

# An Introduction to the Role, Function and Jurisdiction of the Commission



Bringing consumers and providers together to:

- **contribute to the review and improvement of health care services;**
- **promote their rights and responsibilities; and**
- **resolve complaints in a fair, just and independent way.**

The HCSCC is an independent statutory body, co-located within the Office of the Ombudsman for the Northern Territory.

## THE COMMISSION WILL DEAL WITH SERVICES PROVIDED IN:

- all areas of health services;
- services for the aged; and
- services for people with a disability.

## THIS INCLUDES:

- public and private services;
- government funded services;
- mainstream services provided by doctors, nurses, hospitals, nursing homes, allied health professionals etc;
- alternative or complementary services such as natural therapy, herbal therapy, acupuncture and massage; and
- other service providers who are not registered such as therapeutic counsellors, patient care assistants, ambulance officers, volunteers and home help.

## THE COMMISSION IS INDEPENDENT, IMPARTIAL AND WILL:

- **discuss the problem and let you know if it is the right agency to help;**
- **explain what happens when a complaint is made;**
- **encourage and assist you to resolve your complaint directly with the provider where possible and appropriate;**
- **take complaints in person, over the phone, through an advocate, representative, relative or from another health care provider; and**
- **help you to lodge your complaint in writing, and assist those with special needs such as interpreters.**

**MOST OF COMPLAINTS CAN BE RESOLVED IN THIS INFORMAL WAY**

**WE WILL TRY TO RESOLVE THE REMAINDER THROUGH FORMAL CONCILIATION IN PREFERENCE TO FORMAL INVESTIGATION, IF AT ALL POSSIBLE.**

## PRELIMINARY AND MINOR ENQUIRIES

Each complaint will be treated individually and assessed to try to find the quickest, most conciliatory and constructive way to resolve it. For example:

*“... I complained to the Commission who sent my complaint to the hospital. I accepted their apology with the assurance that the system of telling patients about their test results would be improved...”*

## CONCILIATION

The Commission is committed to helping resolve complaints in a cooperative and conciliatory way if at all possible.

Conciliation is totally voluntary and protected by *legal privilege*. This means that any information created or disclosed during conciliation cannot be used by anyone outside the process.

These provisions are designed to make conciliation a confidential (private) and effective way to openly and honestly deal with problems and reach a mutually agreeable resolution.

People often seek explanations, second opinions and some form of redress through the conciliation process.

*“... They found an independent specialist to give an opinion on my treatment. Their explanation helped me to understand what had happened and I received additional treatment for my problem...”*

## INVESTIGATION

When it is not possible or appropriate to conciliate serious and/or complex matters, the Commissioner has the powers necessary to conduct formal investigations.

The Commission **CANNOT** punish anyone, but it can refer certain matters to other authorities with disciplinary powers. It can make recommendations about the need for improvements to individuals or within the system.

*“ ... I was upset because my husband died suddenly. The Commission investigated and helped me understand why the doctor couldn't save him. They also found out the hospital was short staffed and the emergency ward was poorly equipped. Their recommendations led to improvements for staff and all future patients....”*

## OTHER PAMPHLETS PRODUCED BY THE HCSCC:

**How to Make Your Complaint and Make A Difference** - A Guide for Patients, Carers and their Representatives

**How to Deal with Complaints and The Commission** - A Guide for Health Service and Community Service Providers

## THE HEALTH & COMMUNITY SERVICES COMPLAINTS COMMISSION

Toll Free:  
**1800 806 380**

A special focus will be provided on assisting Indigenous people & those of non-English speaking background to access the Commission.

TELEPHONE INTERPRETING SERVICE (ITS)  
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