Title | Describe the Health and Disability Commissioner Act 1994 and the role and function of health and disability advocates
---|---
Level | 5
Credits | 4
Purpose | People credited with this unit standard are able to describe the Health and Disability Commissioner Act 1994, and the role and function of the Health and Disability Advocacy Service and health and disability advocates.
Classification | Health, Disability, and Aged Support > Health and Disability Principles in Practice
Available grade | Achieved

Explanatory notes

1 Legislation relevant to this unit standard includes:
Health and Disability Commissioner Act 1994;

2 Codes and guidelines relevant to this unit standard include:

3 New Zealand Standards relevant to this unit standard include:
NZS 8134.0:2008 Health and disability services Standards – Health and disability services (general) Standard;
NZS 8134.1:2008 Health and disability services Standards – Health and disability services (core) Standards;
NZS 8134.2:2008 Health and disability services Standards – Health and disability services (restraint minimisation and safe practice) Standards;
NZS 8134.3:2008 Health and disability services Standards – Health and disability services (infection prevention and control) Standards.

4 References

5 Definitions

*Consumer* is defined in the Code of Rights and the Health and Disability Commissioner Act 1994 in the following ways:

‘Consumer means a health consumer or a disability services consumer; and, for the purposes of Rights 5, 6, 7(1), 7(7) to 7(10), and 10, includes a person entitled to give consent on behalf of that consumer.’ – Code of Rights, Regulation 4.

‘Disability services consumer means any person with a disability that –

'(a) Reduces that person's ability to function independently; and

'(b) Means that the person is likely to need support for an indefinite period.' – Health and Disability Commissioner Act 1994, s. 2.

'Health consumer includes any person on or in respect of whom any health care procedure is carried out.' – Health and Disability Commissioner Act 1994, s. 2.

*Health and disability advocates* assist consumers to have their rights recognised and upheld by health and disability service providers; and encourage them to take action – including making a complaint – if they have an unresolved concern. Advocates operate independently of government agencies, the Health and Disability Commissioner, and the funders of health and disability services.

### Outcomes and evidence requirements

**Outcome 1**

Describe the Health and Disability Commissioner Act 1994.

**Evidence requirements**

1.1 The purpose of the Act is described in terms of the promotion and protection of the rights of health and disability services consumers.

1.2 The Act is described in terms of the history of health and disability consumers’ rights, and the significance of the appointment of a Health and Disability Commissioner following the Cartwright Report.

1.3 Part Two of the Act is described in terms of its provision for the preparation of a Code of Rights by the Health and Disability Commissioner.
Outcome 2

Describe the role and function of the Health and Disability Advocacy Service and health and disability advocates.

Evidence requirements

2.1 The Health and Disability Advocacy Service is described in terms of its role and function, and its interface with the Health and Disability Commissioner.

Range may include but is not limited to – communication protocols, vision, strategic direction, formal referral of complaints.

2.2 Part Three of the Health and Disability Commissioner Act 1994 is described in terms of its provisions for health and disability consumer advocacy services.

2.3 The role and function of health and disability advocates is described in terms of their work within the Health and Disability Advocacy Service and other organisations, the nature of their independence, and the relationship of their role to the Code of Rights.

Planned review date

31 December 2016

Status information and last date for assessment for superseded versions

<table>
<thead>
<tr>
<th>Process</th>
<th>Version</th>
<th>Date</th>
<th>Last Date for Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration</td>
<td>1</td>
<td>19 November 2010</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Accreditation and Moderation Action Plan (AMAP) reference

0024


Please note

Providers must be granted consent to assess against standards (accredited) by NZQA, or an inter-institutional body with delegated authority for quality assurance, before they can report credits from assessment against unit standards or deliver courses of study leading to that assessment.

Industry Training Organisations must be granted consent to assess against standards by NZQA before they can register credits from assessment against unit standards.

Providers and Industry Training Organisations, which have been granted consent and which are assessing against unit standards must engage with the moderation system that applies to those standards.
Consent requirements and an outline of the moderation system that applies to this standard are outlined in the Accreditation and Moderation Action Plan (AMAP). The AMAP also includes useful information about special requirements for organisations wishing to develop education and training programmes, such as minimum qualifications for tutors and assessors, and special resource requirements.

Comments on this unit standard

Please contact the Community Support Services ITO Limited enquiries@careerforce.org.nz if you wish to suggest changes to the content of this unit standard.