

26 June 2017

Marie Warner
Chief Executive
Dental Council
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Kordia House
109-125 Willis Street
WELLINGTON



Health and Disability Commissioner
Te Toihau Hauora, Hauātanga

By email: consultations@dcnz.org.nz

Dear Ms Warner

Dental Council: Professional Boundaries Practice Standard Consultation

Thank you for the opportunity to comment on the Dental Council's draft Practice Standard – Professional Boundaries that will replace the existing sexual boundaries practice standard.

As a general comment, the Health and Disability Commissioner (HDC) supports the broader approach that has been taken to the practice standard so that it extends beyond sexual boundaries. It appears that thorough research has gone into preparing it and, as a result of this, it is comprehensive and easy to read.

The only specific feedback HDC has on the content of the draft practice standard is that under standard 5 (maintaining professional boundaries when using electronic communication), the guidance at the second bullet point states “[p]rotect the privacy and confidentiality of patient information, as required under New Zealand privacy laws and the Health and Disability Commissioner Code of Rights”. While Right 1(2) of the Code of Health and Disability Services Consumers’ Rights (the Code) provides that every consumer has the right to have their privacy respected, this right is concerned with physical privacy as opposed to the confidentiality of information. I therefore suggest the following amendment to the wording of this guidance to avoid any misunderstanding that the Code protects rights to confidentiality:

“Protect the privacy and confidentiality of patient information as required under New Zealand privacy laws and physical privacy as required under the Health and Disability Commissioner Code of rights.”

Thank you for the opportunity to comment. I would be grateful if you could keep HDC updated on this process.

Yours sincerely



Jane King
Chief Legal Advisor