

Tēnā koe x,

### Seeking your expertise to guide the review of the HDC Act and Code

As you may be aware, the Commissioner is currently undertaking a review of the Health and Disability Commissioner Act (the Act) and the Code of Health and Disability Services Consumers' Rights (the Code).

One of the Commissioner's priorities for this review is to support more timely, people centred resolution of complaints. When the Act and Code were first established, the intent was that most complaints would be resolved directly between providers and consumers, with HDC intended to be an impartial recourse when complaints were not able to be resolved at source, or where the issues raised were particularly serious. Underscoring this, was the recognition that early resolution generally provides the best outcomes, including restoring relationships between the people receiving and those providing care and/or support.

To support this intent, the Act and Code provide principles for complaints resolution and establish multiple pathways for the resolution of complaints, including:

- Providing people with the right to complain and setting expectations on providers for the management of complaints to support resolution at source (Right 10).
- The establishment of a national network of advocates to support people to make and resolve complaints directly with their provider
- The establishment of HDC and the processes it must follow to facilitate the resolution of complaints, including different options for resolution.

In the scoping phase of the review, a number of issues were identified in relation to how well the current system was working. These include:

- A lack of clarity for providers around complaint management, and particularly the timeframes to respond to complaints
- The need for more protection for complainants when raising issues with their providers, particularly when they are reliant on their care
- The time it takes for HDC to assess and resolve complaints is having a detrimental impact on consumers and providers, and decreasing the currency of HDC's interventions and recommendations
- Concern that the current HDC process is too paper-based and does not address the human elements of a complaint and the relationships between consumers and providers.

You are invited to participate in an online workshop to explore what a more timely, people-centred complaints pathway could look like, and legislative options to support this. I am approaching you because you are a key stakeholder in this work and bring an important perspective to the table.

Please note the following:

- The (three-hour) online workshop is scheduled for **Tuesday 21<sup>st</sup> November** from **1pm – 4pm**.
- You are welcome to nominate someone from your organisation or group to attend in your place.

- Attendees who are not part of the public sector are entitled to a standard payment of \$300 (including GST). This reflects an hourly rate of \$50 (including GST) – 3 hours attendance and 3 hours preparation (including consultation with others if required).
- We will also cover the cost of any assistance required to participate for people with disabilities.

If you are interested in being involved, please contact Jane Carr-Smith, at your earliest convenience. She can be reached at [jane.carr-smith@hdc.org.nz](mailto:jane.carr-smith@hdc.org.nz) or on 04 471 9270.

Ngā manaakitanga,

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