**Summary for 39th meeting (15 November 2022):**

The Compliance Panel (The Panel) met via videoconference to discuss the release of determination for complaint 07-2021-01.

The Panel discussed the process of requesting advice from Health Legal. The Panel discussed the publication of determinations and summaries. Referencing the naming policy from the Health and Disability Commissioner (HDC), the Panel agreed that, on balance, it:

* is generally not appropriate to identify individual health workers unless breaches of the Health Workers’ Code are extremely serious or continual
* recognises that there is a balance to strike between an individual’s right to privacy, the public’s right to understand the nature of complaints made under the Health Workers’ Code and the work of the Panel (ie, transparency and its educative role)
* is fair to publish full determination letters on the Te Whatu Ora (or Manatū Hauora) website, with the name of the complainant and health worker (ie, subject) redacted or otherwise de-identified (including the use of gender inclusive language)
* does not have control over how individual complainants (or subjects) may choose to disclose or share a Panel determination
* would be helpful to develop a formal naming policy, based on not naming individual health workers although companies would continue to be named in determinations made under the INC Code of Practice.

The Panel agreed that the educative nature of the determination letter in response to complaint 07-2021-01 is valuable; however, the release of the letter is not within its in scope. The Secretariat should advise the complainant that the Panel’s policy is not to name individual health workers.

The Panel noted that the Manatū Hauora website pages on the WHO Code in New Zealand are very outdated. They do not recognise the Panel’s activity over the last 18 months, current members, recent determinations, upcoming meeting dates or recent annual reports. This needs to be updated as soon as possible.