

INTERNAL PROTOCOL FOR HANDLING OF NEW COMPLAINTS

RECEIVED BY HPCSA

- All complaints received internally shall be forwarded to legal department (Snr manager's secretary).
- The secretary to the Snr manager legal department shall date stamp the complaint letters for date of receipt by legal department, and immediately forward the complaint to records section of the legal department.
- Records officials shall peruse all complaints received to check if they comply for purposes of opening a complaint file, and also record the complaint letters manually for receipt with dates of receipt.
- Complaint files shall be opened by records officials within two days from date of receipt of the complaint for all the complaints which comply. Non-compliant complaints shall be recorded in a separate manual file and General files opened for each to be follow-up by records officials with complainants for outstanding information.
- Outstanding information for non-compliant complaints shall be requested by records officials via telephone, email or the standard letter designed for this purpose.
- All complaints files shall be captured on the professional conduct PIP system on the day the file is opened, and referred to the Ombudsman's office with an indication of the date when such referral was made.
- The Ombudsman's office shall deal with the complaints referred to that office as per the following terms of reference:-
 - Upon receipt of the complaint files from the legal department, the Ombudsman shall acknowledge receipt of the complaint to the complainant within 7 working days from date of opening of the complaint file, peruse and analyse the complaint with a view to make a determination on the nature, significance and the seriousness of the complaint, and also identify those complaints which are considered minor issues of miscommunication for mediation purposes.

- All complaints which are considered minor issues of miscommunication between practitioners and patients/complainants; e.g complaints of accounts not submitted on time to medical schemes, professional jealousy, failure to complete RAF form, failure to provide medical report or to confirm the validity of a medical certificate or running itinerant practice, where abandonment of a patient by the itinerant practice with serious consequences is not at issue etc; shall be handled by the Ombudsman through the mediation process. This process may entail requesting explanation from the practitioner which shall be treated as privileged information obtained for purposes of mediation or adjudication, and therefore shall not be made available to any other committee should the matter proceed for preliminary investigation.
- The explanation for mediation or adjudication process shall be requested within 7 working days from date of opening of the complaint file, and the response shall be due within 21 working days from the seventh day of postage of the request.
- And if the above process fails to resolve the matter to the satisfaction of all the parties involved, the dissatisfied party may request the Ombudsman to refer the matter to the legal department for investigation in terms of the professional conduct process.
- All the other complaints which are considered to be of significant and serious in nature; e.g negligent or unprofessional performance of a procedure, fraud, perverse incentives, refusal to treat in an emergency situation, complaints of sexual nature etc; shall be referred by the Ombudsman to the legal department immediately upon acknowledgement of receipt of the complaint to the complainant, for investigation in terms of professional conduct process.
- Information obtained by the Ombudsman in the mediation or adjudication process shall be privileged, and as such could not be used in the professional conduct process should the matter proceed to that stage without it being resolved.