



HEALTH & DISABILITY COMMISSIONER
TE TOIHAU HAUORA, HAUĀTANGA

Woman's rights breached due to failures in care during pregnancy **22HDC01257**

Deputy Health and Disability Commissioner Rose Wall has today released a report finding a registered midwife breached the Code of Health and Disability Services Consumers' Rights (the Code) for failures in the care of a woman during pregnancy.

The woman engaged a registered midwife as her Lead Maternity Carer (LMC) during the pregnancy of her fourth child.

Early in her pregnancy, the woman experienced continuous bleeding and informed the midwife who arranged an ultrasound scan. The woman tried to follow up the results of her scan but was unsuccessful in contacting the midwife through phone calls, text messages and emails.

Due to the lack of communication from her midwife, the woman relocated to another district to engage with a new midwife. The uncertainty and disruption to family life caused by the lack of communication, in addition to the baby being born prematurely, caused significant stress to the woman and her family.

The woman believed these events were partly caused by the inadequate care from the midwife during the early stages of her pregnancy.

Ms Wall found the midwife failed to comply with the New Zealand College of Midwives' Standards of Practice and therefore breached the Code for failing to provide services of an appropriate standard | Tautikanga.

The breach related to the failure to provide continuity of care and for not facilitating open communication by sharing relevant information about the ultrasound results.

Ms Wall said the midwife's overall treatment was not "woman-centred". "In not following up with the woman after her scan, and not responding to her attempts to contact her, the midwife did not provide continuity of midwifery care or facilitate open, interactive communication."

Ms Wall also found the midwife breached the Code for failing to take the woman's complaint seriously | Amuamu. The midwife did not respond to the woman's request for an explanation and apology and did not engage with HDC's investigation, despite numerous attempts by HDC to obtain a response.

Ms Wall said that as a healthcare provider the midwife was required to respond to take prompt steps to resolve the woman's complaint. "I am critical of the midwife's failure to engage with the complaints process and to facilitate the resolution of the woman's concerns," she said.

11 November 2024

Editor's notes

Please only use the photo provided with this media release. For any questions about the photo, please contact the communications team.

The full report of this case can be viewed on HDC's website - see HDC's '[Latest Decisions](#)'.

Names have been removed from the report to protect privacy of the individuals involved in this case.

The Commissioner will usually name group 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 2022/23 HDC made 592 quality improvement recommendations to individual complaints and we have a high compliance rate of around 96%.

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

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