

**Te Whatu Ora Southern breaches Code for unacceptable delays in care  
21HDC00522**

The Deputy Health and Disability Commissioner has found Te Whatu Ora Southern breached the Code of Health and Disability Services Consumers' Rights (the Code) for unacceptable delays in referrals for the treatment of a man's abscesses.

Deborah James found Te Whatu Ora breached Right 4(1) of the Code – the right to services of an appropriate standard provided with reasonable care and skill. Ms James was also critical of the way communication regarding the man's condition was managed, and the lack of courtesy shown to the man.

Ms James' recommendations included that Te Whatu Ora formally apologise to the man, and report back to her on changes it has made to ensure appropriate oversight and management of internal referrals within six months.

The breach related to Te Whatu Ora Southern's management of the man's painful reoccurring abscesses between November 2019 and March 2021. The man experienced multiple referral delays and communication failures. He eventually undertook surgery privately following a referral from Te Whatu Ora Southern.

"Overall, Mr A experienced multiple unacceptable delays in the management of his referrals and confusion about the appropriate service to provide his care. This resulted in Mr A not receiving timely consultations and treatment, despite having been prioritised as urgent..." Ms James said.

Ms James also made an adverse comment against Te Whatu Ora saying she was concerned about the poor communication, consideration and respect he experienced.

"I am critical that there was not a process to record queries and ensure that an appropriate person responded [to] and supported Mr A. This was poor care that contributed to Mr A's ongoing discomfort. I am [also] critical of the lack of courtesy shown to enable timely information and access to treatment."

Te Whatu Ora has undertaken a review of its colorectal services and put in place several changes including:

- Implementing a new patient management and booking system in November 2023
- Implementing an electronic internal request form for surgery to reduce paper referrals
- weekly referral triage clinics for general surgery
- further staff training on internal referral prioritisation

- developing a quick guide for consistent triaging
- reporting and active management of referrals.

27 November 2023

Health and disability service users can now access an [animated video](#) to help them understand their health and disability service rights under the Code.

***Editor's notes***

The full report of this case will be available on HDC's [website](#). Names have been removed from the report to protect privacy of the individuals involved in this case.

The Commissioner will usually name providers and public hospitals found in breach of the Code, unless it would not be in the public interest, or would unfairly compromise the privacy interests of an individual provider or a consumer.

More information for the media, including HDC's naming policy and why we don't comment on complaints, can be found on our website [here](#).

HDC promotes and protects the rights of people using health and disability services as set out in the [Code of Health and Disability Services Consumers' Rights](#) (the Code).

In 2021/22 HDC made 402 recommendations for quality improvement and providers complied with 98% of those recommendation.

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