



OSTEOPATHS REGISTRATION BOARD

Complaints Process Guidelines

Background:

The Osteopaths Act 2001 provides for the registration of osteopaths in New South Wales. The object of the Act is to protect the health and safety of members of the public by providing mechanisms to ensure that osteopaths are fit to practise.

The Osteopaths Registration Board is the independent statutory body created by the Osteopaths Act 2001 to maintain the Register of osteopaths of NSW and administer the Act generally.

The following information may assist if you are considering making a complaint or if you are the subject of a complaint:

- A complaint may be made concerning the professional conduct and/or provision of an osteopathic service by a registered osteopath, or by an unregistered osteopath or a practitioner holding themselves out as an osteopath.
- Any person can make a complaint.
- Complaints are to be made to the Board and are to be lodged with the Registrar.
- A complaint must be in writing, must identify the person making the complaint and must set out the details of the allegations comprising the complaint.
- As a general rule, a complaint must be verified by Statutory Declaration.
- The Board may consider and investigate a complaint even if it does not comply with the above requirements (except the requirement that it identify the complainant) but must not proceed to deal with the complaint until they are complied with.

Once a complaint is made:

- The Board may require the person making the complaint to provide further information, before dealing with and/or making a determination about the complaint.
- As a general rule, the Osteopaths Registration Board is obliged to notify the Health Care Complaints Commission of NSW (HCCC) of any complaint made to the Board concerning an osteopathic practitioner and/or service;
- Before the Board deals with or refers a complaint, the Board and the HCCC must consult in order to see if agreement can be reached as to the course of action to be taken concerning a complaint.
- As a general rule, both the Board and the HCCC are under a duty to refer a complaint to the Osteopaths Tribunal if at any time either forms the view that the complaint may, if substantiated, provide grounds for suspension or cancellation of the osteopath's registration.

How Complaints are dealt with:

When a complaint is made, the Board may decide:

- to refer the complaint for investigation by the HCCC;
- to refer the complaint for conciliation through the HCCC;
- to refer the complaint to the Osteopathy Care Assessment Committee;
- to refer the complaint to an Impaired Registrants Panel;
- to deal with the complaint by inquiry at a meeting of the Board;
- to refer the complaint to the Osteopaths Tribunal;
- to deal with the complaint by directing the osteopath to attend counseling;
- to deal with the complaint by providing advice or making recommendations to the osteopath; or
- to decline to deal with or to dismiss the complaint.

For further specific information, please refer to Part 4 of the *Osteopaths Act 2001, NSW* or telephone the Registrar, NSW Osteopaths Registration Board on (02) 9219 0246.

Alternatively, refer to the Health Care Complaints Act 1993 NSW, or telephone the HCCC on 1800 043 159 or 02 9219 7444; website: www.hccc.nsw.gov.au

NSW Osteopaths Registration Board Complaint Form

About the person making this complaint:

Name:

Date of Birth:

Telephone: Home:
 Work:
 Mobile:

Postal address: Unit number:
 Street number:
 Street name:
 Suburb:
 State:
 Postcode:

Email address:

About the osteopathic practitioner who is the subject of this complaint:

Name:

Telephone: Home:
 Work:
 Mobile:

Postal address: Unit number:
 Street number:
 Street name:
 Suburb:
 State:
 Postcode:

Date/s on which the relevant service / conduct complained of, occurred:

Statutory Declaration Regarding the Facts and Circumstances of this Complaint:

I, (name)

Of (address)

Solemnly and sincerely declare as follows:

I wish to make a complaint to the Osteopaths Registration Board regarding:

(Please provide a detailed account of the facts and circumstances of the complaint, including:

- *the names of the relevant people and any witnesses involved, and*
- *the date/s on which the alleged conduct or service/s occurred, and*
- *where you think things went wrong- eg breach of confidentiality, lack of information, improper treatment, treatment causing injury, etc and*
- *the extent of any injuries suffered as a result of any treatment or advice complained of.*

If you are making this complaint on behalf of someone else, please indicate the relevant circumstances and your relationship to that person.)

My purpose in making this complaint, is to achieve the following outcome/s:

(eg an apology, information about your condition, an explanation, further treatment, to provide feedback about the service you received, changes to improve the service, disciplinary action against the healthcare provider, etc)

I have some questions / issues that I would like to be addressed, as follows:

Verification of this Statutory Declaration in accordance with the *Oaths Act*:

I make this solemn declaration conscientiously believing its contents to be true and in accordance with the provisions of the *Oaths Act 1900 NSW*:

Subscribed and Declared)

At (place))

Before me:)

.....)
Justice of the Peace / Solicitor

.....)
Signed by the Deponent of this
Statutory Declaration

Dated:)

Identity of any witnesses from whom further information may be sought:

Name:

Relationship to the person making the complaint:
or to the person who is the subject of this complaint:

Telephone: Home:
 Work:
 Mobile:

Postal address: Unit number:
 Street number:
 Street name:
 Suburb:
 State:
 Postcode:

Email address:

Identity of any witnesses from whom further information may be sought:

Name:

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Telephone: Home:
 Work:
 Mobile:

Postal address: Unit number:
 Street number:
 Street name:
 Suburb:
 State:
 Postcode:

Email address:

Authority to Release Information:

(to be signed by the person (or their legal guardian) who is the subject of this complaint)

I, (name)

Date of Birth:

Of (address)

Hereby authorise the Osteopaths Registration Board to obtain access to the original and/or copies of any clinical records pertaining to me, in the present possession of my relevant healthcare provider/s.

Signed:

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Dated

Authority to Release Information::

(to be signed by the person (or their legal guardian) who is the subject of this complaint)

I, (name)

Date of Birth:

Of (address)

Hereby authorise the Osteopaths Registration Board to obtain access to the original and/or copies of any clinical records pertaining to me, in the present possession of my relevant healthcare provider/s.

Signed:

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Dated