

# Know Your Rights when using a health or disability service

This presentation is for you to learn about the role of the Health and Disability Commissioner and to learn about your rights when you use a health or disability service



# What this presentation will talk about

- ➔ The Health and Disability Commissioner
- ➔ Complaint example
- ➔ The Code of Rights
- ➔ What you can do if you are unhappy with a service you receive?
- ➔ The Nationwide Health and Disability Advocacy Service



# What does the Health and Disability Commissioner do?



Health and Disability Commissioner  
*Te Toihau Hauora, Hauātanga*



- ➔ Created by law in 1994
- ➔ Independent
- ➔ Promotes and protects health and disability service users' rights
- ➔ Makes sure that people are listened to
- ➔ Resolves complaints in a timely manner



# The Code of Health and Disability Services Consumers' Rights 'The Code'

1. Respect

10. To Complain

2. Fair Treatment

9. Teaching and Research

3. Dignity and Independence

## 10 Rights in The Code

8. Support

4. Proper Standards

7. Decision Making

5. Effective Communication

6. Information



# Complaint Example

## Incident management by disability support service

- ➔ A woman living in a disability home was upset and began to throw herself and other objects around the room.
- ➔ When she refused to leave the room a support worker physically removed her.
- ➔ Her support plan listed things that staff could do to help calm her down.
- ➔ The support worker did not follow this plan. They also did not fill out the form telling others what had happened and they did not tell the woman's guardian about it for some time.
- ➔ The Commissioner investigated and decided that the service provider did not uphold the Code of Rights. The Commissioner asked the service provider to change the way they reported on issues that happened in the home and to give more training to their staff.



# 1. Respect



Means people should listen to you.



Means people should respect your privacy.



Means people should take into account your culture, beliefs and values.



## 2. Fair Treatment



Means you have the right to be free from discrimination, harassment and exploitation.



Means no-one should take advantage of you or force you to do something you don't want to do.



# 3. Dignity and Independence



➔ This means different things to different people.  
But it can mean that:

➔ You should be treated in a way that  
values you as a person.

➔ You should be supported to do as  
much as you can for yourself.





# 4. Proper Standards



➔ This means:

- ➔ Good care, and support that is right for you and meets your needs.
- ➔ Care and support that is safe and helps you live a good life.
- ➔ All people involved should work together to help you.



# 5. Good communication



Everybody has different ways to communicate.  
But good communication means that:



Things should be said in the best way for you  
to understand.



People should communicate in a way that is  
open, honest and effective.



# 6. Information



→ This means you:



Have the right to be told everything you need to know about your care and treatment.



Have the right to honest and accurate answers to any questions you have.



Should be told the information in a way you can understand.



# 7. Decision Making



→ This means:

- You have the right to make choices about your care and support.
- You can be supported to make your decisions.
- If you are unable to make a decision there are rules about who is allowed to make a decision for you.



# 8. Support



➔ You have the right to have someone with you when you receive a health or disability service. BUT:

➔ If it is unsafe for you or for someone else your support person might be asked to leave.

➔ If having a support person impacts on another person's privacy then your support person might be asked to wait in another area.



# 9. Decide about teaching or research



→ This means:



You can choose if you want to be part of research and training.



You can say no and you can change your mind at any time.



All the rights in the Code still apply when you are part of teaching or research.



# 10. Complain



➔ This means:

- ➔ Everyone has the right to complain about a service they are not happy with.
- ➔ Complaints should be listened to.
- ➔ You should be told what will happen with your complaint – and by when.



# What you can do if you are unhappy with a health or disability service you receive?



➔ You can:

- ➔ Talk to someone you trust about the issue.
- ➔ Talk to the people who provided the service.
- ➔ Talk to an Advocate from the Nationwide Advocacy Service.
- ➔ Make a complaint to the Health and Disability Commissioner.





# The Nationwide Health and Disability Advocacy Service



Health and Disability Commissioner  
*Te Toihau Hauora, Hauātanga*

- ➔ Advocates are located in offices all around the country.
- ➔ They are there to help you if you are unhappy with a health or disability service.
- ➔ They are free and independent from everyone else.



Advocates can help you when:

- ➔ Things were not explained to you in a way you can understand.
- ➔ You don't feel like you have been listened to.
- ➔ Something has gone wrong and you are unhappy with the service.



# How to Contact Us



Health and Disability Commissioner  
*Te Toihau Hauora, Hauātanga*

Health and Disability Commissioner

0800 11 22 33 or  
[hdc@hdc.org.nz](mailto:hdc@hdc.org.nz)



*Nationwide Health & Disability Advocacy Service*  
*Ngā Kaitautoko*

Nationwide Health and  
Disability Advocacy Service

0800 555 050 or  
[advocacy@hdc.org.nz](mailto:advocacy@hdc.org.nz)



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