

[REDACTED] is committed to the well-being and empowerment of individuals with disabilities. We advocate for the rights and prosperity of all people with intellectual disabilities and autism along with their families and whānau. [REDACTED] is proud to offer mana-enhancing support across the Canterbury region. Our teams are focused on supporting people with high and complex support needs to live meaningful lives of their choice. Our community is vibrant and diverse, with support offered to over 220 people ranging in age from four to seventy years.

Our thoughts on the review and the questions posed are as follows:

Inclusion of Supported Individuals' Voices: The voices of those with high and complex support needs that we support (this group of people equates to approximately 1% of the general New Zealand population and about 5% of the disabled community) are often missing in complaints. To achieve meaningful redress, their perspectives must be integral to the process. An improved approach to obtaining their voice is critical in considering complaints that involve them, recognising that often the complaint originates from a guardian and/or whanau member on their behalf.

Respect: We advocate for unwavering respect for individuals, acknowledging their disability, gender identity, sexuality, values, beliefs, and right to privacy. It is imperative to honour each person's strengths and abilities, fostering an environment where everyone feels valued.

Dignity & Independence: We believe that services should enable individuals to lead a life of their choosing, supporting independence by providing information in accessible formats. The concept of a 'dignified life' should be redefined to prioritise personal choice and understanding.

Communication: The right to communicate using preferred tools and resources, including interpretation services, is fundamental. We must ensure that these means are readily available to facilitate effective communication for all.



Information: Information should be conveyed in a manner that is comprehensible to the individual, respecting their unique needs and cognitive abilities. It is equally important that complaint resolution teams and their organisations are accessible; they must not hide behind anonymity, and they must make the process to access information easy and user friendly.

It is Your Decision: Informed consent is crucial. Individuals should be presented with all viable alternatives to make educated decisions about their care and support. And consent should be received in any viable mean that is appropriate for the individual i.e. this may not always be in writing

Support The option for individuals to spend time independently from their support person should be available, respecting their autonomy and privacy. Equally it is important to recognise that sometimes the support provider is the person's main or only support. It's important also to appreciate that in practice, despite legal welfare status of guardians and whanau members, that tensions may and sometimes do exist between the individual and their guardian.

Teaching & Research: Consent for participation in research is a right, as is the choice to decline involvement. These decisions must be respected and facilitated without coercion.

Organisational Learning from Complaints: We propose a shift from a punitive approach to a learning-oriented process. Instead of 'naming and shaming,' a follow-up system should be established to allow organizations to learn from complaints and share insights sector-wide.

Communication and Professional Access: Access to appropriate professionals and communication tools is essential, not only for those we support but also for staff. This ensures that everyone is right to communicate is upheld.



Frequency of Reviews: Regular reviews of the Code and HDC’s relevance are necessary to adapt to the evolving landscape of health and disability services.

Engagement with the HDC Code: The HDC Code should be user-friendly and actively involve those it serves. The principle of “nothing about us without us” should be central to the Code’s application.

Learning vs. Accountability: While the HDC serves as an accountability mechanism, it should also facilitate sector-wide learning to improve services continually.

Adversarial Nature of Complaints: The initial adversarial nature of the complaints process could be improved to encourage constructive dialogue and resolution.

Sector-Wide Learning: The role of the Commission should include promoting learning across the sector, through a national body dedicated to this purpose.

Real-World Application of Rights: We must evaluate whether the rights outlined in the Code are genuinely upheld in practice, especially in critical situations such as healthcare appointments.

Fines and Accountability: Increasing fines may not be the most effective way to hold organizations accountable. It is worth considering alternative methods that do not detract from the funding available for supporting individuals.

Timeliness – recognition that extended times to process complaint cases may create unnecessary distress and inconvenience for the complainants and other stakeholders to the complaint

Health and Disability Commissioner

Act and Code Review – One big thing



We appreciate the opportunity to participate in this review and hope our suggestions will contribute to a more inclusive, responsive, and effective Act and Code for all New Zealanders.