

## POSITION DESCRIPTION

**POSITION:** Aged Care Commissioner | Te Toihau Tautiaki Kaumātua  
(me te Toihau Hauora, Hauātanga Tuarua)

**LOCATION:** Wellington or Auckland

**REPORTS TO:** Health and Disability Commissioner

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### **Ko wai tātou | Who we are**

Under the Health and Disability Commissioner Act 1994 (the Act), the Health and Disability Commissioner is required to promote and protect the rights of health and disability service consumers and facilitate the fair and efficient resolution of complaints relating to infringement of those rights.

### **Mō tēnei tūranga mahi | About this role**

The Aged Care Commissioner role has been established within HDC to drive quality improvement in health and disability services for older people.

The Aged Care Commissioner is appointed as a Deputy Commissioner under the Act. As such, the Aged Care Commissioner's principal role is to assist the Health and Disability Commissioner achieve the functions of the Commissioner prescribed in the Act, and has those powers, functions and duties delegated to them by the Commissioner. In particular this requires the Aged Care Commissioner to make final decisions on complaints received by the Commissioner's office, support complaints resolution processes and otherwise promote and protect health and disability services consumers' rights. The powers, functions, and duties delegated by the Health and Disability Commissioner may change from time to time.

The Aged Care Commissioner will play a key role in quality improvement in health and disability services for older people, in collaboration with key partners across the system. Key functions will include:

- strategic oversight and sector leadership to drive quality improvement in aged care
- leading HDC work to protect and promote the rights of older people in the health and disability system, including decision-making on complaints and other issues pertaining to older people
- Advocate on behalf of older people and their families for better health and disability services
- supporting HDC's commitment to Te Tiriti o Waitangi
- reporting on thematic issues and improvements in the aged care sector including from complaints data
- effective formulation and delivery of a work programme designed to monitor aged care services and to advocate for improvements to those services.

As a quasi-judicial decision-maker, the Aged Care Commissioner will be required to make decisions on complaints including formal investigations as to whether a provider has breached the Code of Health and Disability Services Consumers' Rights. The volume of decision-making will be set by the Health and Disability Commissioner.

The Aged Care Commissioner is a member of the HDC Executive Leadership Team and will contribute to the strategic and operational management and development of HDC.

The Aged Care Commissioner will further promote and protect older peoples' rights through the delivery of presentations and education to stakeholders and others.

### **He aha tāu e mahi ana | What you'll be doing**

#### *Statutory Decision-making*

- Exercise quasi-judicial decision-making powers under the Act as delegated by the Commissioner.
- Ensure that all statutory powers, including decision-making powers, are exercised in accordance with the requirements of the Act and in accordance with the delegations made by the Commissioner.
- Ensure that all complaints resolution decisions are made in a timely and effective manner.
- Ensure that discretion in decision-making is exercised properly and fairly so that all decisions made are of the highest standard and take appropriate account of HDC precedent patterns and all other relevant considerations.

#### *Strategy and Service Delivery*

- Provide strategic oversight and strong sector leadership to drive quality improvement for the protection and promotion of the health and independence of older people in health and disability services – within the powers prescribed by the Health and Disability Commissioner Act 1994.
- Report on thematic issues and improvements in the aged care sector and related services
- Promote the principles of Te Tiriti o Waitangi
- Contribute to the strategic management and development of HDC and to the development of long-term organisation strategies, structure and processes.
- Contribute to the development of key HDC strategy documents such as the Statement of Intent, Statement of Performance Expectations, and Annual Report
- Deliver on the annual performance agreement with the Commissioner.

#### *Leadership and Management*

- Drive system improvements across the aged care sector, in collaboration with other agencies and individuals, reflecting the consumer voice.
- Effectively monitor health and disability services for older people and advocate for improvements to those services.
- Make impactful recommendations, and monitor system activity to ensure the recommendations are having the desired impact.
- Provide leadership to, manage, and ensure the effective performance of HDC staff focused on the health of older people.

- Manage the Aged Care budget and associated resources.
- Operate as an aligned leader within the Executive Leadership Team, fully professionally supportive of colleagues and committed to the success of the entity as a whole. Embody the principle of “One Team”.

#### *Relationship Management*

- Establish and maintain excellent relationships and networks with key stakeholder groups (with particular emphasis on the health of older people), including consumer and provider groups, the National Advocacy Service, registration bodies, regulatory authorities, iwi organisations, cultural organisations, Crown Entities, the Ministry of Health and other public service agencies, the Minister of Health, Minister for Seniors, the Associate Minister of Health with responsibility for the health of older people, and select committees.
- Drawing on thematic issues, soft intelligence, sector engagement and relationships, build a strong understanding of the performance and potential of the health and disability system in meeting the needs of older people.
- Develop and maintain effective relationships with all HDC staff.

#### *Communication and education*

- Represent the Commissioner’s views across the agency and externally.
- Undertake educational and promotional activities through multiple channels on behalf of the Commissioner to promote the Act and Code of Rights, and the rights of consumers and providers of health and disability services for older people.
- Issue statements and give media interviews in relation to aged care decisions, as appropriate, and in accordance with HDC policy.

#### **Ngā rōpū whaihua | Who you’ll work with**

All HDC employees have a responsibility for managing relationships in some or all of the key sectors with which we work. In this role, the key relationships to be developed are as follows:

<b>Reports to:</b>	Health and Disability Commissioner
<b>Responsible for:</b>	Aged care
<b>Internal Relationships:</b>	All staff and managers within HDC
<b>External Relationships:</b>	Consumer and provider groups, registration bodies, expert advisors, the National Advocacy Service, the Ombudsman and other regulatory authorities, Māori organisations, Pacific and other cultural organisations, select committees, Crown Entities, the Ministry of Health, the Office for Seniors and other government agencies, and the Minister and Associate Ministers of Health and Minister for Seniors.

## Ko ngā mea ka hiahiatia e koe kia angitū te haere | What you'll need to be successful

### *Intellectual and strategic leadership*

- The intellectual ability and good judgement required to make complex, quasi-judicial decisions efficiently and expeditiously.
- Demonstrated ability to think, act and lead strategically.
- Strong focus and dedication to quality standards and service.
- A commitment to public service and demonstrated understanding of political and government processes.

### *Communication*

- Excellent communication and relationship management skills — highly credible in managing relationships in a complex setting and across cultures.
- Comfortable with the media.
- Effective public speaker.

### *Planning and management*

- Proven ability to develop and implement a work plan to give effect to business strategy and objectives.
- Experience in business planning and budget management, and an ability to understand financial reports.
- Ability to work under pressure and meet deadlines.
- A team player who works well with colleagues and brings out the best in staff.

### *Knowledge and experience*

- Understanding of the needs of older health and disability service consumers. Experience in services for the protection and promotion of the health and independence of older people is desirable.
- Strong understanding and affinity with te ao Māori and Te Tiriti o Waitangi, and an ability to lead processes to incorporate Māori cultural views.
- Understanding of the social, cultural and religious beliefs and values of different cultural and ethnic groups in New Zealand.
- An appropriate tertiary qualification, preferably at a postgraduate level. Law, clinical or gerontological qualification advantageous.
- Specific qualifications under [section 10](#) of the Health and Disability Commissioner Act 1994.

## **Te Aronga o te Ratonga Tūmatanui | Public Service Purpose**

The Health and Disability Commissioner, as an Independent Crown Entity, can be considered part of the broader public service. As such, it carries out its responsibilities in a spirit of public service.

Ka mahitahi mātou o te ratonga tūmatanui kia hei painga mō ngā tāngata o Aotearoa i āiane, ā, hei ngā rā ki tua hoki. He kawenga tino whaitake tā mātou hei tautoko i te Karauna i runga i āna hononga ki a ngāi Māori i raro i te Tiriti o Waitangi. Ka tautoko mātou i te kāwanatanga manapori. Ka whakakotahingia mātou e te wairua whakarato ki ō mātou hāpori, ā, e arahina

ana mātou e ngā mātāpono me ngā tikanga matua o te ratonga tūmatanui i roto i ā mātou mahi.

In the public service we work collectively to make a meaningful difference for New Zealanders now and in the future. We have an important role in supporting the Crown in its relationships with Māori under the Treaty of Waitangi. We support democratic government. We are unified by a spirit of service to our communities and guided by the core principles and values of the public service in our work.

The Health and Disability Commissioner welcomes and supports people of all gender identities, ages, ethnicities, sexual orientations, disabilities, and religions.

Note: This position description, both in terms of actual responsibilities and focus, is subject to change over time at the Commissioner's discretion, as the role and the organisation develop.