

SINGAPORE MEDICAL COUNCIL

INFORMATION SHEET

(A) Making a complaint

1. Before lodging a complaint against a doctor, please read and understand the following information.
2. Please be informed that the Singapore Medical Council (“SMC”) **does not** accept verbal complaints (e.g. phone calls or walk-ins) or complaints via email which do not comply with the instructions at paragraph 3.
3. Your complaint **must be type-written in English and supported by an endorsed Statutory Declaration** (“SD”). If your complaint is not in English, an authenticated English translation must be submitted together with the complaint.
4. Your complaint must contain:
 - a) The full name of the doctor(s) who is/are the subject of the complaint;
 - b) The name of the healthcare institution(s) where the alleged incident took place;
 - c) The allegation(s) against the doctor(s), including all relevant details; and
 - d) Copies of all supporting documents.

Please ensure that your complaint is drafted in the format set out in the enclosed [Sample Letter / Template](#) (see page 7).

5. As an independent administrator of the disciplinary process, **the SMC is unable to obtain the name of the doctor(s) for you and/or assist in the drafting of your complaint.** If you do not know the identity of the doctor(s) you wish to file a complaint against, please contact the relevant healthcare institution(s) to find out the name of the doctor(s). Alternatively, you can also search for the full name of the doctor(s) in the SMC register via the link [here](#).
6. With effect from 1 July 2022, all complaints must be lodged **within six years from the date that the incident occurred or from the earliest date that the complainant knew or could have reasonably known of the incident** (see section 41 of the Medical Registration Act 1997). Otherwise, the SMC cannot, by law, refer the complaint to the Chairman of Complaints Panel (“CCP”) to process your complaint.

(B) Making the Statutory Declaration

7. Under section 40(2) of the MRA, a complaint must be supported by a SD. The SD must be endorsed by a Commissioner for Oaths (“CO”), Notary Public (“NP”) or Justice of the Peace (“JP”). You may visit the Singapore Academy of Law’s website [here](#) for a list of COs and NPs in Singapore. Kindly ensure that all fields in the SD are duly completed.
8. The CO, NP or JP will need you to present the SD form, this information sheet, your photo identification (e.g. identity card, passport), your type-written complaint and supporting documents in order to endorse your SD.

(C) Submitting the complaint

9. Once the SD has been duly endorsed, please scan it in colour and send us the following documents at smc@spb.gov.sg. Your email submission should contain **only two attachments in PDF format**.
 - a) First attachment: An endorsed SD, complaint letter and supporting documents should be consolidated **in one PDF file**; and
 - b) Second attachment: A completed and signed copy of the [letter of acknowledgement form](#) (see page 6)
10. Please note that we will only be able to process your complaint when the above documents and information have been provided. *SMC may reject any complaint or SD not made in compliance with the Singapore law or in accordance with its requirements.*

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FREQUENTLY ASKED QUESTIONS

What is the function of the Singapore Medical Council?

1. The SMC is a statutory board that, among other things, maintains the registers of doctors and regulates their professional conduct and ethics.

Is the SMC the right place for me to lodge my complaint?

2. By law, SMC can only consider complaints against doctors who are registered under the Medical Registration Act 1997 ("MRA").

3. Some non-exhaustive illustrations of allegations which SMC is empowered to investigate, are:-

- (a) Serious mistakes pertaining to a patient's medical care (e.g. misdiagnosis or inappropriate prescription);
- (b) Improper conduct by a doctor (e.g. inappropriate or sexual relationship between doctor and patient);
- (c) Breach of confidentiality by a doctor;
- (d) Unethical behaviour by a doctor against the patient;
- (e) Criminal offences committed by doctors that impact on their professional standing and the standing of the medical profession; and
- (f) Inadequate explanation or lack thereof after a procedure or treatment (whether or not the outcome was adverse).

4. SMC is **NOT EMPOWERED** to investigate complaints regarding the following:

- (a) Complaints that primarily pertain to institutional policies and operations (e.g. scheduling of appointments, delays in treatment due to institutional frameworks, billing issues);
- (b) Complaints directed against a healthcare institution e.g. hospital / clinic and not a doctor;
- (c) Complaints against healthcare professionals other than doctors, including nurses, allied health professionals and hospital/institution staff; and
- (d) Complaints against any other party who is not on any of the SMC's Registers (e.g. dentists, traditional Chinese medicine practitioners, or foreign doctors who are not registered with the SMC).

Can I lodge a complaint with SMC even before trying to resolve the matter with the doctor and/or healthcare institution concerned?

5. While there is no requirement that you have to attempt to resolve the matter with the doctor and/or healthcare institution ("**HCI**") first, our experience suggests that many complaints can be resolved to the satisfaction of all parties by directly raising the matter to the doctor and/or HCI concerned. This is especially since SMC cannot provide the redress that some complainants would like to address (see paragraph 7 below). Therefore, we recommend that you highlight your concerns to the doctor(s) and/or relevant HCI or consider the other avenues listed at paragraph 8 below as the matter may be resolved without the need for you to make a complaint to SMC.

6. Where the case involves serious allegations of misconduct, serious defect in the quality of medical services provided or a significant question of the doctor's physical or mental fitness to practise medicine, we encourage you to report the matter to SMC **as soon as possible**.

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Can I request financial compensation, an apology and/or personal explanation from the doctor by lodging a complaint to the SMC?

7. Please note that the following outcomes are **not possible** even if your complaint is found to be supported by evidence:

- (a) Refund of monies to a patient or a discount in a bill incurred by a patient;
- (b) Compensation/damages for any harm caused as a result of the doctor's misconduct or negligence;
- (c) Retrieval of medical records on a patient's behalf;
- (d) An explanation from the doctor(s) and/or HCI in respect of a treatment or procedure;
- (e) An order that the doctor(s) perform a particular procedure or offer a certain treatment;
- (f) An apology from the doctor(s) or HCI;
- (g) Revocation of the licence of the HCI; and
- (h) Criminal sanctions (e.g. imprisonment) against the doctor(s) and/or HCI.

What are other avenues available for me to seek redress?

8. The SMC process may not be appropriate for all complaints involving healthcare issues. There are other avenues that may be more suitable:-

- (a) **Communicating with the HCI or doctor concerned**
We have found that a large majority of cases involved issues of miscommunication or issues pertaining to a patient's desire for an explanation of certain medical matters. These are best resolved directly with the doctor or HCI concerned. For that reason, we strongly recommend that you first attempt to resolve the dispute by approaching the parties concerned in such cases. The fact that you had attempted to resolve the matter with the HCI and/or doctor concerned will not be taken against you if you do eventually decide to make a complaint.
- (b) **Healthcare Mediation Scheme ("HMS") and Small Case Mediation Scheme ("SCMS") by MOH Holdings ("MOHH")**
The HMS and SCMS promote the voluntary use of mediation to resolve disputes between patients and HCIs. Mediation is a confidential, amicable process where a neutral and independent mediator helps parties to engage in a constructive discussion to resolve their differences. If you are keen to mediate, you may wish to contact the Healthcare Mediation Unit of MOHH about the HMS or SCMS at **(65) 9234 6921** or email them at mediate@mohh.com.sg. Alternatively, you may also visit their website [here](#) for more information.
- (c) **Filing a complaint with other regulators:**
For complaints against HCIs or other healthcare professionals, please file a complaint with the relevant regulatory agencies in charge of such matters.
- (d) **Filing a civil claim**
If you are seeking damages or financial compensation from a doctor and/or HCI, please be aware that these are not possible outcomes of a complaint to SMC. You may consider filing a civil suit instead. Depending on the quantum of the claim, you may have to file it in either the High Court or the State Courts. You should seek independent legal advice if you decide to pursue this option as SMC is not able to provide any advice in this regard.
- (e) **Reporting of alleged criminal conduct:**
In serious cases involving alleged criminal conduct on the part of a doctor, please lodge a report with the Singapore Police Force or the relevant enforcement agency.
- (f) **Filing a medical claim**
If you are seeking assistance for your hospitalisation bill, as your insurer did not accept your medical claim, you can approach the Clinical Claims Resolution Process ("**CCRP**") to resolve your claim dispute. For more information on the CCRP, please visit the website at <https://ccrp.com.sg/>

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Can I still lodge a complaint beyond the 6-year limitation period?

9. Should you decide to lodge a complaint over an incident which had taken place more than 6 years ago, or which had been made known to you more than 6 years ago, you will need to state the reason(s) for doing so in your complaint letter (see [Sample Letter / Template](#) on page 7). Where the incident was made known to you 6 years or more after the incident, please detail the chronology and basis of how you came to know of it. Upon receipt of such a complaint, the SMC will have to refer it to the President of the Disciplinary Commission, MOH for an assessment on whether there is any public interest to refer your complaint to the Chairman of the Complaints Panel (“CCP”).

How are complaints processed?

10. Upon receipt of a complaint, the CCP will first appoint an independent Inquiry Committee (“IC”) comprising two doctors from the Complaints Panel (“CP”), to conduct a preliminary inquiry into the complaint. During this stage, the complainant, doctor concerned, or any other person may be approached to provide any information or document deemed relevant for the purposes of the IC’s inquiry. The IC has 6 weeks to decide if the complaint should be dismissed or referred to a Complaints Committee (“CC”) to inquire into the matter and direct one or more investigators to investigate the matter.

11. Should a complaint be referred to a CC, the CCP will then appoint an independent CC comprising two other doctors and one legal professional or layperson from the CP to conduct an inquiry into the complaint. A CC has 6 months to complete its inquiry. Should more time be required to investigate the complaint, the CC will submit a written request to the SMC to apply for an extension of time in the High Court.

12. The CC’s inquiry may be delayed if the subject matter of the complaint involves external proceedings such as a police investigation, a Coroner’s Inquiry, Court proceedings, or if there are multiple doctors being complained against. Due to the formal and extensive nature of the fact-finding processes employed in those external proceedings, for example those by law enforcement agencies such as the Singapore Police Force and organs of state such as the Courts, the CC will usually wait for such findings before rendering its decision.

13. As all proceedings before the IC and CC are confidential, **you will not receive periodic updates on the status of the inquiries**. As the IC and CC are independent and separate bodies from the SMC, the SMC Secretariat is **NOT EMPOWERED** to release any information to you or anyone whom you have authorised during the inquiries. You will be informed in writing of the outcome of the IC or CC’s deliberations as soon as a decision has been reached. We seek your understanding in this regard.

14. In the event that a complaint requires a formal inquiry by a Disciplinary Tribunal (“DT”), the matter will be referred to the President of the Disciplinary Commission (“DC”). The DC is appointed by the Ministry of Health and carries out the function of appointing the DT. For more details on the DC’s functions, please refer to their website www.dc.gov.sg.

Will the doctor see my complaint against him?

15. The SMC is required, by law, to furnish a copy of the complaint, accompanying SD and supporting documents to the doctor(s). The IC/CC may also access your medical records as part of the investigations, though all documents before the IC/CC (including your complaint and medical records) will be kept confidential and only be disclosed to the doctor(s) being complained against and any other person who may be called upon to assist in the investigation of the case, such as an expert witness.

What are the possible outcomes after the IC / CC completes its investigation?

16. After the IC completes its inquiry, it may:

- (a) **Dismiss** the complaint or information if it is unanimously of the opinion that the complaint or information is frivolous, vexatious, misconceived or lacking in substance;

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- (b) Refer the matter for **mediation** between the complainant and the doctor at the Singapore Mediation Centre, provided that both parties have indicated their willingness to go for one, if any, in writing; or
 - (c) **Refer the matter to CCP** to appoint a CC to inquire into the matter.
17. After the CC completes its inquiry, it may:
- (a) **Dismiss** the complaint;
 - (b) Refer the matter for **mediation** between the complainant and the doctor at the Singapore Mediation Centre, provided that both parties have indicated their willingness to go for one, if any, in writing;
 - (c) Issue the doctor with a **Letter of Advice**;
 - (d) Issue the doctor with a **Letter of Warning**;
 - (e) Direct the doctor to undergo medical or psychiatric treatment or counselling;
 - (f) Direct the doctor to undertake and complete specified further education or training within a specified period; and/or
 - (g) Direct the doctor to seek and take advice from specified person(s) on matters in relation to the management of his medical practice.
18. If a complaint is found to be frivolous, vexatious, misconceived, or lacking in substance by an IC or a CC, the complainant may be ordered to pay costs for the matter to the respondent doctor under section 49 of the MRA.
19. Where a CC, based on the facts and evidence before it, determines that cause of sufficient gravity for a formal inquiry exists, it may:
- (a) Recommend to the SMC that a formal inquiry be held by a **Disciplinary Tribunal ("DT")**; or
 - (b) Direct the SMC to appoint a **Health Committee ("HC")** to hold a formal inquiry (if the complaint or information touches on the doctor's physical or mental fitness to practise).
20. Please note that under section 46(9) of the MRA, a decision of the CC to direct the SMC to appoint a HC, or the SMC's decision on whether it is appropriate for a formal inquiry to be held by a DT is final.

What can I do if I am dissatisfied with the outcome of the complaint?

21. The decision of an IC is final and there are no avenues for appeal under the MRA.
22. If you are dissatisfied with any direction or decision of a CC, you may, within 14 days after being notified of the outcome, submit a written request for a review by an independent Review Committee ("**RC**"). The written request detailing the reasons for requesting a review by a RC must be made to the CCP via email. In conducting its review, the RC will only consider if the CC's inquiry was in accordance with expected procedure and if any new evidence submitted would be material to the complaint. The RC's decision will be final.

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Note: Please complete this acknowledgement form and email it to smc@spb.gov.sg together with one consolidated PDF file containing the (i) endorsed SD, (ii) complaint letter and (iii) supporting documents. All documents submitted to SMC should be scanned in colour.

LETTER OF ACKNOWLEDGMENT

I, _____, acknowledge that:

- a) I have read and understood all the contents of the information sheet.
- b) I am aware that the SMC disciplinary process is only suitable for certain types of complaints, and have considered all the other avenues (e.g. approaching the healthcare institution directly for assistance, mediation schemes by MOH Holdings) indicated.
- c) I confirm that I am willing to undergo mediation where my complaint is assessed to be suitable.
- d) I understand that the indicated timeline for the processing of complaints is an estimate and not a guarantee that an outcome will be issued within a certain period.
- e) Where necessary, *the patient's / my information may be provided to the doctor and *the patient's / my medical records may be requested and accessed by the Inquiry and/or Complaints Committee and any other person who may be called upon to assist in the investigation of the case.
- f) I have sought the patient's consent to lodge the complaint on *his / her behalf and that *his / her medical information may be disclosed to me.

**please delete accordingly*

Signature of Complainant

Date: Click or tap to enter a date.

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“A”

« Date of Statutory Declaration »

« Your name »

« Address 1 »

« Address 2 »

« Address 3 »

Chairman, Complaints Panel
Singapore Medical Council
16 College Road #01-01
College of Medicine Building
Singapore 169854

Please note that the IC and CC cannot investigate the complaint without the full name of the doctor(s).

Dear Sir/Mdm,

COMPLAINT AGAINST « FULL NAME OF DOCTOR(S) »

1. Introduction (to provide the following information, where relevant)
<ul style="list-style-type: none">• State if you are the patient who was attended to by the above-named doctor(s).• If you are not the patient, please state the following:<ol style="list-style-type: none">a) <u>Full name</u> of the patient;b) The patient's NRIC or passport number;c) Your <u>relationship</u> with the patient (e.g. parent, child, spouse);d) Why the patient is unable to lodge the complaint personally; ande) Whether the patient has given consent for you (i) to lodge the complaint; and (ii) his/her medical information to be disclosed to you.f) In the event the patient is unable to give consent, please indicate the reason (e.g. patient has passed away)• If you decide to lodge a complaint for an incident which had taken place more than 6 years ago, or which had been made known to you more than 6 years ago, please state the reason(s) for doing so. Where the incident was made known to you 6 years or more after the incident, please detail the chronology and basis of how you came to know of it. <i>Note: For a complaint which is lodged beyond the 6-years limitation period, it will need to be referred to the President of Disciplinary Commission, MOH for assessment on whether there is public interest to refer such a complaint to the Chairman of the Complaints Panel.</i>
2. Summary of your complaint
<ul style="list-style-type: none">• Provide a summary of the date(s) and location(s) of the incident(s). <i>Example:</i> “I am the mother of the patient, «Name of patient in full» of Birth Certificate number: «BC number». I am making this complaint as my daughter was one year old when the incidents happened between DD MM YYYY and DD MM YYYY at «name of clinic or hospital».”
3. Key allegations and details of your complaint

Please state the page number on every page (including on all supporting documents)

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- Provide a title for each allegation against each doctor, followed by details.

Example A (complaint against one doctor):

“Title: Failure to provide professional service

Details: On DD MM YYYY, during my consultation with the doctor, he had made the wrong diagnosis for my condition which resulted in me undergoing unnecessary treatment.”

“Title: Overcharging for consultation

Details: On DD MM YYYY, I had a short consultation with the doctor of less than 5 minutes and was only given two types of flu medications. However, I was charged a consultation fee of \$400, which was more than 10 times the amount I have been charged at other GP Clinics for the same type of illness and medicine.”

Example B (complaint against more than one doctor):

Title: Failure of «Name of first doctor» to diagnose my condition

Details: [Please provide particulars specific to this doctor’s alleged failure]

Title: «Name of second doctor» was rude and made condescending remarks

Details: [Please provide particulars specific to this doctor’s alleged conduct]

4a. Have you attempted to resolve the matter directly with the doctor and/or healthcare institution?

- If yes, please state your reason why you decide to lodge a complaint with SMC?
- If no, please state your reason why you decide not to do so?

4b. Have you considered any of the mediation schemes by MOH Holdings to resolve the matter (see paragraph 9b of the information sheet)?

- If yes, please state your reason why you decide to lodge a complaint with SMC?
- If no, please state your reason why you decide not to do so?

4c. Would you be keen to resolve the matter via mediation if your case is assessed to be suitable?

Please indicate your response to this question. For example,

- *Yes, I am keen to go for mediation if my case is assessed to be suitable.*
- *No, I decline to go for mediation even if my case is assessed to be suitable.*

5. Any Police report made / Legal Proceedings?

- Please indicate if you have made any Police report(s) (or reports to any other enforcement agency) and/or commenced legal proceeding(s) against the named doctor(s) which arise from the same set of facts and particulars detailed in this complaint.
- If yes, please provide the Police’s and/or Court’s reference number and attach a copy of the Police report(s) and/or Court’s documents.

Example:

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“I have made a Police report at «location of police station» and/or commenced legal proceedings against «Name of doctor(s) in full» at the State Courts / High Court* which arise from the same set of facts and particulars detailed in my complaint. The Police’s* / Court’s* reference number is «reference number».*

** Please delete where applicable*

6. Any supporting documents?

Example:

[Annex A: Timeline of Events]

[Annex B: Discharge Summary dated DDMMYYYY]

[Annex C: Emergency Notes dated DDMMYYYY]

[Annex D: Medical Report dated DDMMYYYY]

[Annex E: Correspondence with Dr XXX]

[Annex F: Correspondence with XXX Hospital]

[Annex G: Coloured Photographs of XXX dated DDMMYYYY]

Please refer to the template at [Annex A](#)

Yours faithfully

[Signature]

[Name in full]

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TIMELINE OF EVENTS

Annex A

Please annex your supporting documents accordingly

S/N	Date	Occurrence
1	DD MM YYYY	<ul style="list-style-type: none">- I visited the Emergency Department of XXX Hospital at about 1.00am as I had a difficulty in breathing...- Saw Dr XXX at about 1.30am. Told him that I have been feeling breathless since 11.00pm...- ...- ...
2	DD MM YYYY	<ul style="list-style-type: none">- I returned to see Dr XXX at the Outpatient Clinic of XXX Hospital as scheduled.- ...- ...- ...