



**The Australasian College of Cosmetic Surgery**  
***Raising Standards, Protecting Patients***

Dr Richard Chadwick  
General Manager  
Adjudication  
ACCC  
GPO Box 3131  
Canberra City ACT 2601

8 July 2010

Dear Dr Chadwick

**Australasian College of Cosmetic Surgery Code of Practice,  
Authorisation A1106, report of periodic audit checks**

The purpose of this letter is to report on the findings of periodic audit checks pursuant to Condition 6 of the Conditions of Authorisation of the Code of Practice by the ACCC, 18 June 2009.

Since Authorisation, the College has undertaken a number of periodic ad hoc audits of member practice websites to measure compliance with the Code. A report of the first sample audit was made to the ACCC in September 2009 and a second in December 2009 as part of its six-month report.

The College also undertook a comprehensive and exhaustive audit of *all* member websites. The results of that audit were provided to members in order to assist them to identify and remediate apparent breaches of the Code.

A sample audit was completed in December 2009 in preparation for the College's six-month progress report and compared to the previous audit to gauge compliance, which found substantial compliance with the Code and significant improvement over the audited period since Authorisation.

Since then, the College's auditor has completed another audit of member websites and begun to visit and contact practices to ensure compliance with other, less visible elements of the Code. The results are discussed below.

As noted in previous correspondence, the College has worked assiduously to encourage member compliance with the Code. In doing so the College has contacted every member several times by email, newsletter and telephone to draw their attention to particular areas of concern and remind them of their duty to comply. The following contacts were made:

- CEO Email, July 10 2009
- Letter from the President, 3 August 2009
- College Newsletter article, August 2009 and March 2010
- College email and letters to individual members, October and November 2009
- Numerous telephone contact to assist members with compliance questions

The College also greatly appreciates having Deputy Chair Peter Kell address the Plenary Session of the College's annual conference in Adelaide in April of this year. Commissioner Kell's remarks were heard by virtually every member of the College and many more practitioners from a variety of different medical and surgical disciplines.

A hard copy of the College's patient information brochure, "Things you should know", has been sent to all members for distribution to patients, pursuant to Clause 3.2 of the Code, and posted on the College's website. Although members tell us patients look at the brochure in their waiting rooms, they may not take it home. However, a number of members have requested a refill of additional brochures after having depleted their initial supply.

### **Member Compliance**

As noted above, the College has undertaken a number of audits of member websites. Based on those audits, the College determined that there has been substantial compliance with the Code and significant improvement over the audited period since Authorisation.

There has been substantial compliance and significant improvement with the key areas of testimonials, inducements, before and after photographs and superlatives. No members were found to be providing finance facilities or credit or receiving a commission for such services.

Although as previously noted more than 50 per cent of members whose practice websites were found to be in breach of the Code are now in compliance or have made efforts to comply with the Code, there are a number of members who have yet to respond to requests to address breaches of the Code.

The College has therefore issued show cause letters to approximately twenty members for a variety of apparent breaches which have again turned up in a

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follow up audit recently completed. That audit focused on members' practices which had previously been found to have compliance problems. Although the breaches that have been identified tend not to be of a serious nature, the College has communicated to these members that the College takes compliance very seriously.

These members will have until 30 July 2010 to remediate the identified breaches or provide reasons why they should not be referred to the Complaints Panel.

I understand that the Complaints Panel is now dealing with at least one complaint and will soon be making its annual report to the ACCC.

The College welcomes any question you may have concerning the periodic audits.

Yours truly

A handwritten signature in black ink, appearing to read 'R. Knudsen', written over a large, light-colored oval shape that serves as a background for the signature.

Dr Russell Knudsen  
President