Governance Office and lodged on the complaints register.

Any matter received by the Chief Executive Officer of the College may be:

- Dealt with by the Chief Executive Officer; or
- Returned to the person(s) from whom the complaint was received, advising that the matter be directed to a more appropriate Authority; or
- Referred to any appropriate medical board or complaints authority (“Authority”); If it is considered that the matter or complaint may be of such a serious nature and may constitute serious professional misconduct; or
- Referred to the Professional Standards Committee (PSC) in matters received from College members in regard to the personal and/or professional conduct of other members, and notifications from recognised authorities (including employers). The PSC will decide whether, prima facie, there is a case to answer in respect of such matter or complaint, and if it is decided that there is a prima facie case to answer, the PSC will undertake proceedings as stipulated in RANZCOG Regulation A3; or
- Referred to another committee or body of the College which may appropriately deal with the matter or complaint; or
- Referred to the Board (or a subcommittee of the Board appointed for that purpose) for consideration.

All complaints will be dealt with in a fair and equitable manner at all times in accordance with the principles of procedural fairness; College Regulations, policies and processes; and any relevant legal requirements. Each complaint is unique and is assessed individually, on the available evidence supplied.

## 5. Confidentiality

A complaint shall be dealt with, as far as possible, on a confidential basis and consistent with the protection afforded by the legal principle of qualified privilege. The College does not, however, guarantee anonymity of those making complaints.

## 6. Privacy

RANZCOG handles all the personal information provided in a complaint submission, including an individual's name and address and contact details, in line with the *Privacy Act 1998(Cth)*. RANZCOG will use relevant personal information to assess and/or investigate a complaint and respond. It may be necessary for the College to disclose relevant information to the person or employing organisation that is the subject of the complaint so that we can effectively address the issue and provide a response.

For more information on privacy, the RANZCOG Privacy Policy is available on the College website.

## 7. Notice of Determinations and Appeal

Following determination by the PSC or the Board in respect of any complaint, the Chief Executive Officer shall, as soon as possible, notify in writing the member concerned, the person initiating the complaint and the College President of the determination and a summary of the reason(s) for the determination.

Where a determination has been made by the PSC, the Board will be notified with a summary of the reason(s) for the determination.

Any decisions which involve suspension or termination of the membership of a member will be made in compliance with subclause 5.4.1 of the RANZCOG Constitution.

Any member may appeal the decision in accordance with the College's Appeals Process.

## 8. Counselling and Support

A complainant may wish to seek counselling or assistance from an independent body. There are a range of organisations external to the College who can assist, including Employer Assistance Programs (EAPs); Practitioner Advisory Services; Australian Medical Association support bodies; New Zealand Doctors Health Advisory Services; and organisations such as Beyond Blue (1300 22 4636), Lifeline (13 11 14).

Trainees may contact the Training Support Unit, via email [traineeliasion@ranzcog.edu.au](mailto:traineeliasion@ranzcog.edu.au).

For College staff, support is available through Converge International (1 300 687 327 in Australia; 0800 666 637 in New Zealand).

Additional information and contact details for organisations mentioned above is available in the Support Hub on the College website: <https://ranzcog.edu.au/Training/Training-Support-Unit/Support-Hub>

## 9 Related Documents:

- RANZCOG Constitution
- RANZCOG Regulations
- RANZCOG Code of Conduct
- Bullying Harassment and Discrimination Policy
- Cessation of Membership Process
- Grievance and Dispute Resolution Policy
- Independent Review Request Process
- Trainee in Difficulty Policy
- Whistleblower Policy

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