



HEALTH & DISABILITY COMMISSIONER  
TE TOIHAU HAUORA, HAUĀTANGA



# Report: Review of the Health and Disability Commissioner Act and the Code

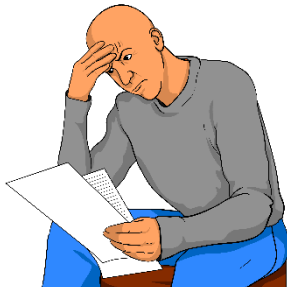


Published: March 2025

# Before you start



This is a long document.



It can be hard for some people to read a document this long.



Some things you can do to make it easier are:

- read it a few pages at a time
- set aside some quiet time to look at it
- have someone read it with you to support you to understand it.



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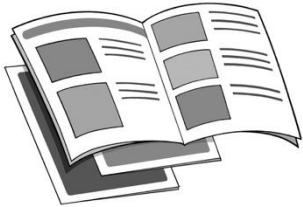


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# About this document



This is an Easy Read document by the **Health and Disability Commissioner**.



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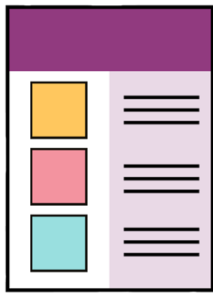
The **Health and Disability Commissioner** looks after the rights of people using:

- health services
- disability services.

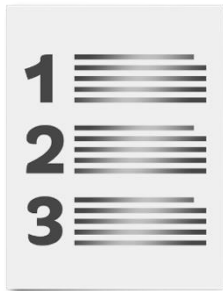
In this document the **Health and Disability Commissioner** is called **HDC** for short.



Where it says **we / our / us** in this document it means **HDC**.

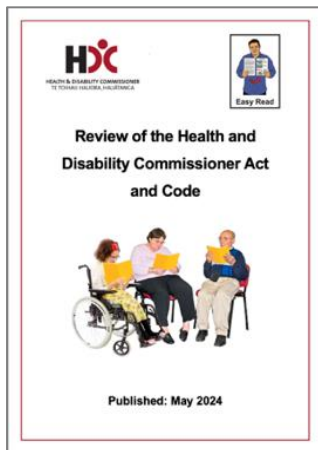


This document is a **summary** of a report we made.



A **summary**:

- is shorter than the main document
- tells you the main ideas.



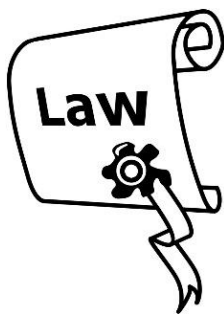
The report is about what we found out in our **Review of the Health and Disability Commissioner Act and Code**.



A **review** is checking something carefully to find out if any changes can be made to make it better.



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Every 5 years the HDC reviews the:

- **Health and Disability Commissioner Act 1994**
- **Code of Health and Disability Services Consumers' Rights.**

The **Health and Disability Commissioner Act 1994** is a law that tells HDC:

- what HDC can do
- how to deal with complaints made to HDC.

This law will be called **the Act** in this document.



**The Code of Health and Disability Services Consumers' Rights** is the 10 rights people have under Aotearoa New Zealand law when using:

- health services
- disability services.



In this document the Code of Health and Disability Services Consumers' Rights will be called **the Code**.



The Easy Read document of the Code can be found at this **website**:

**[hdc.org.nz/disability/easy-read-resources/](http://hdc.org.nz/disability/easy-read-resources/)**





We wanted to find out what people think about the Act and the Code in the review.



To find out what people think we:

- asked people
- held meetings about the review.



This report tells you about:

- what we found out when we did our review
- our **recommendations** to make:
  - the Act better
  - the Code better.





**Recommendations** means saying what things should be done to make something work better.



The report will be given to the Minister of Health.



The Minister of Health will:

- read the report

**and**

- decide if changes will be made to:

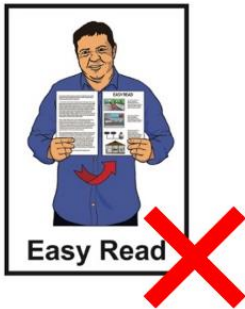
- the Act
- the Code.





You can find the full report document at this **website**:

**[review.hdc.org.nz](http://review.hdc.org.nz)**



This website is not in Easy Read.



Contact HDC if you have any questions about the review at this **email** address:

**[review@hdc.org.nz](mailto:review@hdc.org.nz)**

## About the review



The review was done to find out how to make:

- the Code better
- the Act better.

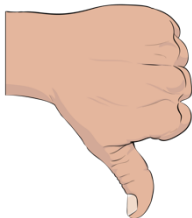


It is important these 2 things work for everyone.



We asked people what was:

- working
- not working.



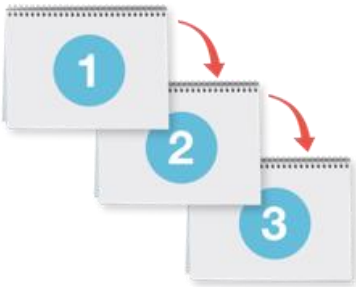


People told us to make:

- the **process** better for people when they make a complaint
- the Act and the Code work better for:



- Māori
- tāngata whaikaha / disabled people.



Here **process** means the:

- steps a person has to take to make a complaint
- things HDC does when it gets a complaint
- things a health or disability service provider does when it gets a complaint.





The **Health Select Committee** asked us to talk to people about what happens if a person does not agree with a decision HDC has made.



The **Health Select Committee** is a group of people from the Government who:

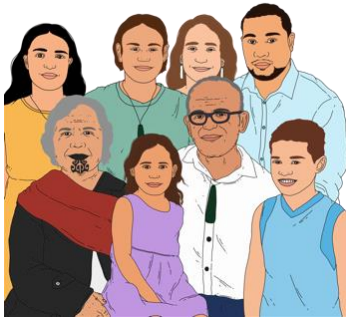
- work together

**and**

- make decisions about making health services better.



We heard from a lot of different people when we did our review.



We heard from:

- Māori
- tāngata whaikaha / disabled people
- Pacific peoples.



During the review we:

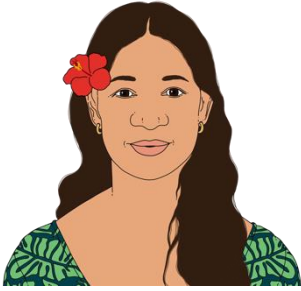
- got 259 written answers from people
- held 60 meetings:
  - online
  - in person.





During the review we also held  
7 workshops with:

- Māori
- tāngata whaikaha /  
disabled people
- Pacific peoples.





## The main things we found out by doing our review



We found out that the Act and the Code are mostly working well.



People agree that small changes would make the Act and the Code better for everyone.



These changes should happen at the same time as changes to other laws about:

- adult decision making
- mental health.





There are lots of ways to:

- make things better
- and**
- not have to change the laws.



More money will be needed to make some of these changes.



The Government can make the health and disability system better for everyone.



The Government can make sure people understand **supported decision making**.



**Supported decision making** is when a person is supported to make decisions / choices about their own life.



The Government can also make sure new technology is:

- safe
- **accessible.**



Here **accessible** means something can be used by everyone including disabled people.



The Government can make disability support better by:

- giving clear information about disability support services to:



- disabled people
- whānau / families.



The Government can also make disability support better by making it easy to:

- make a complaint about disability support services
- give feedback about disability support services.

# Making the complaints process work better for everyone



## What people told us

People told us it should be easy for people to:

- say they are worried about something
- make a complaint.



People told us why they do not:

- speak up
- or
- make complaints.





People told us they do not know:

- they can speak up
- how to speak up.



People also told us the reasons they do not speak up or make a complaint are that they:

- do not think they will be treated fairly
- are scared they will be treated badly by health and disability services
- do not think things will get better
- can find it very hard to do this.





People said the **culture** of a person should be respected when they make a complaint.



**Culture** is a way of:

- thinking that a group shares
- doing things as a group.



People also told us there should be more support for a person if they decide to make a complaint to:



- HDC
- health and disability service providers.



Everyone agrees complaints should be sorted out quickly.



## The main law changes we asked the Minister to make

We asked the Minister to make the complaints **process** work better for everyone.



We asked the Minister to change the way complaints are handled by:

- HDC
- health and disability service providers.



1 way is to make the process for making complaints more accessible.





We also asked the Minister to give people the right to:

- have support to make complaints
- have support to say if they are worried about something
- be treated fairly if they make a complaint.



We also asked the Minister to give us more ways to sort out complaints like ways that work better for:

- Māori
- tāngata whaikaha / disabled people.



# Making the Act and the Code work better for Māori



## What people told us

People told us it is important the Act and the Code respect **te Tiriti o Waitangi / the Treaty of Waitangi**.



**Te Tiriti o Waitangi / the Treaty of Waitangi** is an important agreement between:

- Māori
- the Government.



Doing this will make it better for everyone.



It is important the Code protects what is important to Māori.

To make the Act and the Code work for Māori we need to:

- work with Māori
- make sure some HDC leaders are expert in **te ao Māori**.



**Te ao Māori** is the Māori world view.



We will need to work with health and disability service providers so they understand what the Code means for Māori.

## The main law changes we asked the Minister to make



We asked the Minister to give people the right to health and disability services that respect **tikanga**.

**Tikanga** is the way of doing things that come from Māori:

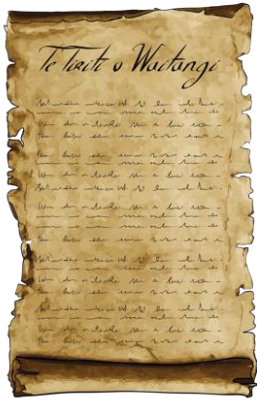
- knowledge
- beliefs
- **values.**



Here **values** are the important things that guide how we:

- behave
- **and**
- act.



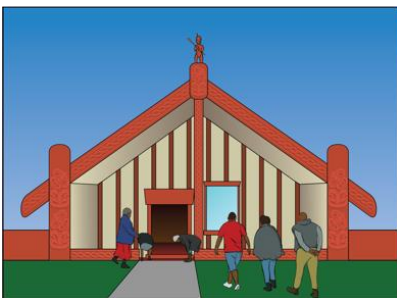


We asked the Minister to say in the Act how HDC will follow what te Tiriti o Waitangi says.



1 way is to make HDC talk to Māori when doing the review of the Act and the Code.

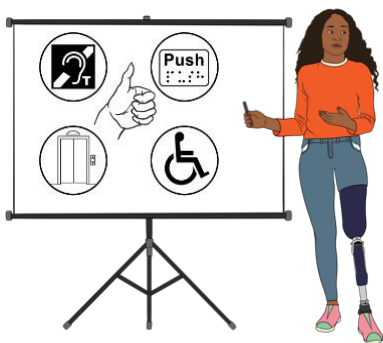
It is important some of the HDC leaders are **experts** in:



- te ao Māori

and

- te Tiriti o Waitangi.



**Experts** are people that know a lot of information about something like te Tiriti o Waitangi.

# Making the Act and the Code work better for tāngata whaikaha / disabled people



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## What people told us

People told us:

- information about health and disability services should be more accessible
- people should get support to make decisions
- they want HDC to have more of a focus on disability
- tāngata whaikaha / disabled people want to know which services HDC can hear complaints about.



## The main law changes we asked the Minister to make

We asked the Minister to make it clear people have the right to:



- make their own decisions
- have support to make decisions
- have support to **communicate**.



**Communicate** means the way to share information like by:



- talking
- writing
- signing.



We also asked the Minister to make sure some of the HDC leaders are experts in disability rights.



# Being able to challenge decisions made by HDC



Here **challenge** means when you do not agree with a decision HDC has made you can tell us:

- why you are unhappy with the decision
- what you would like to happen.



## What people told us



People told us:

- they want to be able to challenge an HDC decision if they are not happy with it
- it should be easy to challenge an HDC decision.

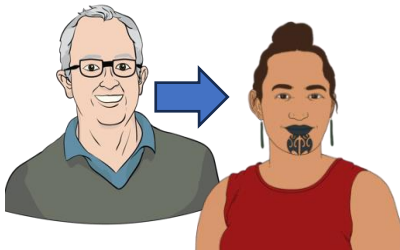




People also told us they should feel safe if they challenge an HDC decision.



Sometimes people are unhappy with a decision made by 1 person at HDC.



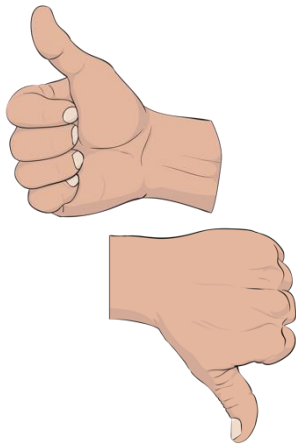
If this happens they would like a different person at HDC to:

- look at their complaint
- check to see if they think the decision is fair.





Most people did not think it was a good idea to get a different organisation to check if an HDC decision is:



- fair
- or
- not fair.

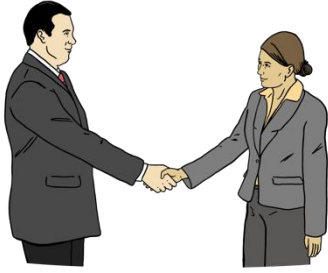


Some people were worried that challenging HDC decisions would:

- slow down sorting out the complaint
- make it unfair for some people.

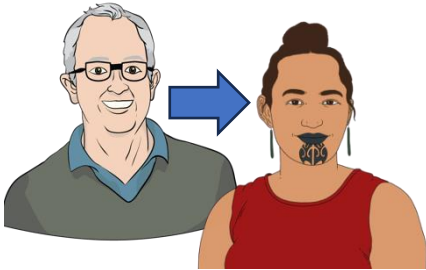


Some people told us it would be better to change how HDC does things.



## The main law changes we asked the Minister to make

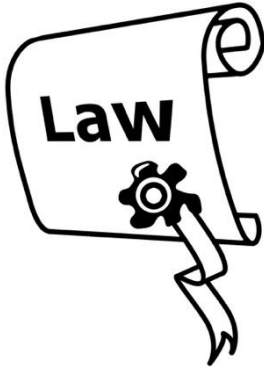
We asked the Minister to let people who are unhappy with a decision made by 1 person at HDC ask a different person at HDC to:



- look at their complaint
- check to see if they think the decision is fair.



## What we can do better now



There are things we can do now without changing the law.

Some of these things are:



- making the way we communicate with people better
- being more accessible
- working more closely with **advocacy services.**





**Advocacy services** can support you when you have had a problem with a health or a disability service by:

- talking with you about what you can do
- telling you about your rights
- answering your questions
- supporting you to make a complaint

Other changes we can make are:

- making sure we work well for everyone
- talking to different communities about their rights
- hearing from different communities about their experiences.



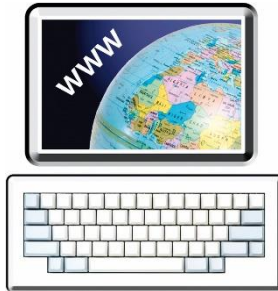
Other changes we can make are to support people / service providers to:

- get more information about the rights of people to:
  - make their own decisions
  - have support to make decisions
  - make complaints
- understand different groups of people so these people get their rights
- know which disability services HDC can hear complaints about.



We are already making some of these changes.

## More information



You can learn more about the review  
at this **website**:

**[review.hdc.org.nz](http://review.hdc.org.nz)**



You can ask questions about the  
review by sending an **email** to:

**[review@hdc.org.nz](mailto:review@hdc.org.nz)**





If you have a problem with a health or disability service you can contact the Health and Disability Commissioner by:



- **calling:**

**0800 11 22 33**



- **emailing:**

**[hdc@hdc.org.nz](mailto:hdc@hdc.org.nz)**



You can find out more about us by visiting our **website** at:

**[www.hdc.org.nz](http://www.hdc.org.nz)**



Contact the Nationwide Health & Disability Advocacy Service if you need more support to fix a problem you have had with a health or disability service by:



- **calling:**

**0800 555 050**



- **emailing:**

**advocacy@advocacy.org.nz**



You can find out more about them by visiting their **website** at:

**www.advocacy.org.nz**



This information has been written by the Health and Disability Commissioner.



It has been translated into Easy Read by the Make it Easy Kia Māmā Mai service of People First New Zealand Ngā Tāngata Tuatahi.



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