

# Disrespect toward patients

## Insights to reduce risk

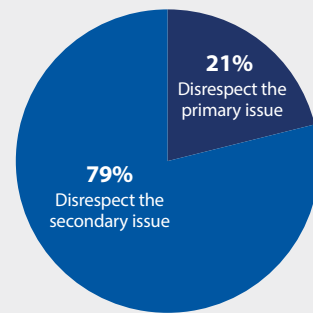
### Key messages

- Disrespect toward patients, particularly in communication, is an allegation or concern that is commonly raised in claims.
- The frequency of this concern demonstrates the value patients place on their interactions with doctors.
- The results highlight the necessity of keeping thorough patient records to assist you should you face a complaint. This may be particularly helpful if you are unable or unwilling to provide what the patient has requested.

## 1 in 8 claims involved disrespect toward patients

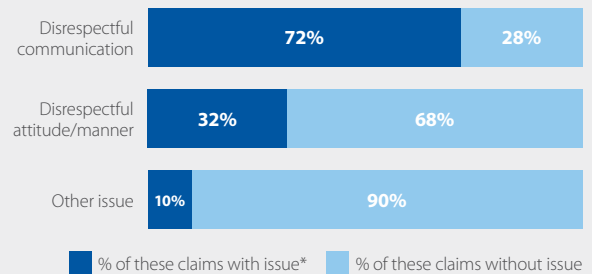
### In most of these claims, concerns about disrespect were secondary to another issue.

- Claims often involve more than one issue.
- In four-fifths of claims involving disrespect toward patients, the primary focus was on another issue (e.g. patient management or treatment, diagnosis).



### Disrespectful communication was a common concern in these claims.

- In claims involving disrespect toward patients, disrespectful communication was the most common concern (e.g. the patient felt the doctor spoke rudely to them or ignored them).
- The doctor's attitude or manner was also a concern (e.g. the patient thought the doctor was arrogant or inconsiderate).

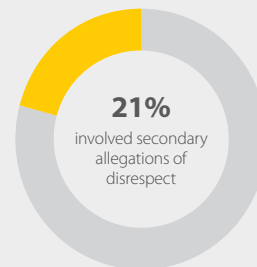


\* Some claims had more than one issue.

### Allegations of disrespect were common in claims focused on patients' requests/preferences not being met.

- In claims primarily focused on patients not having their requests or preferences met, a secondary allegation of disrespect was more than twice as common than in claims focused on other issues.
- Of the claims with both these issues:
  - most centred on provision of a treatment plan (e.g. a mental health care plan), prescribing (especially drugs of dependence), or assessments of capacity/illness (e.g. medical certificates).
  - none had the primary issue or the allegation of disrespect substantiated in the subsequent medico-legal review.

#### Claims primarily about a patient's requests/preferences not being met



#### Claims primarily about other issues<sup>^</sup>



<sup>^</sup>Excluding claims primarily about disrespect toward patients.

See back page for more about this analysis.

## About this analysis

This report is based on our analysis of the underlying themes in 3,089 indemnity claims, including complaints to regulators and compensation claims for Avant member doctors from all specialties, finalised between July 2019 and June 2020.

There were 386 claims involving disrespect toward patients; the vast majority were complaints to regulators.

Claims were classified as involving disrespect if the main issue alleged, secondary allegations and/or contributing factors in the claim included a concern about a doctor's lack of respect or consideration for a patient's values, preferences, autonomy, expressed needs, comfort and/or quality of life and/or disrespectful communication with a patient.

There were 278 claims classified as being primarily about a patient's requests or preferences not being met and 2,729 claims classified as being primarily about other issues (not including the 82 claims for which disrespect toward patients was the primary issue).

For any queries please contact us at [research@avant.org.au](mailto:research@avant.org.au)

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IMPORTANT: Avant routinely codes information collected in the course of assisting member doctors in medico-legal matters into a standardised, deidentified dataset. This retrospective analysis was conducted using this dataset. The findings represent the experience of these doctors in the period of time specified, which may not reflect the experience of all doctors in Australia. This publication is not comprehensive and does not constitute legal or medical advice. You should seek legal or other professional advice before relying on any content, and practise proper clinical decision-making with regard to the individual circumstances. Persons implementing any recommendations contained in this publication must exercise their own independent skill or judgement or seek appropriate professional advice relevant to their own particular practice. Compliance with any recommendations will not in any way guarantee discharge of the duty of care owed to patients and others coming into contact with the health professional or practice. Avant is not responsible to you or anyone else for any loss suffered in connection with the use of this information. Information is only current at the date initially published (June 2021). © Avant Mutual Group Limited 2021. MJN-721 05/21 (DT-1954)

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