

Complaints About a Member

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Purpose and Scope

The Urological Society of Australia and New Zealand (USANZ) receives enquiries from members and patients seeking information or assistance on matters concerning the performance or behaviour of a member(s).

This statement was developed by the USANZ Board of Directors to provide guidance on how USANZ receives and manages such complaints.

Policy

1. Principles

- 1.1. USANZ adopts the [Royal Australasian College of Surgeons \(RACS\) Code of Conduct](#) and is committed to the ethical, professional and patient care standards it contains and which are encapsulated in the College Pledge taken by all RACS Fellows.
- 1.2. USANZ is a member-based organisation and is not a regulatory body. The Society will only consider complaints against members where the allegation involves a breach of the USANZ Constitution or Society policy. The Society does not have a role in the handling of complaints against members on any other matter and will refer complainants to the appropriate authority. Refer Clause 5 Further Assistance.
- 1.3. When requested to do so by a regulatory or other investigative agency, USANZ will provide expert advice on the application of standards and guidelines for care.
- 1.4. If USANZ becomes aware of an issue that: falls under mandatory reporting requirements; promotes a urological treatment that is contrary to approved standards and clinical guidelines; or exposes a material risk to the Society, USANZ reserves the right to take independent action. Such action may include referral of the matter to appropriate regulatory body.
- 1.5. Complaints about USANZ employees or persons who represent USANZ do not fall within the scope of this policy and will be dealt with in accordance with procedures set out in the relevant USANZ Policy, such as the Equal Employment Opportunity, Discrimination, Bullying and Harrassment Policy.

2. Delegation of Authority

- The USANZ Board delegates responsibility for the appraisal and referral of complaints to the CEO.

- The CEO may escalate complaints that are not resolved through referral to the President or Leadership Group (LG) for review. Complaints assessed as posing a material risk to USANZ will be referred to the Board.
- The Board delegates to the LG responsibility for identifying members to act as advisors to investigations by regulatory bodies. In carrying out this responsibility, the LG may consult with the Board, Specialty Advisory Group Leaders (SAGs) or any other member.

3. Complaint Review Principles

The LG applies the following principles when reviewing a Complaint.

- All complaints will be treated seriously and sensitively.
- The confidentiality of both the person making the complaint and the subject of the complaint are maintained, to the extent possible.
- All persons involved in a review of a complaint must declare any conflict of interest that would preclude them from undertaking the review impartially.
- Legal advice should be sought on matters posing a material risk to USANZ.

4. Removal from membership as an outcome of a complaints process

The powers of the Board in relation to disciplinary action or cessation of membership are set out in the [USANZ Constitution](#).

5. For Further Assistance

The organisations below have the ability to investigate complaints from members of the public or from other healthcare practitioners.

Where there is a concern about the quality of care given to a patient, USANZ encourages raising the matter with the appropriate regulatory body. USANZ also encourages members to advise patients of their right to complain if they feel they have a grievance.

Organisation	Website	Scope
Royal Australasian College of Surgeons (RACS)	https://www.surgeons.org/	RACS handles complaints about the conduct of Fellows, Trainees or IMGs during the course of training and assessment, clinical practice, medical research and while acting on behalf of RACS as part of a Committee. Refer to RACS Complaints Handling Policy for Details.
Australian Health Practitioner Regulation Agency (AHPRA)	https://www.ahpra.gov.au/Notifications/Raise-a-concern.aspx	AHPRA's main role is to protect the public by ensuring that only health practitioners who are suitably trained and qualified, and who practise in a competent and ethical manner, are registered. This means that, when managing a notification, AHPRA can

		<p>only investigate the concern if there may be a risk to the public. ie where:</p> <ul style="list-style-type: none"> • a practitioner's behaviour is placing the public at risk • a practitioner is practising their profession in an unsafe way, or • a practitioner's ability to make safe judgements about their patients might be impaired because of their health.
Health and Disability Commissioner (NZ)	https://www.hdc.org.nz/making-a-complaint/	The role of the Health and Disability Commissioner (HDC) is to promote and protects people's rights as set out in the Code of Health and Disability Services Consumers' Rights. This includes resolving complaints in a fair, timely, and effective way.
Medical Council of New Zealand (MCNZ)	https://www.mcnz.org.nz/our-standards/fitness-to-practise/conduct-and-competence-concerns/ https://www.mcnz.org.nz/support/support-for-patients/making-a-complaint-as-a-patient/	<p>The main role of the MCNZ is to protect public health and safety, and all doctors in New Zealand must be registered with the MCNZ to practise medicine in NZ.</p> <p>Patients can make a notification to the MCNZ directly. MCNZ is required by law to refer the notification to the Health and Disability Commissioner (HDC). If HDC starts a formal investigation, MCNZ will be advised and may also choose to begin an investigation process.</p>
Other Health Care Complaints Organisations	<p>A list of Australian Health Care Complaints Organisations can be found on the AHPRA website here:</p> <p>https://www.ahpra.gov.au/notifications/further-information/health-complaints-organisations.aspx</p>	The Health Care Complaints Organisations are set up to resolve disputes or complaints between a health service user (such as a patient) and a health service provider (such as a hospital, clinic or a practitioner).

Related Documents

- USANZ Constitution
- Board Charter

- USANZ EEO, Discrimination Bullying and Harassment Policy
- RACS Code of Conduct
- RACS Complaints Handling Policy

Superseded documents

- None

Revision history

Version	Date	Notes	By
1.0	27 August 2022	Approved.	Board of Directors

Review date

This position statement will be reviewed every 3 years. The next review date is August 2025.

Contact

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