



Midwifery Council of New Zealand

Policy relating to Media Comment

Approved by Council on 4 August 2005

Review date:

Definitions

“The HPCA Act” means the Health Practitioners Competence Assurance Act 2003. All section references are to this Act unless otherwise stated.

“The Council” and “Midwifery Council” means the Midwifery Council of New Zealand

The use of the feminine gender includes the masculine.

1. Introduction

The Council anticipates that from time to time it will be approached by the media for comment about the Council’s activities, policies and procedures, the profession and about individual midwives. A policy on media comment is necessary to ensure an informed and consistent response to requests from the media.

2. Principles

The principles governing release of information to the media are:

- Confidentiality of personal information held by Council about individual midwives must be preserved.
- Public health and safety is to be protected and release of information to the media may be warranted in some circumstances.
- Release of information to the media should be controlled because of the potential for dramatic impact as “news” which information released in other ways to the public does not have.
- In any media comment the confidentiality of consumers and their families must be preserved.
- A spokesperson on behalf of the Council must be knowledgeable about the matter being commented on and have the authority of the Council to comment.

3. Public Information

3.1 Some information is required by the HPCA Act to be public information, as follows:

a) Information on the public Register and available on the website

This includes:

- a midwife’s name,
- location in which she resides
- qualifications,
- scope of practice,
- any conditions on the scope of practice
- whether an annual practising certificate or an interim practising certificate is held
- whether the midwife is suspended and any conditions relating to suspension

- b) Reference to conditions on scope of practice resulting from competence reviews, disciplinary hearings or investigations by the Health Committee.
Such conditions may be summarised by way of a rubric such as: “subject to monitoring by the Health Committee” or “subject to supervision” without including all details.
- c) Reference to conditions on scope of practice which are part of registration requirements, such as, courses to be completed or no prescribing rights held.
- d) Information about an Order of the Council under section 157 may be published if Council decides to, being:
- the effect of any Order or direction made under the Act, and
 - a summary of any finding made under the Act, and
 - the name of the midwife
- The names of midwives who are suspended will be shown on the website and in an appropriate professional magazine.
- e) The outcome of any Health Practitioners Disciplinary Tribunal Order, that is:
- the effect of the order, and
 - the name of the midwife, and
 - a summary of the relevant proceedings
- 3.2** Other information is also public and available for anyone, including the media, to access on the website. This includes:
- Council’s policies and processes
 - Council’s activities
 - Information about the profession generally.

4 Confidential Information

- 4.1** As a matter of policy the Council does not provide the public or the media with:
- Midwives’ residential and work addresses
 - Midwives’ place of work
 - Midwives’ phone or fax numbers or email addresses
 - Complaints
 - Past complaints (apart from public information above)
 - Professional Conduct Committee
 - Competence Reviews in relation to a specific midwife
 - Competence programmes in relation to a specific midwife
 - Health investigations in relation to a specific midwife
 - Applications of any nature under consideration

- 4.2** In relation to matters that may already be in the public arena and about which the Council may be asked for information about or to comment on, the Council's policy is to not disclose information other than what is available as public information unless:
- The midwife has agreed to it
 - There is an express statutory requirement to do so
 - There is an overwhelming reason to release information
 - There is a discovery order by the court

An overwhelming reason might be (without limitation) when:

- The midwifery profession might otherwise be under suspicion
- The midwifery profession might otherwise fall into disrepute
- Release of information is required to correct suspicion that has fallen unfairly on innocent midwives

5. Spokespeople

The Chair of the Council is the principal spokesperson for the Council. This role can be delegated in the Chair's absence or in relation to specific issues.

The Registrar/Deputy Registrar may comment on:

- provisions in the Act and their effect on the Council's action or process
- Council's processes

6. Media Releases

If it becomes known that an incident on which the Council's comment may be sought or there is a topic or activity on which Council wishes to issue a statement to the media the Council will endeavour to first discuss and agree on the wording and appoint a spokesperson.

Council members asked to comment personally to the media about any midwifery topic at any time should make it clear that they are not speaking for the Midwifery Council.