Towards an inclusive and enabling New Zealand

The annual report from the Minister for Disability Issues to the House of Representatives on implementation of the New Zealand Disability Strategy

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**Author**

Office for Disability Issues, Ministry of Social Development

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# minister-nicky-wagner (2)Minister’s foreword

Hello

I have been the Minister of Disability Issues since October 2014 and I am really excited about having this portfolio. This work is new to me but I have found there are many passionate people who have helped me get a good understanding of the issues and opportunities. I want also to acknowledge my predecessor, the former Minister for Disability Issues, Hon Tariana Turia, whose hard work over many years resulted in significant changes in the lives of disabled people.

I am pleased to report on some significant Government achievements over the past year. These achievements are delivering on the vision of the New Zealand Disability Strategy; to be a country that is fully inclusive, where disabled New Zealanders live fulfilling lives and experience equal rights of citizenship.

An important achievement, and one that represents a fundamental change to the way we operate, is the new way of working in partnership with Disabled People’s Organisations (DPOs) as the representatives of disabled people. This was demonstrated through the new Disability Action Plan 2014-2018 which was co-designed by government agencies and DPOs. This is a practical example of the Government implementing Article 4(3) of the Convention on the Rights of Persons with Disabilities (CRPD) which states that disabled people should be involved in decisions that impact on them in the development of disability policy and the delivery of services.

I am committed to the Enabling Good Lives approach to the provision of support services for disabled New Zealanders. Empowering disabled people to make their own decisions about the supports they need to live everyday lives with dignity in their communities, is at the heart of the Enabling Good Lives approach. 2014 has seen an expansion of the demonstration, with a new budget commitment for the Waikato and the commencement of phase two in Christchurch.

New Zealand Sign Language (NZSL) is a core part of deaf and non-verbal people’s identity and culture. It goes without saying that the survival of NZSL, like any other language, is dependent upon a community using the language in daily life. This year the Government agreed to establish a NZSL Advisory Board and Fund to promote and maintain the language.

Finally, 2014 was a significant year for implementation of the CRPD with the first examination by the Committee on the Rights of Persons with Disabilities in Geneva, Switzerland. The Committee commended some of the achievements, including those I have mentioned here. They have also made recommendations on areas of improvement, which the Government is currently considering. This process helps to keep us accountable and make sure we are doing everything we can to make sure disabled New Zealanders have the same rights and can live a good life, just like others.

I know that this journey has been a long one so far and there is more that needs to be done. I am looking forward to building on the work to date to achieve positive change in 2015 and beyond.

**Hon Nicky Wagner**Minister for Disability Issues

# Introduction

In New Zealand, there are several frameworks that set out priority strategies to address the barriers disabled people experience.

1. Convention on the Rights of Persons with Disabilities (CRPD) - this is a United Nations treaty that the Government ratified in 2008. The CRPD is the most comprehensive global tool that outlines the human rights of disabled people.
2. New Zealand Disability Strategy - published in 2001, it sets out a vision of an enabling society and has 15 objectives to achieve that vision. The Strategy reinforces what needs to be done to ensure disabled people have the same opportunities as everyone else.
3. Disability Action Plan 2014-2018 – brings together key priorities and actions that require cross-agency collaboration. The Disability Action Plan provides more detailed, shorter-term planning on priority issues.

These frameworks are supported by several governance, monitoring and coordination mechanisms:

* Ministerial Committee on Disability Issues
* Chief Executives’ Group on Disability Issues
* Senior Officials’ Group on Disability Issues
* Independent Monitoring Mechanism
* Disability Action Plan governance mechanism
* Joint Disabled People’s Organisation (DPO) and government agency governance meetings – Chief Executives’ Group on Disability Issues and the DPOs meeting together quarterly to oversee progress
* working groups – DPOs, other disability sector organisations, and government officials supporting action under each of the four shared results.

The relationship between these mechanisms is illustrated in Appendix one.

Every year, the Minister for Disability Issues reports to Parliament on progress with implementing the New Zealand Disability Strategy. In recent years, the annual report has included reporting against progress with implementing the CRPD and the Disability Action Plan.

This year, the annual report has three broad sections:

1. Key achievements in 2014
2. Progress against the Disability Action Plan 2014-2018
3. Looking forward to 2015 and beyond.

Section two on the Disability Action Plan includes reporting on actions being progressed under each of the four shared result areas. It also includes reporting on other actions relevant to the result area, even if they are not directly included in the Disability Action Plan. This is because it helps to identify the connections between the Disability Action Plan and other areas of work.

# Section one: Key achievements in 2014

Several achievements in 2014 have laid the ground work for improving the identification and removal of barriers that disabled people experience, and to ensure they have the same opportunity to live a good life like other New Zealanders. This includes:

* approval of the new Disability Action Plan 2014-2018 and a new way of working with disabled people
* expansion of the Enabling Good Lives approach
* new funding for New Zealand Sign Language
* release of the 2013 Disability Survey
* Examination on the CRPD
* Building Access Review.

This section outlines what has happened with each of these achievements and why they are so important.

## Disability Action Plan 2014-2018

Making sure disabled people are involved in decision-making that concerns them is very important. This is because disabled people themselves are experts in their own lives and are best-placed to advise on issues and solutions to barriers they experience. It is also included in the CRPD Article 4(3) as a specific obligation for Governments:

*In the development and implementation of legislation and policies…, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organisations*.

The Disability Action Plan 2014-2018 is very different to previous plans because it was co-designed by government agencies working together with disabled people, through DPOs. This new and collaborative way of working is an example of putting Article 4(3) of the CRPD into practice.

The Ministerial Committee on Disability Issues approved the new Disability Action Plan 2014-2018 on 8 April 2014 and the Plan was considered by Cabinet in May 2014.

In line with the Government’s priority to deliver Better Public Services, the Disability Action Plan prioritises actions that require government agencies to work together. It also ensures that DPOs and other organisations with relevant expertise on the area are involved. As many of the barriers disabled people face span different government agencies’ and disability organisations’ responsibilities, this collaborative approach is very important.

The Disability Action Plan’s shared vision is that ‘All New Zealanders experience equal rights of citizenship’. Supporting this vision are five person-directed outcomes that focus activity on making a positive difference in disabled people’s everyday lives:

* **Safety and autonomy:** I am safe in my home, community, and work environment. I feel safe to speak up or complain, and I am heard. Those assisting me (professionals and others) have high awareness, and I do not experience abuse.
* **Wellbeing:** I feel dignity and cultural identity through a balance of family/community, mental, physical and spiritual wellbeing. I can earn and grow my wealth on an equal basis with others.
* **Self-determination:** I make my decisions myself based on my aspirations. I have access to information and support so that my decisions are informed.
* **Community:** I feel welcomed by my community. I feel respected for my views and my contribution is received on an equal basis with others.
* **Representation**: DPOs represent collective issues that have meaning for me (based on lived experience) in a way that has influence and impact. DPOs are sustainable with the capacity to deliver their role and evolve over time.

Actions are grouped into four shared result areas:

1. Increasing employment and economic opportunities
2. Ensuring personal safety
3. Transforming the disability support system
4. Promote access in the community.

A new governance mechanism was agreed consisting of joint meetings every three months of the Chief Executives’ Group on Disability Issues and DPOs. The governance group is responsible for agreeing to priorities and actions, and monitoring progress with implementation.

The Disability Action Plan 2014-2018 is available on the Office for Disability Issues website: <http://www.odi.govt.nz/what-we-do/ministerial-committee-on-disability-issues/disability-action-plan/index.html>.

### A new way of working

On 30 July 2014, the Chief Executives’ Group on Disability Issues and the DPOs signed *A new way of working together*, which is an agreement to implement Article 4(3) of the CRPD.

The agreement is based on five principles:

1. Government will engage with DPOs as representatives of disabled people
2. We involve the right people, at the right time, in the right work
3. We value the contribution of each party and make it easy to engage
4. We will be open, honest, transparent and creative in our engagement with each other
5. We jointly learn about how to engage with each other.

To support implementation of this agreement, it is included as a specific action in the Disability Action Plan under the Transform the disability support system result area (action 9(a)). The scope of this action was approved by the governance meeting of the Chief Executives’ Group on Disability Issues and DPOs on 21 November 2014.

Work will commence in early 2015. It will include supporting the joint capacity and capability building of DPOs and identification of engagement champions within government agencies.

## Enabling Good Lives

Enabling Good Lives represents a new way of providing disability support. Enabling Good Lives gives disabled people and their families more choice over the support they receive. While 2014 is just the second year of demonstrating the Enabling Good Lives approach to supporting disabled people, it was significant as key decisions were made regarding:

* expansion of the Christchurch demonstration to phase two
* approval to proceed with a high level design for a demonstration in the Waikato.

The Enabling Good Lives approach began in 2011 with the release of an independent report. It recommended a fundamental shift to a cross-government disability support system to give disabled people, their families and whānau greater choice and control over their supports and their everyday lives. In July 2013, Cabinet agreed to a three-year demonstration of the Enabling Good Lives approach in Christchurch.

Enabling Good Lives is a strengths-based, person-centred approach which means that disabled people can decide what works best for them to meet their aspirations rather than being forced to fit into funding and service boxes that predetermine what they can and cannot do. This includes employing support workers they choose, and doing everyday things in everyday places in the community.

### Christchurch demonstration

Fifty-two young people with high needs, who left school in November 2013, and their families participated in phase one of the Christchurch demonstration. Eleven navigators (independent facilitators) have helped them identify their aspirations and goals and develop plans to achieve them.

In this second year of the demonstration, Christchurch will again be focusing on school leavers aged 18–21 years old. The first year of the demonstration has provided valuable learnings on changes and improvements required to the system for better implementation of the demonstration.

The demonstration is supported by a Local Advisory Group which includes disabled people, families and whānau, disability sector leaders. The Local Advisory Group worked with officials from the Ministry of Social Development, Ministry of Education, Ministry of Health and Accident Compensation Corporation (ACC).

### Waikato demonstration

In 2014, the Government agreed to provide $3.8 million over three years for an Enabling Good Lives demonstration in the Waikato. The proposed approach to developing the high-level design of this demonstration was agreed by the Ministerial Committee on Disability Issues in July 2014. In September 2014, two joint Directors were appointed to lead the three-year demonstration, which will begin in 2015. In December 2014, Cabinet agreed to the high-level design of the Waikato demonstration.

The Waikato Leadership Group also includes disabled people, family members, providers, local officials and other leaders in the disability sector. The Leadership Group has identified major strengths in the Waikato region to build on the design of the demonstration. These include:

* strong local networks
* families’ high expectations for their disabled family members
* providers who are committed to change
* strong engagement with and understanding of, the Enabling Good Lives approach.

Four action areas have been proposed by the Waikato Leadership Group for the demonstration:

* Increasing individual choice in all aspects of life including where you live, who you live with and what you do in the day, which includes building on the *Choices in Community Living* approach. The target group for this action area are people who receive disability support services with a primary focus on people:
* aged under 65 who are in, or are considering entry into, residential or aged care, and who want something different and choose to be part of the demonstration
* who are less able to advocate for themselves, or who do not have people in their lives who can ensure their voice is heard.
* Disabled Māori and their whānau are fully involved in the design and implementation of the demonstration in the Waikato.The Leadership Group has identified disabled Māori and whānau as a priority group. The newly appointed Co-Directors have begun the process of engaging with Tainui and Te Piringa to ensure key people are part of the design and implementation. Disabled Māori, whānau, Māori providers and iwi will all be involved in the design process. Potential links with Whānau Ora and other Māori initiatives in the Waikato will also be explored.
* Disabled children and young people have the same life experiences and outcomes as other children and young people. The target group will be families and whānau of disabled children and young people with a primary focus on families and whānau who are engaged with the Enabling Good Lives family forums, or have been recently told their child has a disability, or families who want something different.
* Increasing employment outcomes for disabled people -The target group for this action area will be disabled people who, with a small amount of assistance, can get and retain ongoing paid employment. The priority focus will be on disabled people who participate in the employment or disability forums, as well as other disabled people who want employment.

The Waikato demonstration is intended to expand the evidence available to inform the case for transforming the disability support system throughout New Zealand.

## New Zealand Sign Language

New Zealand is one of the few countries around the world that recognises sign language as an official language. In Budget 2014, the Government announced funding of $6 million over four years for the promotion and maintenance of New Zealand Sign Language (NZSL).

Approximately 11,000 deaf people use NZSL as their primary form of communication and 20,000 people in total use NZSL according to Statistics New Zealand (Census, 2013). NZSL is an integral part of deaf people’s cultural identity.

The Human Rights Commission inquiry report, *A new era in the right to sign* (2013), identified that many deaf people experience barriers in learning and using NZSL that impact on their quality of life and full enjoyment of fundamental human rights.

In response to the Human Rights Commission inquiry, the Office for Disability Issues convened a NZSL Experts Advisory Group to provide advice on promoting and maintaining NZSL in the longer term. In April 2014, the Experts Advisory Group made recommendations to the Ministerial Committee on Disability Issues. This included identifying five priority areas:

1. Include NZSL in education
2. Promote NZSL in the home
3. Provide access to information and service in NZSL
4. Provide access for deaf Māori
5. Develop interpreter standards.

Cabinet agreed to these recommendations in May 2014.

Of the $1.5 million funding per year, $1.25 million will be for a new NZSL Fund for community initiatives that promote and maintain NZSL across the five priority areas. The remaining funding will support the establishment and ongoing costs of a NZSL Advisory Board that will oversee the promotion and maintenance of NZSL.

The NZSL Advisory Board will have up to 10 members and will represent the diversity of NZSL users. Membership will include: a minimum of six deaf people, two deaf Māori, one deaf Pasifika, one person representing the non-verbal community that use NZSL and one DPO representative for the deaf community (Deaf Aotearoa). Once established, the NZSL Advisory Board will develop a three year plan to progress the five priorities.

The NZSL Advisory Board will be established in early 2015 by the Office for Disability Issues.

## 2013 Disability Survey

In addition to working with disabled people, as the experts in their own lives, good quality information is critical to making informed decisions on priority setting on disability issues.

The 2013 Disability Survey, which was conducted by Statistics New Zealand following the 2013 Census, is currently the most comprehensive source of information on disabled people in New Zealand. Results from the Disability Survey began to be released from mid-2014.

This is the fourth time the Disability Survey has been run since 1996. Each time the quality of the data continues to improve. While recognising more needs to be done to improve the collection of information, the most recent survey represents an important achievement.

In the Disability Survey, an estimated 24 percent of the population, or 1.1 million New Zealanders, were identified as disabled people.

We have learned that disabled people are a diverse population:

* Disability increases with age, with 59 percent of people aged 65 or over experiencing disability.
* Physical impairments are the most common for adults (15 years or over).
* For children (0-14 years), boys (13 percent) are more likely to be have an impairment than girls (8 percent).
* Learning, psychological/psychiatric and speaking difficulties are the three most common impairments for children.
* Disability rates vary by ethnic group:
* Māori – 26 percent
* European/Pākehā – 25 percent
* Pacific – 19 percent
* Asian – 13 percent.

The Disability Survey also shows that, on average, disabled people experience poorer socio-economic, educational and health outcomes than non-disabled people. For example:

* 50 percent of disabled adults participate in the labour force, compared with 76 percent of non-disabled adults
* 67 percent of disabled people hold a school or tertiary qualification, compared with 85 percent of non-disabled people
* 36 percent of disabled people report their health to be very good or excellent, whereas the equivalent figure for non-disabled people is 72 percent.

## Examination on the CRPD

In 2014, New Zealand was reviewed by the Committee on the Rights of Persons with Disabilities (CRPD Committee), an independent international committee of experts elected by States Parties to the CRPD.

There were several steps to this process:

* 2011: New Zealand submitted a written report on progress to the CRPD Committee.
* June 2014: New Zealand submitted a written response to the List of Issues (questions) from the CRPD Committee. (Note: the questions are based on information from the 2011 report and more recent contributions from civil society in New Zealand).
* 15 – 16 September 2014: A delegation of senior government officials were examined by the CRPD Committee at the United Nations in Geneva, Switzerland. Representatives from civil society, including DPOs and non-government organisations, also attended and had a separate session with the CRPD Committee.
* 3 October 2014: The CRPD Committee released its Concluding Observations (recommendations) to the Government.

The Ministerial Committee on Disability Issues will consider the Government’s response to the Concluding Observations in early 2015, which will be followed by consideration by Cabinet. While Governments have one year from the release of the Concluding Observations to provide a response, it is expected that New Zealand’s response will be provided to the CRPD Committee in April 2015.

The process for considering the Concluding Observations from the CRPD Committee will also include considering the recommendations from the 2012 and 2014 reports of the Independent Monitoring Mechanism.

The Independent Monitoring Mechanism comprises the Human Rights Commission, Office of the Ombudsman and the Convention Coalition (a group of DPOs). The Independent Monitoring Mechanism was established by the Government in 2010 to provide independent monitoring on implementation of the CRPD.

The process of reporting and examination by the CRPD Committee and the monitoring by the Independent Monitoring Mechanism provide an independent view of what is going well and what needs to be improved for disabled New Zealanders. For example, the CRPD Committee noted the good practice with the codesign of the Disability Action Plan with DPOs and the Enabling Good Lives demonstrations.

# Section two: Progress against the Disability Action Plan 2014-2018

## Four shared results prioritise action

Implementation of the Disability Action Plan is focused on four shared result areas:

* **Increase employment and economic opportunity:** Focuses on building employers’ confidence to employ disabled people and provide accessible workplaces, opportunities for work experience, entrepreneurship, and education achievement and skill development.
* **Ensure personal safety:** Focuses on promoting systems and practices to protect disabled children and adults in all settings.
* **Transform the disability support system:** Focuses on ensuring effective engagement with disabled people and coordination across sectors and across agencies to concentrate on outcomes and maximum progress from available resources.
* **Promote access in the community:** Focuses on accessible buildings and spaces, transport and urban design, information and communication, access to health and justice services, and political and civic participation.

There are 21 actions across all four shared result areas. (Appendix two lists all actions).

## Working groups support implementation

There is one working group to support implementation of each shared result area. Each working group includes representatives from the government agencies, DPOs, and other organisations with particular experience or expertise in the shared result area. The Office for Disability Issues chairs the working groups.

The working groups are intended to add value with implementation and strengthen the new way of working together by:

* bringing expertise together
* building relationships and enabling a greater shared understanding
* supporting action and developing new actions
* coordinating a consistent approach with implementation across government agencies.

The working groups meet every three months.

It is important to note that implementation of the Disability Action Plan is not the sole responsibility of the organisations on the working groups. Implementation will require the input and support of many other organisations.

The working groups were established in mid-2014, and met three times by the end of 2014. These meetings focused on scoping together the 12 new actions in the Disability Action Plan. The remaining 9 actions were already being implemented by the time the Disability Action Plan was approved.

The working groups also have a role in monitoring actions implementation to ensure alignment with the Disability Action Plan’s vision and person-driven outcomes.

At the governance meeting on 21 November 2014, the scopes of six new actions were approved. Further details on these actions can be found in the following sub-sections. The remaining six new actions will be further developed in early 2015.

Summaries of working group meetings are available on the Office for Disability Issues’ website at: <http://www.odi.govt.nz/what-we-do/ministerial-committee-on-disability-issues/disability-action-plan/2014-2018/working-groups/summaries-of-working-group-meetings.html>

## Increase employment and economic opportunities

This shared result area focuses on building employers’ confidence to:

* employ disabled people
* provide accessible workplaces
* provide opportunities for work experience
* contribute to educational and skill development
* encourage entrepreneurship.

Two actions are underway. The focus of Action 1 (a) is to build capability for inclusive education to improve delivery in the CRPD context. This action is led by the Ministry of Education and is a priority for the whole Ministry. It is known as *Success for All – Every School, Every Child. Success for All,* and is the Government’s vision and work programme to achieve a fully inclusive education system. Inclusion of all students in learning is one of the founding principles of the New Zealand school curriculum. Some of these students have special education needs and require additional support to learn and achieve. Put another way, the objective of Success for All is to focus on the student’s educational or learning needs rather than on their impairment or medical diagnosis.

An exciting development in the Success for All work programme is the launch of Special Education Online Knowledge Centre at the end of 2014. The objective is for the Online Knowledge Centre to become the one stop shop for early childhood centres and schools to find tips, tools and strategies for inclusive practices, and for the teaching and learning of children with special education needs. The Online Knowledge Centre will make it easier for early childhood centres and schools to get useful information on helping disabled children to learn and do well and will complement the services and support currently available into schools and early childhood centres.

The second action underway is Action 3 (a): implementation of a long-term work programme to improve employment outcomes for disabled people, including the development of guidelines on reasonable accommodation. Action 3 (a) is led by the Ministry of Social Development.

One of the key principles underpinning the long-term work programme is the use of a strengths-based approach. In other words, the abilities and skills of disabled people and people with a health condition are recognised, and they have the opportunity to be employed on an equal basis with other New Zealanders.

The Ministry of Social Development has collaborated with the health and disability sector (DPOs, beneficiary advocates, specialist employment providers, health practitioners, the wider disability sector and other government agencies) in the development of the long-term work programme. A Health and Disability Reference Group has also been set up to provide input and advice on the implementation of the work programme.

New action 3 (b) will develop better alternatives to replace the minimum wage exemption, looking at existing and new schemes. The scope of this action was approved by the Chief Executives’ Group on Disability Issues and the DPOs in November 2014.

Led by the Ministry of Business, Innovation and Employment, this action includes:

* defining what is meant by ‘better alternatives’ and developing objectives for this action
* identifying alternative options within employment legislation that are compatible with the wider system of vocational and employment services
* working with the Ministry of Social Development to identify alternative options that are outside of employment legislation
* identifying options to transition to any new system
* identifying weaknesses with the current system and high level options to improve the existing system to address these weaknesses, which can be assessed against the alternative options identified above
* recommending preferred option(s) to relevant Ministers.

Two other actions will be further progressed in early 2015:

* 2 (a) Improve transitions (led by the Ministry of Education)
* 4 (a) Government to take a lead in employing disabled people and providing paid internships (led by the Office for Disability Issues).

## Ensure personal safety

This result area focuses on three key priorities:

* Reducing barriers to disabled people making decisions to determine their own lives.
* Reducing the number of disabled people who are victims of violence, abuse and neglect.
* Ensuring that civil defence and emergency management responds appropriately to disabled people.

Two actions are already being implemented:

* Action 6 (d) Reviewing the current care and support arrangements for disabled children who are (or may be) subject to care under the Children, Young Persons and their Families Act 1989. Led by the Ministry of Social Development, this project has been set up to address issues raised in submissions to the Vulnerable Children Bill concerning disabled children subject to out of home care. There will be a public consultation process in 2015 leading to development of options for change to be submitted to the Government.
* Action 7 (a) Promoting implementation by local civil defence and emergency management sectors of the guidelines for inclusive practice in civil defence emergencies. This action is being led by the Ministry of Civil Defence and Emergency Management. A stocktake is presently being undertaken to understand the implementation of guidelines by the local Civil Defence and Emergency Management sector to improve responsiveness to disabled people in civil defence emergencies.

In November 2014, the scopes of two actions were agreed.

Action 5 (a) Ensuring disabled people can exercise their legal capacity, including through recognition of supported decision making will be led by the Office for Disability Issues. This action will explore what is needed to ensure disabled New Zealanders can experience their rights under the CRPD Article 12 (Equal recognition before the law).

This action seeks to develop a shared understanding on:

* what are the expectations of Article 12?
* which disabled people are affected by Article 12, and what are their experiences with realising their rights under Article 12?
* how do domestic arrangements (including legislation, policies and practice) compare to the expectations of Article 12 and are there any gaps?
* what are examples of leading practice (domestic and international) in relation to Article 12?
* what is needed to achieve better implementation of Article 12, including options for implementation?

Action 6 (a) Educating disabled people about their rights not to be abused and what abuse is will be led by DPOs. This action seeks to get a current view of best practice and what is currently available in the area of abuse prevention is for disabled people both in New Zealand and internationally. This will also consider school bullying and prevention guidelines that take into account disabled children.

### Other initiatives supporting this shared result

The Ministry of Health established a working group to review safety regulation in disability support in late 2014. The purpose of this working group is to identify ways the regulation of safety in disability support services can be improved to make sure disabled people can make choices and live everyday lives without greater risk of harm than other New Zealanders. This includes looking at the Health and Disability Services (Safety) Act 2001, which allows the government to set standards that certain providers of health and disability services must meet to be able to continue to provide those services. The group includes representatives from DPOs, service providers, families and carers, the Ministry of Health and the Office for Disability Issues. The governance group for this work is the Steering Group that has been set up to oversee implementation of *Putting People First*.

**Putting People First**

The ‘Putting People First’ quality review for the Ministry of Health (November 2013) made 36 recommendations aimed at improving the Ministry’s processes and systems in order to strengthen provider performance.

In line with the leadership role the Ministry has in overseeing the safety and well-being of disabled people, and setting the tone for the future, three working groups within the Ministry are undertaking over 60 activities associated with the 36 recommendations.

Work on these activities is grouped under the headings of:

* Supporting providers to place disabled people at the centre of their service
* Giving disabled people a voice, and
* Improving performance management.

Disabled people are represented at both the governance and operational levels of this project.

Completed activities to date include the introduction of an internship programme within Disability Support Services for disabled people, reorganising the roles of residential Contract Relationship Managers on a regional basis to better support local providers, and the more frequent use of ‘no notice’ audits.

A visual representation, showing all work areas and interdependencies, will be available on the Ministry of health website shortly.

## Transform the disability support system

This shared result focuses on ensuring effective engagement with disabled people and coordination across sectors and across agencies to focus on outcomes and maximum progress from available resources.

Two actions underway are being implemented through the Enabling Good Lives demonstrations (see section one). These are:

* Action 8 (a) Evaluate learning from the Enabling Good Lives Christchurch demonstration in 2014/15, and consider in 2015/16 improved assessment processes which are culturally responsive, strength based, holistic, involve whānau (whānau ora principles), and are integrated (for example in Enabling Good Lives)
* Action 8 (b) Enabling Good Lives demonstration in Christchurch with the involvement of DPOs.

Action 9 (a) builds on the commitment for a new way of working together between DPOs and government agencies (see section one). The action 10 (a) Develop and implement effective ways for disabled people and DPOs to provide feedback (both qualitative and quantitative) safely about the quality of services and support and to monitor, evaluate, and scrutinise and make providers accountable to funders for achieving outcomes is led by the Ministry of Health. It will be further developed in 2015.

### Other initiatives supporting this shared result

**The New Model for Supporting Disabled People**

The Ministry of Health’s New Model for Supporting Disabled People (the New Model) was developed in response to the Social Services Select Committee’s Inquiry into the quality of care and service provision for disabled people. The purpose of the New Model has been to offer more choice, control and flexibility for disabled people in the support they receive and the lives they lead and to ‘test’ new elements of a disability support system.

Elements of the New Model include Local Area Coordination, Supported Self-Assessment, Enhanced Individualised Funding and Choice in Community Living. These elements continue to be trialled in the Bay of Plenty, Waikato and Auckland regions. At the conclusion of the trial periods, the evaluation of these elements will provide an informed base for incorporating the work into Enabling Good Lives and the future of disability support services.

## Promote access in the community

One of the key result areas identified for implementation in the Disability Action Plan is promoting access for disabled people in the community. This focuses on a wide range of issues regarding access to the community for disabled people:

* Increasing the levels of accessible buildings and spaces, transport and urban design
* Increasing accessible information and communications
* Increasing access to health and justice services
* Increasing political and civic participation.

It does this by focusing on three key priorities:

* Increasing government services’ responsiveness to disabled people
* Increasing the accessibility for disabled people of the built environment and transport services.
* Promoting disabled people participating in political and civic processes.

These priorities are supported by actions which are already underway and actions which are new.

Actions already underway are:

* Action 11 (b) Understanding the journey through the justice sector for disabled adults, disabled children and their families through the development of a National Data Standard for Disability. This action is being led by the Ministry of Justice.
* Action 11 (c) Increase access to health services and improve health outcomes for disabled people with a specific focus on people with learning/intellectual disabilities. This action is being led by the Ministry of Health.
* Action 12 (b) Reviewing the building accessibility regulatory system. This is led jointly by the Ministry of Business, Innovation and Employment and the Office for Disability Issues. Options will be presented in early 2015 to the Minister for Disability Issues and the Minister for Building and Housing on a long term plan for improving the building accessibility system. The review is supported by an Access Reference Group consisting of representatives from DPOs, other disability sector organisations, local authorities, and experts in building design.

Actions that were approved for implementation in November 2014 and which will be progressed in 2015 are:

* Action 11 (a) Increase accessibility of information across government agencies. This new action aims to achieve a consistent experience for disabled New Zealanders when accessing information provided by government agencies for a public audience. This will involve development of an accessibility commitment statement and accessibility guidelines to support the statement. This action is being led by the Office for Disability Issues.
* Action 12 (a) Understanding the issues with accessibility for disabled people of transport services, by completing a stocktake and then determining options to improve the accessibility of transport services. The stocktake (using the Human Rights’ Commission Accessible Journey Report as a baseline) will take place in early 2015 with a view to identifying key recommendations to the Chief Executive’s Group on Disability Issues in mid-2015. This action is being led by the Ministry of Transport and the New Zealand Transport Agency.

An additional action will be further progressed in early 2015:

* Action 13 (a) DPOs to complete a stocktake of what are the areas needing the most attention and which will make the biggest difference to promote disabled people participating in political and civic processes. This action is being led by DPOs.

### Other initiatives supporting this shared result

* The Government’s agreement in December 2014 to proceed with detailed work preparing for a trial of online voting in some local elections. The Department of Internal Affairs will work with local government to support this trial.
* The responses by the Speaker of the House of Representatives and the Government to the Government Administration Select Committee’s inquiry into the accessibility of Parliament, which were published in December 2014.
* In the 2014 General Election, telephone dictation voting was made available for the first time, which allowed blind people, for example, to vote with greater secrecy and independence.
* The Government has committed (subject to other priorities) to commencing the process of domestic treaty examination in 2015 to inform its decision on whether New Zealand will accede to the World Intellectual Property Organisation’s *Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled*. This treaty will remove barriers to importing and exporting copyrighted works that have been produced in accessible formats.

### Think Differently

The Ministry of Social Development’s Think Differently campaign encourages and supports a fundamental shift in attitudes and behaviour towards disabled people and is a key initiative supporting the Disability Action Plan. The campaign works closely with individuals and national and community organisations, employers, educators, churches, councils, businesses, families and other influencers.

The key objectives of the Think Differently campaign are to:

* mobilise personal and community action for positive change
* change the social attitudes and beliefs that lead to disabled people being excluded
* increase people’s knowledge and understanding of disability and the benefits of inclusive communities.

The campaign supports communities through:

* national partnerships with organisations working at a national level, which allows the campaign to contribute to existing change projects and to build on the expertise that already exists
* the Making a Difference Fund to provide funding for community-led projects
* building the capacity of the community to drive change
* communications, including media training, and research and evaluation.

In 2013/2014, the campaign supported 14 organisations as National Partners with funding totalling approximately $1.2 million. At 31 October 2014, the campaign had confirmed three national partners for the 2014/2015 financial year.

For 2014/2015, the campaign has committed approximately $0.8 million to 41 community action projects through the Making a Difference Fund. In 2013/2014 approximately $0.9 million was made available to 43 community action projects.

In 2013/2014 the campaign launched the Social Change Toolkit (www.socialchangetoolkit.org.nz) to support organisations to plan and develop their social change projects. The tool was created to help organisations pull their ideas together in one place, and gives them tips and guidance to help them to realise their community project.

By 30 October 2014, the campaign had facilitated more than 20 media training workshops to support more positive media coverage of disabled people. A media training workshop is offered to individuals and organisations that deal with the media on a regular basis – with a focus on Think Differently partners. The one-day workshop encourages attendees to use strong, clear messages in the media and aims to increase participant confidence in dealing with the media.

An evaluation of the Think Differently campaign is currently being undertaken by research and evaluation company Synergia, who will support community-led and national projects to evaluate the effectiveness of their initiatives. The findings from these evaluations will be available by July 2015.

# Section three: Looking forward to 2015 and beyond

Work undertaken in 2014 has laid a strong foundation that can be built on in 2015 and beyond.

The new way of working with DPOs has enabled more informed decisions about where the priorities are on issues that are important to disabled people. This will be supported with the use of quality information from the 2013 Disability Survey.

Enabling Good Lives is providing a growing body of evidence of what works in ensuring disabled people have choice and control over their lives.

A new NZSL Advisory Board and Fund will draw attention to and support initiatives that promote and maintain the language long into the future.

The foundation for this work will be the implementation of the CRPD, drawing on recommendations from 2014 from the CRPD Committee and the Independent Monitoring Mechanism, including through the Disability Action Plan 2014-2018.

There are, however, several areas which require further focus:

* improving the Disability Action Plan process and way of working with DPOs
* review of the New Zealand Disability Strategy
* improved efforts to collect, collate and use information and data to help with policy and service delivery
* understanding the connection between gender and disability
* acknowledging that the experience of disabled people who are Māori or from other ethnic groups can often be different
* increasing action to prevent violence and abuse against disabled people
* developing a coherent plan to address access barriers
* improving employment opportunities for disabled people.

## Improving the Disability Action Plan process and working with DPOs

The new Disability Action Plan 2014–2018 was developed with a new way of working between government agencies and DPOs. Further work will be required to bed down this co-design and collaborative approach and to ensure both DPOs and government agencies have the capability and capacity to engage with each other effectively.

In addition, more needs to be done to ensure greater transparency and opportunities for other stakeholders to provide input and advice to the further development and implementation of the Disability Action Plan.

## Review of the New Zealand Disability Strategy

It is timely to review the New Zealand Disability Strategy as it was developed before the CRPD and the Disability Action Plan approach. A review will help ensure that it enhances New Zealand’s implementation of the CRPD and remains relevant for the next ten years.

It is expected that a review will also support implementation of agreed recommendations from the CRPD Committee and the Independent Monitoring Mechanism.

## Collecting, collating and using data and evidence

Good quality decisions come from good quality data and evidence and having the right people available to provide input. Undertaking more research (including the collection and analysis of both quantitative and qualitative data) is essential for increasing public understanding about disability issues and the experiences of disabled New Zealanders.

While there has been some work done, and there are some rich sources of data, there are still a number of questions that remain to be answered:

1. What are the high priority areas for more/better data and evidence?
2. What information, both qualitative and quantitative, already exists? Is there data and evidence that hasn’t yet been collated and analysed?
3. Based on the priority areas and what already exists, how can the data and evidence gaps best be filled?

It will only be through answering these questions that it will be possible to move beyond the prevailing concern that there is not enough data and evidence on disabled New Zealanders.

Building a stronger evidence base on disability supports the Government’s investment approach to improving services and delivering better outcomes for disabled New Zealanders most in need.

In late 2015, the Office for Disability Issues will start the development of a comprehensive monitoring framework. This will help with more systematic monitoring and reporting of progress in implementing the CRPD, New Zealand Disability Strategy and the Disability Action Plan. It will also assist in ensuring the focus is on the most relevant priorities, by monitoring emerging issues better.

## Gender and disability

Understanding the intersection between gender and disability is not just about comparing disabled women and men against their non-disabled peers. It is also about understanding the situation of disabled boys and men compared with disabled girls and women. There can sometimes be good reasons why the figures, whatever way you split them, are not equal. For example, boys may be more likely to have some types of impairments (such as autism) compared to girls.

While there is some sex-disaggregated data available (including through the Statistics NZ Disability Survey) there remain some gaps in both the analysis of this, and the collection of data from other sources (such as administrative data). This makes it difficult to determine whether the situation among disabled women, men, girls and boys, and their non-disabled peers, is the same or different.

## Disabled Māori and those from other ethnic groups

It is clear that disability rates vary by ethnic group. When the disability rates are adjusted in line with the younger age profile of Māori and Pasifika people, the differences in disability rates by ethnic group increase:

* Māori – 32 percent
* European/Pākehā – 24 percent
* Pasifika – 26 percent
* Asian – 17 percent.

Of relevance also is that Māori children have a disability rate of 15 percent compared with 9 percent for non-Māori children.

The 2013 Disability Survey shows that psychological/psychiatric impairments, difficulty with learning, difficulty with speaking and intellectual impairments are the four main impairment types experienced by Māori, including Māori children.

It is widely acknowledged that culture and well-being are closely linked. Lack of responsiveness to cultural and linguistic needs can impact on access to and use of services such as health, education and disability support. The Ministry of Health’s Disability Support Services, for example, emphasises culturally responsive service provision in both *Whāia Te Ao Mārama: The Māori Disability Action Plan for Disability Support Services, 2012-2017* and *Faiva Ora: National Pasifika Disability Plan, January 2014-June 2016*. One of the priorities for the promotion and maintenance of NZSL is improving access for deaf Māori. Many deaf Māori have difficulty engaging with Māori culture, Te Reo Māori and tikanga Māori because of the need to access three different languages (that is English, Māori and NZSL). This leads to barriers for deaf Māori at the whānau, hapū and iwi level. There are currently only two trilingual interpreters who are competent in NZSL, Te Reo Māori and English. In recognition of this issue, the NZSL Fund will include support for trilingual interpreters.

## Violence and abuse

The 2013 Disability Survey indicates that 12 percent of disabled adults (living in private households) said they had been the victim of crime in the past 12 months, including 4 percent who had experienced violent crime. These figures were slightly higher than those for non-disabled adults (10 percent and 2 percent, respectively).

Beyond this, there is little robust evidence available in New Zealand on the extent of violence and abuse experienced by disabled people. However, a consistent association has been found internationally between disability and the abuse of disabled people.

The most current international research[[1]](#footnote-1) suggests that disabled children have an almost four-time higher risk of being abused, compared with non-disabled children. Disabled children’s risk of being exposed to physical and sexual abuse is at least three-times higher than for non-disabled children.

International research[[2]](#footnote-2) also points to disabled adults being more likely than their non-disabled peers to be subjected to multiple forms of violence.

## Developing a coherent plan to address access barriers

With work underway on access to public buildings, there will be an opportunity to expand the focus on accessibility into other high priority areas, in particular housing.

A key aspect of this will be developing a common understanding of accessibility, drawing potentially on a universal design approach. This will ensure plans to address barriers to accessibility are coherent, coordinated and future-proofed.

## Improving employment opportunities for disabled people

There were several key developments in the area of employment in 2014, such as the approval of the Ministry of Social Development Health and Disability long-term work programme and the scope to develop better alternatives to the minimum wage exemption (under the Disability Action Plan). This provides a good foundation to ramp up initiatives that address the gap between the employment of disabled and non-disabled people. The low unemployment rate in Christchurch may also provide an opportunity to trial approaches that can be replicated elsewhere.

# Appendix one: Governance arrangement for disability issues

This diagram shows the relationship between the government mechanism to promote implementation of disability issues (coordinated by the Ministerial Committee on Disability Issues), the monitoring mechanism (consisting of the Independent Monitoring Mechanism and the government mechanism), and the Disability Action Plan governance and support processes involving DPOs and other disability sector organisations.

# Appendix two: Disability Action Plan 2014-2018

The following are all actions committed for implementation in 2014-2015.

**Increase employment and economic opportunities:** This shared result focuses on building employers’ confidence to employ disabled people and provide accessible workplaces, opportunities for work experiences, entrepreneurship, and education achievement and skill development. It recognises obligations in the CRPD, particularly Articles 24 and 27.

**Priority 1: Increase the educational achievement of disabled children and adults.**

a) Build capability for inclusive education to improve delivery in the CRPD context.

Lead: Ministry of Education.

**Priority 2: Increase the number of disabled people who transition from school and from tertiary education into employment.**

a) Improve transitions.

Lead: Ministry of Education.

**Priority 3: Increase the number of disabled people, including long-term unemployed disabled people, in paid employment and self-employment on an equal basis with others.**

a) Implement a long term work programme to improve employment outcomes for disabled people including the development of guidelines on reasonable accommodation.

Lead: Ministry of Social Development.

b) Develop better alternatives to replace the minimum wage exemption, looking at existing and new schemes.

Lead: Ministry of Business, Innovation and Employment.

**Priority 4: Increase the number of employers who are confident in employing disabled people, with the public sector taking a lead.**

a) Government to take a lead in employing disabled people and providing paid internships.

Lead: Office for Disability Issues [Deferred until further discussion in 2015].

**Ensure personal safety:** This shared result focuses on promoting systems and practices to protect disabled children and adults in all settings. It recognises obligations in the CRPD, particularly Articles 11, 12, 13, 14, 15, 16, 17 and 23.

**Priority 5: Reduce barriers to disabled people making decisions to determine their own lives.**

a) Ensure disabled people can exercise their legal capacity, including through recognition of supported decision making.

Lead: Office for Disability Issues [Scope approved on 21 November 2014, for implementation in 2015].

**Priority 6: Reduce the number of disabled children and adults who are victims of violence, abuse or neglect.**

a) Educate disabled people about their rights not to be abused and what abuse is.

Lead: DPOs [Scope approved on 21 November 2014, for implementation in 2015].

b) Investigate funding of DPO partnered programmes that support disabled people to speak up for themselves and ensure this is linked with victims of crime work.

Lead: Office for Disability Issues [Deferred until further discussion in 2015].

c) Increase safeguards for disabled people who are socially isolated and develop initiatives to remove what is socially isolating them.

Lead: DPOs [Deferred until further discussion in 2015].

d) Review the current care and support processes for disabled children who are (or are likely to be) subject to care under the Children, Young Persons and Their Families Act 1989 to establish whether they are being treated equitably and fairly, and in their best interests, and if not, to provide advice on changes needed to legislation, operational policy, operational delivery and/or monitoring and enforcement.

Lead: Ministry of Social Development

Deferred until 2015/2016: e) Complete a stocktake of key reports, recommendations and findings on preventing violence, abuse and neglect, including the cultural context for disabled Maori and Pasifika.

Lead: DPOs [Deferred until further discussion in 2015/2016]

**Priority 7: Increase the responsiveness to disabled people of civil defence and emergency management around New Zealand.**

a) Promote implementation by local civil defence and emergency management sector of the guidelines for inclusive practice including learnings from experiences of disabled people in the Canterbury earthquakes.

Lead: Ministry of Civil Defence and Emergency Management.

**Transform the disability support system:** This shared result focuses on ensuring effective engagement with disabled people and coordination across sectors and across agencies to focus on outcomes and maximum progress from available resources. It recognises obligations in the CRPD, particularly Articles 19, 20 and 26.

**Priority 8: Promote disabled people having choice and control over their supports/services, and make more efficient use of disability support funding.**

a) Evaluate learning from the Enabling Good Lives Christchurch demonstration in 2014/15, and consider in 2015/16 improved assessment processes which are culturally responsive, strength based, holistic, involve whanau (whanau ora principles), and are integrated (for example in Enabling Good Lives).

Lead: Ministry of Social Development, Ministry of Education, Ministry of Health.

b) Enabling Good Lives demonstration in Christchurch with the involvement of DPOs

Lead: Ministry of Social Development, Ministry of Education, Ministry of Health.

Deferred until 2015/2016: c) A good start in life: Develop policy options to improve government supports for parents, family and whanau of disabled children aged 0-6 years.

Lead: Ministry of Education.

**Priority 9: Promote the involvement of Disabled People’s Organisations in the design and monitoring of the disability support system transformation.**

a) DPOs and government working together - joint work programme on involving DPOs in decisions that affect disabled people agreed by the Chief Executives’ Group on Disability Issues and Independent Monitors on 21 August 2013.

Lead: Office for Disability Issues [Scope approved on 21 November 2014, for implementation in 2015].

**Priority 10: Increase the capability of disability support service providers to be of service to disabled people.**

a) Develop and implement effective ways for disabled people and DPOs to provide feedback (both qualitative and quantitative) safely about the quality of services and support and to monitor, evaluate, and scrutinise and make providers accountable to funders for achieving outcomes.

Lead: Ministry of Health [Deferred until further discussion in 2015].

Deferred until 2015/2016: b) Ensure providers are responsive to disabled people and provide choice and tailoring of services. Explore how provider performance should be assessed, including through accreditation, provider performance measurement, and contract monitoring systems.

Lead: Ministry of Health [Deferred until further discussion in 2015].

Deferred until 2015/2016: c) Explore how the Mental Health (Compulsory Assessment and Treatment) Act 1992 relates to the New Zealand Bill of Rights Act 1990 and the CRPD.

Ministry of Health [Deferred until further discussion in 2015]

**Promote access in the community:** This shared result focuses on: accessible buildings and spaces, transport, urban design; accessible information, communications; access to health services, justice services; and political and civic participation. It recognises obligations in the CRPD, particularly Articles 5, 8, 9, 21, 25, 29 and 30.

**Priority 11: Increase government services’ responsiveness to disabled people.**

a) Increase accessibility of information across government agencies.

Lead: Office for Disability Issues [Scope approved on 21 November 2014, for implementation in 2015].

b) Understand the journey through the justice sector for disabled adults, disabled children and their families through the development of a National Data Standard for Disability.

Lead: Ministry of Justice.

c) Increase access to health services and improve health outcomes for disabled people with a specific focus on people with learning/intellectual disabilities.

Lead: Ministry of Health.

**Priority 12: Increase the accessibility for disabled people of the built environment and transport services.**

a) Understand the issues with accessibility for disabled people of transport services, by completing a stocktake using the Human Rights Commission’s Accessible Journey report recommendations as a framework, and then in 2015/2016 determine options to improve the accessibility of transport services.

Lead: Ministry of Transport and NZ Transport Agency [Scope approved on 21 November 2014, for implementation in 2015].

b) Review of the building accessibility regulatory system.

Lead: Ministry of Business, Innovation and Employment, and Office for Disability Issues.

**Priority 13: Promote disabled people participating in political and civic processes.**

a) DPOs to complete a stocktake of what are the areas needing the most attention and which will make the biggest difference to promote disabled people participating in political and civic processes. ODI will convene a discussion with DPOs and relevant government agencies to discuss priorities from the DPOs stocktake and identify possible actions.

Lead: DPOs [Deferred until further discussion in 2015].

1. Jones, L., Bellis, M.A. et al (2012). Prevalence and risk of violence against children with disabilities: A systematic review and meta-analysis of observational studies. The Lancet, 380 (9845), 899-907. [↑](#footnote-ref-1)
2. Hughes, K., Bellis, M.A. et al (2012). Prevalence and risk of violence against adults with disabilities: A systematic review and meta-analysis of observational studies. The Lancet, 379 (9826), 1621-1629. [↑](#footnote-ref-2)