

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. Singapore Medical Council (“SMC”) **does not** accept verbal complaints (e.g. phone calls or walk-ins) or complaints via email.
3. Your complaint **must be type-written in English and supported by an original Statutory Declaration (“SD”)**. Otherwise, an authenticated English translation must be submitted together with the complaint.
4. Your complaint must contain:
 - The full name of the doctor(s) who is/are the subject of the complaint;
 - The name of the healthcare institution(s);
 - The allegation(s) against the doctor(s), including any necessary details; and
 - Copies of supporting documents.

Please refer to the enclosed [Sample Letter / Template](#) (see page 6) for an example of such complaint.
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 you to draft your complaint**. Where necessary, please contact the relevant healthcare institution(s) to find out the name of the doctor(s).
6. For a complaint to be investigated effectively, your complaint should be lodged **within six years of the incident**, as the relevant evidence such as medical records and witness testimonies may become unavailable or difficult to secure as time passes.

(B) Making the Statutory Declaration

7. Under section 39(1) of the Medical Registration Act, a complaint must be supported by an SD. The SD must be endorsed by a Commissioner for Oaths (“CO”). You may visit The Law Society of Singapore website at www.lawsociety.org.sg for a list of COs in Singapore. Kindly ensure that your **name, address and occupation** are clearly stated on the SD.
8. Besides the SD form, you should also bring along this information sheet, your photo identification (e.g. identity card, passport, etc), your type-written complaint and supporting documents when visiting a CO to file your SD.

(C) Submitting the complaint

9. Once the SD has been duly affirmed/sworn, please scan and send us the following documents **in colour**:

	What to submit	Where to submit to:
By email	<ol style="list-style-type: none">a) The (i) Original SD, (ii) complaint letter and (iii) supporting documents consolidated in one PDF file; andb) A completed and signed copy of the acknowledgement form (see page 5) <p>Note: Your email submission should contain only the two attachments referred to above.</p>	smc@spb.gov.sg

10. Please note that we will only be able to process your complaint when the above documents and information have been provided. *SMC also reserves the right to reject any complaint or SD not made in compliance with the Singapore law or in accordance with its requirement.*

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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 register of doctors and governs 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.
3. Some non-exhaustive illustrations of situations, which SMC is empowered to investigate, are:-
 - (a) Serious mistakes pertaining to a patient's medical care (i.e. misdiagnosis or inappropriate prescription) ;
 - (b) Improper conduct by a doctor (i.e. 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 reflect on their professional standing and the standing of the medical profession;
 - (f) Overcharging of medical services; and
 - (g) 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 that pertain to the following:
 - (a) Complaints that primarily pertain to institutional policies (e.g. scheduling of appointments, delays in treatment due to institutional frameworks, billing issues arising from institutional policies);
 - (b) Complaints directed against a healthcare institution and not a doctor;
 - (c) Complaints against healthcare professionals other than doctors, including nurses, allied healthcare professionals and hospital/institution staff; and
 - (d) Complaints against any other party who is not a registered medical doctor with the SMC (e.g. 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 attempt to resolve the matter with the doctor and/or healthcare institution first, our experience suggests that many complaints can be resolved to the satisfaction of all parties *via* an informal resolution of the matter with the doctor and/or healthcare institution concerned. This is especially since SMC cannot provide the redress that some complainants want (see paragraph 8 below). Therefore, we recommend that you highlight your concerns to the doctor(s) and/or healthcare institution(s) concerned in case 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 or where there is a serious defect in the quality of services provided or a significant question of the physical or mental fitness of the doctor to practise medicine, we encourage you to report the matter to SMC **as soon as possible**.
7. That said, if the matter is serious (as per examples set out in paragraph 3), we recommend that you still make a complaint to SMC whether or not you have tried to resolve the matter with the doctor(s) and/or healthcare institution(s) concerned.

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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?

8. 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 reduction 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 healthcare institution(s) 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 healthcare institution(s);
- (g) Revocation of the licence of the healthcare institution(s); and
- (h) Criminal sanctions (e.g. imprisonment) against the doctor(s) and/or healthcare institution(s).

What are other avenues available for me to seek redress?

9. 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 healthcare institution/doctor concerned**
We have found that a large majority of cases involving issues of miscommunication or the issues pertaining to a patient's desire for an explanation of certain medical matters. These are best resolved directly with the doctor or healthcare institution 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 healthcare institution and/or doctor concerned informally 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 the Ministry of Health Holdings**
The HMS and SCMS promote the voluntary use of mediation to resolve disputes between patients and healthcare institutions. 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 about the HMS or the SCMS. Both schemes are administered by the Singapore Mediation Centre, a subsidiary under the Singapore Academy of Law. For more information, you can call the Healthcare Mediation Unit at **6622 3755**, or email them at mediate@mohh.com.sg. You may also wish to refer to the HMS website at <http://www.mohh.com.sg/hms/mediation-services> for further information.
- (c) **Filing a complaint with other regulators:**
For complaints against institutions, or other healthcare professionals, you may wish to file a complaint with the relevant regulatory agency in charge of such matters.
- (d) **Filing a civil claim**
If you are seeking damages or financial compensation from a doctor and/or a healthcare institution, you may wish to 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 in the State Courts. You would have to seek independent legal advice should you decide to pursue this option.
- (e) **Making a police report:**
In serious cases involving alleged criminal conduct on the part of a doctor, we recommend that you lodge a report with the Singapore Police Force.

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How are complaints processed?

10. Every complaint will be reviewed by an independent Complaints Committee ("CC"), which comprises a Council member as chairman, a doctor and a layperson. Majority of the cases take **at least 9 months**. For more complex complaints, investigations may take **more than a year** to be investigated and concluded.

11. The CC's inquiry may be delayed if the subject matter of your complaint involves external proceedings such as a police investigation, Coroner's Inquiry, or Court proceedings. 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, a CC may decide to await such findings as it sees fit as part of its inquiry.

12. As all proceedings before the CC are confidential, **you will not receive periodic updates on the status of the investigations**. The CC is an independent and separate body from the SMC, and the SMC Secretariat is **NOT EMPOWERED** to release any information to you during the course of investigations. You will, however, be informed in writing of the outcome of the CC's deliberations as soon as a decision has been reached. We seek your understanding in this regard.

Will the doctor see my complaint against him?

13. As part of a fair and impartial investigation, the doctor may be called upon to answer any allegation made against him/her, and if so, **your complaint (including your identity and the details of your allegation(s)) must, by law, be furnished to the doctor**. The CC may also access your medical records as part of the investigations, though all documents before the CC (including your complaint and medical records) remain confidential and will not be disclosed to third parties other than the doctor(s) being complained against, except as required by law.

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

14. After the CC completes its investigations, it may:
- (a) **Dismiss** the complaint;
 - (b) Refer the matter for mediation between the doctor and the complainant at the Singapore Mediation Centre;
 - (c) Issue the doctor with a **Letter of Advice**;
 - (d) Issue the doctor with a **Letter of Warning**;
 - (e) Refer the doctor to a **Disciplinary Tribunal** for a formal inquiry; or
 - (f) Refer the doctor to a **Health Committee** for a formal inquiry (if the complaint touches on the doctor's physical or mental fitness to practise).
 - (g) Order the doctor to undergo medical or psychiatric treatment or counselling, undertake and complete specified further education or training, or report on the status of his/her medical practice and seek and take advice on the management of his medical practice.

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

15. If you are dissatisfied with the order of the CC made following investigations, you may appeal to the Minister for Health in writing within **30 days** after being notified of the CC's decision. Beyond which, the Minister does not have the statutory authority to look into your appeal. Please note that the Minister's decision is **final and conclusive** and the appeal should be submitted to the following below:

Minister for Health
Ministry of Health
16 College Road
College of Medicine Building
Singapore 169854

For queries pertaining to the appeal process, please contact the Ministry of Health directly via email at moh_qsm@moh.gov.sg.

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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) original SD, (ii) complaint letter and (iii) supporting documents. All documents submitted to SMC should be scanned in colour.

ACKNOWLEDGMENT

I have read and understood all the contents of the information sheet.

I am aware that the SMC disciplinary process is suitable only for certain types of complaints, and have considered all the other avenues (e.g. approaching the healthcare institution directly for assistance, mediation schemes by the Ministry of Health Holdings) indicated.

I have duly noted the time (i.e. more than a year) that is typically taken for a complaint to be processed. 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.

I understand and acknowledge that *the patient / my information may be provided to the doctor (if necessary) and *the patient / my medical records may be requested and accessed by the Complaints Committee.

Please tick only if you are not the patient.
<input type="checkbox"/> I confirm that 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

Name:

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 Complaints Committee is unable to investigate the complaint without the full name of the doctor(s).

Dear Sir

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"><u>Full name</u> of the patient;The patient's NRIC or passport number;Your <u>relationship</u> with the patient (e.g. parent, child, spouse);Why the patient is unable to lodge the complaint personally; andWhether the patient has given consent for you (i) to lodge the complaint; and (ii) his/her medical information to be disclosed to you.In the event the patient is unable to give consent, please indicate the reason (e.g. patient has passed away)
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
<ul style="list-style-type: none">Provide a title for each allegation against each doctor, followed by details. Example A (complaint against one doctor): <u>“Title: Failure to provide professional service</u> <i>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 the unnecessary treatment.”</i> <u>“Title: Overcharging for consultation</u> <i>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</i>

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

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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]

4. Have you attempt to resolve the matter directly with the doctor and/or healthcare institution? Have you considered any of the mediation schemes by the Ministry of Health Holdings to resolve the matter (see paragraph 10b 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?

5. Any Police report made / Legal Proceedings?

- Please indicate if you have made any Police report(s) 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:

“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: Correspondences with Dr XXX]

[Annex F: Correspondences 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	[DDMMYYYY]	<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	[DDMMYYYY]	<ul style="list-style-type: none">- I returned to see Dr XXX at the Outpatient Clinic of XXX Hospital as scheduled.- ...- ...- ...

[Signature]