

Patient Rights Policy (District)

This policy ensures that Te Whatu Ora Health New Zealand Southern staff are aware of, and practice in accordance with, [the Code of Health and Disability Consumers' Rights](#).

Policy applies to

All staff and contractors employed by Te Whatu Ora Southern.

Note: patient covers everyone who uses our services. Patient stands for client or consumer, as appropriate for your service.

Policy statements

Staff will provide care and service in accordance with the [Health and Disability Commissioner \(Code of Health and Disability Consumers' Rights\) Regulations 1996](#) (the Code of Rights).

Rights

Staff will uphold and support the rights of patients to:

- Respect and privacy.
- Fair treatment.
- Dignity and independence.
- Proper standards.
- Effective communication.
- Information.
- Choice and decisions.
- Support.
- Rights during teaching and research.
- Have complaints taken seriously.

Discrimination and equity

As an organisation, we work to provide a discrimination-free environment for patients and staff. This means:

- Staff will not act in a discriminatory way in their interactions with patients.
- Staff will work to ensure patients have equitable health outcomes, irrespective of the patient's ethnicity, sex, gender, and/or sexual orientation.
- Staff will work to ensure patients have the best possible health outcomes, irrespective of the patient's age, health conditions, and/or disability status.

What information we provide

The Code of Rights will be available and clearly visible to patients and their whānau in all our services.

In addition, Mental Health consumers will be provided with a written and verbal statement of their rights and responsibilities. This needs to be done at the first face-to-face contact between the patient and their clinicians. If this is not possible due to the patient's condition at the time, this should be done at the earliest opportunity.

Patients will be clearly told who their responsible clinician is.

Each service will decide what other information to give to patients and their whānau. This information must be given to each patient in a way they can understand.

Education

Education on the Code of Rights and its application to our work is provided to all new staff at orientation.

Responsibility

All clinical staff will have a working knowledge of and apply the principles/rules of:

- The [Te Tiriti o Waitangi](#)
- The [Code of Rights](#)
- The [Privacy Act 2020](#)
- The [Health Information Privacy Code 2020](#)

Additionally, staff must have detailed knowledge of any other legislation relevant to their area. For example:

- The [Mental Health \(Compulsory Assessment and Treatment\) Act 1992](#).

The right of people to choose who is involved in their care

Staff will support the right of the patient and, where appropriate, the patient's guardian to choose who to involve in their service or care. This includes the right to refuse to have certain people involved in their service or care.

This will include the right of the patient to choose staff of a specific gender.

The patient's (or legal guardian's) choices must be documented in the patient's record.

The right to choose will be facilitated where practicable.

Second opinions

Staff will support the patient's (or legal guardian's) right to ask for the opinion of an alternative or independent clinician.

Choice around student participation

Patients will be informed when students are on placement in the service and given an opportunity to refuse student participation in their treatment and investigation.

Patients must be able to make this decision without students being present during the process.

Supporting personal relationships

Staff will respect and support the patient's right to maintain close relationships with whānau, family, and friends wherever practicable. Staff will do this while ensuring the safety and the rights of other patients are not unreasonably affected.

Creating a safe and appropriate environment

As an organisation, we work to provide an environment in Te Whatu Ora Southern facilities that is appropriate and safe for patients and staff.

This means responding to possible abuse and violence as per our [Violence Intervention and Child Protection Policy \(District\)](#) (59374).

It also means staff are required to be observant and aware of patient activity and how it might impact other patients.

For example, sexual activity is generally inappropriate within Te Whatu Ora Southern facilities.

While we recognise the right of consenting persons over 16 to engage in sexual activity, we must balance this against the rights and safety of other patients and staff.

Staff are required to politely remind people when their behaviour is inappropriate and impinges upon the safety and/or rights of others.

If in doubt about whether a behaviour is inappropriate, seek advice and guidance from your line and/or duty manager.

Reviewing our ability to facilitate a patient's rights

If we cannot facilitate a patient's right immediately, we will regularly review this.

For example, the inability to provide a choice or an alternative clinician will be reviewed as circumstances change.

Associated Documents:

- [Privacy Policy \(District\)](#) (54609)
- [Customer Complaints Policy - Provider Arm](#) (14751)
- [Informed Consent for Health Care Procedures Policy \(District\)](#) (21638)
- [Release of Information Policy \(District\)](#) (21414)
- [Incident Management Policy \(District\)](#) (55195)
- [Violence Intervention and Child Protection Policy \(District\)](#) (59374)

Legislation and Standards:

- [Health and Disability Commissioner \(Code of Health and Disability Consumers' Rights\) Regulations 1996](#) (the Code of Rights)
- [National Mental Health Sector Standard NZS 8143:2001](#)
- [Health Quality and Safety Commission \(HQSC\) NZ](#)

General Notes

Scope of Practice: Ensure you are fully qualified to perform the role specified in any document.

Deviations: If you need to deviate from any procedure, policy, or guideline, make notes and follow up.

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