Dental Council
Te Kaunihera Tiaki Niho

Information for the public

# Concerned about an oral heath practitioner?

Oral health is an important part of your wellbeing. Oral health practitioners must provide care that is safe, competent, and ethical. If you are worried about the care you received, you can raise your concern with the Dental Council. We regulate oral health practitioners in New Zealand under the Health Practitioners Competence Assurance Act 2003 (HPCA Act) to protect public safety.

## What to expect

We take concerns seriously and act where there is an ongoing risk to safety or professional standards. We do not resolve complaints, provide compensation or refunds. Our role is to assess risk and take regulatory action to protect public safety; we work alongside other agencies that handle consumer rights, compensation or fee disputes.

This guide explains what we can do, what we can't, and other options that may help you.

## About the Dental Council

We protect the public by ensuring oral health practitioners are qualified, competent, and fit to practise under the HPCA Act.

### What we do

- Register practitioners and issue practising certificates
- Set and uphold professional standards
- Monitor competence, conduct, and practitioner health
- Assess serious concerns and take action to protect public safety
- Refer matters for disciplinary processes where appropriate

### What we **don't** do

- Provide a complaint-resolution service
- Award compensation or refunds
- Resolve fee disputes
- Represent practitioners
- Provide legal advice or act on behalf of complainants

## Who are oral health practitioners?

Registered professionals who provide dental and oral health services, including: **dentists and dental specialists, dental therapists and dental hygienists, oral health therapists, dental technicians and clinical dental technicians, orthodontic auxiliaries.**

## What to do if you have a concern

**Talk to the practitioner or practice manager first**
Many issues can be resolved directly. Putting your concerns in writing can help.

**Get free advice and support**
Health & Disability Advocacy Service - free, independent support to help you raise concerns
0800 555 050
advocacy.org.nz

**If your concern isn't resolved,** different organsations may be able to help depending on the issue.

## Who can help you with your concern

**Care or treatment issues**
Health & Disability Commissioner (HDC)
Looks into concerns about the quality or safety of health services and upholds your rights as a health consumer under the Code of Rights

**Fees, costs or refunds**
Disputes Tribunal
Resolves financial or contract disputes (eg: bills, agreements)

**Injury linked to treatment**
Accident Compensation Corporation (ACC)
Provides support for treatment injuries under New Zealand's no-fault scheme

**Informal resolution**
Professional associations (NZDA/NZIDT/NZOHA)
Provide advice and informal complaints process (peer review or mediation). *Note: not all practitoners have a professional membership*

**Practitioner conduct, competence, or fitness to practise**
Dental Council
Assesses risk and takes regulatory action to protect public safety. We don't provide compensation, refunds or resolve individual complaints

Dental Council's role is to assess public safety risk and take regulatory action where needed. Other organisations handle consumer rights, compensation, or fee disputes, eg: HDC, ACC or the Disputes Tribunal.

## What concerns can you raise with us?

We consider concerns about a practitioner's:

- Professional conduct
  *eg: unethical or dishonest behaviour*
- Clinical competence
  *eg: unsafe or poor-quality treatment*
- Fitness to practise
  *eg: health issues affecting safe practice*

Concerns about fees, refunds, or dissatisfaction with treatment results are generally outside our role unless they indicate a risk to safety or a breach of standards. Issues about quality of care and your rights are for the HDC, fee disputes can go to the Disputes Tribunal or a professional association, if your practitioner is a member.

## Possible outcomes

Depending on our assessment of the ongoing risk, outcomes may include:

- **Further inquiries** or **educative advice** to the practitioner
- **A competence or fitness-to-practise review** *(which may result in conditions on practice, a competence programme, or other remedial steps)*
- Referral to a **Professional Conduct Committee** for investigation
- **No further action**

## Will you be told the outcome?

- We will let you know that your concern was considered and tell you the general outcome.
- Privacy laws limit what we can share unless the matter results in a formal disciplinary process.
- If conditions are placed on a practitioner's practice and appear on the public register, we can share that information.

## What happens after you raise a concern

1. **Anyone can contact us**
   We accept concerns about oral health practitioners from patients, whānau, other practitioners, employers, or the public.

2. **If your concern is about care or treatment of a health consumer, we must refer it to HDC first**
   HDC will decide what happens next—this could include advocacy, referral to us or another agency, mediation, investigation, or no further action. If you send your complaint to us, we'll forward it to HDC for you.

3. **We also check for any immediate safety risk**
   While HDC reviews your complaint, we look for any urgent public safety issues. If something urgent is identified, we may take protective steps. When HDC begins a formal investigation, some of our disciplinary actions must pause until their process allows us to continue. We generally wait for HDC's decision before progressing our own assessment.

4. **If HDC refers the matter back to us (or if your concern doesn't involve a health consumer)**
   We assess the risk to public safety and whether regulatory action is needed.

5. **We gather information fairly**
   We review what you've provided (including any material HDC shares with us, if applicable) and may contact you for more details. We will share your concern with the practitioner and ask for a response so we can understand what happened from both sides. Where appropriate and lawful, we may request records and share information with other agencies to assess risk and coordinate regulatory action.

6. **We make a regulatory decision**
   We decide whether any further action is needed to protect public safety. If action is needed, we'll tell you the general outcome and any next steps we're able to share. Some details may be restricted by law (for example, privacy requirements or ongoing processes), so we may not be able to provide full information. We will tell you if the decision is no further action.

# Frequently asked questions (FAQs)

**Can I make a complaint anonymously?**

Yes, but it may limit what we can do. If we don't know who you are, we usually can't take the matter further unless the concerns are very serious. This is because it's harder for us to check the information. You can ask us not to share your identity with the practitioner. However, in most cases we must tell them who made the complaint so they can respond fairly. We can keep your identity private only in rare situations where the law allows it.

**Why must some complaints go to the HDC first?**

Everyone using a health service is protected by the Code of Health and Disability Services Consumers' Rights. By law, complaints about the care or treatment of a health consumer must be sent to the HDC first, so they can consider whether your rights under the Code have been breached.

**What if the practitioner was rude or unprofessional?**

Try resolving it directly with the practice or use the Health & Disability Advocacy Service. If you remain concerned, contact us and we'll assess whether it raises conduct or standards issues.

**I'm unhappy with the treatment result — what now?**

If there are no safety or standards concerns, the HDC or a relevant professional association may be more appropriate. Financial matters (fees/refunds) should go to the Disputes Tribunal.

**I think the practitioner is unsafe or incompetent.**

Please contact us with specific details — what happened, when, where, and why you are concerned.

**I want an apology.**

Try the practice first, or seek help from the Health & Disability Advocacy Service. If the practitioner is a dentist or clinical dental technician, their professional association offers a complaints service and may be able to assist you. We can not require a practitioner to apologise.

**I don't know who treated me, can I still make a complaint?**

Yes. Provide the practice name and dates; we can help identify the practitioner involved.

**I think I was overcharged.**

We don't handle fee disputes or review how a business sets its prices. The Disputes Tribunal can help with financial issues. If you believe the charges were dishonest, you can raise a conduct concern with us. We will only consider whether the practitioner met professional standards – not the amount charged. We can't award compensation or require a refund.

**Is the person treating me registered?**

Check the public register on our website. Practising without registration or a current practising certificate is illegal.

**Can I complain about a practice or company?**

We regulate individual practitioners, not businesses. If safety or standards are affected by how the practice operates, tell us and we'll consider the practitioner's responsibilities.

**What if the practitioner is overseas or no longer practising?**

Options may be limited, but the HDC can still consider care/treatment issues. We can assess any public safety risk if the practitioner returns to practice.

**Will the practitioner know I complained?**

Usually yes. To assess concerns fairly, we need to share enough information with the practitioner to understand and respond to the issue. This will include your name. If you do not want your identifying details shared, tell us — but this may limit what we can do. Any information we share will be in line with the HPCA Act and privacy laws.

**Can I complain about something that happened years ago?**

Yes. Older matters can be harder to assess, so please provide as much detail and documentation as possible.

**My dentist caused an injury.**

You may be eligible for an ACC Treatment Injury Claim. If you believe the injury was due to unsafe practice, tell us.

**How long will a complaint process take?**

Simple matters may take a few weeks, but more complex matters or formal processes may take several months.

**Will the practitioner be publicly named?**

Only in certain formal decisions by the Council or the Health Practitioners Disciplinary Tribunal (HPDT), guided by our naming policy and legal requirements.

**What is a formal disciplinary process?**

It's a legal hearing before the independent HPDT. The Tribunal decides whether serious concerns about a practitioner's conduct requires penalties, such as cancellation, suspension, restrictions on practice, a fine, or censure. Decisions are public and appear on our website.

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## If you have questions

You can contact us on:


protection@dcnz.org.nz
+64 4 499 4820
www.dcnz.org.nz


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