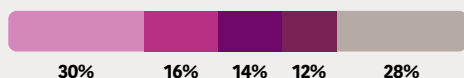


# Career Stage in Focus: New to Private Practice

This report brings together key data and practical case studies for doctors in their first 5 years of private practice. It provides insight into the risks and trends. It is designed to help you benchmark your experience, strengthen decision-making and highlight actionable ideas that support safer, more confident practice.

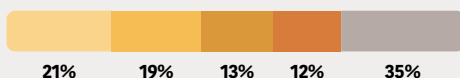
## Incidents & Claims Insights | 1 July 2016 — 30 June 2025

### Top 4 Incident Types



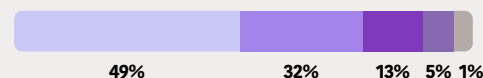
- General Duty of Care Issues
- Diagnosis
- Legal Issues
- Post-op Complication
- Other

### Top 4 Claim Types



- Patient Letter/Complaint
- Medical Board Inquiry
- Complaints OHR/HSC
- Notification of Incident
- Other

### Top 4 Case Types



- Investigation
- Incident
- Claim
- Legal Costs
- Other

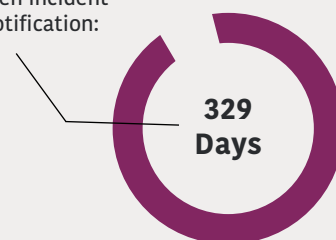
The rate of cases across all doctors in their first five years of private practice has **dropped**:



The rate of notifications **increases** gradually across the first five years of private practice:



**Average time** between incident and notification:



## Key themes from MDA National case data



### General duty of care

Duty of care matters are common across all specialties. Alleged incidents in this area include:

- A lack of communication
- Poor management or care of patient
- Missed diagnosis
- Poor behaviour/manner
- Lack of referral

In most cases these take the form of a patient complaint which can be escalated to a Board inquiry or Health Services Commissioner.

Complaints generally relate to diagnosis, post-operative complications, medication issues and dissatisfaction with treatment outcomes.

Approaches to reduce potential incidents include:

- Communicating effectively, which is important for positive doctor-patient relationships
- Encouraging patients to ask questions and clarify information
- Understanding your obligations regarding follow-up care and referring on
- Identifying factors that can impact a patient's perception of care, including approach, body language, personal biases, cultural differences and beliefs
- Knowing your role in the complaints process



### Employment matters

Many legal issues reported to MDA National pertained to employment matters including:

- Contract disputes: termination, remuneration, entitlements, hours, lack of contract
- Practice management: staffing, ownership, billing
- Workplace behaviour: bullying, misconduct, practice behaviour

To assist in avoiding potential claims around employment it is important to:

- Ensure you have a contract, and understand the nature of the agreement (e.g. are you an employee or contractor?)
- Understand the remuneration structure (salary or billings based, entitlements, bonus)
- Ensure you have access to and review any worksite policies
- Understand the patient load and implications on remuneration
- Understand any provisions for leave, practice closure, termination, restraint of trade, patient notification etc.

## Case Scenario 1\*

A member of MDA National had worked at a practice as an independent contractor on a percentage basis. They contacted MDA to help them recover unpaid remuneration.

The member had unsuccessfully attempted to contact the owner of the Clinic, leaving them with no explanation for the delay nor an apology.

Our member sought reimbursement of costs, compensation for the financial struggle resulting from the delay and an apology.

- MDA National requested and reviewed copies of all communications with the owner, payslips and their employment contract.
- Following review, we prepared a letter of demand to the practice seeking payment of the overdue money.
- We provided comprehensive advice to our member on the likely outcome as well as compensation issues.
- All outstanding payments were made and our member advised that they did not wish to pursue any other complaints.
- Our member was very happy with the outcome which MDA had achieved within a month of first contacting us.

## Case Scenario 2\*

An MDA National member worked as an employee at a GP practice for over 20 years, but they had no formal written contract in place.

The member was seeking superannuation benefits and to take long service leave.

- MDA National engaged solicitors to assist our member in understanding their employment rights and entitlements.
- MDA assisted with collecting and collating employment records and prepared an informal offer, which sought a payout agreement for accrued long service leave.
- Within two months of contacting MDA for assistance, our member had accepted an offer, achieving a positive outcome.

Early notification ensures that tailored advice and support are available when you need it most. It also helps us prepare effectively should the matter progress.

Members have access to individualised advice and support and Member benefits. Non-members have limited access to our library of resources and education content.

## Looking for more info?

MDA National has resources to support you in areas like consent, medical documentation and complaints. Explore the links below or [check out our full range of educational materials](#).

### Case Studies & Articles

- [Leaving a group practice](#)
- [Contracts – What You Need To Know](#)
- [A brief guide to setting up in private practice](#)
- [Workplace harassment](#)
- [When There is Nothing Casual in a Casual Position](#)
- [Navigating Workplace Rights – Employers Beware](#)
- [The doctor or the practice – who should respond to a patient complaint?](#)
- [Dealing with the stress of litigation and complaints](#)
- [Understanding the complaints process](#)
- [Managing patient complaints](#)

### Learning Activities

- [Understanding changes to the Fair Work Act](#)
- [Introduction to Open Disclosure](#)
- [Informed consent challenges](#)
- [The challenging emotions of difficult news](#)
- [Practicalities of Medicare](#)
- [Noteworthy: The how, what, where and why of medical documentation](#)
- [Early Career Doctors: Communication in healthcare teams](#)
- Check [MDA National LMS Catalogue](#) for more online and face to face workshop dates and times

Please contact [advice@mdanational.com.au](mailto:advice@mdanational.com.au) or call us on 1800 011 255 for more information. Members can access our [Member Online Services](#), [Support in Practice](#) or our [LMS](#) for information and education content.

### Want more tailored information?

Scan QR code or visit [mdanational.com.au/specialist](http://mdanational.com.au/specialist)

