Firstly, let me apologise for the tardiness of this response to your letter of 14 April 2016.

I am happy to progress to an exchange of letters to formalise the information sharing protocols between our two entities, and note your intention to work in both a collaborative and complementary manner with the Northern Territory Health and Community Services Complaints Commission (the HCSCC).

With regard to collaboration
I consider collaboration between our agencies as fundamental to good practice and note your preferred method of informal contacts in the first instance to promote a free flow of information and ensure that referrals are appropriate. I note the contact for formal referrals to your Commission and likewise nominate our contact as hcscc@nt.gov.au or direct to the investigator with whom the original early contact was made. I can confirm that the HCSCC has significant statutory protections regarding the information held, including that which would be referred under the proposed protocol.

While your letter does not specifically canvass the matter of joint or split investigations and other collaborative actions arising from a complaint I would be amenable to considering this on a case by case basis.

I note that both of us have educative obligations to ensure people are aware of their rights and we are attempting to make additional effort in this regard. We may be able to develop joint resources (such as the attached brochure developed between the HCSCC and AHPRA) which we can assist with distribution.

With regard to complementarity
I note that there are many matters which could be a source of grievance or complaint for aged people which you are unable to investigate. Conversely the Health and Community Services Complaints Act (the Act) provides wide scope for matters to be considered by me.
The details from the regulations under the Act are as follows:

**Part 3 Services that are prescribed services for aged people**

1. A service that provides one or more of the following kinds of support specifically for aged people or their carers:
   - Home help, personal care, home maintenance or modification, food services, respite care, transport, assessment or referral of support needs, education, training and skill development, information services, co-ordination, case management and brokerage, recreation, advocacy, provision of equipment.

2. Services provided in association with the use of premises for the care, treatment and accommodation of aged people.

3. Services under the Home and Community Care Program established under clause 5 of the agreement between the Commonwealth and the Territory set out in the Schedule to the Home and Community Care Act 1985 of the Commonwealth or an aged care program conducted by or on behalf of the Territory.

The Act does not allow me to undertake "own motion" investigations and it does not require me to consider the source of funding (indeed, I am able to investigate benevolent and pro bono services which may be independent of Government funding). I can also investigate individuals, system issues and registered providers (in collaboration with AHPRA). Hopefully between the two of us we can cover the field.

I have seen the South Australian letter on this matter and for various reasons including conformity am agreeable to this being a template for the NT and your Commission.

Yours sincerely

Stephen Dunham
COMMISSIONER

We can...
By working together, the HCSCC, AHPRA and the Boards can improve the quality and safety of health services.

If a Board believes there is a serious risk to public safety, it can restrict or remove a practitioner’s right to practise.

We can’t...
- give you advice about your health
- tell a practitioner to give you medication or treatment
- tell a practitioner to give you your health records
- help you bring legal proceedings against anybody.

Have you contacted the health service or health practitioner directly?
This is often the quickest way to resolve a complaint.

How to make a complaint about a:
> health, disability or aged care service
> health practitioner

We invite you to contact us

**AHPRA**
Australian Health Practitioner Regulation Agency
Level 5
22 Harry Chan Avenue
Darwin NT 0800
GPO Box 2958
Darwin NT 0801
1300 419 495
www.ahpra.gov.au

**Health and Community Services**
Complaints Commission
Level 5 NT House
22 Mitchell Street
Darwin NT 0800
GPO Box 4409
Darwin NT 0801
TTY 133 677 or 1800 555 677
Translate and Interpreting Service (TIS) 131 450

**HCSCC**
Health and Community Services Commission
Level 5
22 Mitchell Street
Darwin NT 0800
GPO Box 4409
Darwin NT 0801
TTY 133 677 or 1800 555 677
Translate and Interpreting Service (TIS) 131 450

**Translating and Interpreting Service**
TTY 133 677 or 1800 555 677
Translate and Interpreting Service (TIS) 131 450
What can the Australian Health Practitioner Regulation Agency do?

AHPRA receives complaints about registered health practitioners for the relevant Board. The Board registers health practitioners so they can practise their profession in Australia.

The Board will act to protect the public if:
- a practitioner's behaviour is placing the public at risk
- a practitioner is practising their profession in an unsafe way
- a practitioner's ability to make safe judgments about their patients might be impaired because of their health.

The Board might need to gather more information before it can take action.

The Board can ensure that to keep practising, the practitioner must:
- work with a supervisor
- have further education
- do or not do something to keep the public safe.

The Board can decide to talk to the HCSCC about your complaint.

For very serious matters, the Board may refer the practitioner to the Northern Territory Civil and Administrative Tribunal. The tribunal can suspend or cancel the practitioner's registration.

If you make a complaint to a Board, AHPRA is only allowed (by law) to tell you what is on the Register of Practitioners www.ahpra.gov.au/Registration/Registers-of-Practitioners. We will update you about what is happening but the National Law limits what we can say.

What can the Health and Community Services Complaints Commission do?

The HCSCC is an independent body that receives complaints about health, disability and aged care services in the Northern Territory.

You can contact the HCSCC about many things, including:
- the standard of service you received
- the way the service was delivered
- the information that was or wasn't provided to you
- how decisions were made
- issues with confidentiality
- issues around family, friends and carers
- the way a complaint was handled.

The HCSCC will listen to you. If we can't help you, we will refer you to someone else. If we are able to help you, we will work with you to resolve your complaint. This might include seeking an explanation, an apology, obtaining a refund or compensation, or changes to improve the service.

If the practitioner is a registered health practitioner, the HCSCC must talk to AHPRA and the Board about your complaint to decide whether the Board or HCSCC will manage all or part of your complaint.

More information is available at the HCSCC website at www.hcscc.nt.gov.au.

You can complain to either AHPRA or HCSCC about a:
- Aboriginal and Torres Strait Islander health practitioner
- Chinese medicine practitioner
- chiropractor
- dentist
- medical practitioner (doctor)
- midwife
- medical radiation practitioner
- nurse
- occupational therapist
- optometrist
- osteopath
- pharmacist
- physiotherapist
- podiatrist
- psychologist.

You can complain to the HCSCC about:
- health services:
  - hospitals
  - medical practices
  - ambulances
  - clinics
  - other health services (e.g. mental health services)
  - unregistered health providers such as counsellors, massage therapists, homeopathists, health practitioners
- disability services
- aged care services.