

Major professional and personal risks for junior practitioners



Reading time:
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Managing medico-legal hazards

Junior doctors face challenging demands and specific pressures related to their professional stage and development. Identifying potential perils and implementing effective strategies to minimize and avoid them is critical for well being and the safe practice of healthcare delivery.

Some key management aspects to consider

Keep an accurate and current record of healthcare treatment

- You have ethical, moral and legal obligations to maintain accurate health records
- You are bound by AHPRA's code of conduct concerning health records - see 10.5 Medical records
- Understand your employer or hospital procedures & systems in managing patient records
- AHPRA uses the code of conduct to test your professional conduct (record management)

Important AHPRA Code of conduct references

5. Respectful culture

5.1 Introduction

Respectful relationships with medical colleagues, other healthcare professionals, team members and patients are essential for safe patient care.

5.2 Respect for medical colleagues and other healthcare professionals

Good patient care is enhanced when there is mutual respect and clear communication between all healthcare professionals involved in the care of the patient. Good medical practice involves:

- 5.2.1 Acknowledging and respecting the contribution of all healthcare professionals involved in the care of the patient.
- 5.2.2 Communicating clearly, effectively, courteously, respectfully and promptly with other doctors and healthcare professionals caring for the patient.
- 5.2.3 Behaving professionally and courteously to colleagues and other practitioners including when using social media.

5.3 Teamwork

Most doctors work closely with a wide range of healthcare professionals. The care of patients is improved when there is mutual respect and clear communication, as well as an understanding of the responsibilities, capacities, constraints and ethical codes of

each other's professions. Working in a team does not diminish a doctor's personal accountability for professional conduct and the care provided. When working in a team, good medical practice involves:

- 5.3.1 Understanding your particular role as part of the team and fulfilling the responsibilities associated with that role.
- 5.3.2 Advocating for a clear delineation of roles and responsibilities, including that there is a recognised team leader or coordinator.
- 5.3.3 Communicating effectively with other team members.
- 5.3.4 Informing patients about the roles of team members.
- 5.3.5 Acting as a positive role model for team members.
- 5.3.6 Supporting students and practitioners receiving supervision within the team.

5.4 Discrimination, bullying and sexual harassment

There is no place for discrimination (including racism), bullying and sexual harassment in the medical profession or in healthcare in Australia. Respect is a cornerstone of good medical practice and of patient safety. It is a feature of constructive relationships between medical practitioners, their peers and colleagues on healthcare teams, and with patients. Discrimination, bullying and sexual harassment adversely affect individual health practitioners, increase risk to patients and compromise effective teamwork by healthcare teams.

Good medical practice involves:

- 5.4.1 Being fair and showing respect for peers, colleagues, co-workers, students on healthcare teams and patients.
- 5.4.2 Not discriminating against, bullying or sexually harassing others.
- 5.4.3 Providing constructive and respectful feedback to colleagues, trainees, international medical graduates and students, including when their performance does not meet accepted standards.
- 5.4.4 Being open to receiving constructive feedback.
- 5.4.5 Doing or saying something about discrimination, bullying or sexual harassment by others when you see it and reporting it when appropriate.

Good medical practice in the management of discrimination, bullying or sexual harassment requires a timely, proportionate and fair response, including:

- 5.4.6 Having zero tolerance for discrimination, bullying and sexual harassment.
- 5.4.7 Providing respectful and timely feedback to another medical or health practitioner about behaviour that does not meet accepted standards.
- 5.4.8 Early, timely, local and fair management of concerns about discrimination, bullying and sexual harassment whenever possible, including through existing employer complaints resolution processes to help minimise harm and build a culture of respect.
- 5.4.9 Appropriate information sharing, within the law, by all relevant parties such as employers and specialist medical colleges, to support effective resolution and remediation, when possible.
- 5.4.10 Referring concerns about discrimination, bullying or sexual harassment to the Medical Board when there is ongoing and/or serious risk to patients, students, trainees, colleagues or healthcare teams (in addition to mandatory reporting obligations).

11. Ensuring doctors health

11.1 Introduction

As a doctor, it is important for you to maintain your own health and wellbeing. This includes seeking an appropriate work-life balance.

11.2 Your health

Good medical practice involves:

- 11.2.1 Having a general practitioner.
- 11.2.2 Seeking independent, objective advice when you need medical care, and being aware of the risks of self-diagnosis and self-treatment.
- 11.2.3 Seeking help if you are suffering stress, burnout, anxiety or depression.
- 11.2.4 Making sure that you are immunised against relevant communicable diseases.
- 11.2.5 Not self-prescribing.
- 11.2.6 Recognising the impact of fatigue on your health and your ability to care for patients, and endeavouring to work safe hours wherever possible.
- 11.2.7 Being aware of the doctors' health program in your state or territory which provides confidential advice and support through the doctors' health advisory and referral services.

- 11.2.8 If you know or suspect that you have a health condition or impairment that could adversely affect your judgement, performance or your patient's health:
- not relying on your own assessment of the risk you pose to patients
- consulting your doctor about whether, and in what ways, you may need to modify your practice, and following the doctor's advice.

11.3 Other doctors' health

Doctors have a responsibility to assist medical colleagues to maintain good health. Good medical practice involves:

- 11.3.1 Providing doctors who are your patients with the same quality of care you would provide to other patients.
- 11.3.2 Notifying the Medical Board of Australia if you are treating a doctor whose ability to practise is impaired and is placing patients at substantial risk of harm. This²⁷ is always a professional responsibility and, in some jurisdictions, may be a statutory responsibility under the National Law.
- 11.3.3 Supporting your colleagues and encouraging any of them (whom you are not treating) to seek appropriate help if you believe they may be ill and impaired. If you believe this impairment is putting patients at risk of substantial harm, notify the Medical Board of Australia. It may also be wise to report your concerns to the doctor's employer and seek advice from a doctors' health service or your professional indemnity insurer.
- 11.3.4 Recognising the impact of fatigue on the health of colleagues, including those under your supervision, and facilitating safe working hours wherever possible.

What to do when things go wrong

- Keep accurate and dated notes of all communications and challenging events
- Be polite and acknowledge any complaint/empathise.
- Open disclosure (check Code of Conduct and hospital policy) if appropriate
- Notify your hospital and MDO - verbal & writing
- Don't promise or put anything in writing without checking with your MDO
- Don't lie or change notes

Principles for being a resilient doctor*

- Make home your sanctuary
- Value strong relationships
- Have an annual preventative health assessment and a build a good relationship with your GP
- Control stress, not people
- Recognise conflict as an opportunity
- Manage bullying and violence assertively
- Make medical organisations work for you
- Create a legacy – how would you like to be remembered at the end of your medical career, practice ethically & honourably, act accordingly now

²⁷ Sections 140-143 of the National Law and Guidelines: Mandatory notifications about registered health practitioners issued by the Medical Board of Australia, available at: www.medicalboard.gov.au.

*First do no Harm – Leanne Rowe (MIPS Board) & Michael Kidd

Resources

[Medical Board Good Medical Practice - a code of conduct for doctors in Australia](#)

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