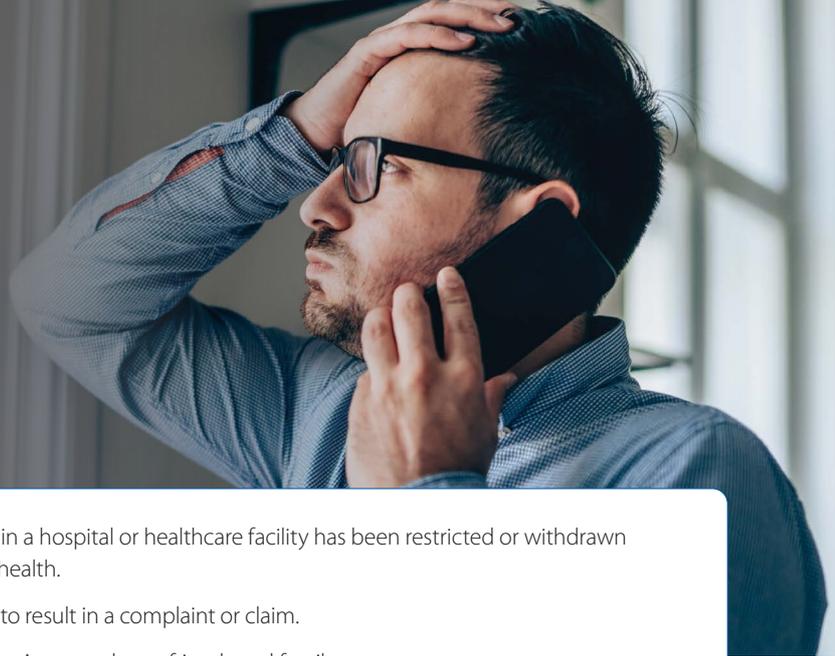


Avant factsheet:

Suspension from practice



- You must notify the Medical Board if your right to work in a hospital or healthcare facility has been restricted or withdrawn because of your conduct, professional performance or health.
- You must notify Avant if an incident occurs that is likely to result in a complaint or claim.
- This is undoubtedly a stressful time so seek support from Avant and your friends and family.

When suspended from practice

Suspension, either from a hospital or practice, is a highly stressful event. Whatever the circumstances of your suspension, you are likely to be experiencing a range of emotions including frustration, self-doubt, anger, and/or anxiety about your personal and professional future. You may also experience embarrassment and humiliation. Some doctors even fear informing their family about what has happened to them.

As an Avant member subject to a disciplinary investigation or suspension, once your claim has been accepted you will have a claims manager and medico-legal experts working to obtain the best outcome for you.

Because of the often unexpected and immediate nature of a decision suspending a doctor from practice, there may be little time to make clear plans about what happens next, and what you should or should not be doing. The following are some actions you might wish to consider.

Speaking with others

Your letter of suspension is likely to direct that you do not speak with anyone about the matter. This does not prevent you from speaking with Avant or another chosen representative about the reasons for your suspension and it does not prevent you from speaking with your work colleagues about matters unrelated to the reasons for your suspension.

Other actions that may arise

Depending on the reason for the suspension, the issues may be considered by an external regulator as well as your employer. For example:

- Your employer may notify the Medical Board.
- If the matter has the potential to be a criminal offence, the police may wish to speak with you.
- The matter may be referred to the coroner.
- The matter may be referred to the credentialing committee at your hospital.

Your Avant medico-legal experts will consider the entire context of the matter when advising you.

Your personal belongings

You may wish to collect any significant personal belongings, so they do not inadvertently go missing while you are away from work. If you wish to collect personal belongings, you should telephone your supervisor to arrange this or you could ask your lawyer to make the call.

Personal mail / email

You may wish to arrange for personal mail (for example, journal subscriptions) to be forwarded to you at home in the immediate term. In the longer term, you should arrange for personal mail to be sent to your home or another suitable address.

You may wish to arrange for an out of office message to be placed on your email. If possible, the message could ask that personal email (for example, from conference organisers or co-researchers or Ahpra) be sent to your personal email address.

Leave during the period of your suspension

During your period of suspension, you must remain available to assist your hospital or practice with its inquiries and/or investigation. This does not prevent you from going about your normal business and making plans. However, it does mean that you should not take holidays without seeking approved leave.

If you wish to take leave, you should submit a leave application form in the usual way.

Financial arrangements

You may wish to consider whether you need to make any changes to your personal financial arrangements during your period of suspension.

Notification to the Medical Board and other parties

If your right to practise in a hospital or healthcare facility is restricted or withdrawn because of conduct, professional performance or health, the Health Practitioner Regulation National Law states that you must notify the Medical Board within seven days.

You may have an obligation to notify other parties of the suspension (for example, private hospitals at which you are accredited to work).

Notification to Avant

Most professional indemnity insurance providers, including Avant, provide indemnity policies on a 'claims made' basis. This means you must notify your insurer of any incidents likely to result in a medico-legal claim. The circumstances resulting in suspension would most likely require notification to your indemnity provider, to ensure that you are covered for the incident under your policy.

Contact with the media

Your suspension may be considered newsworthy. The media may contact you seeking information about your suspension. We recommend that you speak with Avant before speaking with the media.

Social media

You may wish to consider deactivating your social media accounts (such as Facebook, Twitter, LinkedIn etc.) so that other people are not able to leave comments that might be harmful to your case. This is also not the forum to comment on or defend your position.

Mobile phone

We recommend that you do not answer your phone if you do not know the number. This will minimise the risk of unexpected media queries or queries from well-meaning or less well-meaning contacts.

Support systems

Finally, it is very important that you look after yourself at this very stressful time. Please seek support if you require it. Avant's personal support program provides a range of services. Further information can be found online at Key support services: avant.org.au/member-benefits/doctors-health-and-wellbeing/your-health/physical-and-mental-wellbeing/key-support-services. Avant members can also access independent and confidential psychological support services as a free member benefit. Phone 1300 360 364.

You could also contact the Doctors Health Advisory Service and/or medical benevolent association in your state or territory for assistance.

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 practice 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 judgment 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. © Avant Mutual Group Limited 2021 MJN220 06/21 (DF-1704)

For more information or immediate **medico-legal advice**, call us on **1800 128 268**