



Health and Disability Commissioner
Te Toihau Hauora, Hauātanga

Act and Code Review consultation questions | Ngā pātai matapakinga

This document contains all the questions we are asking as part of the Act and Code Review consultation. Aside from the required questions, you can answer as many or as few as you'd like. When completed, please either email it to review@hdc.org.nz or post it to us at PO Box 1791, Auckland, 1140.

Please visit <https://review.hdc.org.nz> to answer these questions online.

Your details (required)

It's important for us to know a bit about you so that we understand whose views are being represented in submissions. It helps us to make sure that any changes we recommend will work well for everyone and have an equitable impact.

1. What is your name?

College of Child & Youth Nurses Aotearoa | Tapuhitia Ngā Mokopuna Mō Apōpō
(New Zealand Nurses Organisation)

2. What is your email address?

[Redacted email address]

3. Are you submitting as an individual, or on behalf of an organisation or group?

- ☐ I am submitting as an individual
☒ I am submitting on behalf of an organisation or group



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4. How did you hear about this consultation? (please select)

- ☐ HDC website ☐ News media ☐ Social media ☐ Internet
☐ Through my job ☐ Word of mouth ☒ Other (please specify below)

It was sent to us by New Zealand Nurse Organisation (NZNO)

Please answer the following questions **if you are submitting as an individual**. If you are submitting on behalf of an organisation or group, please go to page 3.

Pg 3: If you are submitting on behalf of an organisation or group:

What is the name of your organisation or group?

College of Child & Youth Nurses Aotearoa | Tapuhitia Ngā Mokopuna Mō Apōpō (New Zealand Nurses Organisation)

What type of organisation/group is it?

- ☐ Consumer organisation/group (please specify below)
☐ Iwi/ Māori organisation/group (please specify below)
☐ Health and/or disability services provider (please specify below)
☐ Central Government
☐ Local Government
☐ University/Academic
☒ Other (please specify below)

Please feel free to provide any further detail: We are a group of nurses that serve in a volunteer capacity to represent the professional voice for all nurses of children and young people in Aotearoa, New Zealand.



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Share 'one big thing'

This survey contains structured questions that ask for your feedback on each chapter in our consultation document. If you would prefer to give us your feedback as a whole, by telling us 'one big thing' – you can do so below.

If this is all you want to provide by way of your submission, that's fine by us. We will consider all the submissions we receive.

What is your 'one big thing'?



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Topic 1: Supporting better and equitable complaint resolution

1.1: Did we cover the main issues about **supporting better and equitable complaints resolution**?

Yes, as a group we feel think it seems to cover issues that affect the protection of health and disability service users and issues that impair the resolution of complaints.

However, potentially we felt it should be made clearer that people should look at lower level options first about raising concerns such as the internal processes for an organisation, rather than going straight to the HDC.

1.2: What do you think of our suggestions for **supporting better and equitable complaints resolution**, and what impacts could they have?

We think the suggestions are clearly explained, and we agree with clarifying wording re cultural responsiveness, to ensure all groups are included in this. It's also great that the code is considering whānau, and changing wording that means patient care can extend to whānau.

Protection against retaliation is an important consideration. We feel it's important for people to feel safe to complain and not be discriminated for it. We think overall all the suggestions are good and will provide greater protection for our clients receiving health and disability services.



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1.3: What other changes, both legislative and non-legislative, should we consider for **supporting better and equitable complaints resolution**?

We would encourage the changes to include direct links with UNCROC (United Nations Convention on the Rights of the Child) to make the commitment we have to working with vulnerable children more visible.

Topic 2: Making the Act and Code more effective for, and responsive to, the needs of Māori

2.1: Did we cover the main issues about **making the Act and the Code more effective for, and responsive to, the needs of, Māori**?

Māori don't often complain and need to be encouraged to do so. We are not sure what the best way is to do this but it's great that a team has been developed to better engage with Māori.

2.2: What do you think about our suggestions for **making the Act and the Code more effective for, and responsive to, the needs of Māori**, and what impacts could they have?

We think the suggestions are excellent— it's vital that HDC continues to have consult with and partner with iwi and Māori organisations in making the Act and Code more effective and responsive to the needs of Māori. We like the suggestion of upholding consumers Mana. Outlining the specific ways health and disability care workers can provide effective care for Māori— eg allowing for workforce training to understanding Tikanga would be helpful.



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2.3: What other changes, both legislative and non-legislative, should we consider for **making the Act and the Code more effective for, and responsive to, the needs of Māori?**

We want to know more about the role of the Director Māori and what they are able to do. Hopefully this team is consulting wide with Māori nationally.

Topic 3: Making the Act and the Code work better for tāngata whaikaha | disabled people

3.1: Did we cover the main issues about **making the Act and the Code work better for tāngata whaikaha | disabled people?**

No comments from our group regarding this. Hard to speak to this unless you live with a disability.

3.2: What do you think of our suggestions for **making the Act and the Code work better for tāngata whaikaha | disabled people**, and what impacts could they have?

No comments from our group regarding this. Hard to speak to this unless you live with a disability.



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3.3: What other changes should we consider (legislative and non-legislative) for **making the Act and the Code work better for tāngata whaikaha | disabled people?**

As per response from 1.3:

We would encourage the changes to include direct links with UNCROC (United Nations Convention on the Rights of the Child) to make the commitment we have to working with vulnerable children more visible.

Topic 4: Considering options for a right of appeal of HDC decisions

4.1: Did we cover the main issues about **considering options for a right of appeal of HDC decisions?**

Elongating the process, if there was a right for an organisation to appeal and what this could potentially mean for clinicians and the family/whānau.

4.2: What do you think about our suggestions for **considering options for a right of appeal of HDC decisions**, and what impacts could they have?

No comments from our group regarding this.



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4.3: What other **options for a right of appeal of HDC decisions**, both legislative and non-legislative, should we consider?

No comments from our group regarding this.

Topic 5: Minor and technical improvements

5.1: What do you think about the issues and suggestions for **minor and technical improvements**, and what impacts could they have?

No comments from our group regarding this.

5.2: What other **minor and technical improvements**, both legislative and non-legislative, should we consider?

No comments from our group regarding this (except to speak to UNCROC as per answers in 1.3 & 3.3)

5.3: What are your main concerns about **advancing technology** in relation to the rights of people accessing health and disability services?

No comments from our group regarding this.



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5.4: What changes, both legislative and non-legislative, should we consider to respond to **advancing technology**?

We would ask for the consideration to be given to consenting of children and the complexities that go with this.

Publishing and data protection

This section provides important information about the release of your information. **Please read it carefully.**

You can find more information in the Privacy Policy at hdc.org.nz.

Being open about our evidence and insights is important to us. This means there are several ways that we may share the responses we receive through this consultation. These may include:

- **Publishing all, part or a summary of a response** (including the names of respondents and their organisations)
- Releasing information **when we are required to do so by law** (including under the Official Information Act 1982)

Publishing permission

May we publish your submission? (Required)

- ☒ Yes, you may publish any part of my submission
- ☐ Yes, but please remove my name/my organisation/group's name
- ☐ No, you may not release my submission, unless required to do by law

Please note any parts of your submission you do not want published:

Reasons to withhold parts of your submission

HDC is subject to the Official Information Act 1982 (The OIA). This means that when responding to a request made under the OIA, we may be required to disclose information you have provided to us in this consultation.

Please let us know if you think there are any reasons we should not release information you have provided, including personal health information, and in particular:

- which part(s) you think should be withheld, and
- the reason(s) why you think it should be withheld.

We will use this information when preparing our responses to requests for copies of and information on responses to this document under the OIA.

Please note: When preparing OIA responses, we will consider any reasons you have provided here. However, **this does not guarantee that your submission will be withheld**. Valid reasons for withholding official information are specified in the Official Information Act.

☐ Yes, I would like HDC to consider withholding parts of my submission from responses to OIA requests.

I think these parts of my submission should be withheld, for these reasons:



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Follow up contact

If needed, can we contact you to follow up for more detail on your submission? (required)

- ☒ Yes, you can contact me
- ☐ No, do not contact me

Further updates

Would you like to receive updates about the review?

- ☒ I'd like to receive updates about the review
- ☐ I'd like to receive updates from HDC about this and other mahi

Thank you

We really appreciate you taking the time to share your thoughts with us. If you have provided your details, we'll keep you updated on progress. If not, feel free to check our consultation website <https://review.hdc.org.nz> for updates or to contact us if you have any questions. We can be reached at review@hdc.org.nz.