



**ATMS**

Australian Traditional-  
Medicine Society



# White Paper 3

Preventing and Managing  
Client Complaints

*in Collaboration with GSA (Our Insurer)*

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# Executive Summary

Client complaints can significantly impact a practitioner's reputation, confidence, and professional standing. This white paper provides evidence-based strategies for preventing complaints and a clear process for managing them when they arise. It integrates real regulator case examples with practical ATMS guidance, ensuring members are equipped to respond confidently and professionally.

With rising consumer expectations and easily accessible complaint pathways, practitioners must adopt proactive communication, ethical boundaries, and robust documentation. Where complaints do occur, effective management is essential to maintain trust, comply with regulatory obligations, and protect professional indemnity coverage.

Whether you are a new graduate or an experienced practitioner, this white paper provides practical tools, regulator-backed guidance, and insurer insights to help you handle complaints with professionalism and care.



**Annie Gibbins**  
Chief Executive Officer.



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# 1. Introduction

Complaints are an inevitable part of professional practice. Even when care is delivered ethically and competently, misunderstandings, unmet expectations, or complex client dynamics may lead to dissatisfaction.

ATMS requires all members to comply with the ATMS Code of Conduct ([link](#)), which sets expectations for professional behaviour, communication, consent, boundaries, and record-keeping.

The way a complaint is handled often determines its outcome:

- Poorly managed complaints can escalate to insurers, regulators, or legal processes.
- Well-managed complaints can lead to resolution, improved trust, and stronger client relationships.

This paper outlines how to prevent complaints, manage them effectively, and comply with legal and insurer obligations.



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## 2. Legal and Regulatory Framework

Client complaints in Australia may be managed under several regulatory frameworks.

### 2.1 AHPRA and National Boards

For AHPRA-registered professions (for example, acupuncture, Chinese medicine, osteopathy, chiropractic), complaints are handled through the Australian Health Practitioner Regulation Agency (AHPRA) ([www.ahpra.gov.au](http://www.ahpra.gov.au)) and the relevant National Board.

### 2.2 State and Territory Health Complaints Bodies

For self-regulated professions (for example, naturopathy, massage therapy, nutrition), complaints are usually handled by state-based agencies:

- NSW: Health Care Complaints Commission (HCCC) – [link](#)
- QLD: Office of the Health Ombudsman (OHO) – [link](#)
- VIC: Health Complaints Commissioner (HCC) – [link](#)
- SA: Health and Community Services Complaints Commissioner – [link](#)
- ACT: Human Rights Commission – [link](#)



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- WA: Health and Disability Services Complaints Office (HaDSCO) – [link](#) (legislation passed 2021, awaiting full proclamation of the National Code)
- TAS: Office of the Health Complaints Commissioner – [link](#) (passed 2024, awaiting commencement)
- NT: Health and Community Services Complaints Commission – [link](#) (consultation underway, not yet enacted)

### 2.3 Australian Consumer Law (ACL)

The Australian Competition and Consumer Commission (ACCC) enforces ACL, prohibiting misleading or deceptive conduct in advertising and requiring fair dealings with consumers. Complaints can escalate to the ACCC where breaches occur ([www.accc.gov.au](http://www.accc.gov.au)).

### 2.4 Therapeutic Goods Administration (TGA)

Where advertising involves therapeutic goods (for example, supplements, herbal products), the TGA Advertising Code applies. Breaches may result in complaints, fines, or court action ([www.tga.gov.au](http://www.tga.gov.au)).

### 2.5 National Code of Conduct for Healthcare Workers

For self-regulated professions, the National Code of Conduct for Healthcare Workers sets enforceable standards. Breaches can lead to prohibition orders preventing practitioners from practising ([NSW Code](#)).



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## 3. Preventing Client Complaints: Proactive Strategies

While some complaints are unavoidable, many can be prevented through clear communication, professional boundaries, accurate documentation, and ongoing learning.

### 3.1 Communicate Clearly and Consistently

- Clarify treatment expectations, outcomes, and limitations.
- Use informed consent processes, revisiting consent as treatment evolves.
- Document key discussions and client concerns.

#### Case Example

The Missed Expectation — A naturopath did not explain treatment timelines clearly. The client expected immediate results and lodged a complaint.

**Lesson:** Set clear expectations upfront and document consent.



### 3.2 Maintain Strong Professional Boundaries

- Avoid dual relationships (personal and professional)
- Use professional language and conduct.
- Stay within therapeutic scope.

#### Case Example

The Friendly Line Crossed — A massage therapist blurred personal and professional boundaries. The client misinterpreted rapport as inappropriate conduct.

**Lesson:** Maintain firm therapeutic boundaries and advice from peers when needed.

### 3.3 Ensure Accurate Documentation

#### Best Practice Documentation Includes

- Client history: relevant medical and lifestyle details
- Presenting symptoms / reason for visit
- Consent: signed or verbal (with date/time recorded)
- Assessment findings: clinical observations, test results, or palpation notes
- Treatment provided: techniques, dosage, duration, and areas treated
- Home care or advice: stretches, hydration, or follow-up instructions
- Progress notes: for continuity of care



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## **Secure Record Storage**

- Maintain confidentiality in line with privacy legislation and association policy.
- Store files in locked cabinets (for paper) or password-protected, encrypted systems (for electronic records).
- Retain records for the legally required period (often 7 years after last treatment, or until the client is 25 if treated as a minor).
- Limit access to authorised personnel only.

## **3.4 Invest in Ongoing Professional Development**

- Attend training on ethics, scope, and communication.
- Engage in peer supervision and reflective practice.
- Stay updated on regulatory changes.

### References:

- Australian Privacy Principles (APPs) in the Privacy Act 1988 (Cth)
- Health Records and Information Privacy Act 2002 (NSW) or equivalent state/territory acts
- Professional indemnity and association requirements (e.g. ATMS, AHPRA, GSA etc.)



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## 4. Managing Complaints: A Step-by-Step Process

Even with best practice, complaints may arise. A structured approach helps contain risk.

**Step 1:** Acknowledge — Respond promptly and respectfully.

**Step 2:** Review — Assess records, expectations, and communication.

**Step 3:** Resolve — Clarify misunderstandings, offer modifications, or refunds (after insurer advice).

**Step 4:** Document — Record the complaint, response, and outcome.

**Step 5:** Reflect — Identify lessons and improve systems.

### Case Example

The Unacknowledged Bruise — A client reported bruising after massage. The practitioner delayed responding and dismissed the concern. The client escalated to ATMS.

**Lesson:** A prompt, empathetic response may have prevented escalation.



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# 5. Regulator Case Examples

## 5.1 Boundary Breaches (NSW HCCC)

In New South Wales, the Health Care Complaints Commission (HCCC) has issued permanent prohibition orders where practitioners repeatedly failed to maintain professional boundaries. For example, one order stated:

“The respondent is prohibited from offering or providing the health service because of sustained failure to maintain professional boundaries, engaging in conduct that could exploit client vulnerability.”

[🔗 HCCC Prohibition Orders](#)

**Lesson:** Boundary violations, even when not overtly sexual, can escalate to permanent prohibition if repeated or serious.



## 5.2 Misleading Advertising (TGA and ACCC)

In 2023, the Therapeutic Goods Administration (TGA) issued infringement notices totalling AUD \$159,840 against a clinic advertising medicinal cannabis products using testimonials and unsubstantiated claims of guaranteed results. The breaches related to the Therapeutic Goods Advertising Code (Part 6: testimonials, endorsements, and implied claims).

### [🔗 TGA Enforcement Actions](#)

Separately, the ACCC fined a business AUD \$37,800 for using fabricated customer endorsements in online promotions, finding that such conduct breached the Australian Consumer Law prohibition on misleading or deceptive conduct.

### [🔗 ACCC Media Releases](#)

**Lesson:** Testimonials and claims must be truthful, not exaggerated, and never imply guaranteed efficacy. Misleading or fabricated testimonials attract substantial fines.



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## 6. When to Notify GSA Insurance Brokers

ATMS professional indemnity insurance (through GSA) requires early notification.

You should consider notifying your insurer upon or immediately after:

- You receive the complaint (in writing or formally) from a patient, client, or regulatory body.
- You learn of an allegation that could lead to a complaint or claim, even if no formal action has yet been taken.
- You become aware of facts, internal reports, or issues suggesting a professional error, omission, breach of duty, or negligence.
- You anticipate that the complaint process may escalate (e.g. to a formal investigation, arbitration, licensing body, or court).

### **Do not:**

- Admit fault or liability.
- Offer refunds without insurer advice.
- Attempt to manage serious complaints without support.

 [GSA Insurance Brokers](#)



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## **7. Compliance Checklist**

- ✓ Communicate expectations and revisit consent.
- ✓ Maintain professional boundaries.
- ✓ Document all sessions and discussions.
- ✓ Engage in ongoing CPD and supervision.
- ✓ Respond promptly and empathetically to complaints.
- ✓ Notify GSA early for potential claims.
- ✓ Refer to regulator and ATMS Codes for guidance.



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## 8. Conclusion

Complaints are not always avoidable, but they are manageable. By adopting proactive strategies, responding professionally, and meeting legal and insurer obligations, ATMS members can protect their practice, maintain trust, and contribute to the integrity of the natural medicine profession.

*“Our vision is a healthcare system where every qualified traditional medicine practitioner, whether self-regulated or registered, is respected, accountable, and empowered to deliver safe, high-quality care.” — Annie Gibbins, CEO, ATMS*



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## 9. About ATMS

The Australian Traditional-Medicine Society (ATMS) is the leading professional association for natural medicine practitioners in Australia. Founded in 1984, the ATMS has been at the forefront of advocating for, supporting, and promoting high standards in natural healthcare for over 40 years. Our members include accredited practitioners, students, and industry professionals committed to delivering safe, effective, and evidence-informed natural medicine.

As a not-for-profit, membership-based organisation, the ATMS is dedicated to ensuring professionalism, ethical practice, and continued education within the natural medicine industry. We engage with government bodies, regulatory agencies, and industry partners to advance the recognition of natural medicine and advocate for policies that support our members and the wider community.

ATMS exists to:

- Promote natural medicine as a vital part of Australia's healthcare system.
- Represent practitioners at all levels of government, industry, and regulation.
- Support members by providing education, professional development, and advocacy.
- Encourage the highest standards of professionalism and ethical practice.



# ATMS

We believe in freedom of choice in healthcare and work to ensure that natural medicine remains accessible, recognised, and respected.

## OUR VALUES

### Integrity

- We build trust through responsible action.
- We embrace freedom of choice and respect diversity in healthcare.

### Excellence

- We strive for the highest standards in practice, education, and research.
- We continuously adapt, learn, and grow to meet the evolving needs of our members.

### Leadership

- We advocate, collaborate, and engage with government and industry stakeholders.
- We aspire to lead through innovation, research, and professional support.

### Passion

- We believe in the power of natural medicine to improve lives.
- We honour traditional principles while embracing evidence-informed practice.

### Member-Focused

- We prioritise the growth, success, and recognition of our members.
- Our members are at the heart of everything we do.



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## 10. Contact Us

 Website  
[atms.com.au](http://atms.com.au)

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### References

- AHPRA: [www.ahpra.gov.au](http://www.ahpra.gov.au)
- HCCC NSW: [www.hccc.nsw.gov.au](http://www.hccc.nsw.gov.au)
- Qld OHO: [www.oho.qld.gov.au](http://www.oho.qld.gov.au)
- Vic HCC: <https://hcc.vic.gov.au>
- SA HCSCC: <http://www.hcsc.sa.gov.au>
- ACT HRC: <https://www.hrc.act.gov.au>
- WA HaDSCO:  
<https://www.hadsco.wa.gov.au>
- Tasmanian consultation: [link](#)
- NT HCSCC: <http://hcsc.nt.gov.au>
- ACCC: [www.accc.gov.au](http://www.accc.gov.au)



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