

14 October 2019



Health and Disability Commissioner
Te Toihau Hauora, Hauātanga

By email: fyi-request-11032-447b3e1a@requests.fyi.org.nz

Tēnā koe Mr Wild

Re: Your information request
Our ref: C15HDC00864

Thank you for your email of 21 August 2019 requesting:

1. "any declaration of a conflict of interest recorded by Mr. Kevin Allen, Mental Health Commissioner on any conflict of interest register, in relation to the Mental Health Commissioner report, Case 15HDC00864 (Mr Samuel Jacob Fischer)
2. any declaration recorded on the Conflict of Interest Register by any member of the Health and Disability Commissioner's Consumer Advisory Group in relations to the Mental Health Commissioner report, Case 15HDC00864.
3. a copy of all policy, procedures or guidelines that Professionals would be expected to peruse and agree to, that ensures that the Health and Disability Commissioners Office is satisfied intentions and conduct of its employees and contractors would meet that of any law, including the Health and Disability Commissioner Act 1984, and to ensure consistent independence and protection of Professionals from 'questionable professional pressure or coercion'."

By way of explanation, the HDC Conflict and Declarations of Interest Register does not record conflicts of interest in relation to particular complaints, it records personal interests and relationships with particular people or organisations which either conflict or have the potential to conflict with HDC's interests.

The Health and Disability Commissioner's Consumer Advisory Group (CAG) is an advisory group that provides representative consumer advice to HDC on strategic and operational health and disability issues. Established in 2003, CAG is made up of consumer stakeholders appointed from across the health and disability sector, who act as a "sounding board" for HDC's work. CAG members are selected for their ability to highlight health and disability service consumer concerns from their communities. Members of CAG have no involvement in HDC's processing of complaints, including the investigation of complaints, and its members would not be able to access information about an ongoing complaint or investigation with HDC.

HDC has considered your request under the Official Information Act 1982 and the Privacy Act 1993, and our response is set out below next to corresponding.

1. There is no declaration of a conflict of interest recorded in any HDC conflict of interest register by Mr Allan in relation to this particular complaint file or any of the parties to this file.
2. There is no declaration of a conflict of interest recorded by any member of the Consumer Advisory Group in relation to this particular complaint file or any of the parties to this complaint.
3. I understand you are asking for a copy of HDC policy, procedures and guidelines applying to HDC workers, including contractors and employees, relating to the independence and impartiality of those workers in relation to their roles. With that in mind, please find **attached** a copy of the HDC conflict of interest policy and HDC's guidelines for expert advisors. For the avoidance of doubt, I note the guidelines for expert advisors are for persons providing HDC with expert clinical advice. Members of the Consumer Advisory Group are not expert advisors.

Nāku iti noa, nā



Freya Dean

Senior Legal Advisor

Enc Conflicts of Interest Policy
HDC Guidelines for Expert Advisors