



Statutory Review: Consultation Paper Questions

Please note that you do not have to complete every question.

1. Do you think the ability to make a complaint should be open to any person in relation to health and disability services? Provide the reasons for your answer.

2. Do you support the introduction of powers that would enable HaDSCO to obtain information from providers or any other person to more effectively assess complaints?



3. Do you support the application of a penalty for non-compliance to the request made to a person or provider for additional information during preliminary assessment of a complaint? Why or why not?

4. Should there be a provision for early resolution while the complaint is in its preliminary assessment stage, prior to the complaint being placed into a formal complaint resolution process? If so, do you have any suggestions on how this should work in practice?



5. Do you think the negotiated settlement currently used by HaDSCO is an effective way to resolve complaints? Provide reasons for your answer.

6. Do you think the conciliation process currently used by HaDSCO is an effective way to resolve complaints? Provide reasons for your answer.



7. Do you have any suggestions to improve the way the complaints are managed by HaDSCO?

8. Do you think HaDSCO should have the power to compel parties to produce information, records or documents while the complaint is being managed through the complaint resolution processes? Should there be a penalty attached for non-compliance by the parties?



9. Should the current penalty that applies to a provider for failing to take remedial action recommended following an investigation be increased in line with the other jurisdictions? Why or why not?

10. Should HaDSCO have the power to take compliance action against a provider following an investigation? If so, what type of compliance actions would be appropriate and how can these be applied in practice?



11. Should HaDSCO be renamed a 'commission' to better communicate the Office's role and authority to manage complaints relating to health, mental health and disability services independently? Why or why not?

12. Should HaDSCO manage complaints relating to health, mental health and disability services under its principal legislation, the HaDSC Act, rather than three different Acts? Why or why not?



13. Do you think the current definition of 'health service' in the HaDSC Act adequately captures all types of services in the health sector? If not, how would you change or improve the definition to ensure that all types of health services are covered?

14. Do you think the functions of HaDSCO as defined above are appropriate? Are there any other functions that should be considered for inclusion in the legislation? Please provide the reasons for your answer.



15. Is HaDSCO effectively performing the functions set out in the HaDSC Act?
Please provide the reasons for your answer.

16. Do you support the application of a code of conduct to organisations offering health services, who are not currently subject to regulation under the PHHS Act?
Provide reasons for your answer.



17. Are there any specific health services that currently lack regulation or oversight and should be captured under the proposed code of conduct?

18. What powers should HaDSCO have to take appropriate action against organisations providing health services who breach the proposed code of conduct?



19. Does a regulatory gap exist in terms of complaint mechanisms for community services in Western Australia? Why or why not?

20. If so, do you support the idea of expanding HaDSCO's jurisdiction to include organisations providing community services? What are the specific types of community services that HaDSCO should be able to receive complaints about?



21. Provide your thoughts on whether complaints regarding community services should be resolved using HaDSCO's existing complaint resolution processes.

22. Do you think these guiding principles are still relevant and meet the needs of the evolving health sector? If not, what changes would you make to the guiding principles?