



Health and Disability Commissioner
Te Toihau Hauora, Hauātanga

3 July 2023

Sarah Brodrick

By email: <fyi-request-22875-283ee971@requests.fyi.org.nz>

Tēnā koe Ms Brodrick

Re: Information request
Our ref: E23HDC00923

Thank you for your email of 21 May 2023, received 22 May 2023, requesting:

1. “All Official information about the Health and Disability Commissioner's role in reasonably accommodating to a complainant who identifies as a disabled persons
2. All Official information about the Health and Disability Commissioner and funding to support disabled persons and the complaint process
3. All Official information about the Health and Disability Commissioner and funding for educational and navigation purposes of disabled persons, complaints and navigation of healthcare providers with the complaint process
4. All Official information about the Health and Disability Commissioner and any statistical information of complainants who have identified as disabled persons (statistical information, I'm not requesting for any specific information about the complaints, or complainants)
5. All Official information about the Health and Disability Commissioner's survey which is part of the acknowledgement email that is sent to a complainant, after a submission of a complaint
6. a) I would like to know the lawful purpose of the HDC in asking census questions about persons who have disabilities and the relevance of asking

such invasive questions of complainants when the Human Rights Commissioner is not actively engaged in the treatment and care of disabled persons

b) I would like to know why the HDC is requesting for complainants to provide identifiable information including providing a first name, a surname and or the complaint reference as part of the "voluntary survey" included into the email acknowledgement of a complainant's first complaint submission

c) I would like know what is the lawful purpose of the HDC to require identifiable information of a complainant, when filling in a "voluntary survey" and where is the personal information of the complainants being stored and used

d) I would like know why the HDC does not provide an anonymous survey, if it is voluntary.

e) Does the HDC use any of the survey information and personal details of complainants to seek funding

f) Does the HDC be provide any of the survey information and personal details of complainants to any third parties and to whom, and why." We have considered your request under the Official Information Act 1982 and the Privacy Act 2020."

We have considered your request under the Official Information Act 1982.

In response:

Question 1: All Official information about the Health and Disability Commissioner's role in reasonably accommodating to a complainant who identifies as a disabled persons

Response: We endeavour to be reasonably accommodating with HDC's core material by presenting it in accessible formats, with certain material (the complaint form and the code of rights by way of examples) translated into an easily read format. You may wish to visit the disability page on HDC's website for further information on HDC's disability specific resources. We also draw upon the expertise of the nationwide health and disability advocacy service and, more specifically, seek the assistance of advocates to support people in their engagement with HDC and with the resolution of their complaints. It is also important to note that HDC is committed to meeting our obligations under the Accessibility for New Zealanders Bill when it is passed into

legislation, and we recognise there is further work to be done in the ways we support people with accessibility needs. This will continue to be an area we focus on.

Questions 2 & 3: All Official information about the Health and Disability Commissioner and funding to support disabled persons and the complaint process and All Official information about the Health and Disability Commissioner and funding for educational and navigation purposes of disabled persons, complaints and navigation of healthcare providers with the complaint process

Response: We have interpreted your question as being for a breakdown of how HDC funds support, education and navigation for disabled persons and healthcare providers. HDC's annual report details HDC appropriations and how its funding is assigned to the various output classes. The Annual Report is the extent to which we can provide breakdowns of funding in relation to your question. Certain population groups (including disabled consumers) are prioritised with the provision of education sessions, networking and residential visits, but this level of detail is not broken down in the audited accounts of the annual report. Please refer to our [Annual Report](#) on our website and in particular page 67 of the 2022 report, section 6.5.

Question 4: All Official information about the Health and Disability Commissioner and any statistical information of complainants who have identified as disabled persons (statistical information, I'm not requesting for any specific information about the complaints, or complainants)

Response: HDC began collecting data on complainants who have identified as disabled persons on 24 April 2023. Of all of the complainants since 24 April 2023, 56% have chosen to provide this information. Of the complainants who have chosen to provide this information, 23% indicated they are a person with a disability.

Question 5: All Official information about the Health and Disability Commissioner's survey which is part of the acknowledgement email that is sent to a complainant, after a submission of a complaint

Response: HDC asks complainants to fill out a demographics survey. The information gathered from this survey allows HDC to track which communities it is receiving complaints from. We have a responsibility to ensure that HDC is as accessible and responsive as possible to consumers' needs. If you require a more specific response please advise as the question as it stands is too broad.

Question 6(a) and (b): I would like to know the lawful purpose of the HDC in asking census questions about persons who have disabilities and the relevance of asking such invasive questions of complainants when the Human Rights Commissioner is not actively engaged in the treatment and care of disabled persons [and] I would like to know why the HDC is requesting for complainants to provide identifiable information

including providing a first name, a surname and or the complaint reference as part of the "voluntary survey" included into the email acknowledgement of a complainant's first complaint

Response: HDC invites complainants to fill out a demographics survey. The survey is optional and voluntary and it does not affect the assessment of a complaint if they choose not to fill it out. The information gathered from this survey allows HDC to track which communities it is receiving complaints from. We have a responsibility to ensure that HDC is as accessible and responsive as possible to consumers' needs. The information gathered from the survey is used to help HDC resolve complaints in a way that is appropriate to the complainant's needs. The information from the survey may be used to determine whether or not it is appropriate for HDC to refer a complainant to an advocate to assist in the complaints process.

The questions which we ask about disability are adapted from the Washington Group Short Set of Questions on Disability. These questions are designed for accurate data collection on disability in a way that is culturally neutral and reasonably standardised. To gather information about disability, HDC uses a mixture of the Washington Group Short Set of Questions on Disability, and self-identification.

Question 6(c): I would like know what is the lawful purpose of the HDC to require identifiable information of a complainant, when filling in a "voluntary survey" and where is the personal information of the complainants being stored and used

Response: HDC stores this information in our complaints management system where it is only accessed by those staff members who have a legitimate need to access it. This information is collected in order to assist in the assessment of a complaint (that is to ensure that all relevant equity factors are taken into consideration and that we are resolving the complaint in a way that meets the consumer's needs). It is also used, at a high level, to measure and monitor the extent to which different communities access our service and their experience of care. The demographic information across all complaints is collated together in a non-identifiable way to measure who is accessing our service and what they are complaining about. This assists us to both monitor the extent to which HDC is accessible and to leverage change in the health system.

Question 6(d) I would like know why the HDC does not provide an anonymous survey, if it is voluntary.

Anyone can choose to not answer the survey. The survey is not anonymous as the information is used to ensure that we are considering all the relevant equity factors when assessing a complaint.

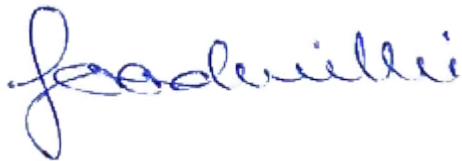
Question 6 (e) and (f): Does the HDC use any of the survey information and personal details of complainants to seek funding [and] Does the HDC be provide any of the

survey information and personal details of complainants to any third parties and to whom, and why

Response: No, we do not use the survey information and personal details of complainants to seek funding and we do not provide survey information and personal details of complainants to any third parties.

You may seek a review of this decision from the Office of the Ombudsman.

Nāku iti noa, nā

A handwritten signature in blue ink, appearing to read 'Goodwillie', written in a cursive style.

Dr Craig Goodwillie
Senior OIA Advisor