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medboardconsultation@ahpra.gov.au

Public consultation on Good Medical Practice

Dear Sir/Madam,

Thank you for the opportunity to submit to the Medical Board Good Practice Code review.

The QLD Branch of RANZCO has some concerns re two sections.

1) **5.4 Discrimination, bullying and sexual harassment**

While the medical board should be involved if referrals are for concerns re discrimination, bullying and sexual harassment which pose a risk to patient welfare, these matters should be dealt with by Colleges, employers and or Universities, if they involve students, trainee specialists or other doctors.

The reason QLD RANZCO is concerned is that such complaints could potentially have an underlying vexatious background that may not be apparent initially. This may be particularly relevant in situations where students and specialist trainees are awarded poor performance grades.

QLD RANZCO urges the Medical Board to consider this when drafting its code and refer such concerns to the bodies directly involved, Colleges, employers and Universities rather than investigate them.

2) **10.4 Vexatious complaints**

If a vexatious complaint occurs there can be significant negative impacts to the lives of those concerned both in the work and family setting. As well as damage to the professional reputations of those involved.

Poor performance by a student or trainee specialist may be the reason a (vexatious) complaint occurs. Other Specialist Colleges in Australia are seeing a rise in complaints which could be considered vexatious when continuation on a training program by a trainee is threatened.

Particularly QLD RANZCO is concerned that when this involves doctors, specialists, students and trainee specialists those complained about are often so affected that they are unwilling to pursue the vexatious complainer.

Often the personality of such complainers is such that they will lodge complaints to multiple regulatory bodies, in the hope of gaining traction for the complaint and focusing attention away from their poor performance.

This has been highlighted in the study performed by the University of Melbourne School of Population and Global Health, Centre for Health Care Policy “Reducing, Identifying and managing vexatious complaints” Nov 2017.

Qld RANZCO has had discussions with various medical insurer companies re these concerns and has the impression that when a vexatious complaint occurs by a specialist trainee or other doctors the process instigated by AHPRA and the Medical Board becomes weaponized against the clinical supervisors involved.

Can section 10.4 of the Good Practice Code include words to point out the legal avenues open to those adversely affected as well as the regulatory actions the Board could undertake as a result of vexatious complaints.

Can this information be distributed to those making such complaints so that they are aware of potential consequences of their actions.

Sincerely,

Dr Stephen Godfrey
Chairman – RANZCO Qld State Branch