

# Claims and complaints insights

## General surgeons

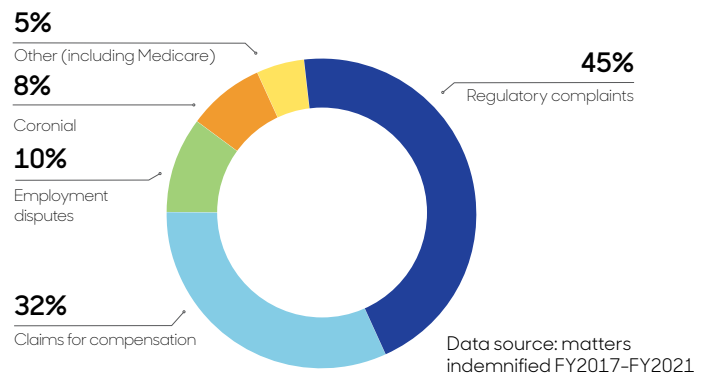


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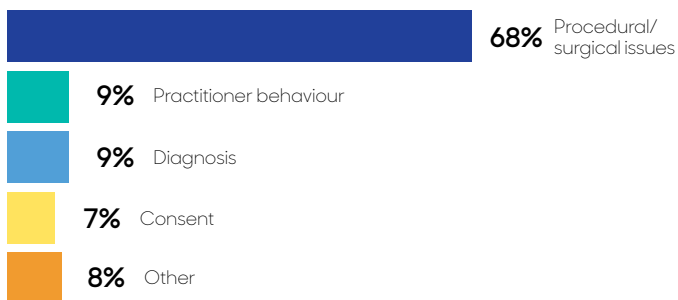
Avant general surgeon members had a matter raised about the provision of their care.  
Five year average FY2017-FY2021

Data source: matters indemnified FY2017-FY2021

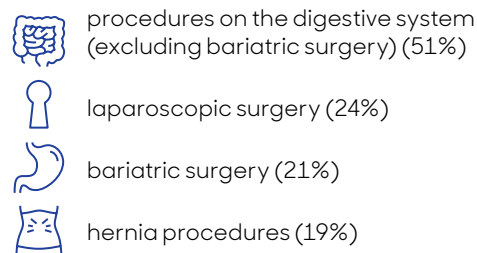
The types of matters Avant assisted general surgeons with included:



### Regulatory complaints and compensation claims against general surgeons related to:



### The nature of procedures commonly seen in procedural/surgical matters



(% out of total procedural/surgical matters shown)

### The stage of care during which procedural/surgical issues occurred

**19%** Pre-operative  
(e.g. improper selection of surgical procedure)

**60%** Intra-operative  
(e.g. poor surgical performance)

**21%** Post-operative  
(e.g. poor post-operative performance; delay/failure to diagnose complication)

### Other matters

**Allegations relating to practitioner behaviour included:** failure to communicate results, inappropriate communication or disrespectful behaviour with a patient and boundary issues.

**Allegations relating to diagnosis included:** failure or delay in diagnosing a condition or a misdiagnosis.

**Allegations relating to consent included:** inadequate discussion about risks involved and not obtaining consent for specific treatments or procedures.

### Assessment of the care provided

General surgeons were assessed to meet the standard of care in procedural/surgical matters more than in other matters.

#### Procedural/surgical matters



#### Other matters



● Met the standard of care      ● Below standard

### Key points

- Procedural/surgical issues were the primary sources of complaints and claims for general surgeons.
- 51% of procedural/surgical allegations involved procedures on the digestive system (excluding bariatric surgery).
- Other common procedural/surgical allegations arose with laparoscopic surgery and bariatric surgery.
- General surgeons were more likely to meet the standard of care expected in matters relating to procedural/surgical issues compared to other matters.

## Glossary

- General surgeons are classified as those who hold FRACS or equivalent recognised qualification in general surgery.
- Claims refers to claims for money, compensation and civil claims.
- Complaints relates to formal complaints to regulators.
- Matters include claims, complaints, coronial cases and other matters such as employment disputes and Medicare.
- Employment disputes are matters where Avant defends members against complaints or supports members to resolve employment issues.
- Medicare matters include Medicare investigations and audits.

## Resources

If you receive a claim or complaint, contact us ([avant.org.au/MLAS](mailto:research@avant.org.au)) on 1800 128 268 for expert medico-legal advice on how to respond – available 24/7 in emergencies.

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



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