

Complaint Policy

Effective: January 2023

Introduction

doctorportal Learning Pty Ltd, trading as 'CPD Home' is a wholly owned subsidiary of the Australian Medical Association (WA) Inc.

CPD Home is available to non-exempt medical practitioners in Australia at www.cpdhome.org.au. It is not limited to members of the AMA.

Background

CPD Home is committed to ensuring that those who interact with us as subscribers, education providers, clinical experts, advisors, or service providers know they can bring to our attention if they:

- have been treated in a manner inconsistent with our code of conduct or any of our policies;
- are aware of any behaviour or interactions that are inconsistent with our code of conduct or any of our policies; or
- have identified a failing or inconsistency in a CPD Home policy, procedure or process.

As part of our commitment to good governance, ethical conduct, continuous quality improvement and acting in line with the principles of procedural fairness and natural justice we undertake in a timely manner to respond to, investigate and where practicable address or facilitate the resolution of any matter mentioned above that is the subject of a complaint.

To ensure complaints are accurately recorded and actioned in a timely manner CPD Home provides a Complaints Portal through which complainants advise of their complaint.

Purpose

This policy outlines principles and processes CPD Home employs for handling complaints.

Objective

This policy aims to provide assurance to individuals or entities making a complaint to CPD Home, and to those who may be the subject of a complaint, that they will be treated fairly and respectfully, afforded confidentiality and natural justice, and that every reasonable effort to resolve the complaint will be undertaken in a timely manner.

Scope

This policy applies to any person or entity subscribing to, providing educational content to, or engaging in business with CPD Home, who has a complaint about:

- the way they have been treated by a CPD Home staff member or decision maker; or
- a CPD Home policy, process or procedure considered to be lacking, discriminatory, unfair or unreasonable.

This policy applies to complaints made in writing (via the CPD Home Complaint Form), properly completed, and submitted via the Complaints Portal.

Policy

Complaints to CPD Home via the Complaints Portal must:

- specify the name, email address and contact details of the Complainant
- specify the details and circumstances of the complaint and all relevant facts, matters and issues the Complainant considers relevant

- include (via upload) all relevant materials, documents and evidence that the Complainant possesses that the Complainant considers relevant to the determination of the Complaint
- identify to the best of the Complainant's ability any person or entity directly involved in the matter that has given rise to the Complaint
- specify what redress or resolution the Complainant seeks
- specify if the matter that has given rise to the Complaint has been referred to or is being currently dealt with any other entity, person, or external body.

CPD Home in managing complaints will:

- record the date and nature of the complaint;
- advise the Complainant with 10 days of receipt of their complaint and that upon initial assessment further contact will be made to advise the outcome of the assessment and next steps;
- respond to complaints in a professional and timely manner;
- not progress any complaint referred to or being dealt with by any other entity, person, or external body;
- take all reasonable steps to protect and respect the confidentiality of the people involved in a complaint, and not reveal any personal details except where it is necessary for investigating and resolving the complaint;
- assess what action is required to best resolve the matter;
- advise the Complainant of the outcome of the assessment of their complaint, including:
 - whether further action is warranted;
 - if applicable, to whom within CPD Home, it has been referred to for action or investigation;
 - if applicable, what the next steps to be taken are;
- base any decisions regarding the complaint on relevant evidence, not suspicion, gossip or rumour;
- apply the principles of procedural fairness and natural justice across all affected parties; and
- consider any complaint with fairness and objectivity;
- if applicable, advise the Complainant of:
 - the outcome of any investigation undertaken and determination/s made in response to the complaint;
 - any further recourse open to them if not satisfied with the outcome;
- implement any determined actions to resolve or bring the matter to a close.

Roles and Responsibilities

The CEO will be ultimately responsible for ensuring the appropriate management of complaints, but in the first instance will delegate the responsibility to a Complaints Officer.

All complaints received via the Complaints Portal will be assigned to a Complaints Officer. The Complaints Officer in a timely manner will assesses all complaints received via the Complaints Portal and communicate with the Complainant regarding the receipt of the complaint, the outcome of the initial assessment, and what, if any, next steps to resolve the matter will be undertaken.

Depending on the seriousness of the complaint, the Complaints Officer may refer the complaint to Senior Management, including the CEO, for further action to address and/or resolve the matter. The Senior Manager or CEO may either advise the Complaints Officer on the action to be taken or take over the management of the complaint.

All complaints received via the Complaints Portal will be recorded on a Complaints Register. The Complaint Register will list the date the complaint was received, the date receipt of complaint acknowledged, outcome of initial assessment, whether further investigation is warranted, the

outcome of any investigation, the date complainant advised of outcome, and the status of the complaint. The Complaint Register will also record the name and contact details of the complainant, but these details will only be available to Complaints Officer managing the complaint.

The Complaint Register will be utilised to compile an annual report to the Board on the number, nature, status and outcomes of complaints received. This report will inform the CEO and the Board in reviewing the management of complaints and assessing if any modifications to operations or policies, procedures or processes may be required.

The Complainant must not make a complaint if:

- the matter that has given rise to the intended complaint would be better addressed under the Whistleblower Policy or the Reconsideration, Review and Appeals Policy; or
- if the complaint is being made with the intention of being frivolous, malicious or vexatious.

Action

In responding to a Complaint CPD Home may:

- note the complaint;
- reject the complaint if assessed as being frivolous, malicious or vexatious;
- investigate the complaint, advising the outcome and any action to be taken to resolve the matter or as a consequence; and
- where appropriate, facilitate a resolution of the matter with the complainant and/or between the complainant and the person or entity directly involved in the matter that gave rise to the complaint.
- take action to fix the matter or correct an incorrect application of our policies or procedures
- apologise to you;
- give you more information about how your matter was managed or a further explanation of our policies or procedures; and
- undertake to review our practices, policies or procedures.

Related Documents / Legislation

The following documents are related to this policy.

1. AMA (WA) Code of Conduct
2. CPD Home Reconsideration, Review and Appeals Policy
3. CPD Home Whistleblower Policy

Appendices

1. Glossary

Version Tracking

Version	Date	Comments
1.0	December 2022	

Appendix 1

Glossary

Term	Definition
Appeal	Of a decision, to be undertaken by an Appeals Committee, an ad-hoc committee of the AMA (WA) Board.
Applicant	Any Subscriber or Education Provider directly affected and unsatisfied with an CPD Home decision who applies to have the decision reviewed, reconsidered or appealed.
Aphra	Australian Health Practitioner Regulation Authority
Certified Learning Provider	A learning provider who is certified by CPD Home, and can apply for accreditation of a CPD activity for listing in the CPD Learning catalogue.
Conflict of Interest	<p>A conflict of interest occurs when a person's personal interests' conflict, or could be perceived to conflict, with their responsibility to act in the best interests of CPD Home.</p> <p>Conflict of interests may be:</p> <ul style="list-style-type: none"> • Real – where a direct conflict exists between the decision maker and their duty to act in the best interests of CPD Home. • Apparent – where it appears or could be perceived that personal interests are influencing the decision maker to not act in the best interests of CPD Home. • Potential – where personal interests are not currently but could come into conflict with their duty to act in the best interests of CPD Home.
CPD Advisory Panel	Panel of medical advisers which provides advice to the AMA (WA) CEO and senior leadership team regarding the CPD Home Program.
CPD Home 'Catalogue'	This is the catalogue of learning modules and readings available to CPD Home subscribers.
CPD services	Carrying out 'CPD Home' related functions or activities offered to subscribers.
CPD Tracker	Online tracking tool enabling subscribers to record courses, events and other completed CPD activities. Each CPD activity record includes the length of time, area for self-reflection and optional storage of learning evidence.
Learning Providers	Entities who deliver education or learning to doctors.
CPD Home Executive	Includes the AMA (WA) CEO, Chief Operating Officer and Chief Financial Officer
CPD Home Managers	Line managers responsible for a particular area of the CPD Home business.
CPD Home Program of Learning	The CPD Home Program of Learning (CPD Program) provides a pathway for Australian registered medical specialists, international medical graduates, PGY2+ trainees and non-vocationally registered doctors to engage in an accredited CPD program. From 1 January 2023, the CPD Program is a mandatory program for subscribers to the CPD Home service.
CPD Home Staff	Includes employees or contracted consultants, legal or financial professionals acting for CPD Home
CPD requirements	<p>Means CPD requirements against the Standard, as follows:</p> <ul style="list-style-type: none"> • develop a written annual professional development plan; • complete a minimum of 50 hours per year of CPD activities that are relevant to your scope of practice and individual professional development needs;

	<ul style="list-style-type: none"> • allocate your minimum 50 hours per year between the following types of CPD activities: <ul style="list-style-type: none"> ◦ at least 12.5 hours (25 percent of the minimum) in educational activities; ◦ at least 25 hours (50 per cent of the minimum) in activities focused on reviewing performance and measuring outcomes, with a minimum of five hours for each category; and ◦ the remaining 12.5 hours (25 percent of the minimum), and any CPD activities over the 50-hour minimum across any of these types of CPD activity, including any relevant specialty high-level requirements; • self-evaluate your CPD activity at the end of the year as you prepare your professional development plan for the next year; and • retain records of your annual CPD activity for audit by your CPD home and the Board for three years after the end of each one-year cycle.
CPD Year	The CPD Year is 1 January to 31 December.
Complaint	Dissatisfaction or concern about the conduct or actions of CPD Home expressed in a written complaint submitted via the CPD Home Complaint Form by a: <ul style="list-style-type: none"> • Subscriber to CPD Home services; • CPD Home Education or Service Provider; or • Member of an CPD Home decision making or advisory entity.
Complaints Officer	A CPD Home staff member trained in complaints handling and delegated the responsibility for managing a complaint.
Cooling off period	A 14 day period in which the subscriber can change their mind about subscribing without penalty.
CSV File	Comma Separated Value - A electronic file in which the data in each data field is separated by a comma.
Decision maker	Any person or persons making decisions for or on behalf of CPD Home.
Deferral	An extension of time, up to three months from the end of the CPD Year, in which to complete the CPD requirements for that CPD Year. The deferred CPD activities to be undertaken concurrently with the current CPD Year requirements.
eDM	Electronic Direct Mail
Exemption	CPD requirements for the CPD Year are waived.
Exit Poll	A series of questions to ascertain reasons for subscription cancellation and identify areas for improvement.
Frivolous report or complaint	The matter giving rise to the report or complaint is minor or trivial, vague or poorly explained inhibiting its investigation, or unable to be substantiated?
Learning Management System (LMS)	Online system used to deploy, track and report completion of learning activities measured against the CPD Program.
Malicious report or complaint	A report or complaint that appears to be motivated by a purpose that is dishonest and intended to cause harm.
Outgoing Subscribers	Subscribers who are moving to a different CPD home provider.
Parent Entity	doctorportal Learning Pty Ltd, trading as 'CPD Home' is a wholly-owned subsidiary of the Australian Medical Association (WA) Inc.
Participating Subscribers	Subscribers to CPD Home who do not have an exemption and who by default are participating in the 'CPD Program'

Personal information	Personal information includes a broad range of information such as name, gender, contact details, financial information and may also include other personal information (e.g. professional details) or an opinion, that could identify an individual. What is personal information will vary, depending on whether a person can be identified or is reasonably identifiable in the circumstances.
Personal interest	Personal interests include where the decision maker or a person or organisation affiliated with them would receive a benefit or incur a detriment because of the decision being made. That benefit or detriment could be financial or non-financial.
Point-in-Time Snapshot	A Point-in-Time snapshot is a copy of a storage volume, file or database as they appeared at a given point in time and is used as a method of data protection. In the event of a failure, data can be restored from the most recent snapshot before the failure.
Procedural matters	Refer to an application for a Review or Appeal of a CPD Home decision.
Professional details	Professional details include information such as qualifications, scope of practice, specialty or specialties, employment information (status, type, role), and educational/supervisory/research activities.
Sensitive information	Sensitive information is personal information that includes information or an opinion about an individual's: <ul style="list-style-type: none"> • racial or ethnic origin • political opinions or associations • religious or philosophical beliefs • trade union membership or associations • sexual orientation or practices • criminal record • health or genetic information • some aspects of biometric information
Subscribers	Subscribers to CPD Home may be members of the AMA or non-member medical practitioners who have selected us as their CPD Home.
Reconsideration	Of a decision, to be undertaken by the original decision maker
Review	Of a decision, to be undertaken by a Review Panel
Review Panel	A panel comprised of three people chosen at the discretion of the CEO or their delegate for purpose of reviewing a decision under the Review, Reconsideration and Appeals Policy. The Review Panel shall not include a member who participated in the original decision or its reconsideration, or who otherwise has, or is perceived to have, a conflict of interest.
Register of Interests	A record of declared or identified conflicts of interests listing to whom they apply, the nature and extent of the conflict and any steps taken to address it.
the Standard	<i>MBA Registration Standard: Continuing Professional Development</i>
Variation	The hours for each domain of CPD activity as per the Standard for the CPD Year are proportionally reduced to reflect the period where the subscriber did not practise medicine.
Vexatious report or complaint	A report or complaint that is falsely made, unwarranted or made repetitively, or made for some other collateral purpose such as to cause delay or disruption, gain leverage or cause disadvantage or to harass or annoy.