



Response to your request for official information

I refer to your request of 14 December 2018 under the Official Information Act 1982 for:

- “1. Does the fact that The Turning Point's Auckland facility says it only has four beds, mean that it isn't required to meet any of the assessment standards laid out in the Corrective Action Progress Monitoring Report?*
- 2. Is there any monitoring measure in place to ensure that The Turning Point Auckland doesn't exceed four beds?*
- 3. And if it doesn't require certification, what safety standards is it required to meet and who is responsible for monitoring its operation?”*

In response to question one of your request, healthcare providers are required to be certified under the Health and Disability Services (Safety) Act 2001 (the Act) and to meet the Health and Disability Services Standard NZS 8134:2008. HealthCERT is the team within the Ministry of Health (the Ministry) that is responsible for regulating healthcare providers as required under the Act.

The Act determines that a premise requires certification when a provider is offering residential disability services to five or more clients. The Turning Point Limited (TTP) was certified for residential disability services. As TTP Limited reduced the number of beds in the Auckland facility, operating less than five beds, it was no longer required to be certified under the Act or submit progress reports on the corrective actions.

In response to question two of your request, if the Ministry becomes aware that TTP Limited is operating five or more beds, the Act permits HealthCERT to undertake an unannounced inspection of the premise to verify if the TTP Limited is required to be certified. TTP Limited will then have to apply for certification and be subjected to an audit. It is an offence under the Act for a healthcare provider to be providing services without certification (as defined under the Act).

In response to question three of your request, while uncertified providers are not monitored by HealthCERT, the qualified professionals supporting the service would be operating under the relevant codes of practice. In addition, organisations such as the Office of the Health and Disability Commissioner have the ability to investigate any care concerns or complaints raised about health or disability services.

I trust this information fulfils your request.

Please note that this letter, with your personal details removed, and attachments may be published on the Ministry of Health website.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'Keriana Brooking', with a stylized, flowing script.

Keriana Brooking
Deputy Director-General
Health System Improvement and Innovation