

# Aide-Mémoire

## Meeting with the Health & Disability Commissioner on 26 January 2024

|                        |   |                              |             |
|------------------------|---|------------------------------|-------------|
| <b>Date due to MO:</b> | 23 January 2024   | <b>Action required by:</b>   | N/A         |
| <b>Security level:</b> | IN CONFIDENCE   | <b>Health Report number:</b> | H2023034532 |
| <b>To:</b>             | Hon Dr Shane Reti, Minister of Health   |                              |             |
| <b>Consulted:</b>      | Health New Zealand: <input type="checkbox"/> Māori Health Authority: <input type="checkbox"/> |                              |             |

### Contact for telephone discussion

| Name                 | Position  | Telephone |
|----------------------|---|-----------|
| <b>Simon Medcalf</b> | Deputy Director-General, Regulation and Monitoring   Te Pou Whakamaru                     | s 9(2)(a) |
| <b>Liz Stirling</b>  | Manager, System Planning and Accountability, Regulation and Monitoring   Te Pou Whakamaru | s 9(2)(a) |

# Aide-Mémoire

## Meeting with the Health & Disability Commissioner on 26 January 2024

**Date due:** 18 January 2024

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**To:** Hon Dr Shane Reti, Minister of Health

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**Security level:** IN CONFIDENCE      **Health Report number:** H2023034532

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**Details of meeting:** 26 January 2024, 2.45pm – 3.30pm  
Ko Awatea Room 209, Building 54, Middlemore Hospital Campus

**Purpose of meeting:** This is the first meeting between you and the Health & Disability Commissioner (HDC). You will be meeting with Morag McDowell (Health & Disability Commissioner) and Dr Vanessa Caldwell (Deputy Commissioner).

Ministry of Health officials will attend the meeting if you wish.

At the meeting you may wish to discuss the following:

- Expectations for 2024/25

You may also wish to cover:

- Review of the HDC Act and Code of Rights
- Funding and budget 2024.

Suggested talking points are provided below.

**Comment:**      **Background information on HDC**

HDC ensures that the rights of health and disability service consumers are upheld and encourages health and disability service providers to improve their performance. This includes making sure that consumer complaints are taken care of, fairly and efficiently. HDC also funds a national advocacy service to help consumers resolve their complaints.

**Who are you meeting with**

You are meeting with Morag McDowell (Health & Disability Commissioner) and Dr Vanessa Caldwell (Deputy Commissioner).

- Morag McDowell began her term in September 2020. She was previously a Coroner based in Auckland for nearly 13 years and

prior to this, a Crown Prosecutor, Director of Proceedings for the Health and Disability Commissioner's Office, and a Senior Legal Adviser at Crown Law. Her legal practice has had a strong focus on healthcare law, and she has appeared in different courts and tribunals on a variety of health-related litigation. Morag has also lectured and published on a range of medico-legal issues.



- Dr Vanessa Caldwell (Kāi Tahu, Te Rapuwai, Waitaha, Kati Māmoe) was appointed to the role of Deputy Commissioner in 2021. She brings extensive knowledge of the health system with particular experience in mental health and addictions.

Her previous roles have included Clinical Executive, Mental Health & Addictions, MidCentral DHB and National Director of Matua Raki, Addictions workforce development. Vanessa has a doctorate in Health Science, an MBA, and practised as a registered psychologist.



### **Current performance of HDC and expectation setting for 2024/25**

HDC provided you with a copy of its BIM on 29 November 2023. It provides you with a useful overview of HDC's role, operations and current issues.

HDC is receiving a record number of complaints with volumes sitting about 36 percent above pre-COVID levels. HDC is making significant progress on its complaints process redesign and has reported positive results. The Ministry is monitoring the growing backlog of complex complaints which require substantial resources to investigate.

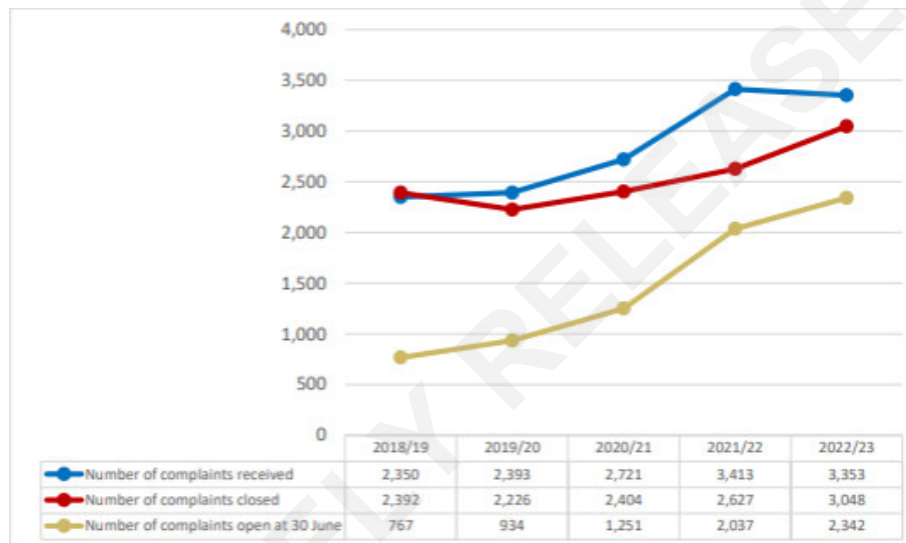
An external review in 2022 identified outdated IT infrastructure to be a significant barrier to increasing efficiency of HDC's complaints process. The Ministry is concerned that any efficiency gains may be lost due to out-of-date data and digital systems.

HDC's quarter 1 performance report shows it is fulfilling its strategic objectives and has demonstrated clear mitigation strategies with regard to process improvement by implementing a redesign plan for

complaints. There is concern over the growing backlog of complaints in general (**Figure 1**) but also the growing number of complaints which require substantial resources to investigate. HDC is forecasting significant financial deficits in outyears. The Ministry has advised HDC that cost savings are a priority in the current fiscal environment. The Ministry will provide you with a detailed briefing on HDC's quarter 1 performance shortly.

The Ministry has begun work on a draft Letter of Expectations to HDC (as well as to other health Crown entities) which will be provided following further engagement with you on the Government's priorities for the health Crown entities.

**Figure 1.** Number of complaints received by HDC



### Review of the HDC Act and Code of Rights

HDC is well advanced in the review of the HDC Act and Code of Rights review, which is required to occur every 5 years under the Health and Disability Commissioner Act 1994.

In December 2023, HDC provided the Ministry with its draft review document developed for public consultation. **§ 9(2)(f)(iv)**


**§ 9(2)(f)(iv)**

HDC is planning to formally commence its public consultation process from March to June 2024, with a final report on the findings of the review due to you in December 2024.

### **Funding and Financial Performance**

At the end of quarter 1, HDC forecast a full year net deficit result of \$0.971 million for quarter 1 and is forecasting financial deficits in outyears if baseline funding remains at current levels. The expected increase to net deficits is due to the increase in complaints following the COVID-19 pandemic and complaint volumes are currently sitting at 36% above pre-COVID-19 levels and this will take time to remediate.

s 9(2)(f)(iv)



Simon Medcalf

Deputy Director-General

**Regulation and Monitoring | Te Pou  
Whakamaru**

PROACTIVELY RELEASED