

Submitted to About the Act and Code Review
Submitted on 2024-06-14 15:54:21

Your details

1 What is your name?

Name:
Zoe Daza

2 What is your email address?

Email:
[redacted]

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

I am submitting as an individual

4 How did you hear about this consultation?

Select from the following options:
Traditional media

If you selected other, please specify below:

Questions for individuals

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Share ‘one big thing’ or upload a file

5 Are you here to tell us your ‘one big thing’?

Your one big thing::

As a consumer with a long history with the HDC, I appreciate that your organisation is proposing these suggestions. It is great that you are seeking public feedback and I wish that it was more publicly known. I feel like there are many people who are not even aware of your organisation and it's purpose, and believe that more mahi can be done in this area.

Out of all the proposals I wholeheartedly believe that introducing an a appeal system that is a completely independent review panel or body, would have a significant impact on the whole organisation and complaints process. This would make the HDC more transparent and improve outcomes for the consumer.

6 Upload a file

File upload:

No file uploaded

Not Answered

Topic 1: Supporting better and equitable complaint resolution

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

Please add your response below:

I believe that these proposals are all important aspects of our ever-changing society and it is important that they are incorporated into the Code and Act. It is particularly significant that the Act includes more cultural (and general diversity) responsiveness. I also agree with amending the purpose statement to be more people-centred and believe this should be considered in partnership with the tangata whenua.

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

Please add your response below:

There are two suggestions that I feel that require more improvements. The first is changing the language of the purpose statement as it is clear that currently the HDC does not have a history of meeting the statement "to facilitate the fair, simple, speedy, and efficient resolution...". I suggest adding the word 'strive' or 'endeavour' so this purpose is not misleading to the consumer (or provider), yet the HDC can still aim to meet this purpose.

The other suggestion that I do not believe will have any impact on supporting better and equitable complaint resolution is changing the wording from 'no further action' to 'no investigate action'. While I agree the wording would make it more clear to the complainant, I do not believe that this will have any impact on the ability of a consumer to be satisfied with a complaint resolution.

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

1.3 changes - supporting better and equitable complaint resolution:

Make the whole complaints process more transparent. Incorporate more information in the Act on what is required to investigate a complaint, otherwise have this information available to the public on your website.

Improve the timeline for assessments and investigations, include a definitive time in the Act for how long an assessment can take.

As stated previously, adding the word 'strive' or 'endeavour' to the Act's purpose so this does not continue to mislead the consumer (or provider), yet the HDC can still aim to meet this purpose.

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

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

Please add your response below:

I believe that I do not have the right to answer this question as a Pakeha.

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

Please add your response below:

I feel that it is important that all ethnicities are treated equally. I believe there should also be focus on other minorities in NZ. Also, recently hearing from a work colleague that their complaint to the HDC was 'fast-tracked' as their daughter had mentioned her 'treaty rights' were breached. They were then provided a definitive deadline for the assessment of six-weeks.

Going through the complaint process myself with the assessment of my complaint being very lengthy, I feel that it is imperative that all complaints are treated equally. A complaint should not be given priority based on ethnicity.

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

Please add your response below:

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?

Please add your response below:

I believe I do not have a right to answer this question as a person who is able-bodied.

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?

Please add your response below:

In my opinion, the suggestions seem like they would make a significant improvement to the Act and Code. I feel that it is important that they have a right to support and this should be included in the Act.

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

Please add your response below:

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

4.1 Have we covered the main issues about considering options for a right of appeal of HDC decisions?

Please add your response below:

Somewhat. I believe the points are correct, however the petition also proposed the right of a consumer to appeal the decision independently.

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

Please add your response below:

Having gone through the 'closed file review' two times now, I have absolutely no faith in the integrity of this process. I wholeheartedly believe that the only way to consider the right of appeal for consumers is by making it a statutory requirement that involves "an entirely independent review panel or body".

I agree with the proposal for lowering the threshold for access to the HRRT. Whether it is lowered the most (complaint just being made) really depends on the amount of investigations your Office is now undertaking. If the HDC is now investigating more complaints than previously it can be lowered to 'investigation level'. It is very hard to comment without knowing the statistics. I understand that this would require a lot of resources for the HRRT, so believe perhaps 'investigation level' would be most appropriate.

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

Please add your response below:

Having another option for consumers to appeal a decision independently,

Topic 5: Minor and technical improvements

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

Please add your response below:

I agree with most of the suggestions. However, I feel that the ability to "withhold information during the course of an investigation while the investigation is ongoing, as this is an important safeguard for the integrity of a complaint investigation process" should be looked at further.

I believe that withholding information during an investigation for providers and their lawyers is understandable, but this would be very unfair for the complainant. I feel that the complainant should have a right to read expert's advice before the publication of decision as well as access to responses and advice during the whole process, so that ultimately they understand the final opinion.

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

Please add your response below:

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5.3 What are your main concerns about advancing technology and its impact on the rights of people accessing health and disability services?

Please add your response below:

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

Please add your response below:

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Publishing and data protection

May we publish your submission?

Yes, you may publish my submission

Please note any part(s) of your submission you do not want published::

Reasons to withhold parts of your submission

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

No

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

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

Yes, you can contact me

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 the HDC about this and other mahi