

Naming Policy Consultation

Consultation Purpose

Te Tatau o te Whare Kahu | Midwifery Council's (the Council) Naming Policy outlines how the Council may publish the name of a midwife following an order or direction made about that midwife under the Health Practitioners Competence Assurance Act 2003 (the HPCAA).

Following its routine review, the Council is proposing no changes to its current substantive Naming Policy (the reference, within the Naming Policy, to the Privacy Act 1993 has been changed to the Privacy Act 2020 to reflect that legislative change).

Background

The HPCA Act requires the Council to have a naming policy outlining the Council's decision-making process around releasing a midwife's name, a summary of Council's findings, and the effect of an order or direction under section 157 of the HPCAA.

The purpose of a naming policy is to:

- enhance public confidence in midwives and disciplinary procedures (which the Council is responsible for) by providing transparency around decision-making processes;
- ensure that when it is in the public's best interest, the Council are able to name midwives that have not met expected standards; and
- improve the safety and quality of health care.

A naming policy must set out:

- the class or classes of health practitioners in respect of whom the naming policy applies; and
- the circumstances in which a health practitioner may be named; and
- the general principles that will guide the authority's naming decisions; and
- the criteria that the authority must apply when making a naming decision; and
- the requirement to have regard to the consequences for the health practitioner of being named, including the likely harm to the health practitioner's reputation; and
- the procedures that the authority must follow when making a naming decision; and
- the information the authority may disclose when naming a health practitioner; and
- the means by which a health practitioner may be named.

Review of the Naming Policy

The Council, as required under the HPCAA, has completed its three yearly review of the Naming policy.

The review proposed no changes to the Council's current Naming Policy.

In carrying out its review, the Council is required under the HPCAA to consult with:

1. all registered midwives
2. the Privacy Commissioner
3. the Director-General of Health, and
4. the Health and Disability Commissioner.

Have Your Say

The HPCA Act requires the Council to consult on its Naming Policy. The consultation process provides health practitioners and other interested parties (including professional associations and societies, Manatū Hauora | Ministry of Health, Te Whatu Ora | Health New Zealand, Te Ake Whai Ora | Māori Health Authority, and educational institutions) with an opportunity to make submissions.

All feedback we receive will be considered and will inform the Council's final decision. Where possible please give reasons for your feedback. The proposed Naming Policy can be found [HERE](#).

Submissions

Your submissions must reach us by 5.00pm Monday 15th January 2024. You can submit your written responses to feedback@midwiferycouncil.health.nz.

If you have any questions, please contact us by email (feedback@midwiferycouncil.health.nz).

Ngā mihi,



Lesley Clarke
Tumu Whakahaera | Chief Executive