



Draft Six-Monthly Report on the New Zealand Disability Action Plan (2019-2023)

**For the period covering
January to June 2023**

Pauline Melham
Senior Advisor

Contents

Executive Summary	4
Outcome One - Education	19
Education - DAP Reporting	19
Addendum to Education Report – Further information based on DAP review group feedback.....	48
Tertiary Education Commission - DAP Reporting	52
Tertiary Education Commission (TEC) NZ Disability Action Plan Reporting: January - June 2023: Supplementary comment.	59
Outcome Two - Employment and Economic Security	63
Working Matters Disability Employment Action Plan - DAP Reporting	63
Replacing Minimum Wage Exemption Permits - DAP Reporting.....	73
National Information Portal and Regional Hubs - DAP Reporting.....	78
Accessible Employment - DAP Reporting	80
Outcome Three - Health and Wellbeing	84
Safeguarding Bodily Integrity Rights – DAP Reporting	84
Health Outcomes and Access to Health Services – DAP Reporting	90
Repeal and Replace the Mental Health (Compulsory Assessment and Treatment) Act 1992. DAP Reporting ...	99
Reduction of the use of Seclusion and Restraint - DAP Reporting	108
Sport New Zealand – DAP Reporting.....	116
Outcome Four - Rights Protection and Justice	125

Implementation of Safeguarding Responses for Disabled and vulnerable adults Te Aorerekura Action 28 - DAP Reporting.....	125
Ara Poutama Aotearoa Department of Corrections - DAP Reporting	136
Ministry of Justice Work Programme – DAP Reporting.....	145
Outcome Five - Accessibility.....	180
Accelerating Accessibility - DAP Reporting	180
Accessible Public Information - DAP Reporting	186
Better Later Life - DAP Reporting	190
Ministry of Transport, Joint Transport Disability Action Plan - DAP Reporting	199
Waka Kotahi - DAP Reporting	206
Kāinga Ora - DAP Reporting	221
Improve accessibility across the New Zealand housing system - DAP Reporting	238
Outcome Seven - Choice and Control.....	243
Disability Support System Transformation – DAP Reporting	243
Supported Decision-Making: Guidance Resources - DAP Reporting	251
Outcome Eight - Leadership	258
Nominations Database - DAP Reporting	258
Cross Government Work Programme	270
Disability Data and Evidence	270

Executive Summary

The [Disability Action Plan 2019–2023 \(DAP\)](#) aims to improve accessibility for and the wellbeing of disabled people through work programmes aligned with the eight outcomes of the [New Zealand Disability Strategy 2016-2026 \(the Disability Strategy\)](#).

Monitoring of DAP progress, through six-monthly reporting, is undertaken by Whaikaha – Ministry of Disabled People in conjunction with the Disabled Persons Organisation (DPO) Coalition and the agencies who are involved in the work programmes.

This executive summary outlines the progress that has been made towards improving accessibility, wellbeing and overall outcomes for disabled people during the penultimate reporting period for the current Disability Action Plan, January to June 2023.

Twelve government agencies are responsible for the DAP work programmes. Twenty-eight work programmes are overseen by individual agencies and one programme is an across-government commitment to improving disability data and evidence.

Agency reports indicate the 29 work programmes are tracking reasonably well since the previous reporting period, with one more programme on track or ahead and three fewer programmes off track with low risks. The cross-agency Disability Data and Evidence work programme was not reported on again during this reporting period due to changes in personnel leading the programme.

Progress Rating of 29 Work Programmes for 7th Round of the Disability Action Plan

[The numbers in brackets refer to the previous reporting period.]

On track or ahead	8 (27.5%)	[7]
On track, minimal risks	17 (58.5%)	[15]
Off track, minimal risks	2 (7.0%)	[5]
Off track, significant risks	0	[1]
On hold	1 (3.5%)	[0]
Not reported on	1 (3.5%)	[1]
Completed	1	[0]
Total number of reports	28	[29]

The rating scale for the reports is decided on by the agencies themselves. Reports can either be ahead of progress or on track, or they can be on track but with some concerns or issues. Alternatively, reports can be off track but with few risks that is, it is thought that being off track is not a serious concern and the programme can quickly get back on track. Off track with significant risks means the work is crucial and is significantly behind schedule or facing significant barriers. Agencies have sometimes found it difficult to determine what is a minimal risk and what constitutes a significant risk, in the next round of DAP reporting some guidance will be issued to support agencies with this.

Outcome One – Education

“We get an excellent education and achieve our potential throughout our lives” (New Zealand Disability Strategy 2016 – 2026).

Both the Ministry of Education (MOE) and the Tertiary Education Commission (TEC) have work programmes under this outcome.

The MOE Disability Action Plan (DAP) work programme aims to achieve a curriculum, assessment framework, and learning support system that is inclusive, honours Te Tiriti o Waitangi, and delivers the right support at the right time, so that neurodivergent and disabled learners can get an excellent education that allows them to be present, participate, make progress, and experience positive wellbeing in education.

The Ministry of Education (MOE) has six major programmes of work (although when reporting the Early Learning Action Plan and the Learning Support Action Plan are usually combined to form one project):

- NCEA Review – embedding inclusive design into all aspects of the -re-development of the NCEA.
- Tomorrow’s Schools – further developing tomorrow’s schools is not specifically aimed at supporting disabled students, rather the changes impact upon all students.
- Learning Support Action Plan 2019-2025, this plan is made up of several smaller workstreams some of which directly benefit disabled learners for example, improving the screening and early identification of learners with support needs, whilst other aspects have a less direct impact on disabled learners for example, increasing the level of learning support available in Māori medium education settings.

- Curriculum, Progress and Achievement – this work programme is about ensuring that the refreshed New Zealand Curriculum is accessible to all learners including disabled learners.
- Early Learning Action Plan - Objective 2 of the Early Learning Action Plan is that all children are able to participate in quality early learning and have the support they need to learn and thrive.
- Reform of Vocational Education – the ministry must ensure that the reforms of vocational education meet the needs of disabled learners.

Tomorrow's schools and the reform of vocational education work programmes are on track, the rest of the programmes are on track with minimal risks, with the exception of the Early Learning Action Plan, whose progress has been placed on hold whilst other key MOE priorities are managed.

Key highlights of the last six months include:

- In line with the NCEA Review, training on Universal Design for Learning (UDL) and Inclusive Design has been delivered school staff.
- Under Tomorrow's Schools, provisions for a mandatory national Code of Conduct for state and state integrated school board members was included in [section 166](#) of the Education and Training Act 2020, and came into effect on 21 June 2023. The objective of this code is to make schools an inclusive and safe environment for all learners.

- Under the Learning Support Action Plan (LSAP) Priority 1 (Learning Support Coordinators), \$40 million was secured through Budget 23 to build learning support coordination in Kaupapa Māori and Māori Medium education.
- Under the Curriculum Progress and Achievement work programme, a primary focus of the Literacy, Communication and Maths Strategy was the development of the Common Practice Model (CPM). An Inclusive Practices Common Model Group has been established to ensure that the CPM is inclusive of the diversity of all learners.
- Under the reform of Vocational Education, the formation of the Disabled Tertiary Population Survey involves a partnership between the National Disabled Students Association (NDSA), the Tertiary Education Commission (TEC), New Zealand Qualifications Authority (NZQA) and MOE.

Some MOE work programmes are not progressing, as anticipated:

- The implementation of new NCEA Level 2 and 3 standards will be deferred to 2026 and 2027 respectively. This is, in part recognition, of the impact of COVID-19 disruption over the previous 3 years, and to relieve schools of some implementation pressures.
- Further work on Action 2.2 in the Early Learning Action Plan, to develop facilitation policy for wrap-around health and social services and to coordinate learning support, is on hold due to undisclosed factors impacting on the overall work programme in MOE.

The Tertiary Education Commission is the other agency that has a work programme under Outcome One. The goal of the TEC work programme is to enable Tertiary Education Organisations (TEO) and the tertiary education sector

to greatly improve the access to, participation in, and achievement in, tertiary education for disabled persons. As an outcome of the TEC work, it is expected that there will be an increased number of disabled people accessing, participating, and achieving in tertiary education.

Progress on the (TEC) DAP work programme includes: the Kia Ōrite toolkit for developing an inclusive tertiary education environment for disabled learners is now available and the associated e-learning modules are live. Both the document and modules are aimed at all staff working in the tertiary education sector. Both the document and videos are hosted on the ACHIEVE (The National Post-Secondary Education Disability Network) website.

All work within the TEC work programme is either on track or on track with minimal risks.

Outcome Two – Employment and Economic Security

“We have security in our economic situation and can achieve our potential” (New Zealand Disability Strategy 2016 – 2026).

The Ministry of Social Development (MSD) leads four Employment and Economic Security work programmes:

- Working Matters Disability Employment Action Plan – aims to ensure disabled people have an equal opportunity to access quality employment. Funding was secured through Budget 2023 for multiple initiatives that support the objectives of Working Matters Disability Action Plan. This included, funding for the Employment Service in School pilot and permanent reinstatement of the Training Incentive Allowance, which pays the fees of disabled tertiary education students.

- Replacing Minimum Wage Exemption Permits – aims to ensure that the 900 New Zealanders being paid less than minimum wage due to their disability can be paid at least the minimum wage, this should occur by mid-2024 with the introduction of a wage supplement.
- National Information Portal and Regional Hubs – this programme examines the feasibility of developing regional hubs across New Zealand to promote and support the employment of disabled people. However, instead of progressing regional hubs, employment opportunities for disabled people will be promoted through employment events targeted at the general public.
- Accessible Employment (Lead Toolkit, Government Internships, We Enable Us, Disability Employment Resources) – These are the actions that MSD and the wider Public Service are undertaking to promote the employment of disabled people within the public sector. MSD, working alongside the All of Government (AOG) Lead Toolkit Champions Network, leads the refresh of the Lead Toolkit. The toolkit is a series of documents providing information for employers about employing disabled people, including the support or adjustments an employer might provide.

All work programmes under Action Two are either on track or on track with Minimal risks. Key progress on implementation includes:

Aspects of work programmes not progressing well include: the Internship programme. A review has shown various barriers are impeding disabled people from taking up public sector internships for example, the need to work in full-time in Wellington, with inflexible hours.

Work is underway to develop a twin track programme, using mainstream internships and supporting an additional programme where current barriers are removed (e.g., internships with flexible hours/work practices, increasing the length of internships).

Outcome Three - Health and Wellbeing

“We have the highest attainable standards of health and wellbeing” (New Zealand Disability Strategy 2016 – 2026).

Four of the work programmes under outcome three are overseen by the Ministry of Health (MOH) the remaining work programme is overseen by Sport New Zealand:

- Safeguarding Bodily Integrity Rights – protecting disabled people from unwanted treatment for example, sterilisation and growth attenuation treatment.
- Health Outcomes and Access to Health Services – the Ministry of Health acknowledges that significant transformative work is required to improve health outcomes and reduce inequities facing disabled people accessing healthcare in New Zealand. The Provisional Health of Disabled People Strategy, to be published in July 2023, sets the direction and the long-term priorities for achieving equity in disabled people’s health and wellbeing outcomes over the next 10 years.
- Repeal and Replace the Mental Health (Compulsory Assessment and Treatment) Act 1992 - develop new legislation that reflects a human rights-based approach, promotes supported decision-making, aligns with the recovery and wellbeing model of mental health, and provides measures to minimise compulsory or coercive treatment. In January 2023, Te Pou launched new training and resources, developed with Manatū

Hauora, to support the implementation of the revised *Guidelines to the Mental Health (Compulsory Assessment and Treatment) Act 1992*.

- Seclusion and Restraint – removing the use of all seclusion and restraint, including chemical restraint from our health system. New *Guidelines for Reducing and Eliminating Seclusion and Restraint Under the Mental Health (Compulsory Assessment and Treatment) Act 1992* were published in April 2023.
- Sport New Zealand Disability Plan - improve the quality and equity of play, active recreation and sport participation opportunities for disabled children and youth.

Three of the four Health programmes are on track with minimal risk according to the Ministry of Health. The bodily integrity work programme is off track with minimal risks.

There is disagreement between the DPO Coalition and the Ministry of Health with regards to whether these programmes are on track. The DPO coalition would argue that the Bodily Integrity Programme is off track with significant risks.

The MOH programmes not progressing well are:

- The development of the Provisional Health of Disabled People Strategy, which has in turn delayed the initial advice to the Minister of Health on bodily integrity.
- The reduction and elimination of seclusion practices caused by difficulty recruiting and retaining of appropriately qualified staff, including kaimahi Māori.

The Sport New Zealand action plan is on track with minimal risk. Sport New Zealand has been investing, through both partnerships and direct investment, in the Halberg Foundation, Paralympics NZ, Special Olympics

NZ, and regional and national disability sport organisations. The investment is to improve confidence in, knowledge about and understanding of the inclusion of disabled tamariki and rangatahi in play, active recreation and sport.

Outcome Four – Rights Protection and Justice

“Our rights are protected; we feel safe, understood and are treated fairly and equitably by the justice system”
(New Zealand Disability Strategy 2016 – 2026).

There are three work programmes under this Outcome:

- Implementation of Safeguarding Responses for Disabled and Vulnerable Adults Te Aorerekura Action 28 – The safeguarding approach must protect and promote disabled people’s rights, culture, identity, and wellbeing. It must prevent and respond to violence, abuse, and neglect; and be aligned with Enabling Good Lives (EGL) principles. A successful Budget bid in 2023, by Whaikaha (the fundholder) and Te Puna Aonui (a group of ten government agencies who work together with Māori, communities, and the wider family and sexual violence sector, established a specialist community-led Disability Abuse Prevention and Response team (DAPAR). The role of DAPAR is to respond to disabled adults at risk of violence and abuse. The DAPAR team will continue to work in the Waitemātā area, and begin to provide national coverage.
- Department of Corrections Disability Action Plan Implementation. The agency’s first Disability Action Plan (2023-2027) has been published.
- Ministry of Justice (MOJ) Work Programme – includes a number of smaller programmes aimed at making the Justice system more user friendly to disabled people. The Sexual Violence Legislation Act 2021 has amended

evidence law and court procedures to reduce the re-traumatisation of complainants of sexual violence during the trial process.

Work that is not progressing as planned includes the Ministry of Justice intention to develop guidance for parents to support children through parental separation, this work is now planned for later in the year.

Outcome Five - Accessibility

“We access all places, information and services with ease and dignity” (New Zealand Disability Strategy 2016 – 2026).

Work under this outcome is undertaken by MSD, Housing and Urban Development (HUD), Ministry of Transport (MOT), NZ Transport Agency (NZTA), Kāinga Ora, and the Office for Seniors (OFS). The work programmes that are on track include:

- MSD Accelerating Accessibility – the development of Accessibility legislation for New Zealand. The Social Services and Community select Committee in its presentation of the Accessibility for New Zealanders Bill to the House of Representatives on 22 June 2023, recommended its passage but with several amendments.
- MSD Accessible Public Information – All of Government (AOG) Alternate (Alt) Formats – tracks the development of Alternate Format provision across government. Additional funds are being invested in the MSD Alternate Format Service to increase the number of Easy Read translators, including investing in the development of an Easy Read training and accreditation programme.

- OFS Better Later Life – He Oranga Kaumātua Strategy and Action Plan – this programme details the actions in the Seniors Action Plan that relate to disabled people. Under Action 35, membership of the Age Friendly Network for local councils across the country increased to 29 communities.
- The NZTA component of the Joint Transport Disability Action Plan 2019-2023, focusses on the issues faced by disabled people when accessing transport through internal and operational policy lens. NZTA has initiated a new research project to provide insights from other countries’ experiences of para-transit. This research will inform the review of the Total Mobility scheme, and New Zealand’s overall approach to ensuring mobility for disabled people.
- Kāinga Ora Accessibility Work Programme – increase the number of social houses that meet universal design standards, develop modifications for existing properties and increase the data about disabled clients and their needs. As of 30 June 2023, Kāinga Ora had delivered 19% (new built) homes that met universal design standards.

The programmes that are off track include:

- The MOT component of the Joint Transport Disability Action Plan 2019-2023. The review of Total Mobility and the development of the Accessible Streets regulatory package. Whilst final advice has been provided to the Minister of Transport on the Accessible Streets regulatory package, the dates for Cabinet consideration have not yet been confirmed.
- HUD Improve Accessibility across the New Zealand Housing System. HUD’s work programme, was off track for the fourth consecutive reporting period.

Outcome Six – Attitudes

“We are treated with dignity and respect” (New Zealand Disability Strategy 2016 - 2026).

Outcome six does not have a specific work programme. Instead, the other work programmes all contribute positively towards improving the attitude of New Zealanders towards disabled people.

Outcome Seven – Choice and Control

“We have choice and control over our lives” (New Zealand Disability Strategy 2016 – 2026).

This Outcome has two work programmes, both managed by Whaikaha. Both programmes are reported as being on track with minimal risk.

- Disability Support System Transformation – to transform the disability support system in line with the Enabling Good Lives Principles. Whaikaha continues to work with the National Enabling Good Lives Governance Group and other community representatives to develop the implementation plan and tools for national scaling of an EGL approach to the delivery of disability support services.
- Supported Decision Making – Develop guidance for disabled people, their family/whānau and service providers about using supported decision-making practices. The process to procure a supplier to develop the online Supported Decision Making: Guidance Resources has been completed.

Work that has been delayed is the relationship with Te Āo Māramā, who will help build the Māori Kaupapa for this work has not been established, work will begin in the next six months.

Outcome Eight – Leadership

“We have great opportunities to demonstrate our leadership” (New Zealand Disability Strategy 2016 - 2026).

Whaikaha manages the one work programme for this Outcome, the Nominations Database, the aim of which is to increase the number of disabled people serving on public sector boards. The work is on track with minimal risks. Work that is progressing well includes the development of professional development for prospective governance professionals.

Work that is not progressing well, includes the May 2023, briefing paper presented to the Minister for Disability Issues inviting her request a cabinet paper be written to seek approval for the inclusion of disability in the Annual Board Stocktake, which monitors gender and ethnic diversity on New Zealand’s public sector boards. The minister declined to take this paper to Cabinet prior to the General Election in October 2023, effectively placing this work on hold.

Conclusion

The majority of work programmes under the Disability Action Plan (2019 – 2023) are progressing well. A small number of programmes are off track, due to shortage of resources to progress the work, staff shortages or delays caused by the pending general election. Some work programmes have been off track consistently over several reporting periods and the agencies appear to have lost their way.

The New Zealand Disability Strategy 2016-2026 and earlier DAP reports and executive summaries, including alternate formats, can be found here: [Disability Action Plans biannual reports.](#) The full DAP report for January to June 2023 can be found here [Report 7: January to June 2023 | Whaikaha - Ministry of Disabled People](#). If you

would like to contact the Partnerships and Stewardship team in Whaikaha, we can be contacted on partnershipsandstewardship@whaikaha.govt.nz.

Outcome One - Education

Education - DAP Reporting

Name of Agency	Ministry of Education
Name of Work Programme	<p>The Ministry of Education has six major programmes of work that support the Disability Action Plan:</p> <ul style="list-style-type: none"> • NCEA Review. • Tomorrow's Schools. • Learning Support Action Plan, 2019-2025. • Curriculum, Progress and Achievement. • Early Learning Action Plan. • Reform of Vocational Education.
Overall Status	On track – with minimal risks/issues
Programme Summary	<p>The Ministry's Disability Action Plan (DAP) work programme aims to achieve a curriculum, assessment framework, and learning support system that is inclusive, honours Te Tiriti o Waitangi, and delivers the right support at the right time, so that neurodivergent and disabled learners can get an excellent education that allows them to be present, participate, make progress, and experience positive wellbeing in education. This is the goal across the education system, from early learning to tertiary, and requires that the needs and views of neurodivergent and disabled learners are considered in all the major education system changes that are underway.</p>

<p>Alignment</p>	<p>Outcome 1 of the New Zealand Disability Strategy is: “we get an excellent education and achieve our potential throughout our lives”. The Ministry’s work programmes will strengthen the education system’s support for this outcome and enable the Ministry to progress our obligations under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).</p> <p>The response to the Highest Needs Review (HNR) is guided by the Enabling Good Lives (EGL) principles and upholding the Government’s obligations to the UNCRPD. The Ministry is working with Whaikaha through the response to the HNR to ensure we are taking an EGL approach and that our system changes are aligned to the broader transformation of the disability support system. The Ministry’s work on strengthening Early Intervention is also aligned with EGL.</p> <p>Work on the Learning Support Action Plan (LSAP) has involved working with several agencies/partners, as has the NCEA Change Programme which involves cross-agency work with NZQA.</p> <p>The Ministry is also supporting Te Kōhanga Reo National Trust with implementing a co-designed work programme under LSAP Priority 3.</p> <p>The Government has recently accepted, with modification, the recommendation from the UN Committee on the Rights of Persons with Disabilities to develop an inclusive education strategy. Work to develop this strategy is yet to commence but will build on the work already underway (described in this report) to make progress towards an inclusive education system.</p>
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Progress against Plan for the period			
Actions planned for the period	Actions completed in the period	Barriers to progress	Status
<p>NCEA Review</p> <p>NCEA Change Programme</p>	<p>The NCEA Level 2 development continued with accessibility and inclusive practices being woven into the development of standards, assessments, and supporting resources. To further support this, training on Universal Design for Learning (UDL) and inclusive design has been delivered to writing staff, and National Implementation Facilitators (NIFS).</p> <p>Full NCEA Level 1 pilots began and will be completed in the next reporting period.</p> <p>Resources for teachers and learning support staff have been developed and published online about strengthening inclusive teaching and assessment in NCEA using UDL. This includes publishing curriculum planning resources (available on TKI) and prototyping UDL planning resources with teachers and regional staff in Waikato.</p> <p>Resources supporting learners with Dyslexia in literacy and numeracy contexts in NCEA were published in February 2023. These were further</p>	<p>The implementation of new NCEA Level 2 and 3 standards will be deferred to 2026 and 2027 respectively. This was in part recognition of the impact of COVID-19 disruptions over the previous 3 years and to relieve schools of some implementation pressures.</p>	<p>On track – with minimal risks/issues</p>

	<p>developed into a facilitated resource for use on Teacher Only Days.</p> <p>Further design and operational policy work on Special Assessment Conditions was undertaken with NZQA. Seminars on proposed changes for 2024 have been run nationwide. Final decisions and announcements are expected in the next reporting period.</p> <p>Work is underway on how best to measure the benefits of the new NCEA for disabled learners as part of the wider benefits of the NCEA Change Programme.</p> <p>A readability check has been approved to be applied in the Review of Achievement Standards to make public-facing and student-facing products easier to read, use and understand, and remove ambiguity. The readability check will apply to all products developed from this point forward. Work is in progress to confirm when the readability check can be retrospectively applied to products already created as part of the Review of Achievement Standards.</p>		
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<p>Tomorrow's Schools</p>	<p>Tomorrow's Schools is composed of many workstreams, most of which do not have a specific focus on disabled learners. Key actions under this workstream that do have a focus on disabled learners are part of the LSAP which are referred to in other sections of this report. Other key activities included:</p> <p>Completing the structural changes across Te Tāhuhu¹ to align to our new delivery model, including the establishment of integrated frontline delivery teams in Te Mahau.</p> <p>The first group of leadership advisors started at the beginning of the year with further positions commencing as recruited. The Leadership Advisory programme seconds Principals into Te Mahau to support and build leadership capability across the sector, support transformative change across the system and help design a sustainable leadership advisory model.</p> <p>Provisions for a mandatory national Code of Conduct for state and state integrated school board members were included in section 166 of the Education and Training Act 2020. The Code of</p>	<p>Nil</p>	<p>On track</p>
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¹ [Introducing Te Mahau, within a redesigned Te Tāhuhu o te Mātauranga | Ministry of Education – Education in New Zealand](#)

	<p>Conduct aims to be a source of good practice for board members to support them in making their schools an inclusive and safe environment for all learners. This came into effect on 21 June 2023.</p>		
<p>LSAP Priority 1</p> <p>Learning Support Coordinators (LSC)</p> <p>(i) Learning support coordination in Kaupapa Māori and Māori Medium Education</p> <p>(ii) Learning Support Network of expertise</p>	<p>Learning support coordination in Kaupapa Māori and Māori Medium Education</p> <p>\$40 million was secured through Budget 23 to build learning support coordination in Kaupapa Māori and Māori Medium education. The initiative provides funding for the Māori-led design and delivery of solutions to strengthen the capacity and capability of these schools and kura, to plan and coordinate responses to the learning support needs of ākonga in partnership with whānau.</p> <p>Learning Support Network of Expertise</p> <p>The Learning Support Network (LSN) aims to build the capability of Learning Support Coordinators (LSCs), teachers, and other staff who work with neurodivergent and disabled learners in Kura Kaupapa Māori, Māori medium, and English medium settings.</p> <p>As of 19 June 2023, LSN membership included 565 LSCs, 1,108 SENCOs, 406 Resource Teachers:</p>	<p>Nil</p> <p>Nil</p>	<p>On track with minimal risks/issue</p> <p>On track with minimal risks/issues</p>

	<p>Kōwhiri Whakapae was further refined and developed. This resource will help kaiako with practices that enable them to notice, recognise and respond to children and learners, and work with whānau. The process within Kōwhiri Whakapae aligns with Te Matua (universal) and Te Kāhui (targeted) strategies within Te Tūāpapa o He Pikorua³ framework.</p>		
<p>LSAP Priority 3</p> <p>Strengthening Early Intervention</p> <p>(i) He Pikorua</p> <p>(ii) Partnership with Te Kōhanga Reo National Trust</p>	<p>He Pikorua</p> <p>The Ministry has been working to position quality teaching and learning for all tamariki within Te Tūāpapa o He Pikorua. In June 2023 the Ministry workshopped Te Tūāpapa o He Pikorua with members of the Early Childhood Advisory Council.</p> <p>Te Tūāpapa o He Pikorua aligns with Kōwhiri Whakapae which is designed to support kaiako to notice, recognise and respond to learners.</p> <p>Partnership with Te Kōhanga Reo National Trust</p> <p>Relationships with the Ministry and Kōhanga Reo have continued to be strengthened at a local level with planned hui. Wānanga have also continued to support implementation of resources with a focus</p>	<p>Nil</p> <p>Nil</p>	<p>On track</p> <p>On track</p>

³ This is a culturally enhancing practice framework for learning support practitioners.

	on sharing them with Kōhanga Reo and Takiwā learning support practitioners.		
LSAP Priority 4 Flexible supports for neurodiverse children and young people (i) Response to the Highest Needs Review	<p>Response to the Highest Needs Review (HNR)</p> <p>A progress report was provided to Cabinet in June 2023. This included the Gateway Review findings of the Business Case which identified significant risks to successful delivery of the response to the HNR and the next steps required to address these risks. The report also included an update on work on an Indicative Programme Business Case as well as early thinking on options.</p> <p>There was a workshop with stakeholders in April 2023 to discuss next steps to implement the recommendations of the HNR.</p>	Nil	On track
(ii) Inclusive Design Modules	<p>Inclusive Design Module</p> <p>The trial and refine stage of the Inclusive Design Module was completed, resources were updated, and an evaluation report is in progress. These modules will build understanding of neurodiversity and sector capability for inclusive education.</p> <p>The Inclusive Design Modules have been connected into the New Zealand Curriculum refresh as part of</p>	Nil	On track

<p>(iii) Taonga Takiwātanga Wānanga</p>	<p>a suite of resources that will support schools to implement Te Mātaiaho (the refreshed New Zealand Curriculum).</p> <p>Taonga Takiwātanga Wānanga</p> <p>The Taonga Takiwātanga Charitable Trust, in partnership with Te Pae Aronui⁴ and iwi, hosted marae-based wānanga for Iwi led Education Service providers to build capacity to understand and support takiwātanga ākonga and their whānau. During this reporting period, two wānanga have been held of a series of 12.</p> <p>The evaluation report of the previous wānanga series was published on Education Counts⁵. The evaluation found that the wānanga was received very well by professionals, whānau and community agencies with feedback from participants being overwhelmingly positive.</p>	<p>Nil</p>	<p>On track</p>
<p>(iv) Tilting the Seesaw Autism training for LSCs</p>	<p>Tilting the Seesaw Autism training for LSCs</p> <p>77 people registered for Tilting the Seesaw during the report period. We have also worked on and agreed the evaluation plan with Autism NZ.</p>	<p>Nil</p>	<p>On track</p>

⁴ [Introducing Te Mahau, within a redesigned Te Tāhuhu o te Mātauranga | Ministry of Education – Education in New Zealand](#)

⁵ [Taonga Takiwātanga Wānanga Evaluation Report | Education Counts](#)

<p>LSAP Priority 6</p> <p>Improving education for children and young people at risk of disengaging from education.</p> <p>(i) Review the stand-downs, suspensions, exclusions and expulsions (SSEE) guidelines.</p>	<p>Review SSEE guidelines</p> <p>Disabled learners are disproportionately represented in the use of stand-downs⁶ or suspensions⁷, exclusions⁸, and expulsions⁹ (SSEE). The Ministry engaged with many groups representing the disabled community when developing the new SSEE guidelines. The guidelines have also been through a Kaimahi Māori working group who have overlaid the Ka Hikitia – Ka Hāpaitia framework with the practice guidance. This has been reviewed and approved by the Ministry’s legal team. The guidance has been through an independent editor and is now with the designer for lay out.</p> <p>BERL (Business and Economic Research Limited) invited participants to a user testing hui in August 2023. Following this testing, BERL will provide feedback and recommendations to the Ministry.</p>	<p>Nil</p>	<p>On Track</p>
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⁶ A stand-down is when a student is removed from school or kura for a period of no more than 5 days in a school term or a total of 10 days in a school year. A stand-down can only be used for continual disobedience, gross misconduct which is harmful or dangerous, or when the behaviour is likely to cause serious harm to the student or others.

⁷ A suspension is the formal removal of a student from school or kura by the principal, until the board of trustees meets to decide what to do. It’s the suspension process that can lead to an exclusion (students under 16) or expulsion (students over 16).

⁸ Exclusion is the formal removal of a student from school or kura if they are under 16. A student that is excluded must enrol at another school or kura.

⁹ Expulsion is the formal removal of a student from school or kura if they are 16 years or older. This means they must leave and not attend the school they are enrolled at.

<p>Curriculum, Progress and Achievement</p> <p>(i) The New Zealand Curriculum Refresh.</p> <p>(ii) Literacy, Communication and Maths Strategy and the Common Practice Model</p>	<p>Refresh of the New Zealand Curriculum</p> <p>Extensive engagement and feedback on the design of Te Mātaiaho, the refreshed New Zealand Curriculum, over the past six months has indicated a high level of agreement that the refreshed curriculum framework is inclusive of the diversity of learners in New Zealand. This feedback included engagement with disability groups. Te Mātaiaho will be available for schools to use in Term 3 2023.</p> <p>We have worked with BLENNZ (Blind & Low Vision Education Network NZ) and Ko Taku Reo to gain input and insights on how to strengthen the accessibility of curriculum resources and products from the outset. This will inform ongoing work.</p> <p>Literacy, Communication and Maths Strategy and the Common Practice Model</p> <p>A priority focus within the Literacy, Communication and Maths Strategy is the development of a Common Practice Model (CPM). This model will provide greater clarity and guidance for teachers through explicit evidence informed pedagogical approaches and practices that support teaching and learning in literacy, communication, and maths for all learners, including disabled learners. In this</p>	<p>Nil</p> <p>Nil</p>	<p>On track – with minimal risks/issues</p> <p>On track – with minimal risks/issues</p>
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<p>(iii) Disability Voices Group</p>	<p>reporting period, an Inclusive Practices Common Model group was formed to make sure that the design of the CPM is inclusive of the diversity of all learners from the outset. This group has representation from the disability sector.</p> <p>Disability Voices Group</p> <p>The Disability Voices Group (DVG) was formed at the end of 2022. It comprises disabled people and whānau with a wide range of expertise and/or lived experience of disability, with intersections across Māori, Pacific, diverse ethnic communities, LGBTQ+, and rural communities. The DVG have provided valuable insights and input to the design of Te Mātaiaho and the CPM and are currently firming up a work programme that identifies their key priorities.</p>	<p>Nil</p>	<p>On track – with minimal risks/issues</p>
<p>(iv) Youth Voices Group</p>	<p>Youth Voices Group</p> <p>The Ministry has a partnership with the Mana Mokopuna (previously known as the Office of the Children’s Commissioner) to form a Youth Voices Group. This group of 30 young people (aged 14-17) was formed after an extensive Expression of Interest process. There are currently 5 caucuses:</p> <ul style="list-style-type: none"> • Tāngata Whenua. 	<p>Nil</p>	<p>On track – with minimal risks/issues</p>

	<ul style="list-style-type: none"> • Resettled Tauwiwi. • Disabled/Whaikaha & Tāngata Whenua. • Disabled/Whaikaha & Tauwiwi. • Pasifika. <p>A pōwhiri and three-day wānanga was held in May to welcome the group and detail the scope of the work. The group met again in June for an online hui in which they re-capped on the work of the wānanga and delved deeper into Te Mātaiaho.</p>		
<p>Early Learning Action Plan</p> <p>Action 2.2</p> <p>(i) Develop advice to facilitate wrap-around health and social services</p> <p>(ii) Ensure it is clear who holds key responsibility</p>	<p>Objective 2 of the Early Learning Action Plan is that all children are able to participate in quality early learning and have the support they need to learn and thrive. This aligns with the National Education and Learning Priority of Barrier-free access.</p> <p>The Government has included early childhood services as one of its priorities for network approval, as part of the new network management changes introduced in February 2023. Further work on Action 2.2 is on hold due to a number of factors impacting on the overall work programme in the Ministry.</p>	Nil	On hold

<p>for coordinating learning support in each service</p>			
<p>Reform of Vocational Education (RoVE) and related work</p> <p>(i) Highest Needs in Vocation Education and Training</p> <p>(ii) Disabled Tertiary Population Survey</p>	<p>Highest Needs in Vocational Education and Training (VET)</p> <p>The report from the working group was sent to the Minister’s office earlier in the year. This report included the findings of the collaboration between the Ministry, the disability sector, and the VET sector.</p> <p>The report identified the need to improve data collection on disabled tertiary students. In early June, the list of new enrolment questions for disabled students was finalised and sent to the sector.</p> <p>Disabled Tertiary Population Survey</p> <p>The formation of the Disabled Tertiary Population Survey reflects a partnership between the National Disabled Students Association (NDSA), Tertiary Education Commission (TEC), NZQA and the Ministry.</p>	<p>Nil</p> <p>Nil</p>	<p>On track</p> <p>On track</p>

	<p>In late January, a research assistant for a literature review was employed on a 1-year fixed term contract through the University of Otago with funding from TEC.</p> <p>The scope of the survey was confirmed in March and in May the questions for the survey were confirmed and approved by the working group. The survey included 27 questions which were all listed as non-compulsory and able to be skipped. They were divided into three categories:</p> <p>Population: questions about disabled students as part of the overall student population.</p> <p>Experience: questions about respondents' experiences of tertiary education as disabled students.</p> <p>Demographics: based on census questions with the goal of getting a better picture of the demographic's breakdown of disabled tertiary students.</p> <p>In late June the survey platform had been confirmed as being accessible for screen reader-writer and magnification applications and the survey had been inputted onto the platform, Citizen</p>		
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	Space. The survey was tested and only had minor suggestions which have now been incorporated.		
Narrative			
<p>Over the January – June 2023 reporting period, there has been significant developments in furthering the Ministry’s work programme under the Disability Action Plan.</p> <p>Work has continued on the NCEA review with full NCEA Level 1 pilots beginning and NCEA Level 2 development continuing with accessibility and inclusive practice being woven into the development of standards, assessments, and supporting resources. Resources supporting learning with Dyslexia in literacy and numeracy contexts in NCEA were published and further design and operational policy work on Special Assessment Conditions were undertaken with NZQA.</p> <p>Under LSAP Priority 1, there was \$40 million secured through Budget 23 to build learning support coordination in Kaupapa Māori and Māori Medium education. Work on the LSN progressed with the number of LSC members on the LSN increased by 16 from the last reporting period and the Ministry also co-designed with Massey University a LSN milestone report to meet new contract deliverables.</p> <p>The Kōwhiri Whakapae resource was further refined and developed and will help kaiako with practices that enable them to notice, recognise and respond to children and learners, and work with whānau.</p> <p>To continue strengthening early intervention, the Ministry workshopped Te Tūāpapa o He Pikorua with members of the Early Childhood Advisory Council. Wānanga have continued to support implementation of resources and sharing these with Kōhanga Reo and learning support practitioners within Takiwā.</p> <p>Work under LSAP Priority 4 has seen the trial and refine stage of the Inclusive Design Modules being completed and resources updated. The modules have been connected into the wider sector New Zealand Curriculum refresh as part of a suite of resources that will support schools to implement Te Mātaiaho. The second series of wānanga for Iwi Education service providers have been held to build understanding and support takiwātanga ākonga and</p>			

their whānau. The evaluation report of the previous series was published on education counts. 77 LSC have registered for the Tilting the SeeSaw autism training during the report period.

The new SSEE guidelines have been reviewed and approved by the Ministry's legal team and is now with the designer for layout. Participants have been invited to a user testing hui in August 2023.

Engagement and feedback on Te Mātaiaho, the refreshed New Zealand curriculum, has indicated it is inclusive of the diversity of learners in New Zealand. It will be available for schools to use in term 3 2023.

A priority focus within the Literacy, Communication and Maths Strategy has been the development of the Common Practice Model (CMP) which will provide guidance to teaching and learning in literacy, communication and maths for all learners, including disabled learners. An Inclusive Practices Common Practice Model group has been formed to make sure the design of the CPM is inclusive of the diversity of all learners.

The Te Poutāhū Disability Voices Group (DVG) has provided valuable insights and input to the design of Te Mātaiaho and the CPM. The DVG is currently firming up a work programme that identifies their key priorities. In addition to the DVG, a Youth Voices Group has also been formed. This group is comprised of 30 young people (aged 14-17) across 5 caucuses. A pōwhiri and three-day wānanga was held in May to welcome the group and detail the scope of the work.

Work has started in the tertiary space with the formation of the Disabled Tertiary Population Survey. The scope of the survey was confirmed in March and in May the questions for the survey were confirmed and approved by the working group. A report which included findings of the collaboration between the Ministry, the disability sector, and the VET sector was also sent to the Ministers office.

Risks/Issues that are impacting or may impact progress and mitigations

NCEA Review

There is a potential risk that the final products of the NCEA Change Programme may not be accessible by design if public engagement on and the trialling of the new standards does not capture the views of disabled students. To mitigate this risk, the Ministry is working closely with the Disability and Learning Support NCEA Panel. The Ministry has also built ways to capture feedback on accessibility and inclusion into its quality assurance plans and is working towards developing capability that support teachers to implement new standards accessibly and inclusively.

LSAP Priority 1

Learning Support coordination in Kaupapa Māori and Māori Medium Education

Risks include the ability to engage iwi and Māori Education peak bodies in the design and delivery of this initiative and those iwi, Māori education peak bodies and tāngata Māori having sufficient capacity to be involved. This is being mitigated by having flexibility for iwi and Māori education peak bodies to design and deliver the initiative using approaches and timeframes that best meet their needs and the needs of ākonga and whānau Māori.

Learning Support Network of Expertise (LSN)

Capture of data on how the LSN supports LSCs and SENCOs to shift/change practice is challenging. The LSN has a limited sphere of influence because it is a voluntary space and there is no obligation to attend or provide feedback. This is being mitigated by working with Ministry takiwā and Te Mahau regional staff to promote the LSN.

LSAP Priority 2

School Entry Kete and Aro Matawai Urunga-ā-Kura

Changes to both the School Entry Kete and Aro Matawai Urunga-ā-Kura projects could be disappointing for those involved in this work to date. A communications and engagement action plan has been prepared for stakeholders and those involved directly with the projects. An update will also be added to the Ministry's Curriculum newsletter.

Kōwhiri Whakapae

If we cannot secure an appropriate range of subject matter and cultural expertise, or only in limited supply, then the oral language & literacy and maths content may lack inclusivity, diversity, or responsiveness. To address this, we will be having early conversations with identified experts on what is required by when and will seek advice on alternative expertise as a back-up.

LSAP Priority 4

Inclusive Design Modules

There is a risk that without active support and championing, the modules may not be accessed from TKI and/or utilised by schools.

Mitigations include:

- Position them as a readiness resource to progress Te Mātaiaho.
- developing a communication plan and transition them towards front line ownership.
- establishing a facilitator network/establish an Inclusive Curriculum Community of Practice.

Taonga Takiwātanga Wānanga

Currently this professional learning is delivered by only one person. This person is working now with iwi to notice, understand and advocate for takiwātanga ākonga.

Curriculum, Progress and Achievement

All initiatives have comprehensive risk management plans which are monitored regularly and updated as required.

Reform of Vocational Education

Disabled Tertiary Population Survey

An ongoing risk is that of the project not being accessible to numerous needs in the community resulting in non-credible findings, misrepresenting, frustrating and/or confusing the community. The choice of platform has mitigated risks relating to accessibility issues as it is accessible to numerous platforms for accessibility needs. The survey and webpage are also being translated in NZSL to meet accessibility needs.

Impacts on inequities

NCEA Review

When new NCEA standards are implemented with more inclusive assessment design this will improve access for students for whom NCEA has not been fully inclusive.

LSAP Priority 1

Learning Support coordination in Kaupapa Māori and Māori Medium Education

The Budget 2023 initiative for learning support coordination in Kaupapa Māori and Māori Medium Education will strengthen teaching practice, supports and systems that will benefit all ākonga Māori in these settings, particularly those with disabilities and/or learning support needs.

Learning Support Network of Expertise (LSN)

Participants in this network share resources, engage in professional development, and discuss evidence-based practices to strengthen supports that will benefit all learners in these settings, particularly those with disabilities and/or learning support needs.

LSAP Priority 2

Kōwhiri Whakapae

The framing and content for Kōwhiri Whakapae are grounded in te ao Māori concepts and integrate examples reflective of Māori, Pacific and diverse learners. Kōwhiri Whakapae will help kaiako to focus on what children can do (current capabilities), possible directions for the growth and expansion of these capabilities (progress), and how they can work with whānau to support this progress. The tools will also help kaiako to recognise when positive learning trajectories are at risk and additional support may be required.

LSAP Priority 4

Inclusive Design Modules

The Inclusive Design Modules help teachers, teacher's aides and leaders support their neurodiverse learners. They aim to grow understanding of neurodiversity including dyslexia and how to design inclusive learning environments. The modules are designed for school leaders, RTLB or curriculum leads to facilitate with educators to design classroom and teaching materials which are mana-enhancing, culturally informed, and focussed on partnerships between learners, whānau, and kaiako.

Kaupapa Māori Education Dyslexia resource

The development of the Kaupapa Māori Education Dyslexia resource will provide the first culturally relevant materials in te reo to support the needs of dyslexic ākonga in Years 9-13.

Takiwātanga Wānanga

Takiwātanga Wānanga is centred in te ao Māori, marae-based, and relevant to whanau, and kaiako supporting ākongā Māori with autism.

Tilting the SeeSaw

Tilting the SeeSaw gives Learning Support Coordinators strength-based, practical strategies to support the everyday inclusion of autistic learners (students) between the primary school and home settings.

Curriculum, Progress and Achievement

Refresh of the New Zealand Curriculum

Te Mātaiaho, the refreshed NZ Curriculum, gives effect to Te Tiriti o Waitangi and is centred on learning that is inclusive, connected, and equitable for every learner. This curriculum emphasises the values of inclusion, through a focus on positive inclusive relationships, a sense of belonging for every student, and the promotion of diversity as ordinary and expected.

To ensure the refresh of the New Zealand Curriculum meets the key goals of; giving effect to Te Tiriti, being inclusive of all learners; is clear about the learning that can't be left to chance; and is easy to use, a set of design standards and key indicators has been developed and is applied across the design process. To strengthen the focus on inclusive curriculum, a set of explicit descriptors have been developed which provide some specific expectations of designing for inclusion from the outset.

Literacy, Communication and Maths Strategy

This strategy recognises and celebrates the diversity of all learners and their families.

Future work on developing an outcomes monitoring framework and evaluation of the impacts of Te Mātaiaho on learner progress will enable more specific data on impacts on inequities. To address impacts on inequities, insights

gained from the projects will be leveraged as part of the Ministry's overarching curriculum, assessment and aromatawai workplan.

Reform of Vocational Education

Highest Needs in Vocational Education and Training

This project has an ongoing focus on reducing barriers and inequities faced by disabled students in VET.

Disabled Tertiary Population Survey

This project has a focus on the lived experiences of disabled tertiary students and aims to find data which will then influence and create better policies that reduce the barriers and inequities faced by disabled students in tertiary education.

Programme changes based on disruptions to the normal workflow

NCEA Review

On 19 April 2023 the Minister of Education announced that there will be transition options for the Literacy and Numeracy | Te Reo Matatini me te Pāngarau corequisite, and the implementation of new NCEA Level 2 and 3 standards will be deferred to 2026 and 2027 respectively. This was in part recognition of the impact of COVID-19 disruptions over the previous 3 years and to relieve schools of some implementation pressures.

Next Steps

NCEA Review

Full pilots for NCEA Level 1 are underway for 2023 which will provide us with greater visibility on the accessibility of Level 1 material. Final decisions and announcements on changes to Special Assessment Conditions for 2024 are expected from NZQA during the next reporting period.

Tomorrow's Schools

Recruitment for Leadership Advisors have commenced for the 2024 cohort. We hope to have all 16 nationally in place for 2024.

LSAP Priority 1

Learning Support coordination in Kaupapa Māori and Māori Medium Education

Commence engagement with iwi and Māori Education peak bodies and recruit Ministry kaimahi.

Learning Support Network of Expertise (LSN)

Work with Massey University following the June 2023 Milestone 1 report to use the LSN to support LSCs to share resources, engage in professional development, and discuss evidence-based practices.

LSAP Priority 2

School Entry Kete and Aro Matawai Urunga-ā-Kura

The communication plan is about to be implemented to provide a status update to key stakeholders and the sector.

Kōwhiri Whakapae

Finalising online website and social & emotional content for launch in September 2024. Continue iteration of draft content for oral language & literacy and maths areas of learning ready for launch in mid-2024.

LSAP Priority 3

He Pikorua

Develop plans within Takiwā by connecting with the Chief Advisors on the continued implementation of Te Tūāpapa o He Pikorua. These plans will have a specific focus on strengthening early supports to reduce waiting times by

shifting to a more proactive approach. Continue support to Takiwā and the early childhood sector to make the shift to Te Tūāpapa. Planning includes developing success indicators with a specific focus on early intervention.

Partnership with Te Kōhanga Reo National Trust

Continue partnership with TKRNT. Further wānanga are planned to support implementation of resources and grow relationships with Takiwā Kaitakawaenga and Kōhanga Reo.

LSAP Priority 4

High Needs Change Programme

Engagement with Māori, Pacific people, disabled people and their communities and the education sector to develop a partnership approach. Confirmation of the work programme and scope of work to deliver on the building blocks for change and programmes and projects within that work programme.

Kaupapa Māori Education Dyslexia resource

Kaupapa Māori resources for dyslexic ākonga will be trialled and refined within the Tainui Kāhui Ako. By the end of Term 3, 2023 it is intended that the resources will be ready to share with the Ministry. Following this, we will consider next steps.

Inclusive Design Modules

The Inclusive Design Modules will be launched by Hon Minister Tinetti at the RTLB forum on 14 August 2023. Resources will be published online and communicated within the Ministry and throughout the sector as part of Te Mātaiaho. We will also maintain a facilitator network.

Taonga Takiwātanga Wānanga

Taonga Takiwātanga Charitable Trust will continue to deliver wānanga for Iwi led Education Service providers to build capacity to support takiwātanga ākonga and their whānau. These are a collaboration between iwi, the trust and the Ministry.

Tilting the Seesaw

Funding has been secured to offer the training to LSCs over the next 2 years (4 courses per term and 160 people each year).

LSAP Priority 6

Next steps for the stand-downs or suspensions, exclusions and expulsions guidelines are for the draft guidelines to be tested by a range of sector users including board representatives, principals from a range of different school settings.

The Ministry will develop learning modules to support the implementation of the guidelines and will work with NZSTA (New Zealand School Trustees Association) and NZPF (New Zealand Principals Federation) to support boards and principals to implement these guidelines in their schools.

Curriculum, Progress and Achievement

Refresh of the New Zealand Curriculum

The next steps for this work are:

- Implementation of Te Mātaiaho and development of implementation /curriculum resources.
- Work to strengthen accessibility of curriculum resources and communications across Te Poutāhū.
- Begin work on guiding principles and descriptors/indicators to support intentional design for equity, diversity, and inclusion from the outset, across Te Poutāhū.

- Ongoing focus on mechanisms and pathways to make sure the voice and meaningful contribution of disabled people and their whānau is visible and valued.

Disability Voices Group (DVG)

Over the next 6-12 months the DVG will have a focus on implementation of Te Mātaiaho, co-design and input into curriculum resources – schooling and early learning and identifying alignments to the Enabling Good Lives (EGL) in Education principles.

Reform of Vocational Education (RoVE)

Highest Needs in Vocation Education and Training

Next steps include continuing to improve disability data collection in the tertiary sector with the TEC, a potential budget bid, and continuing engagement with the sector, especially in workplace learning.

The Ministry will be considering a Budget bid for Budget 2024. This will be a bid for funding to support these learners.

The updated enrolment questions have been a significant focus of improving data collection for disabled tertiary students. This will be an ongoing matter of monitoring as implementation of these questions in enrolment processes is expected in 2025. The Disabled Tertiary Population Survey is currently an ongoing project which will consist of a survey and focus groups on the lived experiences of disabled tertiary students. The Survey has been a partnership between the Ministry, TEC, NZQA and the National Disabled Students Association (NDSA) with NDSA as leads.

The Ministry plans to continue working collaboratively with the disability and VET sectors and to engage more with the workplace learning sector.

Disabled Tertiary Population Survey

The next step is for the literature review to be completed in mid-July and published and the survey to go live from mid-July to mid-August. The survey data will then be analysed by the Ministry before it is presented back to the working group, it will then inform the focus groups.

The focus groups will take place from mid-late September 2023, there will be a range of in-person and virtual focus groups across the country. These focus groups will follow on from the findings of the survey for more qualitative information and will be facilitated by the research assistant along with employees from the working group agencies. The focus group questions, and process will be developed and confirmed while the survey is open and being analysed.

Once the focus groups have concluded and the data has been analysed, the Ministry and the research assistant will work on a report that will be informed by the findings of both the survey and focus groups. The timeline for the report is for it to be completed and published in Feb-March 2024 to have a launch that coincides with the start of semester/trimester 1 for the tertiary sector.

Addendum to Education Report – Further information based on DAP review group feedback

Disabled Tertiary Population Survey – more details

A summary of the information below on the survey has been included in the report.

The survey included 27 questions which were all listed as non-compulsory and able to be skipped. The questions were divided into three categories:

- **Population:** these questions were asking for information about disabled students as a part of the overall student population. We wanted general information about qualification level, area of study, length of study and other information that would give MoE a better idea of the kind of students that make up the disabled tertiary population.
- **Experience:** These questions were about respondents' experiences of tertiary education as disabled students. The questions were based on a literature review conducted for the project, the code of pastoral care, and on anecdotal evidence provided by the National Disabled Students Association (NDSA) over multiple working group meetings.
- **Demographics:** This section was largely based on census questions and had the goal of getting a better picture of the demographic breakdown of disabled tertiary students. It also allowed MoE to analyse the data gathered from the experience and population questions along demographic lines for example gender and ethnicity.

The questions were created by MoE and a National Disabled Students Association researcher, approved by the working group which included members of NDSA, TEC, NZQA, and MoE and tested by members of NDSA's executive council.

More focus needed on sensory disabilities

The Ministry provides support for learners with sensory disabilities. More details can be provided on these supports, but given the reporting period, there is no new/current work that can be mentioned.

Tomorrow's schools

As mentioned in the report, Tomorrow's schools is composed of many workstreams with key actions that do have a disability focus being referred to in other parts of the report, i.e., the LSAP.

Further Comments

Throughout the report where consultation is discussed the DAP review group needed to know if it included the disabled community

In most places the report mentioned consultation/engagement/feedback, it said that disabled people were consulted. The MoE provided an update regarding the SSEE guidelines which was the exception.

With regards to priority Four, the Ministry does not identify learners by diagnosis or disability so we cannot indicate who is or is not included. This priority area focuses on creating educational environments where all children and young people can progress their learning at an appropriate depth and pace.

Priority 6 – SSEE definitions

The original timeframe for the guidelines was for these to be completed in 2020-21. COVID-19 and prioritising other work to respond to the ongoing impacts of COVID-19 on learners across the country, meant the work on these were further delayed.

The guidelines are being redrafted and at this stage a release date has not been set.

What is being done to address disabled people being over-represented in SSEE?

The redrafted guidelines will reconfirm the process Principals and Boards are expected to follow to meet their obligations under the Education and Training Act 2020. It is the responsibility of Principals and Boards to implement a process that is fair and equitable while taking into account the diverse and lived realities of those learners and their families.

Consultation with disabled groups on the Learning Support Action Plan is needed

There was extensive consultation with a range of interested individuals and groups, including disabled people, in the development of the Learning Support Action Plan. The need to better support disabled children and young people and those with learning support needs was widely accepted, and there was strong agreement across the education sector and key stakeholders about priorities for further improvement and investment.

NZ curriculum refresh – who has been consulted and where is the work on the inclusivity indicators up to?

The following groups have been part of the engagement process for the refresh for the New Zealand Curriculum:

- Disabled Peoples Coalition
- Disabled Peoples Assembly
- Autism NZ
- MoE – NZSL
- Deaf Aotearoa
- Education for All
- Ko Taku Reo
- BLENNZ

In addition, Te Poutāhū Disability Voices Group has representatives from key groups and networks. This provides and enables pathways for ongoing engagement. This includes:

- Altogether Autism
- NZ Disabled Students Association
- People First
- VIPs (Very Important Parents- Equity in Education)

- Kāpō Māori Aotearoa
- Parent to Parent
- National Enabling Good Lives Group
- Pasifika Autism Support Group
- Inclusive Education Action Group

Inclusivity indicators have been included in the current report.

Disabled learner outcomes

We do not collect data based on disability, therefore we have no way of measuring experiences and outcomes.

Tertiary Education Commission - DAP Reporting

Name of Agency	Tertiary Education Commission
Name of Work Programme	TEC work plan for improving outcomes for disabled learners in tertiary education
Overall Status	On track
Programme Summary	<p>The combined effect of work under this programme seeks to enable tertiary education organisations (TEO) and the tertiary education sector to better support disabled learners, to greatly improve the access to, participation in, and achievement in, tertiary education for disabled persons.</p> <p>As an outcome of our work, we expect to see increased numbers of disabled people accessing, participating, and achieving in tertiary education.</p>
Alignment	<p>New Zealand Disability Strategy: This programme of work primarily contributes to Outcome 1 – Education. It also contributes to aspects of Outcome 7 – Choice and Control, through seeking to improve the way disability support services within tertiary organisations respond to and engage with disabled learners; aspects of Outcome 5 – Accessibility, through supporting tertiary organisations to better understand and respond to the access needs of disabled learners; Outcome 6 – Attitudes, through supporting tertiary organisations with best practice guidance and training materials to support staff in their interactions with disabled learners; aspects of Outcome 2 – Employment and Economic Security, through working to support the tertiary system to improve work experience opportunities for disabled learners and to improve employment outcomes through enabling disabled learners to achieve at the tertiary education level.</p>

Independent Monitoring Mechanism (IMM) Making Disability Rights Real Report recommendations:

Education: Rec 78: TEC's work programme is strongly focused on more collaborative and inclusive work with disabled people in the design of system improvements. Disabled people are currently leading or heavily involved in work in the programme via community engagements and employment within TEC. Rec 80: The Unified Funding System work (part of the Review of Vocational Education - RoVE), has a component to address underfunding for learner support in the tertiary sector. Work on this will incorporate co-design with disabled people.

TEC works closely with the Ministry of Education (MOE) on all aspects of its work programme, to ensure alignment and to create sustainable pathways across the whole education sector. We are also working with the Ministry of Social Development (MSD) and the Ministry of Health (MOH) to understand potential funding and other supports for disabled learners.

TEC partners and contracts with peak bodies and representative groups to support our work. These relationships include with the Disabled Peoples Organisations (DPO's), NZ Disabled Students Association, ACHIEVE (the national network to ensure equal opportunity and access to post-secondary education and training for people with impairments – www.achieve.org.nz), Altogether Autism, the NZ Neurodiversity Community of Practice, ADHD NZ and other civil sector organisations across the disability and neurodiversity space.

The TEC is in the process of reviewing the recommendations from the latest examination of the UN Committee on the Rights of Persons with Disabilities and considering how they can be brought into our workstreams.

Progress against Plan for the period

Actions that were planned for the period	Actions completed in the period	Barriers to progress	Status
<p>Capture more data around disabled learners – equity funding reporting. Annual activity. (Work is focused on increasing disability reporting and collection of more disability specific data).</p>	<p>Data has been received from TEOs regarding their use of the fund. A sector report will be released in the last quarter of 2023.</p> <p>Previous reports can be found here: https://www.tec.govt.nz/funding/funding-and-performance/funding/funder/equity-funding/monitoring-and-reporting/</p>	<p>Not Applicable</p>	<p>On track</p>
<p>Partnering with TEOs to understand what they are doing to support disabled learners. (Ongoing for life of programme)</p>	<p>Reporting for the Special Supplementary Grant (SSG) Fund for 2020 and 2021 has been released on the TEC website. Data has been received from TEOs regarding their use of the fund in 2022. A sector report will be released in the last quarter of 2023.</p> <p>Monitoring and Reporting Tertiary Education Commission (tec.govt.nz)</p>	<p>Not Applicable</p>	<p>On track</p>

<p>Changes to the collection of disability information on the generic enrolment form</p>	<p>Following a consultation period with advocacy groups, disabled learners, and providers, we have opted to make changes to the single data return (SDR) to capture support needs in addition to a more representative disability identification question on enrolment. We have notified providers of this change and are working with them to support it.</p> <p>These changes will align with the 2025 Data System Refresh.</p>	<p>Not Applicable</p>	<p>On track – but low risks / issues with provider concerns being managed. Will come into place in 2025.</p>
<p>Implementation of a new Disability Action Plan (DAP) funding requirement for tertiary education organisations (TEO's)</p> <p>A DAP is a strategy for changing those practices of tertiary education organisations</p>	<p>A report back to the sector for the 2022 round of DAPs was published on the TEC website in April.</p> <p>Disability Action Plans 2022 - A report back to the tertiary education sector (tec.govt.nz)</p> <p>We are working alongside the New Zealand Qualifications Authority's (NZQA's) External Education Review (EER) team to increase reach into the smaller providers who they have a good working relationship with. This involved TEC presenting to over 400 private</p>	<p>Not Applicable</p>	<p>On track</p>

<p>which might otherwise result in discrimination against disabled and neurodiverse people and to improve outcomes for these learners in their education journey</p>	<p>training establishments on best practice for developing a DAP.</p>		
<p>Development of Kia Ōrite Toolkit resources – Māori and Pasifika Disability Capability</p>	<p>An internal literature review has been completed – focussing on current understanding of cultural perspective on disability for Māori and Pasifika and how they fit in a western tertiary system.</p> <p>TEC is currently engaging with Māori and Pacific experts and organisations with the goal of developing a resource for providers and educators that builds their confidence in being culturally sensitive in a disability setting.</p>	<p>Not Applicable</p>	<p>On track</p>
<p>Narrative</p>			
<p>There continues to be a strong focus on disabled and neurodivergent learners across the education sector. This, combined with continuing interest and support from the current Government, has ensured TEC is in a good</p>			

position to support sector capability improvements in this area. Work programmes have steadily progressed, and we are always looking at ways to identify gaps in knowledge and how we can help the sector set global trends in improving equitable outcomes for disabled learners.

There has been on-going engagement with TEOs in producing Disability Action Plans, with a sector feedback letter being published that covers key themes and trends identified from the first round of submissions in 2022. We look forward to seeing finalised plans throughout 2023, including TEOs that will be submitting as part of their investment plan in July.

The Kia Ōrite toolkit is now accessible as a living document and the associated e-learning modules are live, both hosted on the ACHIEVE website. We will be expanding the resources available as work programmes are completed.

As per our last report, we have also reviewed the latest recommendations by the Independent Monitoring Mechanism (IMM) and we are confident that we are meeting our obligations under the United Nations Convention on the Rights of People with Disabilities (UNCRPD) by including disabled people in our work programmes, as we build towards a more learner-centric tertiary education system.

We would be pleased to provide an in-person update to the Disabled Peoples Organisations (DPO) Coalition on this work at any stage. More detail on this is included in Next Steps, below.

Risks/Issues that are impacting or may impact progress and mitigations

Additional impacts may be seen with a resurgence of general illnesses and as new variants of COVID-19 become prevalent.

Impacts on inequities

The TEC's work programme is focused on longer-term system change, to improve the way the tertiary system supports and enables disabled learners. As a result, there are no immediate impacts on inequity that we can report.

Programme changes based on disruptions to the normal workflow.

No specific changes.

Next Steps

Yearly reporting on equity and SSG funding - data analysis and consideration of implications for wider TEC / MOE work programs.

Engagement with Māori and Pacific communities to develop cultural perspective capability tools to assist with the intersectionality of disability.

Continue data collection project, with focus on determining standardised data collection sets (needs whole of Government input)

Support TEOs to continue development their Disability Action Plans (applies from 2022 for all providers who get over \$5M TEC funding).

Monitoring of DAPs and progress against plans as part of the TEC Investment Plan process. Ongoing provision of advice and support to sector.

Partnering with TEOs to understand what they are doing to support disabled learners. (Ongoing for life of programme)

Tertiary Education Commission (TEC) NZ Disability Action Plan Reporting: January - June 2023: Supplementary comment.

December 2023

The below is provided as a supplement to the TEC report provided for the Jan – June 2023 period. It addresses questions raised by the Disability Action Plan (DAP) review group and should be read alongside TEC’s original report.

Questions raised by the DAP review group have been amalgamated as some responses overlap. Questions are represented as the TEC understood them.

We have also been asked to link our report more clearly with the Enabling Good Lives (EGL) Principles, which we will do in our next report (July – December 2023).

Query from the DAP review Group: Should the TECs report cover / include more specific detail about the work of some organisations (specifically named were the wānanga and Te Pūkenga)?

Response: TECs report on our activities covers the whole tertiary sector, as our activities relate to the whole tertiary sector. We do not specifically report on any subsectors activities unless these are specific to one of our work areas, or we are using them as an example, or reporting against a fund. For example, the reporting we collect on use of equity funding for disabled learners covers all TEOs except the Private Training Establishments (PTEs). In 2024, as noted in our report, we are extending the reporting requirement to PTEs. Otherwise, all activities should be understood as relating to all tertiary providers.

Query from the DAP review group: Why neurodivergent students and disabled students are highlighted (is neurodivergent separate from disability or is it focused on more than other disabilities?)

Response: TEC uses the terminology of disabled and neurodiverse as not all people in the tertiary sector understand learners can be disabled by their neurodivergence. Our use of both terms is to familiarise the sector with thinking of these groups of learners as needing the same kind of supports and considerations. This is explained in some detail in some of our relevant guidance.

Query from the DAP review group: Do sensory disabilities need more focus? (This is in response to TEC providing a list of areas where specific guidance has been developed).

Response: We are planning to provide guidance on sensory disability and the way to support these learners in 2024, resources permitting.

Query from the DAP review group: Why is there not any mention of addiction and mental health?

Response: Specific guidance in these areas is out of scope for the TEC. These areas are covered under the Tertiary Education Organisation's (TEO's) code of pastoral care, and many are working directly with the Ministry of Health on this. Where a learner is disabled by their addiction or mental health condition, they are of course picked up under the TEO's disability and learner support services.

Query from the DAP review group: How has intersectionality in learner voice been addressed by the TEC in their consultation processes?

Response: TEC attempts to cover all learner groups, including intersectional groups. Where we refer to learner consultation, this should be understood as our practice.

Query: There is no specific mention of NZSL in the report.

Response: While the report does not mention NZSL specifically, TEC is aware of and engaged in conversations in this space. While many learners across the tertiary system do benefit from NZSL interpreter support, unfortunately this is not uniformly available across all TEOs. The two primary barriers include: an overall shortage of interpreters for all services; and, for smaller TEOs, the cost of offering NZSL provision can be a barrier. We continue to engage with our Ministry of Education colleagues on the latter.

We are aware of the challenges with interpreter provision access across multiple sectors for example, the social, health, and justice sectors; the challenge is not unique to education. We have been looking into alternative technological options, as well as following the cross-government work under the Accessibility Charter. We remain connected to these conversations, as the needs of tertiary education need to be balanced against the needs across the wider system.

Query from the DAP review group: There is no specific mention of learners with intellectual disability in the report.

Response: We don't mention many specific disabilities in the report; however, all disabled learners are covered by the TEC DAP Guidance and Kia Ōrite toolkit. We do engage specifically with agencies who support people with intellectual disabilities – for example we have recently had great support from several such NGOs in the development of our career tool Tahatū – this will be ongoing for the development process. Tahatū is the new online career planning solution that the Tertiary Education Commission (TEC) is developing. We are also supporting some pilot projects for this learner cohort.

Query from the DAP review group: How is TEC addressing learner outcomes? This is not clear in the report.

Response: TEC data collection is attempting to build a picture of disabled learners' educational outcomes in the tertiary sector. TEO's DAPs have set targets for Disabled Learner outcomes, these can be seen in individual DAPs. Focus on learner outcomes is at the heart of all TEC's work.

Query from DAP review group: Are disabled learners involved in the design of programmes centred on their needs?

Response: TEC does not directly develop programmes for disabled learners. Where TECs services and funding will affect or support disabled learners, they are included in development consultation.

Outcome Two - Employment and Economic Security

Working Matters Disability Employment Action Plan - DAP Reporting

Name of Agency	Ministry of Social Development
Name of Work Programme	Working Matters Disability Employment Action Plan
Overall Status	On track
Programme Summary	<p><i>Working Matters</i>, the Disability Employment Action Plan (the Action Plan), aims to help ensure disabled people, including people with health conditions, have an equal opportunity to access quality employment. The Action Plan provides guidance for government agencies and industry (including employers, trainers, regulators, and unions) especially where they are working on employment support initiatives, including COVID-19 economic recovery initiatives.</p> <p>The core objectives of the Action Plan are to:</p> <ol style="list-style-type: none"> 1. Support people to steer their own employment futures – this includes prioritising pathways for disabled school leavers into employment or training and other career pathways. 2. Back people who want to work and employers with the right support – this includes increasing both employment services and information and support available for employers. 3. Partner with industry to increase good work opportunities for disabled people and people with health conditions – this includes partnering with businesses and

	<p>innovators to grow employment opportunities for people with diverse support needs, e.g., part time or intermittent work, job tailoring, as well as creating more inclusive workplaces (with the public sector taking a lead).</p>		
Alignment	<p>The Action Plan supports the Disability Strategy and Disability Action Plan Outcome Two (Employment and Economic Security). The Action Plan is one of several plans under the Government’s Employment Strategy that aims to create a productive, sustainable and inclusive labour market and which supports the NZ Government’s priority to ensure an inclusive economic recovery from COVID-19.</p> <p>There are 24 initial actions in the Action Plan for various responsible Government agencies including the Ministry for Social Development (MSD), the Ministry of Education (MOE), the Tertiary Education Commission (TEC), The Ministry of Business, Innovations and Employment (MBIE), Manatū Hauora (MOH), the Public Services Commission (PSC) and the Human Rights Commission (HRC). These actions aim to help disabled people and people with health conditions to participate in employment, as they wish, on an equitable basis with others.</p>		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
A six-monthly monitoring and reporting dashboard to the Minister of	Progress on the Action Plan was reported in the March 2023 dashboard. The plan and dashboards are available on the MSD website: https://www.msd.govt.nz/what-we-can-do/disability-services/disability-employment-action-plan/index.html .	Nil	On track

<p>Disability issues and for public release.</p>	<p>The Action Plan is a living document and new actions are listed in this dashboard where they address one of the six priority areas and are consistent with its kaupapa.</p> <p>This dashboard provides an opportunity to showcase progress as well as identify new actions that could be progressed to address the Action Plan priorities alongside Government’s broader work programme.</p>		
<p>A six-monthly update briefing led by MBIE with input from agencies for Employment, Education and Training Ministers Group (EETMG).</p>	<p>Progress on the 7 Employment Action Plans (EAPs), of which Working Matters is one, was reported on to Employment, Education and Training Ministers Group (EETMG) for the period of January 2023 to June 2023. This briefing was prepared by the Ministry of Business, Innovation and Employment (MBIE) with input from relevant agencies including MSD. This was the third of the regular 6-month reports on the implementation of the 7 EAPs.</p> <p>This provided high-level updates of progress under Working Matters in line with updates in the more detailed reporting dashboard.</p>	<p>Nil</p>	<p>On track</p>
<p>Supporting people to steer their own employment futures:</p>	<p>The Training Incentive Allowance (TIA) supports disabled people, their carers and sole parents on specific benefits to study towards qualifications up to level 7 on the New Zealand Qualifications Framework. Through Budget 2023 the TIA was permanently reinstated to higher-level study with the Government investing \$127.597 million over three years (2024/25 to 2026/27). Approximately 20% of TIA recipients are receiving the Supported Living Payment (SLP). 705 people receiving the SLP were receiving a</p>	<p>Nil</p>	<p>On track</p>

<p>Positive expectations for disabled school leavers</p> <p>Career pathways at all stages of life and</p>	<p>TIA at the end of June 2023. MSD’s website has been updated to reflect this change, current clients will be contacted through an email campaign and there will be ads on digital signage boards in our Service Centres.</p> <p>Through Budget 2023, the Government is investing \$2 million in 2023/24 to continue the Employment Service in Schools pilot, this provides disabled learners with career and transition support, work experience, placements, and on-the-job employment support to participate fully in the labour market.</p> <p>The Ministry of Education (MoE) is developing new content for the School Leavers’ Toolkit website which includes advice and information for disabled school leavers. MoE presented the website to the NCEA Disabilities and Learning Support Panel to get advice on how to improve the accessibility, usability, and usefulness of the site for school leavers with different impairments.</p> <p>MoE are updating the guidelines that support schools in the design and development of their career’s education and guidance programmes. These will provide universal information that schools can use to design their local curriculum to support pathway and career development for all their learners, including disabled learners.</p> <p>Reform of Vocational Education (RoVE) changes took effect for the vocational education and training system from 1 January 2023,</p>	<p>Nil</p> <p>Nil</p>	<p>On Track</p>
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<p>for diverse needs and aspirations.</p>	<p>including learner component funding as part of the unified funding system. Learner component funding is allocated to providers for supporting four groups of underserved learners who traditionally have not been well served by the education system in the past, including disabled learners (and Māori and Pacific disabled learners). These learners are most at risk of not completing VET qualifications, and/or face a range of disadvantages in the VET system. It is expected that the learner component funding and RoVE reforms will increase opportunities for disabled learners, including Māori and Pacific disabled learners, to enrol in and complete VET qualifications that have strong employment outcomes. Providers and employers will be encouraged to work together to increase hiring, training, and support for disabled learners, including Māori and Pacific disabled learners. Labour market underutilisation rates could drop, and median salaries could rise.</p> <p>Tahatū is the new online career planning solution being developed by TEC as the 'next generation' of the careers.govt.nz website. One priority audience for Tahatū is disabled people. Elements of Tahatū that have been developed to date comply with the web content accessibility guidelines and the design process will ensure continued compliance. Tahatū development is continuing throughout 2023 and 2024 with new features continuing to be rolled out each quarter. Tahatū will meet the New Zealand Government Web Standards and aims to meet international Web Content Accessibility Guidelines (WCAG) 2.1 at level AA.</p>		<p>On Track</p>
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<p>Back people who want to work and employers with the right support.</p>	<p>Through Budget 2023 the Government is investing \$36.262 million for six health and employment trial services, along with operational support (including FTEs) to enable continued delivery of the Oranga Mahi programme for an additional two years (2023/24 to 2024/25). This investment responds to findings in the Review of Active Labour Market programmes (ALMP), where gaps were identified in employment services for disabled people and people with health conditions.</p>	<p>Nil</p>	<p>On track</p>
<p>More and better employment services.</p>	<p>The Lead Work Programme continues to support the employers to be inclusive. Monthly training on the Accessibility Charter continues to be provided across government. Approximately 25-30 government staff are attending the Accessibility Charter training each month.</p>	<p>Nil</p>	<p>On Track</p>
<p>Information and Support for employers</p>	<p>MSD has updated the Lead Toolkit and other associated materials on the MSD website to relate to all employers and not just state service employers. MSD has also produced an Assistive Technology video for distribution across the public service. Several disabled Public Sector staff share their experiences and needs of assistive technology in the workplace. It includes an introduction to different types of assistive technology and seeks to bust myths associated with the employment of disabled people. It aims to increase awareness and ease provision/access to Reasonable Accommodations across public service agencies.</p>	<p>Nil</p>	<p>On Track</p>

<p>Partner with industry to increase good work opportunities for disabled people and people with health conditions:</p>	<p>The Accessibility for New Zealanders Bill was introduced into the House on 28 July 2022, passed its first reading in the first week of August 2022 and was considered by the Social Services and Community Committee. The Bill establishes an Accessibility Committee to provide recommendations to the Minister for Disability Issues on addressing accessibility barriers and growing accessibility practices progressively over time. This may include barriers and practices in, and to and from, workplaces. The Select Committee received written and oral submissions which MSD officials responded to with a departmental report on 8 May 2023. The Select Committee presented its report back to the House on 22 June 2023. Stewardship of the Bill has now been transferred from MSD to Whaikaha, effective as of 22 June 2023.</p> <p>The Human Rights Commission have produced draft guidelines on lawful hiring and recruitment processes. MBIE is considering next steps for this work.</p>	<p>Nil</p>	<p>On track</p>
<p>Innovative labour market support & business development</p>	<p>MSD has completed a discovery phase of work to explore customised employment as a targeted Active Labour Market Programme for disabled people furthest from the labour market. The discovery phase included reviewing international evidence and literature on customised employment and an initial engagement process with stakeholders to understand what customised employment could look like in the New Zealand context.</p>	<p>Nil</p>	<p>On Track</p>

	<p>MSD is continuing to progress work resulting from the ALMP review. MSD received funding through Budget 2023 to test delivery of vocational rehabilitation for people living with musculoskeletal pain or impairments who need support to stay in or return to work and are ineligible for Accident Compensation Corporation (ACC) services. This will enable MSD to test delivery of vocational rehabilitation and pain management services from ACC providers for two years, in two urban regions, and deliver them to up to 150 people living with musculoskeletal pain or impairments.</p>		
<p>Narrative</p>			
<p>Significant progress has been made on several actions contributing to the objectives of Working Matters. This includes policy work to progress the legislative framework for accelerating accessibility and progress on work programmes arising out of the ALMP Review to support the employment and broader wellbeing outcomes of disabled people across a continuum of labour market attachment.</p> <p>Funding was secured through Budget 2023 for multiple initiatives that support the objectives of Working Matters, including:</p> <ul style="list-style-type: none"> • Sustained funding for Oranga Mahi related programmes. • To test vocational rehabilitation for people living with musculoskeletal pain or impairments. • Sustained funding for Mayors Taskforce for Jobs Community Resilience Programme and Auckland Council’s Ngā Puna Pūkenga partnership. • Continued funding for the Employment Service in Schools pilot. • Permanently reinstating the Training Incentive Allowance. 			

The six-monthly monitoring dashboard has provided an opportunity for agencies to regularly review progress under the plan.

Risks/Issues that are impacting or may impact progress and mitigations

No significant risks have been identified.

Impacts on inequities

The Labour Market Statistics (disability) June 2023 quarter showed that:

- the labour force participation rate for disabled people aged 15–64 years was 44.1 percent compared with 84.7 percent for non-disabled people of the same age group.
- the employment rate for disabled 15–64-year-olds was 39.4 percent, compared with 81.7 percent of non-disabled people (a 42.3 percentage point gap).
- the unemployment rate for disabled people aged 15–64 years was 10.7 percent, compared with 3.5 percent for non-disabled people.
- the underutilisation rate for disabled people aged 15–64 years was 23.8 percent compared with 9.6 percent for non-disabled people (a 14.2 percentage point gap).¹⁰

More detailed data on participation of disabled people (including, in particular, Tāngata Whaikaha and disabled Pacific peoples) in employment and in employment related services is key to measuring the impacts on inequities and to improve the targeting of support.

The 2023 Disability Survey may also assist in addressing data gaps.

¹⁰ <https://www.stats.govt.nz/information-releases/labour-market-statistics-disability-june-2023-quarter/>

Programme changes based on disruptions to the normal workflow.

Due to resource constraints, particularly after the North Island Weather Events, a refresh of Working Matters has been delayed.

Next Steps

Consideration is being given to possible timing and scope for a refresh of Working Matters.

Agencies across government will continue to support, monitor and report on progression of the core priorities of the Action Plan.

Replacing Minimum Wage Exemption Permits - DAP Reporting

Name of Agency	Ministry for Social Development
Name of Work Programme	Replacing Minimum Wage Exemption Permits
Overall Status	On track
Programme Summary	Led by the Ministry of Social Development (MSD) and with support from the Ministry for Business, Innovation and Employment (MBIE), this work programme aims to replace Minimum Wage Exemption (MWE) permits which currently enable 927 disabled employees in New Zealand to be paid less than minimum wage on the basis that they are perceived to be less productive due to their disability. The MWE scheme is enabled through section 8 of the Minimum Wage Act 1983 and officials consider, after consultation with the disability sector, that a government wage supplement is the only feasible way to replace these permits while protecting existing jobs. Replacing MWE permits with a wage supplement is a Labour Party 2020 manifesto commitment and an action under Outcome Two, Employment and Economic Development of the Disability Action Plan 2023.
Alignment	<p>This work programme aligns with Outcome 2 of the New Zealand Disability Strategy relating to improved employment outcomes and economic security for disabled people.</p> <p>The work programme also aligns with recommendation 97 of the IMM Making Disability Rights Real 2014 to 2019 Report which recommends taking action to “eliminate minimum wage exemption permits”.</p> <p>This work programme also aligns with recommendation 52 (c) of the United Nations Committee of the Rights of Persons with Disabilities Concluding Observations from the</p>

	2022 Examination, which is that New Zealand “repeal section 8 of the Minimum Wage Act of 1983 and ensure that persons with disabilities are paid on the principle of equal pay for work of equal value.”		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
Secure funding for the wage supplement.	A budget bid was submitted and was successful in securing funding for the wage supplement through Budget 2023.	N/A	Complete
Secure Minister’s agreement to bring implementation of the wage supplement forward to late 2024. (This action was not planned but was undertaken as the need arose).	A report was sent to Minister Radhakrishnan (Associate Minister for Social Development and Employment) and Minister Sepuloni (Minister for Social Development and Employment) seeking their agreement that bringing implementation of the wage supplement forward by one financial year, to late 2024, was a priority.	N/A	Complete

<p>Secure funding to support an earlier implementation of the wage supplement. (This action was not planned but was undertaken as the need arose).</p>	<p>A Cabinet paper was approved by The Social Wellbeing Committee (SWC) and Cabinet proper which sought to use MSD 2022/23 underspends to cover the additional costs associated with the wage supplement being active for an extra year.</p>	<p>N/A</p>	<p>Complete</p>
<p>Narrative</p>			
<p>Over the past six months (January – June 2023) MSD has worked to secure funding for the wage supplement through Budget 2023. Funding of \$37.312m over four years (2023/24 to 2026/27) was secured through Budget 2023. This work involved preparing a Budget bid and following the successful submission of the Budget bid, preparing a supporting communications package. Additionally, MSD has worked to bring implementation of the wage supplement forward by one financial year. The wage supplement will now be implemented by late 2024.</p>			
<p>Risks/Issues that are impacting or may impact progress and mitigations</p>			
<p>Risks:</p> <p>The next steps required for MSD to deliver a wage supplement to replace Minimum Wage Exemption permits is to undertake policy work on the design of the wage supplement and engage with disabled people, their whānau, and employers of people named in MWE permits. Some Business Enterprises employing people named in MWE permits are opposed to replacing the MWE scheme and will raise these concerns during the engagement process. Their concerns include:</p> <ul style="list-style-type: none"> • The supplement approach may require additional management and administration costs, which may impact on their ability to operate. 			

- Some employees may have their financial assistance decreased as a result of earning a higher wage.
- Some employees may find it difficult to manage their finances under the new model.

Mitigations:

- Modelling created by officials has shown that most, if not all, disabled employees will be better off financially receiving the wage supplement.
- As part of the transition to the wage supplement, MSD is considering what extra supports could be offered to employees currently named in Minimum Wage Exemption permits. These supports may also be made available to disabled people’s families/whānau, including how to support a disabled family member with their finances. MSD engagement process will focus on identifying the necessary supports that disabled people and their whānau will need during and following the transition to the wage supplement.
- MSD has taken into consideration employers’ concerns about the wage supplement approach and has secured financial support for Business Enterprises to mitigate the risks they have voiced around associated costs for Enterprises themselves, such as for increased administration. The MSD engagement process will also focus on identifying the additional supports that employers will need during and following the transition to the wage supplement.

Impacts on inequities

MWE permits are inequitable as they allow some people to be paid less than minimum wage because of their disability. This affects 927 disabled employees in New Zealand (as of 30 May 2023), some of whom are paid as little as \$1.25 per hour. MSD does not hold detailed data on the demographic breakdown of people with an MWE permit, however, we understand that approximately 15-20% of these employees are Māori. MSD does not have data on the breakdown of Pacific peoples with an MWE permit. There are approximately twice as many men working in Business Enterprises with a MWE permit than women. Very few employees have dependent children although we are aware of a small number who have children and some with student loans.

Programme changes based on disruptions to the normal workflow

COVID-19 has impacted on the progress of this work programme as MSD resources were diverted to work on COVID-19 response measures. This meant that some deliverables were delayed at earlier stages of the work. For example, travel to test the wage assessment tool was impacted by the inability to meet face-to-face with Business Enterprises, and earlier Budget bids were unable to progress due to Government funding being scarcer.

Next Steps

MSD will continue to work towards securing Cabinet agreement to progress work to design and implement a wage supplement to replace MWE permits. There is a risk that the 2023 election may make securing Cabinet agreement to this work difficult, as significant policy decisions cannot be made during the pre-election period. While MSD will work to identify a pathway for securing Cabinet agreement, we will progress work on the wage supplement, such as policy design and engagement with affected communities.

National Information Portal and Regional Hubs - DAP Reporting

Name of Agency	Ministry of Social Development (MSD)		
Name of Work Programme	National Information Portal and Regional Hubs		
Overall Status	On track – with minimal risks/issues		
Programme Summary	Consideration was to be given to the use of regional employment hubs across New Zealand to promote the employment of disabled people.		
Alignment	This work programme aligns with the New Zealand Disability Strategy, Outcome Two: Employment and Economic Security. This work also aligns with the UNCRPD Concluding Recommendation 52 (a), (b) and (c), with a number of these cross-agency employment initiatives contributing to the outcomes of the Disability Employment Action Plan, as referenced in supporting <i>Work and Employment (art.27)</i>		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Note any impacts from COVID-19	Status
Establishment of regional hubs to support the employment of disabled people.	Review of work programme and alignment with other programmes already in place.	Nil.	On track – with minimal risks/issues
Narrative			
<p>As part of its ongoing employment work programme, MSD offers Regional Employment Hubs within each region. These events are attended by both employees and clients who are seeking work, including disabled people. MSD Work Brokers and Employment Liaison Advisors who support disabled people into work are part of this event and offer additional support.</p> <p>Additionally, there are six MSD Jobs and Skills Hubs held throughout the year (three in Auckland, and one in each of Lower Hutt, Tairāwhiti and Hawkes Bay). The Hubs support major construction and infrastructure projects which</p>			

<p>improves employment and skills outcomes for communities (including supporting people with a disability) through close collaboration between government agencies, employers, training and community organisations, and schools. These hubs, often see upwards of 200-300 attendees, with many being offered jobs on the spot. These are also usually attended by the Regional Disability Advisors to support clients to access these events.</p> <p>Connected is a joint initiative involving many government agencies, coordinated by the Ministry of Social Development (MSD). There are 35 Connected spaces in MSD service Centres around the country – each one run by an Employment Liaison Advisor (ELA). ELAs help people who drop into a Connected centre to explore and connect to the employment, education and training support available from government. They also work with government agencies and other stakeholders to promote their programmes. This includes organising events in Connected centres or in the community.</p>
<p>Risks/Issues that are impacting or may impact progress and mitigations</p>
<p>Under-promotion of these programmes has been addressed, with additional opportunities for promotion supported. The Principal Disability Advisor is working with Regional Disability Advisors to understand the accessibility and impact of these events for disabled people and address any barriers which may exist.</p>
<p>Impacts on inequities</p>
<p>Disabled people often lack opportunity to gain skills and employment through traditional work or training options. These Work and Skills Hubs are an opportunity to gain exposure to employees, employment information and learn about MSD funded skills training opportunities which reduce employment barriers. This increases the range of roles that clients can apply for, increasing opportunities for employment.</p>
<p>Programme changes based on disruptions to the normal workflow</p>
<p>Nil.</p>
<p>Next Steps</p>
<p>MSD will continue to review the accessibility and impact of Regional Work and Skills Hubs and other employment events for disabled clients.</p>

Accessible Employment - DAP Reporting

Name of Agency	Ministry of Social Development (MSD)		
Name of Work Programme	Accessible employment (Lead Toolkit, Government Internships, We Enable Us, Disability Employment Resource)		
Overall Status	On track or ahead		
Programme Summary	<p>The Accessible employment work programme is supported by several streams of work as listed below</p> <ul style="list-style-type: none"> • The Lead Toolkit, which is a series of resources designed to promote and support the employment of disabled people within the public sector. • All of Government (AOG) Disabled Internship Programme, which works to promote and support disabled students to access mainstream public sector internship programmes. • Disability Employment Resources. • We Enable Us, the AOG Disability Employment Network. 		
Alignment	<p>This work programme aligns with Outcome Two of the New Zealand Disability Strategy, Employment and Economic Security. Additionally, it aligns with and supports the intention of Papa Pounamu - the All of Government Diversity & Inclusion work programme. This work also aligns with the UNCRPD Concluding Recommendation 52 (a), (b) and (c), with a number of these cross-agency employment initiatives contributing to the outcomes of the Disability Employment Action Plan, as referenced in supporting <i>Work and Employment (art.27)</i></p>		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Programme changes based on disruptions to the normal workflow	Status
Refresh of Lead Toolkit in order to	A refresh of the Lead Toolkit is now underway with a focus on increasing the level of universal content; providing	Nil	On track – with

remain relevant and up to date	additional material on working with neurodiverse employees; increased focus on age-related disability and the development of a wider resource for employees, with increased use of New Zealand-based resources. The All of Government (AOG) Lead Toolkit Champions network have been involved in the refresh of the Lead Toolkit, with members choosing to be part of the Working Group refreshing the document; or part of a later review group.		minimal risks/issues
AOG Disabled Internships work programme review.	With the support of the disabled community, work is underway to develop a new twin track programme which will increase opportunities and remove additional barriers for a wider range of disabled employees to experience a public sector internship or graduate programme.	Nil	On track – with minimal risks/issues
Resource Development - Assistive Technology Video & Disability Awareness Training.	The Assistive Technology video is completed and distributed to AOG groups. A captioned version of this video was shared widely as part of the World Accessibility Awareness Day 2023.	Nil	Completed
	An AOG Principal/Lead Disability Advisor group is reviewing current government Disability Awareness Training options already in place, with a view to using or adapting a complete resource for AOG.	Nil	On track – with minimal risks/issues
We Enable Us AOG Disabled Employee Led Networks Quarterly meetings.	We Enable Us continues to be led by co-chairs from Kainga Ora and Whaikaha. Meetings continue, with a smaller leadership group meeting more frequently to support key actions. We Enable Us has been focused on establishing its new governance model and confirming sponsorship commitments. We Enable Us has been working closely with Te Kawa Mataaho on the creation of the four-point disability action plan and additional	Nil	On track or ahead

	involvement in the Te Whakapiri/Kia Toipoto Equal Pay Initiatives to support greater diversity and inclusion for disabled public service employees.		
Narrative			
<p>Working alongside a number of the AOG Lead Toolkit Champions Network members, MSD is continuing to lead the refresh of the Lead Toolkit. This includes bringing a Te Tiriti o Waitangi focus to support tāngata whaikaha Māori; additional material to support neurodiverse employees; supporting employees with injury-acquired or age-related disability and increased focus on supporting employees with mental health and addiction issues. A large number of resources have been reviewed and will be made available, along with a section on adaptive and assistive technologies – both software and hardware.</p> <p>A review of the AOG Disabled Internship Programme has shown that a number of barriers exist which impact the ability of this programme to deliver a range of opportunities for disabled people to experience public sector internships. With the support of the disabled community, work is now underway to develop a twin track programme, which will support use of mainstream internships while also supporting an additional programme where current barriers are removed – for example, increasing the criteria for application; increasing the length of internships; and internships with flexible hours and work practices. This work is continuing to move forward with initial programme re-development underway.</p>			
Risks/Issues that are impacting or may impact progress and mitigations			
<p>All of the programmes attached to this Outcome have less full time equivalent (FTE) staffing than would be beneficial to drive the actions forward. While there is additional resource planned, this is still limited and will not provide the level of additional FTE required to support these work programmes. To mitigate this, some work is being supported cross-agency (such as the Disability Awareness training package) with several government agencies sharing resource to ensure programme outcomes are met.</p>			
Impacts on inequities			
<p>Both the Lead Toolkit and the AOG Disabled Internships work programmes are designed to increase the employment and retention of disabled people in the public sector. A refresh and review of these work programmes</p>			

will broaden their intended impact, increase employment opportunities and reduce inequitable public sector employment. Ways in which this will occur are outlined below:

- The Lead Toolkit currently does not provide information related to a number of disabled population groups, including those with neurodiversity. As a large proportion of the disabled community, it is hoped that this will increase the education and willingness of employers to identify ways to recruit, employ and support neurodiverse employees. This is also true for other population groups, such as people with lived experience of mental illness and / or addiction; and for people with age-related disability for whom the information added to the toolkit will increase awareness of supports needed for this community.
- The Internship Programme has had limited success in its current format, and the twin track programme aims to remove many of the barriers faced in its current form, increasing access to internships and in turn, public sector employment.

Programme changes based on disruptions to the normal workflow.

Nil

Next Steps

The Lead Toolkit will be refreshed and finalised, with input from the wider disability community.

The AOG Disabled Internship work programme will develop a new twin-track programme, with implementation planned to start in 2024.

The AOG Employment Resources are focused on finalising the Disability Awareness Training.

We Enable Us are working towards increasing membership and working towards an AOG public sector conference / forum in 2024/25.

Outcome Three - Health and Wellbeing

The Ministry of Health have not provided a response to the review group feedback.

Safeguarding Bodily Integrity Rights – DAP Reporting

Name of Agency	Manatū Hauora Ministry of Health
Name of Work Programme	Safeguarding bodily integrity rights
Overall Status	Off track – with low risks / issues
Programme Summary	<p>The Ministry of Health is exploring a framework to protect the bodily integrity of disabled people from non-consensual, non-therapeutic interventions and procedures.</p> <p>Several rights frameworks will inform this work, including the United Nations Convention on the Rights of Persons with Disabilities, the Code of Health and Disability Services Consumer Rights, and the New Zealand Bill of Rights Act 1990.</p> <p>Potential areas of action for this framework could include:</p> <ul style="list-style-type: none"> • Legislative safeguards to protect the bodily integrity of disabled people. • Supportive measures to help disabled people, parents, family, whānau, āiga and carers and health professionals realise disabled people’s rights. • Specific health workforce training to help understand some of the complexities involved in bodily integrity issues and to change attitudes towards disabled people and practice. • Reformed data collection practices to ensure effective monitoring.

<p>Alignment</p>	<p>This work aligns with Outcomes 3 (health and wellbeing), 4 (rights protection and justice), and 7 (choice and control)</p> <p>A key consideration of the bodily integrity work programme is the need to support and uphold disabled people’s rights to respect for physical and mental integrity and the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. This also aligns with other Health-led DAP work programmes for example: reducing use of seclusion and restraint (with Corrections); repeal and replacement of the Mental Health Act; improving health outcomes and access to services for disabled people; and enabling disabled people’s choice and control in disability system transformation. This work programme aligns with Recommendation 36 of the Concluding Observations of the UN Committee on the Rights of Persons with Disabilities.</p> <p>This programme aligns closely with two IMM report recommendations:</p> <ul style="list-style-type: none"> • Legislation to prohibit the use of sterilisation or any other non-therapeutic medical procedure on disabled children and adults without their prior, fully informed, and free consent. • Improving methods of collecting and reporting on statistics on sterilisation and other non-therapeutic medical procedures in New Zealand, whilst ensuring all data collection is anonymised in such a way to prevent identification. <p>There are several overlaps with activity elsewhere including:</p> <ul style="list-style-type: none"> • The Law Commission’s review of laws related to adults with impaired decision making. • The Supported Decision-Making DAP work programme (Whaikaha lead). • The Waitangi Tribunal Health Services and Outcomes Kaupapa Inquiry (Wai 2575). • The Abuse in Care Royal Commission investigations.
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Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
Complete scope of work programme key deliverables, actions, and milestones.	<p>Ongoing.</p> <p>The Ministry has been building the policy team, which is nearly at full complement and there will be a new Policy Manager starting August 2023.</p> <p>This period saw the development of the Provisional Health of Disabled People Strategy which will be published in July 2023. The Strategy will include consideration of how the health system should enable disabled people's self-determination and autonomy, including bodily autonomy.</p>	<p>Focus on the Strategy (<u>outlined in the above report</u>) has delayed the development of initial advice on bodily integrity to the Minister of Health. A key priority of the Health of Disabled People Policy team has been the development of the Provisional Health of Disabled People Strategy. This has included consideration of disabled people's self-determination and bodily autonomy.</p> <p>The Ministry deliberately paused significant components of the work programme as we have worked through the health reform process and recruitment. Work on this</p>	Off track – but low risks / issues

		programme had resumed prior to the end of this reporting period.	
Ensure thorough engagement and oversight from the disability community.	Paused.	Previous engagement had been paused during the reforms. Engagement will be picked up again in the next reporting period.	Off track – but low risks / issues
Support the Government response, led by Whaikaha – Ministry of Disabled People, to the Concluding Observations to New Zealand by the United Nations Committee on the Rights of Persons with Disabilities.	Ongoing.	Nil	On track or ahead

Narrative

Ongoing resource and time constraints have impacted this workstream in the most recent reporting period with the policy team being mostly focused on the development of the Strategy. We acknowledge significant time has passed since this issue was raised by the UN Committee on the Rights of Persons with Disabilities.

The team is now staffed and will be focusing on this issue in the upcoming period. The Ministry recognises the need to ensure all disabled people, including those with intellectual/learning disabilities, only receive medical procedures with consent. We are optimistic that we are in a position to progress this work over the next reporting period.

During this period, the Ministry contributed to the Government response to the Concluding Observations provided to New Zealand by the United Nations Committee on the Rights of Persons with Disabilities. The Ministry will continue to investigate legislative and non-legislative options to protect the bodily integrity of disabled people.

The Ministry has accepted with modification the following two recommendations by the UN Committee regarding the bodily integrity of disabled people. This includes Recommendation 36 on prohibiting sterilization, contraception and abortion procedures being performed on women and girls with disabilities without consent and to prohibit growth attenuation treatment including procedures sought outside New Zealand.

Risks/Issues that are impacting or may impact progress and mitigations

There is concern that by focusing on sterilisation and abortion that other violations are being ignored. The programme team will take this into account during scoping and this will also be discussed with the experts in the field to ensure that all issues are taken into consideration.

Impacts on inequities

This is an issue with a significant gender dimension, globally most instances of sterilisation without consent occur on women and girls with disabilities. Within the disability community, people with learning/intellectual disabilities

are recognised as an acutely underserved community. Work to protect this group against bodily integrity abuses contributes towards reducing inequity.

Programme changes based on disruptions to the normal workflow

Focus on the Strategy has delayed the development of initial advice on bodily integrity to the Minister of Health. A key priority of the Health of Disabled People Policy team has been the development of the Provisional Health of Disabled People Strategy. This has included consideration of disabled people's self-determination and bodily autonomy. The Ministry deliberately paused this part of the work programme as we have worked through the health reform process and recruitment. Following recruitment staff have been assigned to lead this work over the next reporting period.

Next Steps

The safeguarding bodily integrity of disabled people work program has transferred to the Strategy, Policy and Legislation Directorate within the Ministry.

Based on the current work programme:

- A full scope of issues will be carried out and presented to the group,
- A review of data collection practice will be carried out,
- Advice will be provided to the Minister of Health on opportunities to progress work to protect the bodily integrity of disabled people,

Health Outcomes and Access to Health Services – DAP Reporting

Name of Agency	Manatū Hauora – Ministry of Health
Name of Work Programme	Health Outcomes and Access to Health Services
Overall Status	On track – minimal risks / issues;
Programme Summary	<p>Significant transformative work is required to improve outcomes and reduce inequities facing disabled people accessing healthcare. Manatū Hauora is committed to undertaking this transformative work. Te Pae Ora (Healthy Futures) Act 2022 signals forward direction for the New Zealand health system.</p> <p>Te Pae Ora Act required the Minister of Health to develop six strategies, including the Health of Disabled People Strategy. During this reporting period, the strategy was the primary focus of the Manatū Hauora work programme on improving health outcomes and access to health services. The Provisional Health of Disabled People Strategy was released on the 12th of July 2023. The final Strategy will set the direction and long-term priorities for the new health system to move towards achieving equity in disabled people’s health and wellbeing outcomes over the next 10 years. The initial strategy was published in a provisional form to allow for further targeted engagement with the disability community and further shaping of priority areas.</p> <p>The interim Government Policy Statement (GPS) on Health and the interim New Zealand Health Plan are two key documents that set the government’s direction and specific commitments for the health system. The interim GPS acknowledges that disabled people receive inequitable access to health services and experience poorer health outcomes in</p>

	comparison to the general population of New Zealand. The interim GPS notes that the health system will recognise and provide for the rights of all groups, including disabled people.		
Alignment	<p>This work programme aligns with the New Zealand Disability Strategy 2016-2026 Outcome 3 (health and wellbeing), Outcome 5 (accessibility) and contributes significantly to Outcome 7 (choice and control).</p> <p>This work programme also responds to Recommendation 50 of the Committee on the Rights of Persons with Disabilities' Concluding Observations to New Zealand.</p> <p>The work programme aligns with the interim GPS's commitment that access to mainstream health services will be barrier-free and inclusive for disabled people, and health services, communications and products that are specific to disabled people will be of high quality, available and accessible.</p>		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
Health and Disability System Reforms	<p>The Ministry has been building the policy team, which is nearly at full complement and there will be a new Policy Manager starting August 2023.</p> <p>The most significant development in this reporting</p>	Most of the disability policy capability has been focused on the strategy and reforms, as a result other areas of work have not been progressed.	On Track –low risks / issues;

	<p>period is the development of the provisional Health of Disabled People Strategy.</p> <p>This included:</p> <p>Engagement with the disability community, which included face-to-face, online, and written feedback. We received over 50 written submissions and engaged in approximately 29 meetings and workshops with disabled people and their whānau.</p> <p>Analysis of existing evidence to assess the current state of health outcomes for disabled people, and to identify priority areas for change. The strategy will support the shorter-term priorities set by the Government Policy Statement (GPS) and New Zealand Health Plan (NZHP).</p>		
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<p>Health system disability data</p>	<p>The Provisional Health of Disabled People Strategy has identified its fifth priority area as 'increase[ing] the visibility of disabled people in health data, research, and evidence as part of an active learning system'. Improved data and research identifying the diverse disabled population will make their health outcomes and needs visible to the health system.</p> <p>Manatū Hauora will continue to support Te Whatu Ora and Te Aka Whai Ora to advance this work programme through the GPS and New Zealand Health Plan.</p> <p>Patient Profile/National Health Index (PPNHI).</p> <p>PPNHI is a disability data project which aims to:</p> <p>Identify who disabled people are by NHI.</p>	<p>Nil</p>	<p>Off track – with minimal risks / issues.</p>
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	<p>Create a platform to record communication access needs to health staff so they can be accommodated.</p> <p>Monitor the degree to which those needs are being met.</p> <p>This work is ongoing with development expected over the next reporting period.</p>		
<p>Health workforce disability awareness and capability</p>	<p>The Provisional Health of Disabled People Strategy identifies the health workforce as its fourth priority area: 'Build health workforce capacity and capability to meet the needs of disabled people and their whānau'.</p> <p>Action will be progressed moving forward as a component of wider work to raise the awareness and capability of the health workforce to respond to the needs of diverse communities.</p>	<p>Nil</p>	<p>On track – with minimal risks/issues</p>

<p>Access to quality healthcare</p>	<p>The Provisional Health of Disabled People Strategy has identified its second priority area as 'Ensure[ing] the health system is designed by and accessible for disabled people and their whānau and provides models of care that suit their needs'.</p> <p>The Ministry will continue to focus on guiding the health system towards improved access to quality healthcare when developing the final Health of Disabled People Strategy.</p> <p>The Ministry will support Te Whatu Ora and Te Aka Whai Ora in advancing this work programme through the GPS and New Zealand Health Plan.</p>	<p>Nil</p>	<p>On track – with minimal risks/issues;</p>
<p>Narrative</p>			
<p>Over the past reporting period disability policy resources have been focused on ensuring disabled people are a key equity population in the ongoing health and disability reforms work. This included the development of the health of Disabled People Strategy, which will be published in July 2023, in a provisional form to allow for further targeted</p>			

engagement with disabled people and their whānau, and to further shape priority areas. The Ministry is committed to ensuring that the intent of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) “nothing about us without us”, continues to be upheld in the final Health of Disabled People Strategy. The strategy sets the direction and long-term priorities for achieving equity in disabled people’s health and wellbeing outcomes over the next 10 years. The Health of Disabled People Strategy does not make commitments to particular actions. This will be the role of the next Government Policy Statement on Health, and the New Zealand Health Plan.

The reforms have the potential to support significant system shifts in health in Aotearoa New Zealand, and it is important to ensure that the priorities of the disability community are reflected throughout. The provisional strategy sets the direction and long-term priorities of the health system for the next 10 years. It will provide a framework that health entities can follow to improve disabled people’s health and wellbeing outcomes in Aotearoa New Zealand. It will ensure that changes to the system give effect to Te Tiriti o Waitangi | the Treaty of Waitangi and are underpinned by the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

The provisional strategy identifies five key priority areas for the health system to focus on to achieve Pae Ora (healthy futures) for disabled people:

Embed self-determination of disabled people and their whānau as the foundation of a person and whānau-centred health system.

Ensure the health system is designed by and accessible for disabled people and their whānau and provides models of care that suit their needs.

Ensure the health system is part of a coherent cross-government system that addresses broader drivers of poor health and wellbeing.

Build health workforce capacity and capability to meet the needs of disabled people and their whānau.

Increase the visibility of disabled people in health data, research, and evidence as part of an active learning system.

Risks/Issues that are impacting or may impact progress and mitigations

This is a broad objective and will require long term significant resourcing. In order to achieve this there must be a clear programme of work, which is supported by policy capability. It will require collaborative cross government approaches to ensure access to health services. Manatū Hauora has increased its disability policy capacity and capability to ensure that this work is carried forward.

Impacts on inequities

Tāngata whaikaha Māori experience significant inequitable health outcomes. Māori are more likely than non-Māori to be disabled. Tāngata whaikaha Māori experience inequities in life expectancy and rates of amenable mortality (deaths potentially avoidable through health care). This is an important ongoing challenge for the health and disability system.

This work programme must take a Te Ao Māori approach. Engagement with Māori, including tāngata whaikaha Māori, is required in the scoping, development, monitoring, and review of the work programme to ensure that Te Tiriti principles of partnership, and active protection are adhered to. This engagement and partnership also need to be prioritised in the health and disability system reforms.

Disabled children face specific barriers to health, and we will work to ensure greater inclusion of the perspectives of disabled children and young people in our ongoing work.

Disabled women are an underserved group, and particular consideration must be given to gendered elements – this is particularly important in terms of bodily integrity violations which have a significant gender impact.

Programme changes based on disruptions to the normal workflow

The Ministry deliberately paused significant components of the work programme as we have worked through the health reform process and recruitment. The Ministry has built up the disability policy workforce following the establishment of Whaikaha.

Next Steps

The Health of Disabled People Strategy has been released as a provisional strategy. This is to allow for full consultation, and to ensure the participation of the disability community. We will begin a targeted engagement program to solidify the priorities of a final strategy. The strategy sets the priorities for the next ten years, but initially it will underpin the development of the next Government Policy Statement on Health, and the New Zealand Health Plan.

Repeal and Replace the Mental Health (Compulsory Assessment and Treatment) Act 1992. DAP Reporting

Name of Agency	Manatū Hauora Ministry of Health
Name of Work Programme	Repeal and Replace the Mental Health (Compulsory Assessment and Treatment) Act 1992
Overall Status	On track – with minimal risks/issues
Programme Summary	<p>This is a work programme to repeal and replace the Mental Health (Compulsory Assessment and Treatment) Act 1992 (the Mental Health Act).</p> <p>The Government agreed to repeal and replace the Mental Health Act as part of its response to <i>He Ara Oranga: Report of the Government Inquiry into Mental Health and Addiction</i>. Consistent with the recommendation of <i>He Ara Oranga</i>, the intention is to develop new mental health legislation that reflects a human rights-based approach, promotes supported decision-making, aligns with the recovery and wellbeing model of mental health, and provides measures to minimise compulsory or coercive treatment. This would result in greater alignment with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).</p> <p>Alongside the development of new legislation, this work programme also focuses on improving the application of the existing legislation in a manner that better respects human rights and better aligns with the UNCRPD.</p>
Alignment	Developing new legislation with respect for, and protection of, human rights at the centre will assist the progression of outcomes 3 (health and wellbeing), 4 (rights protection and justice), and 7 (choice and control) from the New Zealand Disability Strategy.

	This work programme includes consideration of the use of seclusion and restraint practices as part of the policy development for new legislation. This is expected to contribute to, or support, the work programme for reducing the use of seclusion and restraint. This work programme also considers recommendations 25 and 26 of the 2022 UNCRPD Concluding Observations		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
Supporting the implementation of the changes in the revised <i>Guidelines to the Mental Health (Compulsory Assessment and Treatment) Act 1992</i> through education and training and regular engagement with providers and services.	<p>In January 2023, Te Pou launched new training and resources, developed with Manatū Hauora, to support the implementation of the revised <i>Guidelines to the Mental Health (Compulsory Assessment and Treatment) Act 1992</i>.</p> <p>The training supports a shift towards improving the services provided to people treated under the Mental Health Act, including a greater focus on human rights and the Treaty of Waitangi. The training will support the mental health workforce by:</p> <ul style="list-style-type: none"> - strengthening workforce values and attitudes grounded in people-centred, human rights, least-restrictive, trauma informed, and equity 	Nil	On track – with minimal risks/issues

	<p>approaches around the use of the Act, including upholding obligations under Te Tiriti o Waitangi</p> <ul style="list-style-type: none"> - building knowledge and understanding of the Act and people’s rights under the legislation. - promoting greater national consistency in the training of responsible clinicians, duly authorised officers, and district inspectors. <p>The first two e-learning modules (introduction and advanced) have been launched, and the third and final module (specialist) will be available in August 2023. The modules and resources are available for free on Te Pou’s website to all staff working in the mental health sector.</p> <p>In addition, Manatū Hauora published new <i>Guidelines for Reducing and Eliminating Seclusion and Restraint Under the Mental Health (Compulsory Assessment and Treatment) Act 1992</i> in April 2023, as outlined in the seclusion and restraint update.</p> <p>Manatū Hauora continues to meet with Directors of Area Mental Health Services on a quarterly basis. The implementation of the Guidelines is a regular topic at these meetings.</p>		
Working with the Mental Health Act	The Mental Health Act Expert Advisory Group (EAG) was established in May 2022 and concluded its work at	Nil	Complete

<p>Expert Advisory Group (EAG) to test and refine policy proposals.</p>	<p>the end of March 2023. Regular meetings were held during the term of the EAG.</p> <p>The EAG was set up to assist Manatū Hauora to:</p> <ul style="list-style-type: none"> - Test and refine policy proposals for new mental health legislation, helping to balance the diverse views received through public consultation. - Understand implementation implications and whether proposals would be fit for purpose. <p>To ensure there were diverse perspectives, the EAG included a combination of Māori, People with lived experience of mental health conditions, whānau, clinical, community and academic perspectives. The members were:</p> <ul style="list-style-type: none"> - Co-Chairs: Anthony O'Brien and Kerri Butler. - Frank Bristol. - Gemma Griffin. - Karaitiana Tickell. - Kiri Prentice. - Mark Fisher. - Patsy-Jane Tarrant. - Tereo Siataga-Kimiia. - Tui Taurua. - Wheeti Maipi. 		
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	Information on the EAG is available on the Manatū Hauora website at www.health.govt.nz/our-work/mental-health-and-addiction/mental-health-legislation/repealing-and-replacing-mental-health-act .		
Development of policy proposals for new mental health legislation.	<p>Work continues to develop and confirm policy proposals for new mental health legislation. This work has been guided by the findings of public consultation and the advice from the EAG.</p> <p>The Minister of Health is in the process of confirming the suite of policy proposals for new mental health legislation by Cabinet. These decisions will form the basis for the Parliamentary Counsel Office to draft a Bill.</p>	Broader priority considerations across government have had some minor impacts on the timing to confirm Cabinet decisions	On track – with minimal risks/issues
Implementation planning and preparation to support new mental health legislation.	<p>Implementing new legislation will form part of the overall changes to transform New Zealand’s approach to mental wellbeing and the mental health and addiction system in line with <i>Kia Manawanui Aotearoa: Long-term pathway to mental wellbeing</i>.</p> <p>It is intended that implementation work would progress alongside the development of a Bill.</p>	This work needs to progress in conjunction with the development of the Bill, the timing will	On track – with minimal risks/issues

	<p>Initial planning is underway to determine how to best phase different aspects of the implementation work. In particular, implementation work on some areas of change will not be able to advance until a Bill has progressed through some of the legislative process; however, early progress can be made on a number of other areas that are not reliant on new legislation and where there are opportunities to build on current efforts and improve current practice (for example, work on reducing the use of seclusion and restraint).</p>	<p>need to align with and adapt to the overall timeline for developing the legislation.</p>	
<p>Narrative</p>			
<p>Guidelines training</p> <p>Manatū Hauora has continued to work with Te Pou, one of the national mental health and addiction workforce development centres, to develop new training and education materials to support the implementation of the revised <i>Guidelines to the Mental Health (Compulsory Assessment and Treatment) Act 1992</i> (the Guidelines). Te Pou engaged an advisory group with representatives of people with lived experience and Māori to support the development of the training and education tools. While these Guidelines and training materials relate to improving practice under the current Mental Health Act, they will help PSGe the way for a stronger focus on rights-based approaches in new legislation.</p> <p>Repeal and replacement of the Mental Health Act</p> <p>Work to develop new legislation is nearing the end of the policy development phase and work is starting to shift into the next phase which includes legislation development and implementation planning.</p>			

The development of policy proposals for new legislation is being informed by a range of inputs including evidence, what is happening overseas, known issues with the status quo as well as feedback received through public consultation and advice from the Expert Advisory Group (EAG).

An extensive three-month public consultation process was completed in January 2022 with a focus on ensuring all voices and viewpoints were heard. This took place early in the policy development phase to ensure these voices guide the development of new legislation. Manatū Hauora took a flexible approach to consultation, this included making the consultation as accessible as possible, particularly for tāngata whaikaha and tāngata whaiora. For example, dedicated consultation sessions were held with disabled people who have lived experience which were facilitated by a lived experienced facilitator to ensure the psychological safety of participants. The volume of feedback received through the public consultation provided a wealth of viewpoints across the topics that need to be addressed.

Following public consultation, Manatū Hauora established an EAG to help balance the diverse views received through public consultation and provide further perspectives from different viewpoints. The membership of this group was carefully considered and included strong Māori and lived experience perspectives as well as clinical, NGO and academic views. The EAG concluded its work in March 2023.

The Government is in the process of confirming all policy proposals for new mental health legislation.

Risks/Issues that are impacting or may impact progress and mitigations

The main risk related to educating and training mental health practitioners as part of implementing the revised Guidelines is that this is a process that will take time to ensure new ways of working are fully embedded. Manatū Hauora is working to mitigate the risk by continuing to discuss this at quarterly meetings with Directors of Area Mental Health Services, and by progressing and supporting this action as an ongoing programme of work that will be reviewed and monitored.

The primary risk to the development of policy recommendations for new mental health legislation is that the feedback received through public consultation was wide-ranging with no consensus among stakeholders on some of the key areas that need to be considered. This has made it difficult to effectively narrow the policy recommendations for Cabinet consideration. Manatū Hauora has been mitigating this risk by working with the EAG to assist with understanding how different policy proposals will impact on affected groups and to inform the final recommendations to Government.

There is a tight Cabinet and Parliamentary schedule ahead of the 2023 General Election. Additionally, the timing for Parliamentary and Cabinet business to resume following the general election will influence the timeframes for progressing this work through the required stages. Manatū Hauora is working with the Minister of Health's office to mitigate any potential risks in relation to the timeframes for this piece of legislation.

Impacts on inequities

There are considerable differences in the way the Mental Health Act works for different population groups, in particular Māori, Pacific peoples, and disabled people. For example, Māori are significantly more likely to be subject to compulsory mental health treatment than non-Māori. An equity lens has been embedded in the work from the outset.

When this work programme was set up, the Government agreed to a set of principles to guide the policy development for new mental health legislation. These are:

- taking a human rights approach.
- maximum independence; inclusion in society; and safety of individuals, their whānau and the community.
- recognition and incorporation of, and respect for, the principles of Te Tiriti o Waitangi.
- improved equity of care and treatment.
- recovery approach to care and treatment.
- timely service access and choice.

- provision of least restrictive mental health care.
- respect for family and whānau.

These principles emphasise the importance of culturally appropriate care and approaches that support greater self-determination for Māori and others under new legislation. These principles have also informed the planning and design of the public consultation process and establishment of the EAG:

- The public consultation approach and format of consultation sessions were developed in collaboration with tāngata whaiora including Māori. The approach sought the views from specific stakeholders and groups, including Māori, where feedback was gathered from tāngata whaiora Māori, whānau, hapū, Iwi and the Māori mental health sector.

The EAG included members with a range of views and groups including tāngata whaiora, Māori, clinicians and the disabled community.

Programme changes based on disruptions to the normal workflow

Nil

Next Steps

Over the next six months Manatū Hauora will:

- continue to support the implementation of changes in the revised Guidelines by working with Te Pou to develop education and training materials and continue regular engagement with providers and services during the implementation of the training package.
- continue to support the Minister of Health to seek policy decisions from Cabinet.

work with the Parliamentary Counsel Office to draft a Bill and prepare to seek Cabinet agreement for a Bill to be introduced into the House of Representatives.

Reduction of the use of Seclusion and Restraint - DAP Reporting

Name of Agency	Manatū Hauora Ministry of Health
Name of Work Programme	Seclusion and Restraint
Overall Status	On track – with minimal risks/issues
Programme Summary	<p>There are longstanding concerns about high and inappropriate use of seclusion and restraint in New Zealand, particularly in prison and mental health service settings, with Māori secluded more than non-Māori.</p> <p>Manatū Hauora is committed to the goal of reducing and eventually eliminating seclusion. It is now recognised that seclusion and restraint have no therapeutic benefit, and in fact can be harmful and traumatic to tāngata whaiora, their whānau, and staff in mental health inpatient units. While seclusion is permitted under the Mental Health Act, it should only be used as a last resort to prevent harm in emergency situations, when other less restrictive strategies have not worked.</p> <p>The mental health sector has been working to reduce and eliminate seclusion in mental health services, as part of the 'Zero seclusion - safety and dignity for all' collaborative national project between Te Tāhū Hauora, mental health services, and Te Pou.</p> <p>This is a joint work programme with the Ara Poutama/Department of Corrections and each agency reports separately.</p>
Alignment	Developing new legislation and guidelines with respect and protection of human rights at the centre will assist the progression of Outcome 3 (health and wellbeing), Outcome 4 (rights protection and justice), Outcome 6 (attitudes), and Outcome 7 (choice and control).

	These are the relevant outcomes under the New Zealand Disability Strategy, 2016-2026. This work programme also considers recommendations 36(a)-(f) of the 2022 UNCRPD Concluding Observations report.		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
Continue to progress programme of work to repeal and replace the Mental Health (Compulsory Assessment and Treatment) Act 1992.	The repeal and replacement of the Mental Health Act work programme has continued during this reporting period. This work programme includes consideration of the use of seclusion and restraint practices as part of the policy development for new legislation. This is expected to contribute to, or support, the work programme for reducing the use of seclusion and restraint.	See action on 'Repeal and Replace the Mental Health (Compulsory Assessment and Treatment) Act 1992'.	On track – with minimal risks/issues
Revise the guidelines for seclusion and restraint.	In April 2023, Manatū Hauora published new <i>Guidelines for Reducing and Eliminating Seclusion and Restraint Under the Mental Health (Compulsory Assessment and Treatment) Act 1992</i> . The previous Guidelines from 2010 only covered seclusion, but including restraint gives more comprehensive guidance on these restrictive practices. The Guidelines align	Nil	Complete

	<p>with the requirements of the Ngā Paerewa Health and Disability Services Standard (2021).</p> <p>The new Guidelines aim to shift practices towards a seclusion free environment which maintains people’s autonomy, dignity, and mana. They are grounded in person-centred and culturally appropriate approaches, human rights and Te Tiriti o Waitangi.</p> <p>The guidelines cover all mental health inpatient services including forensic units. The new Guidelines came into force on 1 July 2023 to allow time for services to update their policies and procedures. Manatū Hauora also produced resources to help services implement the Guidelines in a consistent way.</p> <p>Through application of these Guidelines and alternative person-centred and culturally appropriate approaches, we expect to see the use of seclusion and restraint only rarely.</p> <p>An appropriately skilled and trained workforce is essential to reducing and eliminating seclusion. Services are struggling to recruit and retain appropriately qualified health practitioners, including kaimahi Māori.</p> <p>Some services have buildings or facilities that are out-dated and do not support least restrictive practice.</p>		
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	Te Whatu Ora has significant programmes of work underway focused on both mental health workforce development and mental health infrastructure to help mitigate these risks.		
Continuation of the 'Zero seclusion – safety and dignity for all' project.	<p>This is led by Te Tāhū Hauora, the Health Quality and Safety Commission.</p> <p>The mental health sector has been working to reduce and eliminate seclusion in mental health services, as part of the 'Zero seclusion - safety and dignity for all' collaborative national project between Te Tāhū Hauora, mental health services, and Te Pou.</p> <p>The project has an intentionally aspirational goal of zero seclusion. The project focus for 2023 is to reduce the national variation in seclusion rates in adult mental health inpatient units and reduce the rates in those services to 5% or less. This percentage relates to the proportion of mental health inpatients who have experienced seclusion in a given month.</p> <p>Te Tāhū Hauora is supporting mental health services to work with community mental health providers, kaupapa Māori mental health providers, police, lived experience/peer support services and whānau to identify approaches for preventing seclusion. These are tested and refined using quality improvement methodology. The approaches have been compiled into a package of online resources available to</p>	<p>A shortage of suitably trained and experienced clinical staff and mātauranga Māori practitioners.</p> <p>The need to strengthen practice and processes around effective transitions between teams, involving whānau and family, after-hours</p>	<p>On track – with minimal risks/issues</p>

	<p>mental health services to support adoption of successful approaches.</p> <p>The project is part of a wider mental health and addiction quality improvement programme led by Te Tāhū Hauora.</p>	<p>leadership and access to after-hours Māori services.</p> <p>Te Whatu Ora has a significant mental health workforce development programme underway to help mitigate these risks.</p>	
Narrative			
<p>Terminology: seclusion vs solitary confinement</p> <p>We acknowledge that some organisations consider that 'solitary confinement' is a more appropriate term to use than 'seclusion'. However, the Mental Health (Compulsory Assessment and Treatment) Act (the Mental Health Act) and the Ngā Paerewa Health and Disability Services Standard use the term seclusion, so we also need to use this term to be consistent and avoid confusion. Also, we note that solitary confinement is defined in the Mandela Rules as "the confinement of prisoners for 22 hours or more a day without meaningful human contact". The guidelines</p>			

for seclusion under the Mental Health Act require that a suitably qualified clinician must enter the seclusion room to assess the person's physical and mental wellbeing at least once every two hours unless deemed unsafe.

Chemical restraint

The prescribing of medications is a clinical matter that falls outside the scope of the *Guidelines for Reducing and Eliminating Seclusion and Restraint Under the Mental Health (Compulsory Assessment and Treatment) Act 1992*, which are statutory guidelines to support the lawful use of the Mental Health Act. However, we know that this is an important issue for people and that the use of sedative medication for the purpose of controlling someone's behaviour is a significant intervention. The guidelines refer to guidance from Manatū Hauora on complying with 'Part 3: Pathways to wellbeing' in the Ngā Paerewa Health & Disability Services Standard. The Guidance states that 'Service providers prescribe and use all medications for valid therapeutic indications. They never use medications to force compliance or render a person incapable of resistance; use of medications in this way could be classed as chemical restraint and is in breach of this standard.' (With reference to Ngā Paerewa criterion 3.4.2).

Seclusion data

Mental health services are required to record the use of seclusion and report it to Manatū Hauora. We are working with Te Whatu Ora to improve the quality and timeliness of mental health data generally. Manatū Hauora will continue to monitor and report on the use of seclusion in mental health and disability services.

Risks/Issues that are impacting or may impact progress and mitigations

Summary of risks, issues or delays that are impacting on programme and actions to mitigate this.

Mental health services are facing a number of challenges to reducing and eliminating seclusion. These include:

- Workforce pressures.
- Inadequate facilities in some areas.

Te Whatu Ora has a significant programme of work to address workforce issues, including initiatives to grow, upskill and broaden the mental health and addiction workforce. This includes projects to develop the peer workforce, and to increase the diversity of the workforce. The programme of work has a strong focus on equity, with a particular focus on equity for Māori and Pacific people.

Te Whatu Ora established the Mental Health Infrastructure Programme in early 2021 to improve the way mental health and addictions projects are planned and delivered. The project also has the objective to ensure new and refurbished facilities will be culturally and physically safe, fit-for-purpose, and meet the needs of their communities. The Programme links together 16 mental health and addiction infrastructure projects, all at different stages of completion. Two of the 16 projects are complete (Manawa individualised service units at the Rātonga-Rua-O-Porirua campus and Tiaho Mai at Middlemore Hospital).

Impacts on inequities

There are unacceptable inequities in the rates of seclusion for Māori and Pacific people compared with other ethnicities.

The new guidelines focus on preventing and safely reducing and eliminating seclusion and restraint using culturally appropriate person-centred approaches that reflect our human rights obligations. Person-centred approaches focus on the individual, based on their preferences, needs, and values to guide decisions about treatment and support. For Māori, these approaches should be culturally appropriate and reflect te ao Māori.

Te Tāhū Hauora, the Health Quality and Safety Commission, has produced a cultural kete of resources to help services reduce and eliminate seclusion for Māori, such as undertaking cultural assessments, cultural supervision, pōwhiri, rongoā Māori, and including whānau in a person's care and treatment.

Programme changes based on disruptions to the normal workflow

Nil

Next Steps

Over the next six months Manatū Hauora will continue to:

- Publish statistics on seclusion for the 2021/22 year, as part of the Office of the Director of Mental Health and Addiction Services: Regulatory Report.
- Monitor the progress of services with implementing the seclusion and restraint guidelines.
- Meet with Directors of Area Mental Health Services on a quarterly basis to discuss various issues related to the Mental Health Act including seclusion and restraint.

Sport New Zealand – DAP Reporting

Name of Agency	Sport New Zealand
Name of Work Programme	Delivery of the Sport New Zealand Disability Plan
Overall Status	On track – with minimal risks/issues
Programme Summary	<p>The Sport NZ Disability Plan, launched in 2019, aims to improve the quality and equity of play, active recreation and sport participation opportunities for disabled tamariki and rangatahi of their choice.</p> <p>Over the last four years, a variety of initiatives and programmes have been implemented by Sport NZ and sector partners to deliver against the Disability Plan outcomes.</p>
Alignment	<p>The Sport NZ Disability Plan is anchored on an Outcome’s Framework for disabled people in play, active recreation and sport which links to the NZ Disability Strategy, Outcome 3 Health and Wellbeing and the Convention on the Rights of Persons with Disabilities, Article 30.</p> <p>One of the commitments of the Sport NZ Disability Plan is to leverage existing cross government (local and national) relationships to promote the value of participation in play, active recreation and sport and influence government policy across disability, health, education and social welfare. With the establishment of Whaikaha, Sport NZ is developing a working relationship with this new Ministry. A representative from Whaikaha has joined Sport NZ’s lead cross government Physical Activity and Plan Play working group and that representative is linking the Sport NZ’s Disability Lead into Whaikaha e.g., linking with Enabling Good Lives to increase the priority of play, active recreation and sport.</p> <p>Following the last DAP annual report, Sport NZ’s Disability Lead met with the Disabled Persons Organisations (DPO) Coalition. This initial meeting was to update and inform the</p>

	<p>Coalition of the work that Sport NZ is achieving in the delivery Disability Plan. From this initial meeting we will look for other opportunities to connect and work with the Disabled Persons Organisations Coalition.</p> <p>When the UNCRPD assessed New Zealand against the articles in the convention it did not include Article 30 – Participation in cultural life, recreation, leisure and sport in the assessment. There were no recommendations from UNCRPD assessment of NZ that Sport NZ were required to implement to support the play, active recreation and sport sectors.</p>		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Programme changes based on disruptions to the normal workflow	Status
<p>Continue working with Sport NZ staff, programmes, initiatives and partners to promote the value of play, active recreation and sport for disabled tamariki and rangatahi.</p>	<p>Over the last six months, internal work has been undertaken to ensure Sport NZ people, programmes, initiatives and partners are inclusive of disabled tamariki and rangatahi.</p> <p>Examples of this includes:</p> <ul style="list-style-type: none"> • Disabled rangatahi involved in a youth panel at the Youth Sport Hui, • Working with the Sport NZ Coaching Lead to ensure coaching programmes include components of how to adapt coaching methods to meet the needs of disabled tamariki and rangatahi, 	<p>There are no programme changes based on disruptions to the normal workflow.</p>	<p>On track – with minimal risks/issues</p>

	<ul style="list-style-type: none"> • Session at the Health Active Learning Hui about scoping disability play, active recreation and sport opportunities in their communities, • Working with the investment team to establish new investment schedules with Deaf Sport NZ and the Tasman region, • Developed and delivered professional development workshops for Sport NZ and High Performance Sport NZ staff on disability and inclusion. • Local participation opportunities for disabled tamariki and rangatahi continue to be funded through Tū Manawa Active Aotearoa, • Reviewed, assessed and provided feedback on Sport NZ's partners' annual reporting on their initiatives with a focus on disabled tamariki and/or rangatahi. • Continuing to work alongside and providing leadership to regional disability organisations (Parafeds and similar organisations), National Disability Sport Organisations and Disability Inclusion Fund recipients. 		
Continue working across government to promote the value of play, active recreation and sport for disabled tamariki and rangatahi.	<p>Examples of cross government activities undertaken over the six months included:</p> <ul style="list-style-type: none"> • Regular engagements with Whaikaha to ensure the importance and value of physical activity is considered across different policies and initiatives. 	There are no programme changes based on disruptions to the normal workflow.	On track – with minimal risks/issues

	<ul style="list-style-type: none"> Working with Whaikaha to identify how physical activity can be further incorporated into Enabling Good Lives (EGL). Provided input and feedback into the new Ministry of Health's Disabled People Strategy. 		
Virtual Sector Connects	Sport NZ hosts regular virtual connects (via Teams) for people involved in the play, active recreation and sport sector to come together, share practice and discuss topics related to disabled tamariki and rangatahi.	There are no programme changes based on disruptions to the normal workflow.	On track – with minimal risks/issues
ISAPA Committee	The Sport NZ Disability Lead was a member of the ISAPA 2023 Organising Committee. It was the first time ISAPA had been held in NZ and we have over 200 attendees attend with over 110 attendees coming from NZ.	There are no programme changes based on disruptions to the normal workflow.	Complete
ISAPA Scholarship	Sport NZ recognised that the cost to attend ISAPA 2023 would be a barrier to many practitioners working in the play, active recreation and sport sector from attending. To remove this barrier Sport NZ established 20 scholarship (worth \$1,500 each) to cover registration cost, travel and accommodation. Through the scholarship 21 play, active recreation and sport practitioners were supported to attend the symposium.	There are no programme changes based on disruptions to the normal workflow.	Complete
Influence the development of the Sport NZ strategic Plan Everybody Active 2024 – 2028.	Sport NZ has just entered in the last financial year of the 2020 – 24 strategic period and are in the processes of developing the strategic plan for 2024 – 28 strategic period. The Diversity, Equity and Inclusion team have been contributing to the	There are no programme changes based on disruptions to the normal workflow.	On track – with minimal risks/issues

	development of the 2024 – 28 strategic plan and investment process to ensure continuity and sustainability of the work completed to date through the Disability Plan.		
Monitor the investment made to and connection with Parafeds or similar organisations and National Disability Sport Organisations.	<p>In addition to a financial investment Sport NZ has a dedicated person to oversee and lead the relationship management with these organisations (Parafeds or similar organisations and National Disability Sport Organisations).</p> <p>Some of the highlights from the recent reporting process include:</p> <ul style="list-style-type: none"> • There has been an increase in members over the last two years, • There is still a focus on sport, but many more play and active recreation opportunities are now being provided, • They are working better with other Sport NZ initiatives such as Healthy Active Learning, • They are collaborating with other organisations and providing leadership where required to provide better participation opportunities for disabled tamariki and rangatahi. 	There are no programme changes based on disruptions to the normal workflow.	On track – with minimal risks/issues
Work with recipients of Disability Inclusion Fund investment to assist them to activate their project and monitor progress.	Sport NZ continues to have regular contact with the recipients of the Disability & Inclusion Fund. Sport NZ hosted a two-day meeting for the projects' leads in March, and the recipients meet online on a regular basis.	Due to the bad weather that effected Auckland in February, we had to cancel the two-day meeting of recipients of the Disability Inclusion Fund on the Friday	On track – with minimal risks/issues

	<p>Some highlights from the recent reporting process for Disability Inclusion Fund recipients include:</p> <ul style="list-style-type: none"> • Aktive have delivered staff training which has led to increases in opportunities for disabled tamariki and rangatahi such as more Tū Manawa Aotearoa Fund being invested into projects supporting disabled tamariki and rangatahi, • Increase in the number of disabled athletes competing at the NZ Secondary School Athletic Championships and the NZ Track and Field Championships, • Boccia NZ have developed and distributed 30 Inclusive Boccia Kits around the motu to make it easier for people to participate in the sport of boccia, • Golf NZ have three All Abilities Learning Centres established and there are 20 new participants playing regularly, • By having a staff member in the Far North, half of the Parafed Northland team that competed at the Halberg Games were from the Far North, • One impact of advocacy from Recreation Aotearoa is that Waka Kotahi is advocating against the use of barriers and access control gates in their latest guidelines, • Sense Rugby has started to deliver their programme in three new regions. 	<p>before it was planned to start on the Monday and reschedule it for March.</p>	
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<p>Planning for the Ko au, ko koe, ko tātou Disability Hui Collaborating for Impact (September 2023).</p>	<p>This year the purpose of the hui is to create an environment for connecting, sharing knowledge and exploring collaborative actions which is moving on from last year where the purpose was joining together as one. Using the feedback from last year we are aiming to introduce more voices from disabled tamariki and rangatahi, have a focus on participation and ensure we have topics covering all types of impairments. We have contracted Red Nicholson from the D-List as the MC.</p>	<p>There are no programme changes based on disruptions to the normal workflow.</p>	<p>On track – with minimal risks/issues</p>
<p>Narrative</p>			
<p>The first six months of 2023 has progressed very well. The highlights over this period were:</p> <ul style="list-style-type: none"> • How the Sport NZ staff, programmes, initiatives and partners are catering for the needs of disabled tamariki and rangatahi to enable them to participate in quality and equitable play, active recreation and sport of their choice, • Holding ISAPA 2023 in New Zealand for the first time, • Having over 110 New Zealanders attend ISAPA 2023 and for Sport NZ to support this through: <ul style="list-style-type: none"> ○ 21 people attending through a Sport NZ Scholarship, ○ Eight Sport NZ staff attending and ○ Using other methods to ensure further people who work in the sector were able to attend, • The two virtual connects focused on sport and active recreation were held which were a way for the sector to connect. The recording and PowerPoint were sent out afterward so that people who were unable to join were able to see them, • The impact that the investment into Parafeds and similar organisations, National Disability Sports Organisations and recipients of the Disability Inclusion Fund is having on the participation opportunities for disabled tamariki and rangatahi. • Through partnership investment and direct investments Sport NZ invests into the Halberg Foundation, Paralympics NZ, Special Olympics NZ and regional and national disability sport organisations to improve 			

confidence, knowledge and understanding of the inclusion of disabled tamariki and rangatahi, within the play, active recreation and sport sector, especially working with coaches and teachers.

Risks/Issues that are impacting or may impact progress and mitigations

At present there are no risks, issues or delays that are impacting on the delivery of the Sport NZ Disability Plan. When looking into the future we need to ensure that we maintain momentum especially in investment. We are now working to ensure the needs of disabled tamariki and rangatahi are a priority in the next phase of the Sport NZ strategic plan Everybody Active 2024 – 2028.

Impacts on inequities

The delivery of the Sport NZ Disability Plan is designed to reduce inequities and support disabled tamariki and rangatahi to have access to quality and equitable play, active recreation and sport participation opportunities of their choice.

Choice is critically important in reducing inequalities for disabled tamariki and rangatahi to participate in play, active recreation and sport. Choice requires Sport NZ to ensure that all components of the sector are inclusive, welcoming and able to cater for the needs of disabled tamariki and rangatahi.

Sport NZ has continued to invest into the system.

Over the past four years 162 community participation projects have received investment through the Tu Manawa Active Aotearoa Fund to reduce inequities at a community level.

Two inequities that were identified in the sector scoping project of 2020 informed the development of the Disability Inclusion Fund were the limited participation opportunities for tamariki and rangatahi with intellectual and invisible impairments and the limited inclusionary practices by organisations. Through the Disability Inclusion Fund, we have invested into projects specifically to reduce those inequities.

Programme changes based on disruptions to the normal workflow.

Nothing to report.

Next Steps

Continue:

- Working with Sport NZ staff, programmes, initiatives, partners and across government to promote the value of play, active recreation and sport for disabled tamariki and rangatahi,

- Monitoring the investment into Parafeds and similar organisations and National Disability Sport Organisations and providing them with a connection to Sport NZ to assist them to provide better services to disabled tamariki and rangatahi,
- Working with recipients of the Disability Inclusion Fund investment to assist them with their projects and in monitoring their progress,
- Influencing the development of the Sport NZ strategic Plan, Everybody Active 2024 – 2028 to ensure the participation of disabled tamariki and rangatahi continues to be a priority.
- Hosting the 2023 Ko au, ko koe, ko tātou Disability Hui Collaborating for Impact
- Hosting virtual connects for the sector.
- Developing and releasing a Disability Plan progress report to understand and showcase the impact the plan is having against its outcomes.

Outcome Four - Rights Protection and Justice

Implementation of Safeguarding Responses for Disabled and vulnerable adults Te Aorerekura Action 28 - DAP Reporting

Name of Agency	Whaikaha - Ministry of Disabled People
Name of Work Programme	Implementation of Safeguarding Responses for Disabled and vulnerable adults Te Aorerekura Action 28
Overall Status	On track
Programme Summary	<p>To implement a safeguarding approach that protects and promotes disabled people’s rights, culture, identity, and wellbeing; prevents and responds to violence, abuse, and neglect; and is aligned with Enabling Good Lives (EGL) principles.</p> <ul style="list-style-type: none"> • Provide a roadmap for implementing the safeguarding Framework that is clear and achievable. • Improve our established quality and monitoring mechanisms and processes so we prevent further abuse from occurring. • Develop and implement a Safeguarding approach that puts into practice the EGL approach and Te Tiriti o Waitangi articles. • Establish as a priority a community-led Disability Abuse Prevention and Response team to implement a cross agency twin-track approach in Waitemata, and to begin to provide national coverage for people using Needs Assessment and Service Coordination (NASC).

<p>Alignment</p>	<p>Aligns with Te Puna Aonui Te Aorerekura Action 28 as part of the wider Strategy.</p> <p>Alignment with DAP</p> <ul style="list-style-type: none"> • Outcome 4: Rights Protection and Justice 'Our rights are protected, we feel safe, understood, and are treated fairly and equitably by the justice system'. • Outcome Seven: Choice and Control 'We have choice and control over our lives' (The New Zealand Disability Strategy 2016 – 2026). <p>United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) Alignment</p> <ul style="list-style-type: none"> • Equality and non-discrimination (art. 5): <ul style="list-style-type: none"> ○ Implementation of twin-track approach to safeguarding adults from abuse. • Accessibility (art. 9): <ul style="list-style-type: none"> ○ Twin-track approach building mainstream and tailored specialist services. • Equal recognition before the law (art. 12): <ul style="list-style-type: none"> ○ Implement a nationally consistent supported decision-making framework that respects the autonomy, will and preferences of persons with disabilities. ○ Build supported decision making and mainstream capacity including influencing the justice system. • Freedom from exploitation, violence, and abuse (art. 16): <ul style="list-style-type: none"> ○ Develop measures to address the high rates of violence experienced by persons with disabilities and to combat all forms of gender-based violence for inclusion within Outcome 4 of the New Zealand Disability Strategy; Programme specifically responds to violence and abuse and encourages disclosure of previously unreported abuse. • Health (art. 25):
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	<ul style="list-style-type: none"> ○ Implement strategies to ensure fair access to health and timely health responses to adults at risk and build health service capacity and capability. 		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Note any impacts from emergency events	Status
Establish a community-led disability and family violence specialist team to implement and consolidate the Waitematā cross agency approach and to extend to one other area.	Prototype established with budget 23 funding for Waitematā Manatū Hauora. National coverage to support NASC from 22/23 funding from Whaikaha.	None	On track
Evaluation of Waitematā pilot resourced in collaboration with Te Puna Aonui.	Final draft completed - pending publication.	None	On Track
Safeguarding team in Whaikaha to establish	Panel established and referrals are	None	On Track

a specialist situations of concern panel.	being received for cross agency response.		
Wider implementation of the safeguarding framework and road map over five years.	Plan in process of being drafted.	None.	On Track
Narrative			
<ul style="list-style-type: none"> Abuse can take many forms including physical, sexual, verbal, emotional, financial, and organisational, the most recent preliminary statistics from the Waitematā pilot showcases that there is a wide range of agencies and disciplines involved in the safeguarding intervention, and a collaborative approach is the only appropriate response. At this stage all the work is done with little guidelines, policies or agreed ethical frameworks between all agencies involved. This is the challenge a twin-track approach needs to address. <p>Other findings include:</p> <ul style="list-style-type: none"> Legislation and funding streams are hard to distinguish when considering that disabled people may be at risk for a variety of concurrent reasons and diagnoses. Successful Budget 23 bid with Te Puna Aonui. Whaikaha is the fundholder. A specialist cross-agency team has been established to respond to adults at risk. The team will work to consolidate the Waitematā project and provide national coverage. This is a prototype which will have in-built developmental evaluation to ensure the response is working and appropriate. The wider safeguarding framework implementation roadmap to ensure the rights of disabled people are upheld will continue to be developed. The prototype represents one phase of implementation for adults at risk to be trialled and evaluated over four years. 			

Documented evidence is as follows:

What we have heard from the settings as documented in the evaluation report of the Waitamatā Pilot:

- Settings and expert stakeholders have been very responsive and fully participated in the process. This reflects the value of work occurring and the perceived need for a proper safeguarding process.
- Settings expressed the benefit of participating in the current work and see the value of dedicating time and resources to developing a proper safeguarding process.
- Settings also expressed their commitment to the integrated community response through the Safeguarding Adults Response Group and are keen to see a well-resourced coordinated response.
- Overall, people want continued funding into safeguarding so that the work they have started can continue to receive expert support and be embedded into business as usual.

Learnings:

- Recognise and address ableism, racism and systems that discriminate against tāngata whaikaha Māori and whānau whaikaha Māori, Deaf people, disabled people, adults at risk, and families.
- The Safeguarding Adults from Abuse (SAFA) response and safeguarding framework needs to be integrated into both Te Whatu Ora - Health New Zealand and Te aka whai ora - Māori Health Authority.
- Importance of kāwanatanga and building and strengthening relationships between disabled people, their whānau and community to grow the SAFA integrated community led response and further develop the twin-track approach.

System level considerations:

- Continue engaging with, Māori leadership, whaikaha Māori and whānau to understand and enhance the Framework to reflect a kaupapa Māori approach to safeguarding. The future of the Safeguarding Framework needs to be “Māori focused with a whānau centric, Māori-led model.” This will be supported by the engagement work being undertaken by Whaikaha - Ministry of Disabled People.

- Continue building a Family Violence (FV) and Sexual Violence (SV) system that recognises Deaf people, tāngata whaikaha and disabled communities and who an adult at risk (across the lifespan) is, and how to safeguard people’s rights.
- Continue engaging with Māori leadership, tāngata whaikaha Māori and whānau to understand and enhance the Framework to reflect a Kaupapa Māori approach to safeguarding.
- The future of the Safeguarding Framework needs to be “Māori focused with a whānau centric, Māori-led model.” This will be supported by the engagement work being undertaken by Whaikaha, the Ministry of Disabled People.
- Shifting ableist mindsets takes time, so continued work to action Te Aorerekura through raising public awareness of systemic discrimination towards disabled people, Deaf people, and tāngata whaikaha Māori is important for mobilising communities.
- Provide ongoing funding to the project team in the Waitematā to continue working with organisations through the twin-track Programme. Feedback from organisations taking part in this programme is positive and beginning to grow workforce capability about preventing violence against tāngata whaikaha Māori and whānau whaikaha Māori, Deaf people, disabled people and families, and safeguarding adults from abuse. This would allow the project team to continue to fund a phone line and additional SAFA Coordinator roles full time to respond to abuse and provide training and education on EGL, the approach/principles and safeguarding adults from abuse.
- Scope opportunities to include the Safeguarding Framework into the education curriculum and professional development of a range of roles i.e., including social workers, health, police, Oranga Tamariki, FV and SV services and disability and aged care providers. This would support the vision of Te Aorerekura to build the capacity of the workforces across various settings to prevent and respond to violence, abuse and neglect against disabled people and adults at risk.

Key considerations: Strengthening SAFA

Considerations for the project team

- Ensure the system enables feedback loops so that SAFA referrals are being delivered as intended through each organisation's own processes and accountability. This will support organisations to continue referring and being a part of the SAFA multi-agency response, as they will be able to better understand the value of making a referral.
- Continue to build cross agency connection and interventions through the SAFA forums and SAFA response groups. Organisations value the opportunity to assess risk, plan, and identify a pathway for cases.
- Continue to develop and use regular data collection to inform the system shift needed to be responsive. This is important for reflecting the level of need, and the challenges of responding to this need within the current FV and SV system.
- Continue to work with the Disability Advisory Group to ensure that advocacy for the twin-track response continues, and that changes reduce the harm, FV and SV, abuse and neglect experienced by tāngata whaikaha Māori, Deaf people, disabled people, and adults at risk in Aotearoa.
- Action the intention to include more Kaupapa Māori organisations in the multi-agency response. This will support the growth of a holistic and culturally responsive approach.

Engagement with the wider disability community

This work has been overseen by a specialist disability advisory group over a period of 16 years. That remains in place. Also involved were the Insights Alliance (tripartite group working with Whaikaha) NEGL and Te ao Marama Aotearoa (TAMA)

A disability advisory group and a national disability reference group established by Te Puna Aonui remain with oversight. A tripartite strategic oversight partnership led by disabled people and tangata Whaikaha Māori is being established in the first quarter of next calendar year.

Key Gaps

- System, legislation guidelines and multi-agency procedures are required - It was clear that unless agencies worked together to respond to abuse in a consistent way will always be adults at risk. Filling this gap is a priority for the Disability Abuse Prevention and Response team alongside Whaikaha and Te Puna Aonui
- Accessible and suitable emergency respite care options - this is recognition that there are few options for disabled people to escape abuse and violence. The MSD accessibility FVSV budget has been tagged to address this and to at least make a small number of refuges accessible.

Accountability and pathways for capacity assessments - at present there are very few easy pathways to ensure a person's rights are upheld within the system. Skills in capacity testing where a person appears to be consenting to abuse are lacking leading to often enduring coercion by a family member of a person who depends on that family member for support for life. Skilled and rights-based capacity assessments are needed alongside supported decision making.

Accountability for Enduring Power of Attorney (EPOA) - – there are examples where and EPOA have been enacted without apparent good reason or a supported decision-making process having taken place. This can lead to a situation where a person's voice is not heard.

Funding available to address care and support needs not based on and dependent on diagnosis - eligibility for disability support services needs review to include people not covered under current rules. Many people who participated in the evaluation had identifiable disability support needs but were not covered under eligibility rules. Work on the disability systems bill is underway.

- Legal framework for adult abuse and adult safeguarding - older people and children have legal frameworks and systems to protect them. A legal framework that explicitly protects people across the life span is needed to give the police and the justice system the ability to act where there is a serious threat to life. There are many examples at present where this does not happen as the bar of evidence required is so high and "after the fact) it is hoped the Royal Commission report will give a mandate to develop appropriate legislation.

- Transition into adulthood – EGL principle ‘Beginning Early’ - It has been found that the transition to adulthood is often a time where young people are at greater risk of harm. This is particularly true of those who have been under Oranga Tamariki in their earlier life. Working closely with OT to identify young adults at risk in transition is a key deliverable in the Action 28 work plan.
- System response to harm and understanding of vulnerability and definition of significant harm.

Budget 23 has enabled the consolidation of this cross-agency model and phase one of implementation will occur from July 1, 2023

This means integration of the Family Violence and Safeguarding Adults from Abuse (SAFA) work through the establishment of a specialist team Disability Abuse Prevention and Response (DAPAR) and a plan for the extension to one other locality within two years. The team will also provide national coverage to support NASCs to develop policies and processes to ensure early identification of any possible risks and to respond in a timely way to urgent situations of concern.

Risks/Issues that are impacting or may impact progress and mitigations

The Disability Abuse prevention and Response team becomes overwhelmed by the volume of referrals as people become more aware of potential and actual situations of concern.

The wording of action 28 is ‘Implementing Safeguarding responses for disabled and vulnerable adults’. This is a huge scope. The responsibility for adults considered vulnerable implies all vulnerable adults come under Whaikaha. We are seeking a wording change to narrow the scope to ‘Implementing responses to respond to and protect the rights of disabled adults at risk’. The new Te Puna Aonui action plan will reduce number of actions and will address intersectionality to avoid inappropriate labelling of disabled people from a deficit perspective.

Impacts on inequities

Impacts on disabled people, tāngata whaikaha Māori and Pacific disabled people may remain at the same level should this programme become overwhelmed. Support from Te Whatu Ora is critical to provision of national

coverage, and this is slow to achieve due to restructure. Disabled people / tāngata whaikaha Māori are systemically and specifically vulnerable to abuse by people they know, and by those who provide care for them (Hague et al 2008).

Programme changes based on national emergencies

The impact of floods in the northern regions have increased the number of referrals for people experiencing family violence. Ongoing impacts are that there remains greater risk of abuse for disabled people. The new Disability Abuse Prevention and Response team will be under significant pressure to support agencies and people who have been affected. Mitigation plans are in place. We have taken a phased approach to give time for us to develop systems across Whaikaha and with our specialist team. The aim is to eventually open the door to community to refer directly to DAPAR. Mitigations during the early phase includes initial identification of risk Priority one being at risk of serious abuse or death. Priority two and three involve assessed lower levels of risk and initiatives are put in place to ensure people have a network of support or other types of funding assistance while awaiting an integrated response. EGL kaituhono are being brought in alongside trained social workers in family violence,

Next Steps

Please note the word “vulnerable adults” comes straight from the crimes act and the wording of Action 28. We cannot change the wording of the action yet or the wording in the crimes act but we consistently use the term working with adults at risk across the lifespan in our practice. We are seeking to change the word in future actions to adults at risk.

1. Completion of a safeguarding implementation plan phased over four years with identified priorities.
2. Possible release of contingency funding to facilitate a transformed system will enable implementation of the full safeguarding framework.
3. To build on developmental evaluation of the DAPAR prototype established and to act on learning to improve cross system responses.

4. To work closely with Te Whatu Ora to influence greater coverage of specialist clinical support across each region.
5. To begin implementation of all key learnings from the evaluation as part of the consolidated model in Waitematā and nationally. To ensure this evidence is built into the wider safeguarding framework implementation plan.

Ara Poutama Aotearoa Department of Corrections - DAP Reporting

Name of Agency	Ara Poutama Aotearoa Department of Corrections (Corrections)
Name of Work Programme	Disability Action Plan Implementation Work Programme
Overall Status	On track - with minimal risks/issues
Programme Summary	<p>In February 2023, Corrections launched its first Disability Action Plan 2023 – 2027. The plan was created with input and insights from tāngata whaikaha Māori, disabled people, whānau, Corrections staff, and from across the wider disability sector.</p> <p>The Disability Action Plan (DAP) represents a shift in thinking that emphasises independence and operates from a strengths-based approach while setting the strategic direction for achieving oranga with tāngata whaikaha Māori and disabled people in prison. The immediate and short-term actions outlined in the plan represent Corrections’ response to supporting the wellbeing, goals, and aspirations of tāngata whaikaha Māori and disabled people in prison.</p> <p>The New Zealand Disability Action Plan 2019 - 2023 includes a joint segregation and restraint action for Corrections and Manatū Hauora and each agency reports separately.</p>
Alignment	<p>This programme aligns with Outcome 4 (Rights protection and justice) of the NZ Disability Strategy 2016 – 2026, which focuses on protecting rights and ensuring people feel safe, understood, and are treated fairly and equitably by the justice system. This programme contributes to Outcome five (Accessibility) of the NZ Disability Strategy, which focusses on ensuring the accessibility of places, services and information with ease and dignity. The</p>

	<p>New Zealand Disability Action Plan 2019 – 2023 Health and Wellbeing action speaks to Corrections’ commitment to reduce the use of seclusion and restraint.</p> <p>The programme objectives also align with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) by:</p> <ul style="list-style-type: none"> • ensuring there are sufficient resources to lead the development of supported decision-making (article 12) • improving data collection to ensure information about the justice sector is fully accessible, providing training on accessibility within the sector (article 13) • acting around the use of solitary confinement, seclusion, physical and chemical restraints and other restrictive practices in places of detention (Concluding Observation 30, accepted with modifications, noting Corrections as a supporting agency) • collecting appraisal information, including statistical and research data, to enable policy development to give effect to the Convention (article 31). 		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
Launch the Ara Poutama Aotearoa Disability Action Plan 2023 - 2027 in February 2023.	In February 2023, Corrections launched its first <u>Disability Action Plan 2023 – 2027</u> .	Nil	Complete

<p>Corrections DAP Immediate Action - Include the Washington Group Short Set (WGSS) of Questions in all remaining health assessments (Two-yearly health assessment and older persons health assessment) by the end of 2023/early 2024.</p>	<p>In June 2023, Corrections implemented the WGSS into the 2 yearly health assessment tool. Scoping work for integrating the WGSS into the older persons health assessment has begun, this work remains on track for completion within the next reporting period.</p>	<p>Nil</p>	<p>On track - with minimal risks/issues</p>
<p>Corrections DAP Immediate Action - Form a Disability Advisory Group to oversee the successful implementation of the Disability Action Plan by the end of 2023/early 2024.</p>	<p>During the reporting period Corrections undertook several internal workshops to scope the structure and function of this group. There will external and internal representation including disabled people. This work remains on track for completion within the next reporting period.</p>	<p>Nil</p>	<p>On track - with minimal risks/issues</p>

<p>Corrections DAP Immediate Action - Develop and make available Te Reo, Easy Read, large print, Audio, Braille ready and New Zealand Sign Language versions of Ara Poutama Aotearoa Disability Action Plan by the end of 2023.</p>	<p>During the reporting period Corrections engaged with the all-of-government providers and their partner agencies to begin the commissioning process for alternate and accessible formats of the DAP. This work remains on track for completion within the next reporting period.</p>	<p>Nil</p>	<p>On track - with minimal risks/issues</p>
<p>Corrections DAP Immediate Action - Trial a model using a qualified social worker or similar role, such as, a social support co-ordinator for disability and older people by the end of 2023/early 2024.</p>	<p>In late June 2023, Health Services began to actively recruit four Social Worker Disability and Older Persons roles. This action remains on track for completion within the next reporting period.</p>	<p>Nil</p>	<p>On track - with minimal risks/issues</p>
<p>NZ DAP Health and Wellbeing Action -</p>	<p>Corrections is continuing to improve practice around the use of segregation and restraint. <u>Its</u></p>	<p>Nil</p>	<p>On track - with minimal risks/issues</p>

Reduce the use of seclusion and restraint	<p><u>Office of the Inspectorate released its thematic report into separation and isolation in June 2023.</u> In response, Corrections has accepted all recommendations in the report and implemented a dedicated work programme to drive a strategic approach to achieving change to the use of segregation and restraint in prisons.</p>		
Narrative			
<p>In February 2023, Corrections launched its first DAP 2023 – 2027. The plan sets the direction for achieving (1) Equitable access and choices, (2) Mana enhancing practice for all tāngata whaikaha Māori and disabled people, and (3) tāngata whaikaha Māori and disabled people-led participation – “Nothing about us without us”. It establishes priority areas of action for achieving aspirations and reducing barriers that may impede tāngata whaikaha Māori, disabled people and their whānau from achieving better outcomes.</p> <p>The development of this plan saw a collaborative approach that emphasised the importance of bringing key stakeholders and partners into a co-development process of shared responses, outcomes, and solutions. This included consulting with tāngata whaikaha Māori and disabled people currently in prison, tāngata whaikaha Māori and disabled people who have recently been in prison and their whānau, Corrections staff, government agencies and the wider disability sector.</p> <p>In respect to the appropriateness of the WGSS as an ongoing measure, we note it was developed in response to article 31 of the United Nations Convention of the Rights of Persons with Disability (UNCRPD), which obliges state</p>			

parties to collect appraisal information, including statistical and research data, to enable them to develop policies to give effect to the Convention. The concluding comments of the New Zealand examination on the UNCRPD indicated the need for New Zealand to develop improved disability data. Corrections uses the WGSS to identify individuals who are at greater risk than the general population of experiencing restricted social participation because of difficulties undertaking basic activities. The WGSS is used alongside information gathered from more informal sources about the experiences of disabled people to inform policy development and service planning. In addition, Corrections Disability Action Plan acknowledges that the WGSS may be replaced in time by an improved screening mechanism or a more sophisticated process that would be designed specifically for Aotearoa circumstances’.

Regarding reducing the use of seclusion and restraint, the use of tie down beds has not been permitted since a change to Corrections Regulations in December 2019. Corrections does not use chemical restraint. The use of segregation and some physical restraints are important tools for ensuring the safety of prisons. It would not be feasible to eliminate the use of these tools entirely. According to the Corrections Act (2004), segregation is a direction, initially given by the Prisoner Director, to restrict or deny a prisoner’s opportunity to associate with other prisoners for the purposes of security, good order, safety, protective custody, or medical oversight. Corrections uses segregation when required and in accordance with the Corrections Act (2004) and Corrections Prison Operations Manual. When the Prison Director is considering an application for segregation, they must decide and justify based on the facts, which legislative provision the prisoner is to be segregated under. They must not automatically restrict or deny the prisoner’s association with other prisoners. The direction must clearly state the reason and how the selected association status mitigates the risk the prisoner presents. Prisoners can also request voluntary segregation or Voluntary Protective Custody. All prisoners are eligible to request this and will be assessed by Corrections Officers, with the final decision made by the Prison Director. Physical restraints are only used when reasonably necessary for safety reasons, and staff aim to engage in de-escalation and tactical communication before resorting to force or physical restraint.

Risks/Issues that are impacting or may impact progress and mitigations

If Corrections do not have dedicated resources to establish, and deliver against, an implementation plan for the Disability Action Plan then there is a risk that Corrections will not meet our responsibilities and commitments to tāngata whaikaha Māori and disabled people and their whānau. To mitigate this risk and support the successful implementation of its Disability Action Plan, Corrections' Health Services established a new role, Lead Adviser Disability. Recruitment of this position was completed in May 2023, this role is responsible for leading the implementation and delivery of the Disability Action Plan for Corrections and to work closely with the disability sector and other Government agencies to ensure Corrections are up to date with disability planning, outcomes, and goals.

Impacts on inequities

In prison, high-quality health and disability support services are critical in addressing inequitable health and wellbeing outcomes and in ensuring continuity of care when reintegrating back into the community. Corrections Disability Action Plan feeds into the vision that New Zealand is a non-disabling society – a place where disabled people have equal opportunity to achieve their goals and aspirations.

Data collected between 1 July 2022 and 30 June 2023 showed a total of 8912 patients completed the WGSS. 25 percent identified as having at least one functional impairment, compared to 24 percent of the total New Zealand population (Statistics New Zealand's 2013 Disability Survey), and 50 percent of this number identified as Māori, 8 percent as Pasifika, and 42 percent as non-Māori non-Pasifika. Māori are also disproportionately represented in the Corrections system, with 52 percent of the total prison population identifying as Māori, addressing the over-representation of Māori is a key part of Corrections organisational strategy Hōkai Rangī: Ara Poutama Aotearoa Strategy 2019-2024.

The DAP outlines six focus areas which seek to enable equitable access and outcomes for tāngata whaikaha Māori/disabled people in prison. The focus areas are guided by what Corrections heard during the consultation process, and include:

- National Leadership
- Using Evidence to Make a Difference
- Responding to Disability Support Needs
- Developing the Workforce
- Research and Evaluation
- Working with tāngata whaikaha and their whānau

Focusing on these strategic focus areas will result in outcomes that support and empower tāngata whaikaha Māori and disabled people in prison to live better lives, enable equitable access and choices and engage in mana enhancing practice for all tāngata whaikaha Māori and disabled people. The voices of disabled people were essential during the development of the Disability Action Plan, and they remain critical to its successful implementation. These outcomes will be measured through achievement of the actions and through feedback and engagement with tāngata whaikaha Māori and disabled people.

Programme changes based on disruptions to the normal workflow

Nil

Next Steps

Corrections are working to implement the remaining Disability Action Plan immediate actions for 2023/2024 and working on prioritising the short-term actions identified from 2024 through to 2027.

Immediate actions to implemented by end of 2023/early 2024:

- Include the WGSS in the Older Persons Health Assessment

- Form a Disability Advisory Group to oversee the successful implementation of the Disability Action Plan
- Develop and make available Te Reo, Easy Read, large print, Audio, Braille ready and New Zealand Sign Language versions of the Ara Poutama Aotearoa Disability Action Plan
- Trial a model using a qualified social worker or similar role, such as, a social support co-ordinator for disability and older people.

Segregation and restraint:

- Continue the implementation of a dedicated work programme to drive a strategic approach to achieving change to the use of segregation and restraint in prisons.

Ministry of Justice Work Programme – DAP Reporting

Name of Agency	Ministry of Justice
Name of Work Programme	New Zealand Crime & Victims Survey
Overall Status	On Track with Minimal Risks/Issues
Programme Summary	<p>The New Zealand Crime and Victims Survey provides detailed insights and analysis of crime and victimisation in New Zealand. It contains mostly descriptive statistics and does not include analysis of relationships between variables.</p> <p>The New Zealand Crime and Victims Survey is the most comprehensive source of data on adult (aged 15 and older) victims of crime in Aotearoa New Zealand. Without the survey there would be little reliable information on New Zealanders’ experiences with crime because not all crime is reported to police. The results from the survey cycles help government agencies to create safer neighbourhoods and communities. More information regarding how the survey is carried out, and the results of the survey, are included at the following link, New Zealand Crime & Victims Survey (NZCVS) New Zealand Ministry of Justice.</p> <p>The Office for Disability Issues has outlined key findings relating to disabled people from the New Zealand Crime and Victims Survey Cycle 5 report, which can be read at, Data on disabled people from the latest NZ Crime and Victims Survey - Office for Disability Issues (odi.govt.nz).</p>
Alignment	The New Zealand Crime and Victims Survey strengthens the intersectional collection and analysis of data about disabled people at risk of violence to accurately record, monitor, and

	<p>provide insights to decision-makers on how to reduce violence towards those at risk. This work aligns with the New Zealand Disability Strategy, Outcome 4 – Rights, Protection and Justice, ‘our rights are protected; we feel safe, understood and are treated fairly and equitably by the justice system’. Starting in Cycle 4, the survey now also produces annual statistics on disabled peoples’ perceptions of safety (including retrospective statistics going back to Cycle 1). These new statistics also align with Outcome 4 of the New Zealand Disability Strategy.</p> <p>This programme of work also aligns with paragraph 14(b) of the UN’s concluding observations, from New Zealand’s second examination by the United Nations Committee on the rights of Persons with Disabilities, August 2022. By strengthening measures for close consultation and active participation in the development and delivery of awareness raising programmes. By reporting on disabled people’s experiences, the New Zealand Crime and Victims Survey raises awareness of the experiences disabled people face as victims. It also aligns with paragraph 32(b) by developing measures which can inform policy to address the high rates of violence experienced by disabled people.</p>		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to progress	Status of Actions
Release Cycle 5 reports	The Cycle 5 reports and data tables were released on the Ministry of Justice website 28 June 2023.	Nil	Complete

Preliminary data collection for Cycle 6	From mid-November 2022, the Ministry began data collection for the 6 th cycle of the New Zealand Crime and Victims Survey which will run until October 2023.	Nil	On track – with minimal risks/issues
Initiate mixed methods research on disability	Since January 2023, the Ministry has begun stakeholder engagement with representatives from across the disability sector and within government. Drafted a research proposal and begun quantitative analysis in the Integrated Data Infrastructure (IDI).	Nil	On track – with minimal risks/issues
Narrative			
<p>In comparison with previous reports the survey findings from the Cycle 4 report and data tables were improved to provide more detailed statistics about the experiences of disabled people in New Zealand by combining the samples from the last four cycles of the survey. Specifically, the Cycle 4 report was able to produce more statistics on specific types of offences experienced by disabled people (i.e., family and sexual violence) and the frequency of offences experienced by disabled people (i.e., repeat victimisation). For the first time this report also provided two-dimensional victimisation analysis looking at the intersection of disability with other key demographics including sex, age, ethnicity, and sexual identity. There was also an expansion of analyses and reporting on perceptions of safety, including disabled peoples' perceptions of safety. These new in-depth and intersectional analyses were continued in Cycle 5 and are available in the Cycle 5 data tables.</p> <p>In Budget 22, funds were allocated to initiate some mixed methods research that would expand upon the findings of the New Zealand Crime and Victims Survey. One of these projects will be a mixed methods project examining the victimisation experiences of disabled people. Substantial stakeholder engagement with</p>			

representatives from across the disability sector and within government have informed the research proposal. The Ministry is now in the process of contracting Kaitiaki Research to refine the methods and conduct this research. The Ministry anticipates a final report will be ready for publication in March 2024.

Risks/Issues that are impacting or may impact progress and mitigations

The New Zealand Crime and Victims Survey does not cover adults living outside of residential housing, such as aged-care facilities. More research is needed to gauge the scale of sexual violence against vulnerable people in these contexts, including older people and disabled people.

Impacts on inequities

The New Zealand Crime and Victims Survey helps inform decision makers of New Zealanders' experiences and perceptions of crime. The statistics produced by the survey are used widely across government agencies to demonstrate the inequities in victimisation experienced by disabled people. From Cycle 4 onwards the survey expanded on this by looking at inequities for disabled people on a two-dimensional level, that is, the intersection of disability with sex, age, ethnicity, sexual identity, and other personal/household demographics.

Programme changes based on disruptions to the normal workflow

The 2022 Omicron outbreak had a noticeable impact on respondent behaviour and impacted the final sample size and response rate for cycle 5, all impacts were fully documented in the cycle 5 reports.

Next Steps

The New Zealand Crime and Victims Survey Cycle 6 Annual Report is scheduled to be published in May 2024 and the mixed methods research is scheduled to be published in March 2024.

Name of Agency	Ministry of Justice
Name of Work Programme	Sexual Violence Legislation Act 2021
Overall Status	On track – with minimal risks/issues
Programme Summary	The Sexual Violence Legislation Act 2021 received Royal assent on 20 December 2021. Some of the changes required a longer lead-in time and came into force on 21 December 2022. The Sexual Violence Legislation Act amended evidence law and court procedures to reduce the re-traumatisation that complainants of sexual violence experience in the trial process, while maintaining fundamental fair trial rights for defendants. The Act aims to provide all necessary witnesses (including defendants, and whether in sexual cases or otherwise) with communication assistance when giving evidence. Sexual violence complainants will be automatically entitled to give their evidence in alternative ways, for example by pre-recorded video. The Act also requires the Secretary of Justice to make reasonable efforts to ensure appropriate court facilities for sexual violence victims, considering their physical and emotional comfort and safety.
Alignment	This programme aligns with Outcome 4 of the Disability Strategy – Rights protection and Justice. This outcome is focused on protecting rights and ensuring people feel safe, understood, and are treated fairly and equitably by the justice system.

Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to progress	Status of Actions
Finalise the re-written Evidence Regulations 2007.	<p>Agency consultation took place in July and November 2022. The Office for Disability Issues were consulted in both rounds and provided feedback.</p> <p>Targeted consultation occurred in November 2022 and May 2023 with the judiciary, key groups representing the legal profession and the Victims Advocacy Sector.</p> <p>The new Evidence (Video Records and Very Young Children’s Evidence) Regulations 2023 came into force on 6 July 2023. The new regulations update the regime for dealing with police video evidence of witnesses.</p>	This action has not experienced barriers.	On track – with minimal risks/issues
Narrative			
<p>Te Aorerekura (the National Strategy to Eliminate Family Violence and Sexual Violence) outlined that rates of violence against disabled people in Aotearoa New Zealand are much higher than those experienced by the rest of the population. For example, Te Aorerekura specifically notes that ‘disabled adults are 52% more likely than non-disabled adults to be sexually assaulted in their lifetime’.</p>			

The Ministry has a Family Violence and Sexual Violence Operational Improvements work programme, which aims to improve the experience of participants in court proceedings. This includes upskilling workforce capability, using data and evidence to inform service delivery, and looking at the overall District Court Operating Models for Family Violence and Sexual Violence proceedings.

One aspect of the Sexual Violence Legislation Act requires a Judge to intervene if the Judge considers a question, or the way in which it is asked, is improper, unfair, misleading, needlessly repetitive, or expressed in language that is too complicated for the witness to understand. Matters that may be taken into consideration for inappropriate questions are outlined under s 85 of the Evidence Act 2006. The Sexual Violence Legislation Act amended the Evidence Act to include the vulnerability of the witness, as well as the nature of previous questions and any cumulative impact the questioning may have on the witness.

The Sexual Violence Legislation Act also expands existing restrictions on evidence about a complainant's sex life, to cover their sexual experience with the defendant and their 'sexual disposition'. Under s 44A, an application must be made to offer evidence or ask a question about the sexual experience or sexual disposition or sexual reputation of a complainant. The application must outline persons involved in evidence/question, the question itself, scope and reasons it is claimed that the evidence meets the heightened relevance test in section 44(2) or 44AA(4).

The Sexual Violence Legislation Act will help improve the justice response to sexual violence victims by reducing the sources of unnecessary trauma in court. The Act's changes will ultimately improve the trust and confidence complainants have in the court system. These impacts will support more victims, and particularly those who distrust the justice system to come forward and seek justice.

Risks/Issues that are impacting or may impact progress and mitigations

Work to ensure courts can video record cross-examination evidence, both prior to trial and at the trial itself, is complex. The unavoidable constraints of the COVID-19 Protection Framework and supply chain challenges when procuring new technologies may add to the complexity.

Once the Act is fully implemented, it is possible that the first cases adopting some of the changes will be subject to appeals. It is expected the reforms will be embedded once those appeals are decided.

Impacts on inequities

The Act's impacts on both complainants and defendants will be reviewed once the changes have had a chance to be embedded.

Programme changes based on disruptions to the normal workflow

Not applicable.

Next Steps

Some changes, including the requirement for judges to intervene in inappropriate questioning, came into force on 21 December 2021. Other changes with more significant operational implications came into force on 21 December 2022.

Work is now focused on preparing to implement the latter changes, specifically those supporting alternative ways of giving evidence. This includes continuing to refine technological solutions for capturing, storing, sharing, and editing video evidence. Courtrooms across the country are being upgraded with video recording capability. Technology will be operational on 31 August 2023. Ministry and court employees are being trained regarding the sexual violence legislation, new recording functionality in court, and updated operational processes. The Ministry has organised seminars for lawyers to provide information and updates on the Act. Training has been provided

by Te Kura Kaiwhakawā (Institute of Judicial Studies) to judges on how the courts will operate under the new system.

Name of Agency	Ministry of Justice
Name of Work Programme	Family Court (Supporting Children in Court) Legislation Act 2021
Overall Status	On Track
Programme Summary	<p>The Family Court (Supporting Children in Court) Legislation Act received Royal assent on 16 August 2021 and comes into force no later than 16 August 2023. The Act includes requirements that children involved in care of children proceedings are given reasonable opportunities to participate in decisions affecting them, and that lawyers representing such children are suitably qualified through their training and experience. The Family Court (Supporting Children in Court) Legislation Act is one element of wider changes underway in the family justice system and aims to enhance the participation of children (including disabled children) in the decisions that affect them.</p> <p>Tools will be implemented to support the legislation, with the intention that this will promote and provide guidance, and consistent practice within Family Dispute Resolution to ensure the safety of children (including children with disabilities) who are participating in decisions about their care.</p>
Alignment	This programme aligns with Outcome 4 of the Disability Strategy - Rights, Protection and Justice, which focuses on protecting rights and ensuring people feel safe, understood, and are treated fairly and equitably by the justice system.

Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to workflow	Status of Actions
No Actions to report in this period.	No specific actions were completed in this period. All actions were completed prior to January 2023 and any future actions will not take place until after 30 th June 2023.	Nil	Not Applicable.
Narrative			
<p>This omnibus Act amends the Care of Children Act 2004 and the Family Dispute Resolution Act 2013 to assist in enhancing child wellbeing in care-of-children proceedings, both directly and by assisting parents to resolve parenting disputes.</p> <p>Implementation of the Act will enable family justice professionals to support safe and effective participation by children.</p>			
Risks/Issues that are impacting or may impact progress and mitigations			
There are minimal risks that could affect this work programme.			
Impacts on inequities			
<p>An estimated 16,000 children are the subject of Care of Children Act proceedings in the Family Court each year. The legislation responds to the Te Korowai Ture ā-Whānau Report, which found that there was a lack of child participation in the early stages of decisions about their care, reducing their influence and input, and that the benefits of participation to children and to decisions made about them are clear in the academic literature but not adequately reflected in practice. The report showed that disabled people face barriers to engaging with</p>			

family justice services. It noted that disabled children want to have a say in decisions about their care, but often could not access the support necessary for their full participation. This implementation of tools to support the legislation will help support children, including disabled children, to participate in decisions about their care.

Programme changes based on disruptions to normal workflow

Not applicable

Next Steps

The Ministry of Justice will work towards implementation. The Act comes into force in August 2023.

Changes to Family Dispute Resolution

The successful Family Dispute Resolution – Child Participation Cost Pressure Budget Initiative provides \$5.33M funding over four years to fulfil the new legislative requirement (Section 11 of the Family Dispute Resolution Act 2013) by:

- providing funding for eight Child Specialist Full Time Equivalents to expand and enhance the current Voice of Child practice within Family Dispute Resolution to protect the wellbeing of children: and
- developing a quality practice framework and supporting tools for the Child Specialists and mediators when engaging the children of parents involved with Family Dispute Resolution.

The Ministry will be actively working towards meeting the legislation throughout 2023.

Name of Agency	Ministry of Justice
Name of Work Programme	Strengthening the Family Court Initiative – Resources and Information for Care of Children
Overall Status	On track – with minimal risks/issues
Programme Summary	<p>The Resources and Information for Care of Children project aims to ensure that children, parents and whānau have the information and resources they need to understand their options (both in and out of court), make informed decisions, and confidently navigate the family justice system for care of children matters.</p> <p>Information and resources will be accessible, consistent, and clear to a wide range of people regardless of disability, literacy level, age, culture, or ethnic background.</p>
Alignment	<p>This programme aligns with Outcome 4 of the Disability Strategy – Rights protection and justice, which focuses on protecting rights and ensuring people feel safe, understood, and are treated fairly and equitably by the justice system.</p> <p>The project’s objectives also align with the Independent Monitoring Mechanism and the United Nations Convention on the Rights of Persons with Disabilities by:</p> <ul style="list-style-type: none"> • promoting the best interest of the child shall be a primary consideration in all actions concerning children with disabilities (Article 7 of the Convention). • promoting other appropriate forms of assistance and support to persons with disabilities to ensure their access to information (Article 9 of the Convention).

	<ul style="list-style-type: none"> ensuring there are sufficient resources to lead the development of supported decision-making (Article 12 of the Convention). 		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to progress	Status of Actions
Accessible formats	<p>The project is currently translating the information booklets into different languages and accessible formats.</p> <p>The Ministry has translated to the following accessible formats audio, braille, New Zealand Sign Language, and large print. The Ministry is also working on translating to Easy Read. These will be available through the new web pages in August.</p>	Nil	On track – with minimal risks/issues.
Develop a parenting order journey map	<p>The project has developed a high-level process map which helps users identify the correct processes to follow when managing parenting arrangements for children after separation.</p> <p>The project will begin work on this again in the third quarter of 2023.</p>	Nil	Off track – with minimal risks.
Website refresh	<p>The project is working with a web developer to refresh the Care of Children web pages on the Ministry’s website. The refreshed content will be easier to navigate, understand, and enable participants to understand their options (both in and out of court)</p>	Nil	On track – with minimal risks/issues.

	to make informed decisions. The plan is for the website to go live in August.		
Narrative			
<p>The project engaged with a range of stakeholders to determine what will be delivered. To understand the needs of disabled people, the project engaged with the Office for Disability Issues and member organisations of the Disabled People Organisation (DPO) Coalition.</p> <p>Information and resources will be printable, compatible with assistive technology and available in a range of formats including Easy Read, different translations, different font types, videos, and audio only. Project deliverables will also be in plain English and have a reading age of 12 and under. Design principles have been created by the project team to guide them when developing the information and resources including adhering to the Web Content Accessibility Guidelines. Each resource will be user tested with identified targeted audiences before they are published to ensure they are fit-for-purpose.</p> <p>The Ministry will be adhering to Web Content Accessibility Guidelines Level AA at a minimum standard and will aim to meet Level AAA as much as possible. The Ministry is designing with an accessibility first mind-set rather than trying to apply accessible features retrospectively. When designing and testing, consideration will be given to colour contrast, layout, and the information itself to ensure it is accessible to disabled and neurodiverse communities.</p>			
Risks/Issues that are impacting or may impact progress and mitigations			
Not applicable.			
Impacts on inequities			
Making resources and information accessible regardless of age, literacy level, disability, or ethnic or cultural background will ensure anyone can access the information they need, when they need it, in a way that best suits			

them. This will lead to participants being able to understand their options, make informed decisions and help them to confidently navigate the family justice system for care of children matters.

Programme changes based on disruptions to the normal workflow

Not applicable.

Next Steps

The project has onboarded a web vendor to redesign the Care of Children section of the external Ministry of Justice website. The project has also developed user stories that incorporate accessibility principles set out in the Web Content Accessibility Guidelines which the web vendor will use as they develop the new Care of Children web pages. The project will finalise the translation of the newly launched resources into different languages and accessible formats.

Name of Agency	Ministry of Justice
Name of Work Programme	Adoption Law Reform
Overall Status	On track – with minimal risks/issues
Programme Summary	The Adoption Law Reform programme involves a comprehensive review and reform of New Zealand’s adoption laws, including the Adoption Act 1955, Adoption (Intercountry) Act 1997 and Adult Adoption Information Act 1985. Reform will focus on addressing inequities within the current setting, with the intention to support disabled people, among others, to be free from discrimination during the adoption process.
Alignment	<p>This programme aligns with Outcome 4 of the Disability Strategy – Rights protection and justice, which focuses on protecting rights and ensuring people feel safe, understood, and are treated fairly and equitably by the justice system. This programme also contributes to outcome five of the Disability Strategy – Accessibility.</p> <p>This work also aligns with paragraph 46(a)-(c) in the concluding observations of the UN by addressing inequities within the current setting, ensuring that disabled parents are treated on an equal basis with other parents.</p>

Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to progress	Status of Actions
Development of final policy proposals	Final policy proposals continue to be developed.	This action has not been impacted by barriers.	On track – with minimal risks/issues
Narrative			
<p>An objective of this work is to ensure Aotearoa New Zealand meets its relevant international obligations, particularly those under the UN Convention on the Rights of the Child and the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption. This also includes international obligations under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).</p> <p>The Ministry is using feedback from previous engagements, conducted during 2022, alongside other research, to refine and finalise a package of policy proposals. Advice will be provided to the Government in due course.</p>			
Risks/Issues that are impacting or may impact progress and mitigations			
Not applicable.			
Impacts on inequities			
Aspects of New Zealand’s adoption laws have been found to be discriminatory by the Human Rights Review Tribunal based on age, sex, disability, and marital status. Section 8(1)(b) of the Adoption Act 1955 provides that a parent’s consent to an adoption may be dispensed with on the ground that the parent is indefinitely unfit			

to have care and control of the child due to physical or mental incapacity. Reform provides a positive impact on inequities by providing an opportunity to ensure adoption laws meet Aotearoa New Zealand's international human rights obligations, including the right to be free from discrimination.

Inequities that have arisen as part of historical adoption practice are being considered by the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions.

Programme changes based on disruptions to the normal workflow

Greater use of online engagements.

Next Steps

The Ministry is now finalising a package of policy proposals and will provide advice to the Government in due course. The exact timing for reform of adoption laws will depend on the length of the parliamentary process to debate and pass any reform Bill.

Name of Agency	Ministry of Justice
Name of Work Programme	<i>Young Adult List</i>
Overall Status	On Track
Programme Summary	<p>The Young Adult List is a judicially-led initiative that operates in the criminal district court for participants aged 18 to 25. The Young Adult List was first piloted in the Porirua District Court in March 2020 and is a key pillar of Te Ao Mārama, the District Court Heads of Bench vision for the District Court. The Young Adult List has expanded to Gisborne District Court (May 2022) and Hamilton District Court (June 2022).</p> <p>The goal is that all young adults and their supports, no matter what background, understand what is happening in court and feel understood by those making decisions about them.</p> <p>Young adulthood is a time of potential, when the brain’s executive functions continue to mature in response to environmental conditions. This also means it is a time of increased vulnerability, and young adults require support to navigate this developmental period well. Additionally, research shows young adults in the criminal courts are more likely than the general population to experience neurodiversity (e.g., traumatic brain injury, ADHD, dyslexia, etc.), mental health and substance abuse issues, and significant socioeconomic disparities. These unique needs and vulnerabilities mean many young adults require additional support to meaningfully participate in and understand the court process.</p> <p>Since its inception in the Porirua, Gisborne, and Hamilton District Courts, 1,295 young adults have participated in the Young Adult List Courts, as of 31 March 2023.</p>

Alignment	This programme aligns with Outcome 4 of the Disability Strategy – Rights protection and justice, which focuses on protecting rights and ensuring people feel safe, understood, and are treated fairly and equitably by the justice system. This programme also aligns with Article 13 of the Independent Monitoring Mechanism (IMM) Making Disability Rights Real Report recommendation 38(i), “increasing an understanding of ‘neurodisability’ within the justice system and developing specific cognitive and communication responses to people with neurological impairments”.		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to progress	Status of Actions
Exploring improvements to identify and respond to neurodiversity in the context of the Young Adult List Court.	A dedicated Working Group with representatives from government agencies, clinicians, and experts in the field of neurodiversity has been established. The group is currently working through a discovery phase to understand how best to identify and respond to neurodiversity in the Young Adult List.	Nil	On track
Narrative			
The Young Adult List process recognises and adjusts for cognitive impairments that may limit executive functioning. As a result, it is expected young adults can better understand what is happening and participate in the court process. The list shifts to an active solutions-focused approach and brings a multi-disciplinary support			

process into the court to support the participant. Use of plain language supports the understanding of the proceedings for participants and increased information sharing is provided to the court to ensure relevant information supports decision making. Together these elements provide a greater understanding of the participant and possible underlying drivers that may have contributed to offending, enabling the court to facilitate access to appropriate interventions and support.

The Neurodiversity Project was established in August 2022. The project seeks to improve the court's response to neurodiversity by introducing three new elements to the Young Adult List:

- Identification (identify the neurodiversity needs of young adults, relevant to their ability to understand and participate in court).
- Response (improve the universal design of court processes and the application of procedural accommodations).
- Training (deliver neurodiversity training to professionals working in the court).

Risks/Issues that are impacting or may impact progress and mitigations

Not applicable.

Impacts on inequities

The Young Adult List aims to provide a safe, effective, and fair court experience for all participants, victims and Whānau, that is responsive to neurodiversity.

Programme changes based on disruptions to the normal workflow

Not applicable.

Next Steps

The Ministry will continue to support the judiciary and work with justice sector agencies to continue the growth and expansion of the Young Adult List in the District Court. The Ministry is currently assessing the readiness of additional district courts to prepare for the growth of the Young Adult List in further sites around the country.

Name of Agency	Ministry of Justice
Name of Work Programme	<i>Foundational family violence and sexual violence training for the court-related workforce on responding safely to people affected by family violence/sexual violence.</i>
Overall Status	On track
Programme Summary	As part of the action plan for Te Aorerekura – the national strategy for the elimination of family violence and sexual violence, the Ministry of Justice has contracted a consortium of providers to develop and deliver the training for the court-related workforce on responding safely to people affected by family violence and sexual violence. One of the intended outcomes of the training is to support the workforce to understand the dynamics of family violence and sexual violence.
Alignment	<p>It supports Te Aorerekura Shift 3 towards skilled, culturally competent, and sustainable workforces and concludes the delivery of Action 15: Build court workforce capability.</p> <p>This work programme contributes to Outcome 4 of the New Zealand Disability Strategy around rights protection and justice. This means “our rights are protected; we feel safe, understood, and are treated fairly and equitably by the justice system”.</p> <p>The actions under Te Aorerekura that the Ministry is responsible for aligns with paragraphs 31 and 32 of the UN’s Concluding Observations through the consultation that the training provider engaged in with the disability sector on the development of the training.</p>

Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to progress	Status of Actions
Undertake project planning around implementing the training package.	<p>Funding was secured through Budget 2022 to build capacity to train the workforce, meaning implementation planning can begin.</p> <p>A contract was confirmed for establishment of a national training provider/supplier to deliver the training package in June 2023.</p> <p>It is anticipated that the provider/supplier will need the second half of 2023 to select, train and accredit facilitators so that training can be scheduled and delivered at District Court locations. Delivery of the Family Violence Sexual Violence Response Training is likely to begin early in 2024.</p>	Nil	On track
Narrative			
<p>Disabled people experience family violence and sexual violence in different ways and at higher rates than other groups of people. The training package aims to enhance the mana of disabled people as they go through the court process and to ensure that each person who supports court proceedings understands the dynamics and impacts of family violence and sexual violence and knows how to respond safely.</p>			
Risks/Issues that are impacting or may impact progress and mitigations			
Not applicable.			

Impacts on inequities

The training package aims to enhance the mana of disabled people as they go through the court process.

Programme changes based on disruptions to the normal workflow

The training package is being designed so that it can be facilitated via face-to-face sessions so that anticipated disclosures can be handled appropriately.

Next Steps

Procurement for a National Training Provider followed the Ministry's standard open tender request for the proposal process. Following the open tender process, Shine NZ was selected to deliver Family Violence/Sexual Violence Response Training to the court-related workforce.

In July – September 2023, the training package will be tested with two groups of the court-related work force. This will allow the Ministry to take feedback from the participants to identify any changes needed for the training package or delivery. It is anticipated that Shine NZ will need much of the second half of 2023 to select, train and accredit facilitators. National delivery of the training to court-related workforce is expected to roll out early in 2024. This will deliver on Action 15 in the Te Aorerekura Action Plan.

The Ministry is working to ensure that its approach to implementing the training takes into consideration the needs of the disability community. This will be reflected in the contract with providers who will deliver the training and evaluation of the training in future years.

Name of Agency	Ministry of Justice
Name of Work Programme	Te Ao Mārama - Enhancing Justice for All
Overall Status	On track – with minimal risk/issues
Programme Summary	<p><i>Te Ao Mārama – Enhancing Justice for All</i> is a judicially-led kaupapa that will improve the experience for all people who participate in the court system, including victims and whānau. Te Ao Mārama is a new vision for the District Court, a journey towards a more enlightened justice system, in response to repeated calls for transformative change.</p> <p>This change will be achieved by taking best practice approaches from solution-focused and therapeutic courts and integrating these across all District Courts. These best practice approaches will be supported and strengthened by government agencies and other local service providers working together with iwi and the community to enhance the support available to all who access the courts (including disabled people).</p>
Alignment	<p>This programme aligns with Outcome 4 of the Disability Strategy – Rights protection and justice, which focuses on protecting rights and ensuring people feel safe, understood, and are treated fairly and equitably by the justice system.</p> <p>The Te Ao Mārama Programme also aligns with the Independent Monitoring Mechanism and the United Nations Convention on the Rights of Persons with Disabilities by:</p> <ul style="list-style-type: none"> ensuring persons with disabilities have access to justice on an equal basis with others (Article 9 of the Convention).

	<ul style="list-style-type: none"> ensuring there are sufficient resources to lead the development of supported decision-making (Article 12 of the Convention). improving data collection to ensure information about the justice sector is fully accessible, providing training on accessibility within the sector, and increasing resources for providers such as Community Law (Article 13 of the Convention). <p>Te Ao Mārama Programme contributes to recommendation 38 of the Making Disability Rights Real Report, namely recommendations:</p> <ul style="list-style-type: none"> 38c. ensuring information about the justice sector is fully accessible, both in terms of its individual components and the various journeys that an individual may take through the justice system. 38i. increasing an understanding of 'neurodisability' within the justice system and developing specific cognitive and communication responses to people with neurological impairments. 		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to progress	Status
Establishing the Te Ao Mārama Programme.	<p>The Minister for Courts, Minister of Justice, and Minister of Finance (Joint Ministers) reviewed and approved the Te Ao Mārama business case in March 2023 and approved the drawdown of funding.</p> <p>During this reporting period, the programme is focused on establishing its core foundational documents (including disability approach),</p>	Nil	Complete

	recruiting, and onboarding the Programme Team, deepening relationships with iwi and the community, and developing implementation plans in support of the Te Ao Mārama Best Practice Framework.		
Building relationships with iwi: Kaitāia District Court.	Following the Te Ao Mārama announcement in July 2022, there have been several local engagements and hui to progress Te Ao Mārama in the Kaitāia District Court. This will inform implementation options and planning for the next steps of Te Ao Mārama in Kaitāia.	Te Ao Mārama related engagements with iwi in locations affected by Cyclone Gabrielle were revised considering regional recovery efforts. The Ministry re-engaged with Kaitāia District Court and local iwi once a 'green light' was received from iwi/ local court staff.	On track or ahead
Building relationships with iwi: Gisborne District Court.	The Ministry continues to develop its relationship with iwi in Gisborne. The Ministry continues to work towards a potential series of wānanga to understand local iwi aspirations for Te Ao Mārama. A hui took place in June 2023 with local iwi on next steps to begin design activity in the Gisborne District Court.	Te Ao Mārama related engagements with iwi in locations affected by Cyclone Gabrielle were revised considering regional recovery efforts. We	Off track – but low risks / issues

		re-engaged with Gisborne District Court and local iwi once a 'green light' was received from iwi/ local court staff.	
Building relationships with iwi: Hamilton District Court	The Ministry is working with iwi to understand where Te Ao Mārama sits with their overall strategy and local priorities. Once next steps are confirmed, the Ministry will focus on working with iwi (or a nominated service provider) to design the path forward to implementing Te Ao Mārama in the Hamilton District Court.	Nil	Off track – but low risks / issues
Narrative			
<p>The core of the Te Ao Mārama vision for the District Court is to take best practice approaches from solution-focused and therapeutic courts and integrate these across all District Courts. It also envisages government agencies and other local service providers working together with iwi and the community.</p> <p>The full suite of Te Ao Mārama Programme interventions that will be delivered are:</p> <ul style="list-style-type: none"> Expanding solution-focused and therapeutic courts best practice approaches. This will improve the court experience for defendants, victims, children and young people, parents, and whānau, and provide better information about the participants to judges to enable a solution-focused approach. The interventions in each District Court location will be tailored to the needs of the local community and within the constraints of the physical courthouse, but will likely include: 			

- Best available information to judges about participants, to enable solution-focused judging.
- Screening for addiction, neurodiversity, and mental health issues; and
- Using plain language in the courtroom.
- Iwi and community designed and delivered services. Bringing the strength of iwi and communities into the court is a key enabler for a solution-focused approach. Iwi and communities will be funded to design and deliver services for court participants (defendants, victims, children and young people, parents, and whānau).
- The services will be tailored to the specific needs of the local community, to complement and leverage existing services in those sites to avoid unnecessary duplication of effort. The design and delivery of the services will reflect local community demographics. Services will likely vary between sites because they will be tailored to the needs of the local community.
- Guidelines and training for the judiciary and court staff. Guidelines and training are critical enablers to ensure that the judiciary and court staff can effectively implement the initiatives set out above. These initiatives will include:
 - judicial guidelines to support solution-focused approaches.
 - alternative courtroom layout guidelines.
 - flexible courtroom spaces guidelines.
 - te ao Māori capability resources.
 - plain language guidelines and resources.
 - information-sharing guidelines.
 - training in tikanga and te ao Māori capability, including partnering with iwi to develop this training, and
 - training in unconscious bias and racism.

Risks/Issues that are impacting or may impact progress and mitigations
Not applicable.
Impacts on inequities
Te Ao Mārama will make it easier for participants to engage with court processes, and participants will have better access to supports and services they need, increasing trust and confidence in the justice system. It will be available for all participants who interact with the court – including defendants, victims, children and young people, parents, whānau, civil litigants, and parties to disputes.
Programme changes based on disruptions to the normal workflow
Not applicable.
Next Steps
The Ministry is working closely with its Disability Network to establish relationships with disability sector leaders and with disabled people in the design and scoping phase of Te Ao Mārama in each site. A draft Disability approach has been developed, and the Ministry consulted on it with its Disability Network, and Whaikaha. Next steps are for it to be presented to the Te Ao Mārama programmes governance groups for discussion and approval.

Name of Agency	Ministry of Justice
Name of Work Programme	Proposals against incitement of hatred and discrimination
Overall Status	On Track
Programme Summary	<p>The Government has decided to progress work on incitement of hatred and discrimination through a referral to the Law Commission, which will carry out a comprehensive review of legal responses to hate, including incitement and hate crime laws. The referral also includes consideration of protections in the Human Rights Act for transgender people, non-binary people, and people with diverse sex characteristics.</p> <p>The Law Commission will undertake an independent, thorough, and considered review to allow for a broader public debate and ensure any changes to these laws meet society's expectations and needs. The Law Commission has decided to approach the reference through in two phases – the first is on Sex, Gender, and Discrimination, and the other is on Legal Responses to Hate.</p> <p>The first project commenced on 16 January 2023 and will examine the protections in the Human Rights Act 1993 for trans-gender people, non-binary people, and people with diverse sex characteristics.</p> <p>The second project will include the examination of Aotearoa New Zealand's legal responses to hate (including hate speech and hate crime). This project will begin when resource becomes available.</p>
Alignment	This programme aligns with Outcome 4 of the Disability Strategy – Rights protection and justice, which focuses on protecting rights and ensuring people feel safe,

	understood, and are treated fairly and equitably by the justice system. The work programme also contributes to outcome three of the Disability Strategy - health and wellbeing.		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to progress	Status of Actions
Narrative			
The Government referred a review of legal responses to incitement and hate-motivated offending to the Law Commission in November 2022.			
Risks/Issues that are impacting or may impact progress and mitigations			
<p>Disabled communities are likely to be disappointed that protections against incitement for more groups of people, including disabled communities, are not being progressed immediately. The Government is conscious of the everyday discrimination and harmful speech faced by other groups, including disabled people, and committed to progressing work to provide more protection with the Law Commission’s review as the first step.</p> <p>The engagement process showed wide and varying views about changes to incitement laws. Referring this issue to the Law Commission will allow for independent consideration and wide engagement on this issue.</p>			
Impacts on inequities			
As noted in the 2021 discussion document, more groups than those based on “colour, race, or ethnic or national origins” are targeted by hateful speech, including groups based on their religion, gender, sexuality, and disability. The Law Commission will consider which other groups require protection.			

Programme changes based on disruptions to normal workflow
Not applicable.
Next Steps
The Law Commission has not yet started the review of the incitement laws due to other projects. The Ministry will provide an update following the Law Commission's review and recommendations. As a result, the Ministry of Justice will not report on this work programme in future Disability Action Plans, until a report is released by the Law Commission.

Outcome Five - Accessibility

The MSD Policy Team did not consider it appropriate to respond to the feedback provided by the DAP Review Group, their response is below. From now on, any reporting on this issue will be undertaken by Whaikaha – Ministry of Disabled People who were made responsible for this piece of work earlier in the year.

“The feedback on the DAP report (forwarded) asked for:

- the 13 changes to the Bill MSD ‘provided’
- context around the impact of the election.

We suggest that the feedback isn’t consistent with the role of MSD in the Select Committee process. The report includes a link to the Select Committee’s report which explains the amendments. On this basis, we don't think it's necessary to amend the DAP report but would consider inserting a hyperlink to the Parliament webpage that includes the MSD departmental report. <https://bills.parliament.nz/v/6/bfa7bad5-96fb-4442-a236-e1b18c63411a?Tab=sub> Regarding context of the impact of the election, we don't consider this appropriate to amend in the DAP report other than noting it within the context of a risk to be aware of.

Accelerating Accessibility - DAP Reporting

Name of Agency	Ministry of Social Development
Name of Work Programme	Accelerating Accessibility
Overall Status	On track

<p>Programme Summary</p>	<p>The policy intent of the Accessibility for New Zealanders Bill is to accelerate progress toward a fully accessible New Zealand through the identification, removal and prevention of accessibility barriers as well as growing accessibility practices. The Bill provides an enabling model to:</p> <ul style="list-style-type: none"> • Create a system for leadership, public accountability and partnership with sector and industry leaders. • Create a method for addressing systemic accessibility barriers. • Enable leadership by the voices of disabled people, tāngata whaikaha Māori, their families or whānau, and others with accessibility needs. • Take a flexible approach to different accessibility barriers and allow for different government interventions to be used. This flexibility means that it can also work alongside existing systems in New Zealand.
<p>Alignment</p>	<p>The Accelerating Accessibility work programme aligns with Outcome 5 (Accessibility) of the New Zealand Disability Strategy 2016-2026. This work programme also contributes indirectly towards all other outcome areas in the New Zealand Disability Strategy.</p> <p>This work programme aligns with Article 9 (Accessibility) of the United Nations Convention on the Rights of Persons with Disabilities. It is also relevant to concluding observations 16(b) and 16(d) from The Committee on the Rights of Persons with Disabilities’ 2022 report.</p>

Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
<p>Bill in Select Committee</p> <p>Note: MSD acted as advisors to the Select Committee. The Select Committee sought separate advice on how to increase the accessibility of its processes. Select Committee processes are determined by the Select Committee members in accordance with the Standing Orders.</p>	<p>The Bill was referred to the Social Services and Community Select Committee on 2 August 2022.</p> <p>The Select Committee continued to hear oral submissions during this reporting period.</p> <p>The Select Committee then deliberated in private and sought advice from us. It agreed (by majority) on the content of its commentary to the House of Representatives, which was presented on 22 June 2023. The commentary has been published online: Accessibility for New Zealanders Bill (selectcommittees.parliament.nz).</p>	<p>N/A</p> <p>Note: the accessibility practices of the Select Committee were considered and agreed by the Select Committee members. It would not be appropriate for MSD to speak to those.</p>	Complete

Narrative

What MSD did during the reporting period

- During this period, MSD analysed the public submissions received by the Select Committee, answered questions from the Select Committee, and provided analysis of issues raised in submissions. This culminated in our departmental report.
- Key messages of our advice were:
 - We think the Bill is a good first step.
 - The Bill isn't the only thing the government is going to do to improve accessibility.
 - We think that the Bill will lead to stronger laws (including enforceable standards) for accessibility.
 - We don't think that the regulatory model would be right for New Zealand.
 - We advised the Select Committee to make 13 changes to the Bill. Most of our recommendations were to make the Bill easier to understand.
- We also transferred this work programme to Whaikaha – see next steps.

Celebrations

- The Select Committee recommended (by majority) that the Bill be passed with several amendments.
- 523 submissions were received by the Select Committee. This shows the community interest in this issue.

What MSD learned - this includes learnings from the last reporting period that we couldn't share earlier due to the confidentiality of the Select Committee process

- We think that the extended timeframe for the Select Committee to consider the Bill was helpful.
 - This will shape MSDs advice to Ministers for future legislation directly impacting the disability community.

- We are happy to speak with other agencies about our experiences advising the Select Committee on how to make its processes accessible.
- The stories of lived experience of accessibility barriers received in the written submissions and during the oral hearings were raw and emotional.
 - The most common things people talked about were public spaces and transport, information and communication, and housing. This is consistent with what we know of the current state of accessibility in New Zealand.
 - Some submitters spoke of losing trust, being let down, and feeling like there is nowhere to go and no one to help. This was not surprising, but these stories are now part of the official record and have been heard by the Select Committee. MSD has also highlighted the tenure and importance of those stories to the Minister for Disability Issues.
 - The stories shared by submitters reiterated the importance of this work programme and the consequences of accessibility barriers.
- Most submitters would like to see enforceable standards for accessibility.
 - There is an opportunity to explain the benefits of the enabling model and why this is a good first step.
 - There was a lot of discussion of the carrot and the stick at Select Committee. The Bill creates a leadership framework that can use both. It doesn't prevent enforceable standards or signal that enforceable standards are being discouraged. Instead, the Accessibility Committee will consider each accessibility barrier and learn why that barrier continues in our existing systems and what combination of government interventions (including enforceable standards) will be most effective at removing and preventing that barrier. The Accessibility Committee's recommendations, if accepted by government, will then be implemented by the agencies responsible for that aspect of life.

Risks/Issues that are impacting or may impact progress and mitigations

The future of the Bill may be impacted by the outcome of the October 2023 general election.

Impacts on inequities

Since the proposed legislative framework aims to reduce barriers to accessibility, it will assist with addressing the challenges of inequity and disproportionate disadvantage experienced by groups of disabled people, such as tāngata whaikaha Māori, Pacific Peoples, older people, women, and children. The policy work programme arising from the legislative framework should result in proposals that have positive impacts for these groups. For example, it will support better social and economic wellbeing and outcomes as accessibility barriers are removed and accessibility practices grow. MSD's analysis on inequities is outlined in the Regulatory Impact Statement and addendum: [Accessibility for New Zealanders Bill 153-1 \(2022\), Government Bill Explanatory note – New Zealand Legislation](#)

Programme changes based on disruptions to the normal workflow

Not applicable.

Next Steps

Stewardship of the Bill transferred to Whaikaha on 22 June 2023. This means that Whaikaha will now be the agency responsible for advising the Minister for Disability Issues on this work programme and supporting the Bill through the remaining legislative steps.

Whaikaha will also take over reporting on this action. We have consulted Whaikaha on this report.

Accessible Public Information - DAP Reporting

Name of Agency	Ministry of Social Development (MSD)		
Name of Work Programme	Accessible public Information – All of Government (AOG) Alternate (Alt) Formats		
Overall Status	ON track – with minimal risks/issues		
Programme Summary	This work programme supports the translation of government information into Alternate Formats by coordinating an AOG process for Alternate Format productions and translations.		
Alignment	The work programme aligns with Outcome Five, Accessibility of the New Zealand Disability Strategy. Additionally, it aligns with and supports the intention of Papa Pounamu – the All of Government Diversity and Inclusion work programme and aligns with the intent of the proposed Accessibility for New Zealanders Bill. This work aligns with the UNCRPD Concluding Recommendations 44 (a), (b), (c) and (d) which refer to additional activities to support the <i>Freedom of expression and opinion, and access to information (art. 21)</i>		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Programme changes based on disruptions to the normal workflow	Status
Accessible public Information (Alternate Formats).	<p>The Alt Formats team continues to provide coordination of Alternate Formats (Easy Read, NZSL, Braille, Audio and Large Print) for the entire Public Sector.</p> <p>The Alt Formats team supported the NZ Census to ensure that all Alt Formats were</p>	Significant weather events during the first 6 months of 2023 impacted the number of translations required, with a large increase	On track – with minimal risks/issues

	available including with the addition of Easy Read Te Reo.	in public health related information being required to ensure the safety of the disabled community.	
Accessibility Charter & Accessible Information.	<p>The Accessibility Charter remains in place with one additional signee. Cross-agency discussions continue around how to strengthen and widen the AOG commitment to broader accessibility features.</p> <p>MSD continues to provide monthly Accessible Information Training. A new refreshed and interactive training continues to be a popular event, with approximately 40-50 people attending each training.</p>	Nil.	On track – with minimal risks/issues
Narrative			
<p>The AOG Alternate Formats team (along with providers) have worked hard to respond to the significantly increasing amount of translation work being sought. Along with increased overall demand, significant weather events including northern cyclones, flooding; and other weather events led to a large amount of emergency management and public health and safety information being required. The Alternate Formats work programme also continues to support: The Royal Commission of Inquiry into Abuse in State Care; The Waitangi Tribunal; WAI 2575; the 2023 General and Disability Census and will be supporting the 2023 Election communications.</p> <p>The Accessible Information training continues to be highly sought after and a refreshed training has seen the training becoming more interactive with attendees. Additional training is offered on an ad hoc basis to agencies with specific Alternate Format educational needs.</p> <p>The Accessibility Charter was initiated in 2018, with the current signees due to re-sign in 2023. Given widening interest in all accessibility components (information accessibility, digital and web accessibility, employment</p>			

accessibility, procurement accessibility, building accessibility, training and leadership accessibility), additional cross-agency discussion is underway as to how best to support and incorporate accessibility features within the government space. The role of Whaikaha in leading government accessibility is part of this discussion.

Risks/Issues that are impacting or may impact progress and mitigations

Emergency events are by necessity prioritised by the Alternate Formats team, especially where there is immediate public health risk to disabled people. This can frustrate other providers whose Alternate Format requests for less urgent work are summarily reduced in importance. To increase understanding within the sector around this process, a Prioritisation assessment to determine the importance and timing of requests has been developed which has mitigated much of this misunderstanding. This Prioritisation is shown below:

Prioritisation: There are 3 levels of prioritisation at first assessment, which determine translation timeframes. These are, in order of priority:

1. Risk: Direct and Immediate Public Health Risk to disabled people. For example, pandemic management, emergency management responses,
2. Impact: Direct and Immediate impact on access to rights and services for disabled people. For example, health, legal, employment or financial services, or Government inquiries.
3. Contribution: Access and contribution to civic life. For example, contributing to surveys, access to Government reports, or access.

The pool of alternate format translators available remains small, in particular within the Easy Read community. Additional funds have been provided to increase the current number of Easy Read translators; along with additional investment into the development of an Easy Read training and accreditation programme to educate and support future Easy Read translators.

Impacts on inequities

During recent weather events, disabled people again struggled to be represented in emergency management responses. The Alternate Formats programme continues to highlight the need for services to be accessible for all people and continues discussions with emergency management entities to raise awareness of the need for

accessible communication during events, especially where there is a public health risk. In the last 6 months there has been significant translation work around civil accessibility in relation to the 2023 Census and 2023 Election.

Programme changes based on disruptions to the normal workflow

The Alternate Formats team have become adept at pivoting to support increased need for Alternate Format translations, including during emergency situations. While impacts are inevitable, additional resource is being invested to support the Alternate Format service and the translators.

Next Steps

The current Alternate Formats service model which has been in place for some years is due for a refresh. Additional work will be undertaken to determine a new service model which is better able to respond to the growing demand for Alternate Formats.

Better Later Life - DAP Reporting

The Agency decided not to provide any updates to this report post review group feedback.

Name of Agency	Office for Seniors
Name of Work Programme	Better Later Life – He Oranga Kaumātua Strategy and Action Plan
Overall Status	On track – with minimal risks/issues
Programme Summary	<p>Better Later Life – He Oranga Kaumātua is the Government’s strategy for New Zealand’s ageing population led by the Office for Seniors. The strategy aims to create a better future for New Zealanders where they can lead valued, connected and fulfilling lives as they age.</p> <p>The Action Plan - He Mahere Hohenga, launched in September 2021 outlines the Government’s priorities and commitments to deliver the Better Later Life He Oranga Kaumatua strategy from 2021 to 2024.</p> <p>The three priority areas in the Action Plan He Mahere Hohenga are:</p> <ul style="list-style-type: none"> • Employment – supporting older workers to use their skills and experience, and facilitating the development of a resilient, multigenerational workforce, • Housing – providing a wide range of safe, secure, and affordable housing options that meet the needs of older people, and • Digital Inclusion: Enabling older people to embrace technology by providing support to learn digital skills and gain confidence to participate in digital technologies. Helping to

	ensure everyone can access essential services that are increasingly exclusively available online.		
Alignment	<p>There is a commitment under Better Later Life: He Oranga Kaumātua 2019 to 2034 to contribute to the implementation of the New Zealand Disability Strategy (2016 – 2026) and Disability Action Plan. We know that older disabled people experience unique challenges, older people who have a long-term disability from birth or a young age compared to older people who develop a disability later in life experience different challenges. The strategy enables us to advocate for the interests and wellbeing of older people, including disabled older people.</p> <p>There are several overlapping interests and issues between the Seniors and Disability Issues portfolio, such as increasing access to housing, employment, and increasing the health and wellbeing for all older people, including older disabled people.</p> <p>The 35 actions set out in He Mahere Hohenga are at different stages of implementation, with some advanced to a significant degree and others being scoped for further work. The actions below are likely to have greater crossover with the Disability Strategy and Action Plan.</p>		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
ACTION 13: Investigate how accessibility of public	Further meetings have been held with disabled people’s representatives. An agreement has been reached on the process for ongoing	Time taken with engagement process could result	On track

<p>buildings is addressed in the Building Code.</p>	<p>engagement and creating a formal disabled people’s advisory group as well as a less formal group of two senior’s representatives.</p> <p>Nominations have been received for the advisory group which will be formed by the Ministry of Business, Innovation and Employment (MBIE). We will continue to work closely with MBIE and disabled people’s representatives.</p>	<p>in delays to work programme decision-making.</p>	
<p>ACTION 28: Improve support for socially isolated and other vulnerable people and ACTION 29: Address the physical and social determinants of health</p>	<p>A data insights report demonstrating where compounding hardship (or multiple disadvantage) is occurring across different communities was published in early June 2023 on the Social Wellbeing Agency (SWA) and the Ministry of Social Development (MSD) websites. This work has been well received by community service providers and Government and academic stakeholders.</p> <p>Ongoing community engagement is occurring to test and socialise these initial insights which is helping to better contextualise and situate the data insights and highlight areas of potential policy focus. Work is also being done to further validate and refine the initial data analysis and</p>	<p>Nil</p>	<p>On track</p>

	<p>insights, including building the data for people aged 50-64.</p> <p>The next phase of work, currently being scoped by MSD, SWA and the Ministry of Health (MoH), will focus on further developing our understanding of the needs of this cohort including investigating how vulnerability and multiple disadvantages may lead to poor outcomes in later life. This work will inform advice to Ministers on areas of policy focus to respond to this picture of need.</p>		
<p>ACTION 35: Continue to promote the development of Age friendly Aotearoa New Zealand</p>	<p>Age friendly Emergency Management</p> <p>The Office has had an initial discussion with the National Emergency Management Agency (NEMA) to explore the development of age friendly emergency management guidance for local and regional authorities and Civil Defence organisations. The guide will encourage people to think about the health and access needs of older people including older disabled people in an emergency situation to mitigate the health and wellbeing impacts that are brought on by disasters.</p>	<p>Reconnecting with NEMA has been a challenge in the last few months following the severe weather events.</p>	<p>On track</p>

	<p>Progress on key projects:</p> <ul style="list-style-type: none"> • Research agenda for Age friendly in New Zealand. • Responding to United Nations Decade of Healthy Ageing, a meeting was held with MoH to try and progress work on the Decade. • Age friendly guidance for emergency management. • Enabled kaupapa Māori and ethnic community approaches to 'age friendly' projects. • Increased membership of our Age Friendly network for local councils to 29 communities throughout New Zealand. <p>Auckland University of Technology (AUT) have been requested to supply a literature review on Age Friendly research. The Office is working with them to complete this work.</p> <p>Received interim progress reports on age friendly projects (in May) and distributed remaining age friendly fund grants for the larger projects. Several of these projects have a Kaupapa Māori and ethnic community</p>		
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	perspective which have included intergenerational projects.		
ACTION 19: Analyse the housing needs for New Zealand's ageing population	<p>The Office for Seniors and MSD have conducted desk-based research into the current state of existing, and recently divested, Council housing, present council housing tenants, as well as those impacted by divestments.</p> <p>This report on current and former Council pensioner housing stock has been provided to the Minister for Seniors and shared informally with housing officials in MSD and Housing and Urban Development (HUD).</p>		On track
Narrative			
Older disabled people			
<p>Older adults make up an increasingly large proportion of the New Zealand population and this demographic is growing rapidly. As too will the diversity of people within this group such as an increase in the number of people living with a disability. Findings in the New Zealand Disability Survey show that one in four New Zealanders identified as disabled in 2013. This number encompasses people 65 and over who have an age-related disability, experiencing impairments as part of the ageing process, and those who have pre-existing physical impairments and are entering into later life.</p> <p>The intersectionality of age and disability exacerbates many experiences of discrimination. Older people who have experienced life-long impairments or early onset impairments are less likely than their peers to have achieved educational outcomes or been in full time employment, and less likely to have owned a house or acquired cash</p>			

assets. The wellbeing of these disabled people will be very different to other older people, which calls for consideration amongst older persons policy and within wider welfare systems.

While some of the barriers that persons with disabilities experience earlier in their lives remain the same or may be exacerbated by older age, those who gain a disability later in life may be facing those barriers for the first time, and such barriers are also compounded by age barriers.

In February this year, the Office for Seniors and MSD submitted a paper to the Law Commission Review of Adult Decision-Making Capacity highlighting that more oversight of Enduing Power of Attorney (EPOA) is needed to protect people with affected decision making, particularly disabled older people.

What is going well?

ACTION 35: Continue to promote the development of Age friendly Aotearoa New Zealand

- Developing Aotearoa New Zealand's response to the UN Decade of Healthy Ageing, including promoting the Decade across government and to academics, communities, businesses, the media, and other stakeholders.
- Increased membership for our [Age friendly Network](#) for local councils to 29 communities. We have held quarterly meetings to share knowledge, experience, and research from within New Zealand and overseas.

ACTION 21: Complete and evaluate the Digital Skills for Seniors programme

The Office for Seniors has contracted six providers to deliver digital literacy training to 5,000 more older people, reaching target groups such as older Māori, Pacific and Asian learners. Though older disabled people are not a target group for the literacy training, they would be among the participants. The training will provide participants with the skills and confidence to use digital technologies.

ACTION 1: Pilot and evaluate an approach to help older entrepreneurs establish sustainable businesses

The establishment of the Senior Enterprise Program. Five providers have been contracted from March 2023 to support a target of 80 people aged over 50 to develop the skills, confidence, and networks to start their own business in later life. The pilots have different delivery models e.g., online or in-person, are national or regionally based and some target specific groups of people such as Māori or Pacific people.

ACTION 11: Promote the uptake of shared living arrangements

To promote a wider choice of housing options for older people, the Office launched a Homeshare Pilot with Age Concern Auckland in April 2023 to support 50 older people into shared living arrangements and to help address living affordability issues. Homeshare is an agency-coordinated, shared housing option where an older homeowner accommodates another adult (aged 18+) to live with them in exchange for support around the house. The match is supported throughout by a dedicated agency. Home sharing makes it viable for people to remain in their own homes and stay connected with their community.

While older disabled people are not an identified target group for the above programs many are participants of our programs.

Risks/Issues that are impacting or may impact progress and mitigations

We anticipate minimal risks/issues to impact on delivery of the above work programmes in the next six months.

Impacts on inequities

Nil

Programme changes based on disruptions to the normal workflow.

Nil

Next Steps

We will continue to report on progress implementing the Better Later Life Action Plan as a whole, with particular reference to areas of stronger overlap with the New Zealand Disability Strategy and Disability Action Plan.

Ministry of Transport, Joint Transport Disability Action Plan - DAP Reporting

The Ministry of Transport were not able to provide any feedback during the timeframe provided.

Name of Agency	Te Manatū Waka Ministry of Transport
Name of Work Programme	Ministry of Transport component of the Joint Transport Disability Action Plan 2019-2023
Overall Status	Off track – but low risks / issues
Programme Summary	<p>The Ministry of Transport’s actions are focused on understanding how current policies and new policy developments are progressing the rights and opportunities of disabled people. These actions include undertaking a review of the Total Mobility scheme and progressing the Accessible Streets regulatory package.</p> <p>The Terms of Reference for the review of Total Mobility has been agreed by the Minister. The review is estimated to be completed in late 2024. The Accessible Streets package has been delayed as the date for Cabinet consideration is yet to be confirmed.</p>
Alignment	<p>The Joint Transport Action Plan 2019-2023 aligns with Outcome 5 of the Disability Strategy – Accessibility.</p> <p>The review of Total Mobility aligns with Article 9 (Accessibility) of the United Nations Convention of the Rights of Persons with Disabilities, which includes accessible transport: <i>To enable persons with disabilities to live independently and participate fully in all aspects of life, States parties shall take appropriate measures to ensure persons with disabilities</i></p>

access, on an equal basis with others, [...] to transportation, [...], and to other facilities and services open or provided to the public, both in urban and rural areas.

The review also aligns with the United Nations Committee on the Rights of Persons with Disabilities concluding observations on the combined second and third periodic reports of New Zealand in September 2022. Under Article 9, the Committee stated that they were concerned about “continued barriers experienced by persons with disabilities in accessing the physical environment, transportation, information and communications, including information and communications technologies and systems”.

While transport-related issues were not identified as one of the six key issues by the Independent Monitoring Mechanism (IMM), the feedback from the Disabled People’s Organisations (DPO) Coalition and disabled communities highlighted the importance of improving disabled people’s access to, and experience of, the transport system and providing them with more choices and control of their journey – access to the transport network enables safe and equitable participation in social, educational, and economic opportunities.

Te Manatū Waka is working with Waka Kotahi in a number of areas, including the Total Mobility scheme and the Accessible Streets Regulatory Package.

Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Status
<p>Review of the Total Mobility scheme – Seek approval from the Minister of Transport to approve the Terms of Reference.</p>	<p>Engagement with key stakeholders was undertaken on a draft Terms of Reference for the review of Total Mobility. These stakeholders included:</p> <ul style="list-style-type: none"> • The DPO Coalition. • The Office for Disability Issues (Whaikaha – Ministry of Disabled People). • Age Concern NZ. • Waka Kotahi NZ Transport Agency. • Public transport authorities. • Transport Special Interest Group. • Ministry of Education. • Total Mobility service operators. 	<p>Nil</p>	<p>Off track – but low risks / issues</p>

	<ul style="list-style-type: none"> • Payment service providers and existing payment technology providers. <p>Feedback from this engagement was used to finalise the Terms of Reference. This has now been agreed by the Minister of Transport.</p> <p>Cabinet announced permanent half price fares for Total Mobility services in December 2022. This is assisting with affordability issues for users of the scheme.</p>		
<p>Accessible Streets regulatory package – Seek Cabinet approval to progress the package.</p>	<p>Final advice on the package has been provided to the Minister of Transport. The next step will be Cabinet consideration, with dates yet to be confirmed.</p>	<p>There are a limited number of Cabinet meetings before the House rises and the date for Accessible Streets consideration is still to be confirmed.</p>	<p>Off track – but low risks / issues</p>
<p>Narrative</p>			
<p>Review of the Total Mobility scheme – The Terms of Reference were agreed by the Minister of Transport on 20 July 2023. The next step is for Te Manatū Waka to engage a contractor to assist with reviewing the operational components of the scheme. Te Manatū Waka will focus its part of the review on:</p> <ul style="list-style-type: none"> • The purpose of the scheme and how Total Mobility is being used 			

- Funding mechanisms, including looking into the effectiveness of the current funding mechanisms and sustainability of funding.

Accessible Streets regulatory package – Final advice on the Accessible Streets package has been provided to the Minister of Transport. The next step will be Cabinet consideration, with dates yet to be confirmed.

Risks/Issues that are impacting or may impact progress and mitigations

Review of the Total Mobility scheme – There are high expectations from some organisations and people within the disability sector that this review will be undertaken quickly. The expected completion time for the review is late 2024. Cabinet announced permanent half price fares for Total Mobility services in December 2022. This is helping to mitigate some of the affordability issues for users of Total Mobility services while the review is being undertaken. Waka Kotahi have also published research into the transport experiences of disabled people in August 2022 which will inform the review. Te Manatū Waka engaged with key stakeholders on the draft Terms of Reference for the review which included indicative timeframes. We will keep stakeholders informed of progress throughout the review process.

Accessible Streets regulatory package – the outcomes of consultation indicated diverse views on some of the proposed rule changes. Te Manatū Waka needed to undertake further work on some of the proposals in response to some of the detailed feedback received. Additionally, Waka Kotahi undertook further engagement with the disability sector and developed a Disability Impact Assessment. The outcomes of this assessment helped to inform the Ministry's final advice to the Minister, which included some changes to the Accessible Streets proposals to respond to concerns from the disability community.

Impacts on inequities

Review of the Total Mobility scheme

Reviewing and improving the Total Mobility scheme to make it more fit-for-purpose is expected to improve equity for some disabled people, particularly:

- **Māori** – up to the age of 64, Māori are more likely to have a disability than other ethnicities ([Stats NZ](#)). Disabled Māori have less access to transport to meet their cultural needs, and they're at greater risk of transport-based exclusion than other disabled people ([Waka Kotahi, 2022](#)).
- **Pacific Peoples** – 19 percent of Pacific Peoples report having a disability ([Waka Kotahi, 2022](#)). Pacific Peoples aged over 65 are more likely to have a disability than other ethnicities ([Stats NZ](#)).
- **Women** – across all ethnicities, women aged over 65 are more likely to have a disability than men ([Stats NZ](#)).

Programme changes based on disruptions to the normal workflow.

Total Mobility scheme

Waka Kotahi commissioned a further research project to specifically investigate the impacts of the 2021 COVID-19 lockdown on the disability community, carried out by the researchers undertaking the wider research project on transport experiences. Researchers carried out a survey aimed at disabled and non-disabled respondents to provide some comparative information. This has been incorporated into the wider research project that was published in August 2022.

Next Steps

Actions planned for next six months (1 July 2023 – 31 December 2023).

Review of the Total Mobility scheme – Commence the Total Mobility review. This will involve developing draft - discussion papers on the issues outlined in the scope section of the Terms of Reference of the review. Engagement

will be undertaken with key stakeholders on these draft discussion papers. A contractor will be engaged to carry out Task 2 and 3 (the operational aspects) of the Terms of Reference.

Accessible Streets regulatory package – seek Cabinet approval to progress the package. Rules to be signed by the Minister of Transport.

Actions planned for the longer term (31 December 2023 onwards).

Review of the Total Mobility scheme – Te Manatū Waka will work with key stakeholders (such as the disability community, public transport authorities, Waka Kotahi, and Total Mobility operators and providers) to complete the review of Total Mobility. This will include published discussion papers that make recommendations to improve the Total Mobility Scheme, based on the findings of Task 1-3 of the Terms of Reference. The discussion papers will be in accessible formats and released in March 2024, together with an online engagement form. This will be developed together with the DPO Coalition.

Accessible Streets regulatory package – Te Manatū Waka will work with Waka Kotahi to implement the new rules, to be supported by education and awareness campaigns led by Waka Kotahi. Te Manatū Waka will monitor the impact of rule changes.

Waka Kotahi - DAP Reporting

One change has been made in this report, any other changes that were recommended by the DAP Review Group will be incorporated into the July to December 2023 report.

Name of Agency	Waka Kotahi NZ Transport Agency (Waka Kotahi)
Name of Work Programme	The Waka Kotahi component of the 'Joint Transport Disability Action Plan 2019-2023: Improving accessibility to public information, employment, and the transport system to enable safe and equitable participation in social, educational, and economic opportunities for all'.
Overall Status	On track – with minimal risks/issues
Programme Summary	<p>The Waka Kotahi programme will address the issues faced by disabled people through internal and operational policy development, planning, and delivery, including:</p> <ul style="list-style-type: none"> • Understanding of how services, current policies, and new policy developments are progressing the rights and opportunities of disabled people. • Effectively engaging disabled people and getting better disability data. • Making public information accessible. • Supporting the employment and effective support for disabled people in the public service.
Alignment	<p>Programme alignment with the UNCRPD</p> <p>The Joint Transport Disability Action Plan 2019-2023 (DAP) aligns with Article 9 – Accessibility – 'to ensure that disabled people can participate in public life, work, travel, and that they can receive information on an equal basis with others'. Waka Kotahi worked with the Office for Disability Issues in February 2022 to provide feedback on our</p>

progression under the UNCRPD in the Independent Monitoring Mechanism's domestic examination ahead of the international UNCRPD examination in August 2022. **Programme alignment with the New Zealand Disability Strategy (2016 – 2026) and the Transport Sector Outcomes Framework**

This work programme aligns with Outcome 5 (Accessibility) of the NZ Disability Strategy - 'We access all places, services and information with ease and dignity' and the inclusive access outcome of the Transport Outcomes Framework which is described as enabling all people to participate in society through access to social and economic opportunities such as work, education and healthcare. This will be achieved through our commitment to the Accessibility Charter, by improving our internal HR policies and processes, and by improving disabled people's access to, and experience of, the transport system.

Programme alignment with Independent Monitoring Mechanism (IMM) reporting and recommendations

In 2021, Waka Kotahi responded to recommendations in two IMM reports: the first, on disability in New Zealand in general - Making Disability Rights Real 2014-2019 (2020), and the second, on the experiences of disabled people during a pandemic - Making Disability Rights Real in a Pandemic Report (2021). The main recommendations in both reports relevant for Waka Kotahi were that we address the poorer socio-economic outcomes for disabled people by involving them in decision-making in all phases of policy development and that we ensure disabled people have equitable access to public transport. Waka Kotahi is actively addressing these recommendations through its research projects and operational policy outlined in this report.

	<p>Alignment with other agency programmes and partners Waka Kotahi is working closely with Te Manatū Waka – the Ministry of Transport (MoT) on areas such as Total Mobility (Waka Kotahi commissioned research to build understanding of the transport experiences of disabled people to be used to inform MoT’s upcoming review of the Total Mobility Scheme) and the Accessible Streets Regulatory Package (Waka Kotahi undertook a Disability Impact Assessment on this work).</p>		
<p>Progress against Plan for the period</p>			
<p>Actions that were planned for the period</p>	<p>Actions completed in the period</p>	<p>Barriers to Progress</p>	<p>Status</p>
<p>DAP Section 1: Understanding how services, current policies, and new policy developments are progressing the rights and opportunities of disabled people</p>			
<p>Pedestrian Network Guidance: A continuous improvement programme will be put in place to update and add new guidance as it becomes available. An on-going training and capability programme will also</p>	<ul style="list-style-type: none"> • In the process of ratification and final approval. • A one-day training course on “The application of the Pedestrian Network Guidance” is being developed. • The first course is scheduled for 26th July 2023 in Christchurch. 	<p>Nil</p>	<p>On track – with minimal risks/issues</p>

<p>support the guidance.</p> <ul style="list-style-type: none"> • Ratification and final approval. 			
<p>National Ticketing Solution (formerly Project NEXT).</p> <p>This project is an original action from our DAP and works towards the goal of technology playing a substantial role in improving access to social and economic opportunities via transport choices. The system aims to embed system features that promote access outcomes and utilise best practice in accessibility.</p>	<ul style="list-style-type: none"> • NTS Phase 1 remains in the design phase. This includes aligning the customer facing equipment with the design outcomes including, where appropriate and consideration of accessibility aspects for both physical and digital design elements. • The NTS Programme continues to work with Public Transport Authorities (PTAs) to ensure that policy is reflected in the ticketing products that will be offered through the NTS. 	<p>Nil</p>	<p>On track – with minimal risks/issues</p>

<ul style="list-style-type: none"> • The National Ticketing Solution (NTS) moves into service design phase. 			
<p>Develop Public Transport Design Guidance (PTDG)</p> <ul style="list-style-type: none"> • Battery electric bus charging guidance to go live • Ongoing sector capability building 	<ul style="list-style-type: none"> • Battery electric bus charging guidance has gone live on PTDG website. • Some capability building (training) has been delivered (Safe System Engineering workshop, Designing Streets for 21st Century), with more planned for the next 6 months. All training includes advice to support public transport design that supports inclusive (e.g., safe, obvious and step free access). • Updated guidance on temporary traffic management at bus stops went live on PTDG website. Guidance updated to be more in line with NZ Guide to 	<p>Nil</p>	<p>On track – with minimal risks/issues</p>

	Temporary Traffic Management and to better support inclusive access.		
Research project: Characteristics of subsidised mobility service.	A new research project has been initiated to provide insights from other countries' experiences of para-transit that will inform the review of Total Mobility and New Zealand's overall approach to ensuring mobility for disabled people.	Nil	On track – with minimal risks/issues
DAP Section 2: Effective engagement of disabled people and better disability data			
Research project: Establishing the costs of essential transport • Collection and analysis of data.	This project has completed a literature review and a qualitative stage, producing useful evidence.	A quantitative survey has proven very difficult to construct and is likely to be confined to an experimental pilot that will enable the methodology to be tested.	On track – with minimal risks/issues
Collect analytical data on disabled people's access to the transport system to gain better understanding	Ongoing.	Nil	On track – with minimal risks/issues

<ul style="list-style-type: none"> Continue to collect data. 			
DAP Section 3: Accessible public information			
<p>Research into accessible fonts and other design elements continues with a view to developing guidelines for our document templates and PDFs.</p>	<p>Improvements were made to our corporate templates, and the investigation continues into embedding an accessible font as the default for our systems.</p>	<p>Progress is slowed by availability of technical resource to investigate this within Waka Kotahi.</p> <p>Regarding the timeline for public information: the updating of reports and public documents to accessible formats is done as resources become available and at this stage we cannot put a definitive timeline of completion of this project.</p>	<p>Off track – but low risks/issues.</p>
<p>Accessibility is covered in the technology delivery process from design to development and testing.</p>	<p>Conversations with our procurement teams to include accessibility requirements in contract agreements.</p> <p>Waka Kotahi mobile accessibility statement developed.</p>	<p>Nil</p>	<p>On track – with minimal risks/issues</p>

	<p>Key projects accessibility tested before launch:</p> <ul style="list-style-type: none"> • Journey Planner website enhancements. • Vehicle Inspection Portal. • Agent portal. 		
<p>Continue to collaborate with Te Mātangi – Māori partnership team, on how to present bilingual content in an appropriate and accessible way.</p>	<p>The bi-lingual signage consultation was delivered in both English and Māori.</p>	<p>Dependent on business priorities and available funding.</p>	<p>On track</p>
<p>Make sure our communication and correspondence are available in accessible formats.</p>	<p>After user feedback, the guidelines for providing alternate formats for video content were updated.</p> <p>Key projects:</p> <ul style="list-style-type: none"> • Motorcycle road code relaunch. 	<p>Nil</p>	<p>On track</p>

	<ul style="list-style-type: none"> New Zealand guide to temporary traffic management. 		
Create a shareable version of our Design System – a library of accessible web components to use for digital products, by around mid-2023.	In final review and going live by the end of July 2023.	Nil	Complete
Complete an accessibility review of the Drive website and a roadmap for improvement by end of 2023.	Small changes continue to be made.	A full review depends on business priorities and funding.	Off track – but low risks/issues
Appointment of plain language officer and 2 advisors.	Complaints and reporting processes were created, and some staff training completed.	Nil	On track
DAP Section 4: The employment and effective support for disabled people in the public service			
Continue building awareness and buy-in to diversity and	Continued to leverage occasions of significance to raise awareness and understanding,	Nil	On track

<p>inclusion through comms, learning and resources to uplift people’s capability to create an inclusive workplace.</p>	<p>including Neurodiversity Celebration Week, NZ Sign Language Week, and Global Accessibility Awareness Day where we shared stories, videos and resources with our people, including our new Disability Awareness learning module.</p> <p>We incorporated accessibility into the design and build of our new Bowen Street office building, its facilities and workplace guidelines beyond the minimum compliance requirements. Examples over and above current building standard include tactile braille signs on all meeting room doors throughout our working space, accessibility benches with water taps, and specific quiet zone to support the needs of neurodiverse staff.</p>		
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<p>Continue collecting workforce diversity data to build a more accurate picture of our disabled workforce.</p>	<p>We have continued to increase our workforce data since the implementation of our new HR system (Puna Koi) in 2022, however we recognise that the number of disabled people recorded in Puna Koi is not yet likely to be a true reflection of our disabled workforce and we aim to keep strengthening this data.</p> <p>We continue to work on providing the right support, environment, and tools for our disabled and neurodivergent employees to ensure they are successful in their roles.</p>	<p>People can be hesitant to share their disability information.</p>	<p>On track – with minimal risks/issues</p>
<p>Support the establishment of a Neurodiversity employee-led network to create a community for neurodiverse staff and understand how we can effectively</p>	<p>We launched our new Neurodiversity employee led network as part of Neurodiversity Celebration Week. The network has been sharing information and resources to build awareness and understanding of</p>	<p>Nil</p>	<p>On track</p>

<p>support neurodiverse individuals at work.</p>	<p>neurodiversity, as well as providing a forum for people to get together, share knowledge and experiences.</p> <p>The network has established a working group to progress its goals and initiatives and is supported by an Executive Sponsor. The network provides an online channel that acts as a safe space for people to talk and seek support from others within the community.</p> <p>We brought Waka Kotahi employee-led network leads together and committed to working together on intersectional opportunities and establishing a collective diversity and inclusion rōpū (group) to ensure diverse perspectives and experiences are reflected in our diversity, equity, and inclusion mahi.</p>		
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Narrative

Waka Kotahi has continued to engage with the disability sector on collecting data and understanding disabled peoples' issues regarding the transport network, this includes launching a new research project on para-transit in order to help inform the total mobility space. Large scale work programmes continue to progress. We have continued to include a disability lens in this work where appropriate (NTS).

Key projects are accessibility tested before launch as part of the standard project development lifecycle embedded at Waka Kotahi. The Writing and brand essentials guide, including advice on producing accessible content continues to be shared with vendors and project teams. Guidelines for providing alternative formats for video content have been developed. The Design System contributes to the accessibility and consistency of our digital products. Regular reviews and updates help to evolve the guidelines and advice.

Risks/Issues that are impacting or may impact progress and mitigations

Accessible public information: To meet our obligations under the Accessibility Charter, we need to review and improve all our web products to meet accessibility standards. This work is ongoing, with our most used products already improved. Currently, Waka Kotahi has over 80 different web products and we're going through a process of reviewing and consolidating these different products to help us finalise our plan under the Accessibility Charter. We'll continue to monitor the interaction between these pieces of work. As with any change programme, progress depends on business prioritisation and funding availability.

Impacts on inequities

Nil

Programme changes based on disruptions to the normal workflow.

Extreme weather events in the first half of the year required reprioritisation of a considerable amount of the Waka Kotahi workforce and resources. Despite this, the majority of the actions remain on track.

Next Steps

DAP Section 1: Understanding how services, current policies, and new policy developments are progressing the rights and opportunities of disabled people.

Pedestrian Network Guidance:

- Ratify Pedestrian Network Guidance, continuous improvements, and embed through capability building programme.

Research project: Characteristics of subsidised mobility service:

- Completion of literature review and report preparation.

Develop Public Transport Design Guidance:

- Upload Interchanges section of the Public Transport Design Guidance (PTDG),
- Continue developing and delivering Capability building programme to embed PTDG,
- Further progress on Priority and Optimisation topic and begin process to process feedback and finalise existing PTDG topics available on the web.

DAP Section 2: Effective engagement of disabled people and better disability data.

Collect analytical data on disabled people's access to the transport system to gain better understanding:

- Continue to collect data.

Research project: Establishing the costs of essential transport:

- Pilot survey.

DAP Section 3: Accessible public information.

- Continued update of regulatory manuals, guides, and web pages, in line with accessibility and plain language guidelines.
- Deliver an online version of our Design System by end of 2023 including accessibility guidance for components and patterns.
- Heavy vehicle road code rewritten and published using plain language and accessible content principles by end of 2023.
- Bulk communications accessibility tested, and guidelines developed.
- Our online forms are under review and we're currently looking for a fit for purpose online solution.
- New plain language learning tool launched for our Waka Kotahi people.
- Translation of Road code into te reo Māori.

DAP Section 4: The employment and effective support for disabled people in the public service.

- Continue building awareness and buy-in to diversity and inclusion through comms, learning and resources to uplift people's capability to create an inclusive and equitable workplace.
- Develop a campaign to strengthen our workforce information which encourages and educates our people on why sharing their information (including disabilities) is important.
- Support our Neurodiversity Network to survey both the community to understand their needs and survey people leaders to understand their current level of education. The insights will be used to inform the network's action plan of initiatives.
- Continue to support our internal accessibility networks by sharing best practice and evolving our guidelines and advice.
- Continue to engage with other parts of the organisation that influence accommodations (for example Property Group) for our Wellington-based office move (named Te Punga).


Kāinga Ora - DAP Reporting

The main body of this report was signed out by the Kāinga Ora board. Since then, some minor editorial changes have been made, but only as they apply to correcting grammatical errors and minor word alterations. The content of the report has not been changed.

Kāinga Ora were not able to provide a response to DAP review group feedback as they were unable to get any adjustments to the report signed out by their board within the allocated time period.

Name of Agency	Kāinga Ora – Homes and Communities
Name of Work Programme	Kāinga Ora Accessibility work programme
Overall Status	On track – with minimal risks/issues
Programme Summary	<p>The Kāinga Ora Accessibility work programme has three components:</p> <ul style="list-style-type: none"> • Increasing the number of our public housing homes that meet universal design standards. • Developing modifications for our existing properties. • Improving the information we have about our customers’ needs and the accessibility of our properties.
Alignment	<p>The Kāinga Ora Accessibility work programme aligns with the New Zealand Disability Strategy’s Outcome 5: Accessibility. It also aligns with contributing to the IMM Making Disability Rights Real Report’s recommendations 25, 27, and 28.</p> <p>The refresh of the Accessibility Policy is reflected as a key deliverable in the Kāinga Ora (Urban Development Strategy) - Implementation Plan under Strategic Priority 1: ‘Grow</p>

	<p>housing choices and supply by increasing the supply of build ready land (Action 4: Ensuring that housing in developments we support or deliver meet the needs of diverse communities, including the provision of public housing in developments, wherever possible)’. The Kāinga Ora Accessibility work programme overlaps or aligns with these other external programmes:</p> <ul style="list-style-type: none"> • MSD’s Accelerating Accessibility programme. • MSD Office for Seniors’ He Oranga Kaumatua Better Later Lives Strategy 2019-2034. • Human Rights Commission’s Decent Home Guidelines. • Ministry of Health’s Healthy Aging Strategy. • Whaikaha’s Enabling Good Lives transformational programme. • Auckland Council’s initiative: “Age Friendly Auckland”. • New Zealand Green Building Council Homestar Programme. <p>Kāinga Ora enjoys a strong working relationship with Whaikaha – Ministry of Disabled People and is aligned and consistent with the principles and direction of the Ministry.</p>		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Note any impacts from COVID-19	Status
<p>Stakeholder engagement</p> <ul style="list-style-type: none"> • We continue to engage with stakeholders and confirm our 	<p>Our stakeholder engagement focus over the last 6 months has been primarily centred around:</p>	<p>External factors such as the adverse weather events of the first 6 months of 2023 and COVID-19</p>	<p>On track or ahead</p>

<p>stakeholder engagement approach.</p>	<ul style="list-style-type: none"> • Our engagement planning approach for the Policy Review. Through the policy implementation evaluation that was completed in January 2023, we were able to identify areas of stakeholder engagement that we did well and areas where we could improve our engagement approach. This evidence is being incorporated into our engagement planning for the 2023 Policy Review. • Discussions and initial planning around a tailored engagement approach specifically for Tàngata Whaikaha Māori aligned with the principles of He Toa Takitini – Kāinga Ora Partnership and Engagement Framework. 	<p>will continue to be a consideration for our stakeholder engagement.</p>	
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	<ul style="list-style-type: none"> • We have explored the creation and establishment of an accessible customer advisory group dedicated to disability and we are preparing an options paper for our leadership to consider. • We continue to engage with our key cross government partners in the disability / accessibility space particularly with regard to the housing modification process improvement initiative. Our key public service partners in this mahi are Ministry of Social Development (MSD), Oranga Tamariki, Accident Compensation Corporation (ACC) and Whaikaha, Ministry of Disabled People, and, 		
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	<ul style="list-style-type: none"> The Whaikaha and Kāinga Ora chief executives held an initial meeting. 		
Improving information about our customers' needs.	<p>In early 2023 Kāinga Ora completed a review and refresh of the original data analysis undertaken for the Accessibility Policy in 2018 using the Statistics New Zealand's Integrated Data Infrastructure Dataset (IDI), which was used to connect to the SOCRATES database and link this to individual customer data held internally by Kāinga Ora.</p> <ul style="list-style-type: none"> The scope of the analysis was defined as a series of snapshots of the Kāinga Ora customer base on 31 March for each year between 2013 and 2022. This methodology was chosen to obtain a better understanding of the long- 	COVID-19 has not impacted this work during this six-month reporting period.	On track or ahead

	<p>term trends in disability related demographics within the Kāinga Ora customer base.</p> <ul style="list-style-type: none"> • The report uses nine disability type classifications: Agility, hearing, intellectual, learning, mobility, other, psychological, sight and speaking. The report also identifies associated medical conditions that can contribute to each disability type for example spina bifida contributes to mobility. • Key insights from this analysis will be used to inform future decision-making and planning. <p>In March 2023 we commissioned analysis of the data we had collected on</p>		
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	<p>accessibility and disability through our regular quarterly customer satisfaction surveys.</p> <ul style="list-style-type: none"> • Since the accessibility policy came into force at Kāinga Ora in 2019 we have included a series of questions focused on accessibility and disability in our regular quarterly customer satisfaction surveys, which have been based on the Washington Short Set since March 2022. • This data related to accessibility and disability from 2019 to 2023. The findings and information from this analysis were presented to our Board in June 2023 and our Board have asked us to prepare a summary of this analysis to share with our key 		
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	<p>government partners and stakeholders in the months ahead.</p> <ul style="list-style-type: none">• We will also consider how we can use this data to better inform our regional planning work. <p>As part of the Accessibility Policy review, we considered information sharing arrangements targeting customer information with other agencies that might be beneficial. However, due to privacy constraints we have decided not to progress this work. We are continuing to pursue information sharing agreements with agencies targeting asset/property information subject to modifications. These will focus on data about our assets and will ensure we have more robust information on the</p>		
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	<p>work that has been done on our customers' homes.</p> <p>Over the next few months we will be piloting a Supported Housing Provider Customer Satisfaction Survey. This survey includes a question regarding satisfaction with the design and fit out of properties and an ability to include free form text if unsatisfied. The purpose of this question is to drive improvement in the delivery and management of the Supported Housing Portfolio which includes Community Group Housing.</p>		
<p>Asset data</p> <ul style="list-style-type: none"> Collecting of asset information about accessibility features within Kāinga Ora systems. 	<p>Kāinga Ora has incorporated a modification assessment into its Health and Safety Annual Inspection program for the 2023-2024 period. An external contractor will conduct a one-time assessment to identify modifications and other</p>	<p>COVID-19 has not impacted this work during this six-month reporting period.</p>	<p>On track or ahead</p>

	<p>accessibility features incorporated into each inspected property. This assessment aims to confirm the number of properties with accessibility modifications and specify the areas that have been modified, such as bathrooms, kitchens, toilets, entrances, and interiors. The collected data will be cross-checked with the master asset records system, and if required, property records will be updated accordingly.</p> <p>Long-term solutions are also being explored to improve the overall process and ensure the quality of asset data going forward.</p>		
<p>At least 15%' target.</p> <ul style="list-style-type: none"> We continue recording against the 'at least 15% target' and 	<p>As of 30 June 2023, Kāinga Ora delivered 19% (new built) homes to meet the Kāinga Ora Full Universal Design specifications (fUD). In</p>	<p>COVID-19 has not had any noticeable impact on this work, however severe weather events across the North Island in quarter 3 impacted delivery targets and</p>	<p>On track or ahead</p>

<p>monitoring and reporting of the target within Kāinga Ora systems.</p>	<p>addition, we have delivered 33 fUD homes within our Te Mātāwai development that will be used for non-public housing customers, which will help deliver more accessible homes to the private housing rental market.</p> <p>We continued to develop new internal processes and documentation and make process improvements to deliver to our fUD standards. This included a new dashboard report to better track our progress against the target.</p>	<p>lead to consequential impacts on labour and material supply shortages affecting delivery.</p>	<p>On track or ahead</p>
<p>Modifications</p> <ul style="list-style-type: none"> • Kāinga Ora, Ministry of Health, Ministry of Social Development and ACC have established a joint cross government initiative specifically to 	<p>Since our previous report:</p> <ul style="list-style-type: none"> • In June 2023 the draft report consolidating the findings and feedback from the various workshops held throughout 2022 was finalised. The report identified a range of 	<p>COVID-19 has not impacted this work during this six-month reporting period.</p>	

<p>identify how to streamline and simplify the existing processes to support our customers/clients who need housing modifications.</p> <p>Kāinga Ora is leading this work on behalf of the joint cross-government group.</p>	<p>challenges for our customers and for those seeking to support them to access modifications. The report identifies six priority areas of focus that would greatly improve the current housing modifications processes for disabled customers and their whānau.</p> <ul style="list-style-type: none"> • The next steps in this cross-agency initiative is to consider how we progress the recommendations, which will be worked on in the year ahead. • it was agreed by all cross-agency partners involved that an additional partner would join the group and from June 2023, Oranga Tamariki officially joined the cross-agency partnership. 		
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	<p>Kāinga Ora, has undertaken a strategic planning process, to inform the design of the short and long-term housing modification initiatives and work has begun on a deep dive analysis of the minor modifications processes to better understand the number, nature and national breakdown of all minor modifications undertaken on Kāinga Ora properties throughout the year. Work continues on this important analysis exercise with the findings to be shared in the next DAP report.</p> <p>We have also undertaken a short-term internal awareness raising activity - focussed on Community Group Housing and modifications that meet accessibility needs of customers. These included</p>		
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	presentations at regional offices and an intranet article made available to all people within Kāinga Ora.		
Narrative			
<p>Kāinga Ora has been progressing activity around improving data on its customers and assets, delivering universal design performance targets and improving modification processes for our customers, including with other agencies. We have also been refreshing our Accessibility Policy to ensure it remains fit for purpose and meets the Kāinga Ora expanded mandate. Stakeholder engagement remains integral for us to achieve our accessibility objectives and support our customers to live in a home that suits them. This has included: completing a current state assessment of progress under the current 2019 Accessibility Policy. This has meant we are able to confirm what progress has been made and identify future opportunities to recommit to in the refreshed 2023 Accessibility Policy, this includes:</p> <ul style="list-style-type: none"> • Ensure the updated Accessibility Policy acknowledges tāngata whaikaha Māori and Kāinga Ora updated operating context. • Improve accessibility through master-planning, community development initiatives and promotion of universal design to our development partners. • Lift the capacity of our staff to ensure our customers accessibility needs are met. • Improve the information we have about our customers accessibility needs and how we use this information to deliver better accessibility outcomes. • Improve our information about our existing properties, modifications and internal process to allow us to match customers to our property that meets their needs. • Ensure that our disabled customers can inform future accessibility work and polices. 			

We note that some of the activity already underway supports the IMM from the United Nations convention recommendations.

In addition to the progress, we have made on the different parts of our accessibility work programme, which is aligned to our policy objectives, we have developed a comprehensive work programme to address other accessibility initiatives. For example, we have been:

- Working to implement our Supported Housing Strategic Plan. The Strategic Plan recognises the critically important role of supported housing within the housing continuum, and as an integral component of our role within the housing system.
- Working alongside MSD in its customer experience and insights initiative to share information and knowledge around our joint customers with disabilities.
- Participating in the All-of-Government Principal Advisors' Disability Forum and attending the annual hui in June.
- Providing advice around accessibility and inclusive recruitment practices for our internal People teams.
- Working to build internal capability around disability awareness and responsiveness.

Drafting design guidelines - our Urban Planning and Design team has recently drafted Universal Design guidelines for master planning. We will look to engage across the accessibility sector (as well as other relevant sectors such as aged care) to gather feedback on these draft guidelines. Our intention is to share these guidelines with the wider planning industry in Aotearoa with the hope that as new communities are developed and older ones renewed, universal design principals will be used to improve accessibility for everyone in the community. We are hoping to bring this to the Disabled Peoples Organisations (DPO) Coalition for consideration in September 2023.

Risks/Issues that are impacting or may impact progress and mitigations

Risk

- As we continue to progress our accessibility work programme, potential risks around resourcing and funding may arise. Kāinga Ora will continue to monitor these risks as work continues.
- Competing agency priorities will impact our cross-agency work to streamline current housing modification processes, however, we have now completed the initial concept design work and we are aiming to refresh and progress this work by end of December 2023.
- Delivering to 15 percent universal design is an end of financial year target predicting the end of the year results will be an ongoing issue, however, we continue to track our pipeline delivery activity to monitor progress on delivery of Universal Design homes.

The volatility in the construction market will continue to be a factor that Kāinga Ora will need to monitor closely to ensure it does not impact delivery to our Universal Design target.

Impacts on inequities

We acknowledge the proportion of Māori and Pasifika families in our homes in general and those Māori and Pasifika families with disabled family members. As noted in previous reports, we have initiated cultural sensitivities design review to scope and identify opportunities for improved cultural responsiveness in our design programme.

Programme changes based on COVID-19 learnings

No substantive programme changes were made due to COVID-19 or the adverse weather conditions of the first part of 2023, although we have altered the predominant method of communication with our stakeholders moving from face-to-face engagement to an “online” virtual format.

Next Steps

1 July to 31 December 2023

- A key focus for the coming months is completing the review and refresh of the Kāinga Ora Accessibility Policy, subject to final consultation with stakeholders and Board approval.
- We will continue to work on our cross-agency modification work programme, outlining the first of the key concepts from the summary report that could be taken forward for implementation with our partners MSD, ACC, Oranga Tamariki and Whaikaha.
- Information Sharing Agreements between Kāinga Ora and partner agencies will be completed, and an initial data sharing programme will be tested.
- Progress the development of a Memorandum of Understanding (MoU) with Whaikaha.
- Work to better understand our customers and their needs, will continue to be progressed, through stakeholder mapping, annual inspections and development audit processes. Work is underway to determine how we may use all this new customer data in the future to better inform our policy initiatives and strategy and asset planning programmes.
- Explore the possibility of setting up an Accessible Customer Advisory Group as a pilot (in the first instance) to seek to better understand the unique needs and challenges faced by our customers and their households with disabilities.
 - Completing the draft Accessibility Policy for Board approval to undertake targeted engagement in late 2023.
 - Publish the Kāinga Ora Accessibility Policy 2023 to reset organisational commitments to accessibility.

Reorganise the Accessibility work programme to deliver on the updated policy, which is likely to occur in 2024.

Improve accessibility across the New Zealand housing system - DAP Reporting

Name of Agency	Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development (HUD)		
Name of Work Programme	Improve accessibility across the New Zealand housing system		
Overall Status	Off track – with minimal risks/issues		
Programme Summary	This work programmes aims to increase accessibility across the housing system.		
Alignment	<p>This work programme aligns with:</p> <ul style="list-style-type: none"> • The Independent Monitoring Mechanism’s recommendation that housing is a key issue to be addressed for disabled people. • The New Zealand Disability Strategy, Outcome Five – Accessibility. • The Government Policy Statement for Housing and Urban Development. • The UN Committee’s concluding observations for New Zealand in relation to accessible housing. 		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Note any disruptions	Status
Explore options for incentivising the	Made some progress across HUD’s funds and programmes, but development of further options has not significantly progressed.	Nil	Off Track with Minimal risks/issues.

provision of accessible rental properties.			
Narrative			
<p>Progress made in the last reporting period for each action is detailed below. This includes action three, which was the main HUD-led action planned for this period:</p> <p>1) More information on universal design and housing modifications and making it easier for disabled people to find existing rentals.</p> <p>In the latest reporting period. MBIE and HUD met with Trade Me to revisit options to help disabled people find existing accessible rentals, including whether information on accessible features would be included in property listings. Trade Me indicated that it was not an option to reprioritise its development pipeline at this time. Trade Me also indicated the work has some complexity to implement, involving Trade Me, multiple vendors, and integration across their respective platforms at cost to each party. Given the status of Trade Me’s development pipeline and their feedback on the complexity of progressing this work, HUD does not plan to progress further engagement at this time.</p> <p>Note that, as per previous reports, MBIE previously updated its Tenancy Services website to raise awareness among landlords and tenants on how to provide accessibility features in their rental properties; and to provide information about changes to tenancy law related to a tenant’s request to make changes to their rental property as long as the change is minor. This makes it easier for disabled tenants to make minor changes to their properties.</p> <p>2) Examine housing modification funding mechanism.</p> <p>Progress has been made through Whaikaha (who now own the key funding lever and administer the funding and application process for disabled applicants) and Kāinga Ora (who are working with Whaikaha to inform improvements to the application process).</p>			

Whaikaha advised that in collaboration with Kāinga Ora and ACC, a project has been undertaken to consider how to streamline the application process for housing modifications in relation to public housing. As a part of this project, Kāinga Ora led a consultation process that included MSD, providers, assessors, and clients. This helped identify barriers relating to the ACC and Whaikaha processes to meet the needs of people who require housing modifications. A draft report has been provided by Kāinga Ora to Whaikaha.

A more detailed progress report has been provided in Kāinga Ora's DAP report. We suggest that further progress for this action continue to be reported through Kāinga Ora (and/or Whaikaha).

3) Options to incentivise accessible rental properties.

Progress made across HUD's funds and programmes, this reporting period include

- HUD's Affordable Housing Fund: Affordable Rental Pathway encourages applications that offer accessibility and universal design features. Two proposals from the first funding round where the target cohort includes people with accessibility requirements have been approved for funding and start delivering in 2024 in Auckland. HUD has received several applications in the second funding round which included homes with accessibility features. These are in the process of being assessed.
 - The *Code of Practice for Transitional Housing*. Consultation on the Code, which sets out the basic rights and responsibilities of those using or providing transitional housing, has been completed. The Code came into effect on 1 July 2023. It includes standards for the accommodation, covering health, safety, and accessibility.
- 4) Exploring how housing delivered by Kāinga Ora can support the needs of disabled people and developing advice on how this can be implemented.

Work commenced last year to understand the experience of incorporating Kāinga Ora's full Universal Design (fUD) standards into the Kāinga Ora new build programme. Due to competing priorities, this work was not able to make

significant progress. This work is a part of Kāinga Ora reviewing its accessibility policy, including a review of their fUD standards. This informs work to understand the conditions necessary to expand the Kāinga Ora fUD target above 15 percent, and the implications of a change. Next steps for this work include identifying what further analysis needs to be done to inform the conditions, options, and timeframes under which the target could be expanded.

Other work to progress change across the system

HUD has stayed connected to MBIE's work on the building regulatory system given how significant this lever is in achieving accessibility outcomes. Their broad engagement across sectors to understand actions to improve accessibility in buildings remains in progress.

Risks/Issues that are impacting or may impact progress and mitigations

As reported in the Kāinga Ora update on the Disability Action Plan, Kāinga Ora continues to track its pipeline delivery activity closely. This will inform possible work to understand the conditions, options, and timeframes under which the target could be expanded.

Impacts on inequities

Failures in housing fairness are evident in the over representation of marginalised populations. These include disabled people, Māori and Pacific peoples, women, young people, and people on very low incomes. These populations are vulnerable to experiences of homelessness, severe housing stress, overcrowding, and precarious housing. Around a quarter of New Zealanders have disabilities. However, research estimates that few homes in New Zealand meet basic levels of physical access and usability for disabled people. This results in inadequate and unsafe living situations, leading to negative impacts on disabled people's wellbeing. This work programme aims to support the response to these issues by incentivising the supply of accessible properties for disabled peoples through the levers that HUD owns directly – the funds and programmes HUD delivers and HUD's policy role in relation to Kāinga Ora delivery; and through exploring opportunities with other agencies and partners who own different levers.

Programme changes based on disruptions to the normal workflow.

Nil

Next Steps

In relation to the work to understand the conditions necessary to expand the Kāinga Ora fUD target above 15 percent, progress further analysis to inform the conditions, options and timeframes under which the target could be expanded.

Outcome Seven - Choice and Control

Disability Support System Transformation – DAP Reporting

Name of Agency	Whaikaha - Ministry of Disabled People
Name of Work Programme	Disability Support System Transformation
Overall Status	On track - with minimal risks/issues
Programme Summary	<p>Whaikaha - the Ministry of Disabled People manages an annual appropriation of \$2.246 billion¹¹ from Vote Social Development to support disabled people and tāngata whaikaha Māori in Aotearoa New Zealand. Approximately 43,000 eligible disabled people and tāngata whaikaha Māori are provided with long-term supports through a suite of disability support services (DSS). This includes specialist disability services (e.g., Behaviour Support Services), support with everyday tasks (e.g., personal cares or household management) and support with accommodation (e.g., residential care). In addition, approximately 100,000 disabled New Zealanders with a sensory impairment (i.e., hearing and vision impairment) access DSS equipment and modification services and supports.</p> <p>Concerns about the disability support system not working well for disabled people have been expressed by disabled people, tāngata whaikaha Māori, and their whānau, carers and representatives for more than thirty years. Reviews by the Social Services Select Committee in</p>

¹¹ As at Budget 2023, May 2023.

2008 and the Productivity Commission in 2015 supported these concerns and made recommendations for change. Many of these concerns centre on the lack of choice and control disabled people have over the support they receive. This lack of choice and control is a result of:

- multiple eligibility, assessment and planning processes for accessing different types of support from several government agencies resulting in duplication of processes for disabled people.
- people being allocated existing contracted services, not necessarily what works best for them which means the funding is not being used as effectively as it could be.
- disability services being the 'hub' of their lives and placing restrictions on people, rather than helping them to connect to support available to everyone in the community and enabling them to access greater opportunities.

Work has been underway for over a decade to transform the disability support system, in partnership with the disability community, based on the Enabling Good Lives (EGL) vision and principles. The transformation is about changing the purpose of the system from responding to the needs of disabled people to enabling disabled people, tāngata whaikaha Māori, families, whānau and āiga to access the everyday things that create good lives for everyone to achieve equitable outcomes for disabled people.

EGL principles are the foundation of an approach to system transformation and all aspects of service delivery in the future.

There are multiple mechanisms being developed to support the understanding of an Enabling Good Lives approach including: developmental evaluation against the principles, education and the embedding of practice expectations in all contracts, and the outcomes of all service

	<p>delivery, service development and commissioning will be measured against Enabling Good Lives principles and disabled led monitoring, evaluation, analysis and learning (MEAL).</p>
<p>Alignment</p>	<p>This work programme responds to Outcome 7 - Choice and Control, in the New Zealand Disability Strategy 2016-2026.</p> <p>It also responds to the following recommendations from the IMM Making Disability Rights Real report that:</p> <ul style="list-style-type: none"> • recommended that the Government advance innovative models of funding for integrated and flexible disability support, and provide adequate resourcing of those models, so that disabled people can enjoy the highest attainable standard of health, including but not limited to accelerating equitable access nationally to an EGL approach. • noted that IMM hui participants were concerned about progress on national rollout and whether there is sufficient funding to enable people to live independently. • noted that the Mana Whaikaha Whānau Ora Interface Group have been talking to Te Pūtahitanga o Te Waipounamu about aligning system transformation with the Whānau Ora approach. • noted that Mana Whaikaha has a more systematic approach to supported decision-making, including dedicated resources for independent paid support for decision-making, but that this may only benefit a small number of disabled people initially. <p>System transformation work is a partnership between the Ministries of Health (MOH), Education (MOE) and Social Development (MSD) alongside the disability community.</p> <p>This work programme contributes to and supports many of the work programmes within the <i>Disability Action Plan 2019-2023</i>. This includes:</p>

- the education work programme.
- the *Disability Employment Action Plan*.
- supported decision-making work.
- work on improving access to quality healthcare and health outcomes.
- funded family care work.
- work to reduce the use of seclusion and restraint.
- the *Play, Active Recreation and Sport Action Plan*.
- work related to accelerating accessibility.
- the cross-cutting action to involve disabled people in decision-making.

In September 2022 the United Nations Committee on the Rights of Persons with Disabilities (the UN Committee) provided the following concluding observations specifically related to EGL:

- 40 (a) Expedite the national rollout of the Enabling Good Lives programme and ensure that all persons with disabilities, including people with foetal alcohol syndrome disorder, are eligible.
- 54 (c) Ensure people with foetal alcohol syndrome disorder, chronic fatigue syndrome and other chronic and rare conditions have access to the disability support system and are included in disability policies and programmes.

Both of these observations were accepted with modification, signalling that while work would be done on these areas, there are Cabinet or Budget decisions required to fully implement the recommendation.

Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Note any disruptions	Status
Continue Mana Whaikaha, prototype of a transformed system in Midcentral DHB region, EGL Christchurch, and EGL Waikato.	<p>Budget 2021 provided baseline funding for the three EGL regions, meaning they are no longer operating as pilots. All staff have permanent contracts and have transferred to Whaikaha - the Ministry of Disabled People to become part of one team.</p> <p>The current state reflects the needs and priorities of each local population – An EGL approach is not a one size fits all and so sites will vary as to what they offer and who they target for support.</p>	Nil	Complete
Continue to work with the EGL Governance Group and other community representatives to develop the	In Budget 2022, Cabinet approved a tagged contingency to “ <i>extend EGL to more of the disabled population and their whānau, progressing towards a national rollout of the EGL approach</i> ”. Cabinet also noted that additional funding would be needed to complete the full transformation.	Minimal	On track - with minimal risks/issues

<p>implementation plan and tools for national scaling of an EGL approach to disability support services.</p>	<p>Workstreams expected to be funded through the Budget '22 contingency focus on building capability for system transformation, and the business case needed for the additional funding required. They include:</p> <ul style="list-style-type: none"> • improved safeguarding for people who are at risk of abuse. • extending EGL to historically under-served communities. • transforming existing disability support services. • building community capability for partnership and stewardship. • system infrastructure changes. • transformation management. 		
<p>Narrative</p>			
<p>The Commissioning, Design and Delivery team of Whaikaha also continues to work on improving disability support services in line with EGL and system transformation. This includes working on personal budgets, residential support, workforce, safeguarding, Māori and Pacific leadership development, monitoring, quality and assurance framework, developing tools, working with NASCs, and community capability and capacity building. The Transformation of the DSS system is underway and the first six months will be spent on developing the necessary infrastructure.</p>			

A system-framing of My Home, My Choice is also now being developed into a detailed work programme, with action, milestones and dependencies. My Home My Choice looks to transform residential care, which is an organisational priority given it has some of the most at-risk disabled people, with curtailed choice and control. It also currently represents around half of the funding Whaikaha receives, with \$1 billion invested annually in residential care for disabled people.

Risks/Issues that are impacting or may impact progress and mitigations

There is a risk that significant emergency events impacting Aotearoa New Zealand, such as flooding and cyclones, may impact progress in the next reporting period. If providers have significant proportions of their staff away at any given time this will impact their ability to both deliver business as usual services and engage in transformation activities. We will continue to work closely with providers to understand their evolving operational context and to manage this risk.

There is a risk that expectations of the new Ministry and expected speed of transformation will create dissatisfaction. Working closely with Whaikaha partnership groups and creating consistent communications from Whaikaha to the wider community will help to mitigate this risk.

Impacts on inequities

Evaluations to date have described and the work plan has identified the need for an increased focus on tāngata whaikaha Māori and Pacific peoples that is led and defined by those communities. This builds on the evidence presented to give a clearer picture. Work in the next period will plan to develop an approach to a more detailed baseline of the equity gap and how to build on the next stage of the plan over future years.

The evidence from the system transformation demonstration sites shows that system transformation can improve whole-of-life outcomes for tāngata whaikaha Māori. Tāngata whaikaha Māori in the Mana Whaikaha prototype affirmed that a kaupapa Māori approach to DSS can help tāngata whaikaha Māori and whānau to engage with disability support services. They also affirmed that a kaupapa Māori approach is a valid method for

improving outcomes for tāngata whaikaha Māori and their whānau, and a model for empowering all disabled people and their families and whānau. The wider Mid Central population has been identified as having greater inequity demographically than the wider population of people using DSS nationally.

An equity lens was taken to the evidence-base gathered for the three EGL demonstration sites (Christchurch, the Waikato and Mana Whaikaha). While access to health services remains difficult for disabled people, those who are supported by tūhono/connectors and government liaison roles have been able to overcome some significant barriers to access.

Programme changes based on disruptions to the normal workflow

Flexibility of disability supports is an important component of system transformation. During COVID-19 we introduced flexibility in individualised funding and carer support budgets because that flexibility supported disabled people and whānau to keep safe in their bubbles, particularly during Alert Levels 4 and 3. This greater flexibility allowed disabled people, families and whānau to buy things that would help them to achieve the purpose of the disability support, and to pay family members to provide support. This flexibility has been retained because people found it valuable.

Next Steps

Whaikaha is working to gain approval to draw down the contingency funding and is establishing a Transformation Management Office.

Supported Decision-Making: Guidance Resources - DAP Reporting

Name of Agency	Partnerships and Stewardship, Whaikaha – Ministry of Disabled People
Name of Work Programme	Supported Decision Making: Guidance Resources
Overall Status	On track – with minimal risks/issues
Programme Summary	<p>This project was initiated in late 2022 to build on work by the Ministry for Social Development (MSD) to draft guidance to introduce <i>Supported Decision-Making to decision makers, their supporters, and organisations</i>. This guidance document was not published but is available to provide source material for this project.</p> <p>Using a cooperative approach with disabled people, Whaikaha and other organisations and agencies, the purpose of the reconvened Supported Decision-Making (SDM) advisory group is to support the:</p> <ul style="list-style-type: none"> a) Review and revision of a completed but unpublished guidance document 'Introduction to Supported Decision-Making - An outline for decision makers, their supporters, and organisations' (the guidance document from a previous MSD project (2019-21). b) Oversight of the development of accessible online resources that provide guidance for family/whānau, service providers and tāngata whaikaha Māori. <p>Specific requirements for this project's deliverables are agreed with the advisory group which means that the understanding of the project's scope and deliverables will develop over the life of the project. A key focus of this reporting period was to engage the advisory group in agreeing its position on SDM, and to listen to their views of what is required for the project to deliver successful outcomes.</p>

	<p>During this reporting period, the advisory group decided not to finalise the guidance document, but instead to use it as source material for the final online product. The group advised that extending the project timeline would ensure its successful delivery, and also that they were interested in seeing a sustainable resource being developed. Their advice informed significant changes made in this reporting period to the project’s scope, timeline, and resourcing</p> <p>Te Aka Matua o te Ture – The Law Commission is currently carrying out a review of laws relating to Adult Decision-Making Capacity and intends to make recommendations on how the law may change by 30 June 2024. However, the advisory group’s view is that there is no need to wait for legislation for those working with disabled people and others to use SDM principles.</p>
<p>Alignment</p>	<p>This work aligns to:</p> <ul style="list-style-type: none"> • Outcome 4 (Rights protection and justice) and Outcome 7 (Choice and control) of the Disability Strategy (2016 - 2026) and proposes a tāngata whaikaha Māori approach. • The purpose of paras. 21 and 22 of Concluding observations of the combined second and third periodic reports of New Zealand on the implementation of the United Nations Committee on the Rights of Persons with Disabilities (UNCRPD): <p><i>21. The Committee notes the review into adult decision-making capacity by the Law Commission, but it is concerned about the lack of progress made in abolishing the guardianship system and substituted decision-making regime, and the lack of a time frame to completely replace that regime with supported decision-making systems.</i></p>

	<p><i>22. Recalling its general comment No. 1 (2014) on equal recognition before the law, the Committee recommends that the State party repeal any laws and policies and end practices or customs that have the purpose or effect of denying or diminishing the recognition of any person with disabilities as a person before the law, and implement a nationally consistent supported decision-making framework that respects the autonomy, will and preferences of persons with disabilities. (CRPD/C/NZL/CO/2-3 refers)</i></p> <ul style="list-style-type: none"> • Internal Monitoring Mechanism (IMM) recommendations: <ul style="list-style-type: none"> ○ 37 of Making Disability Rights Real Whakatūturū Ngā Tika Hauātanga 2014-19 ○ Para. 1, p. 23 (PDF version) of Making Disability Rights Real Whakatūturū Ngā Tika Hauātanga: An update report about the state of disability rights in New Zealand. 		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Barriers to Progress	Barriers to Progress
<p>Advisory Group</p> <p>Complete re-establishment of the advisory group.</p>	<p>Advisory group convened and met monthly until the first subgroup was established.</p> <p>Terms of Reference were developed by the advisory group to define its purpose, membership, and preferred way of working.</p> <p>The group provided advice on the guidance document (see below), its position on SDM, high level requirements for</p>	<p>Nil</p>	<p>Complete</p>

	developing an online resource, key SDM resources to inform the development, and project scope (including resourcing and timelines).		
<p>Establish advisory subgroup</p> <p>Subgroup established to advise on specific aspects of the project.</p>	<p>Establish a subgroup of the advisory group to work with ODI, Whaikaha in advising on procurement resource development.</p> <p>Two further subgroups are planned to support different aspects of the online resources' development.</p>	Nil	Complete
<p>Revise SDM Guidance</p> <p>Finalise the "Introduction to Supported Decision-Making" guidance document.</p>	<p>The advisory group reviewed the guidance document and decided that (along with other SDM resources) it would be used without revision as source material to inform the procurement process. The advisory group supported the drafting of background information on SDM, including paramount considerations and position.</p>	Nil	Complete
<p>Procurement of online development services</p> <p>Process to procure a supplier to develop the online resources is completed.</p>	<p>Initially this project was scheduled to be completed by June 2023. This has been changed in response to advisory group feedback on timelines and the need to create online resources that can continue to be developed.</p>	See Narrative	On track with Minimal risk

<p>Tāngata whaikaha Māori</p> <p>Establish relationship with Te Ao Marama on the kaupapa Māori.</p>	<p>The advisory group provided support and advice as required for the tāngata whaikaha.</p> <p>Establishment of a relationship with Te Ao Marama on the kaupapa Māori approach is required before procuring online development services.</p> <p>Rescheduled for July 2023 onward – see Narrative.</p>	<p>See Narrative</p>	<p>On Track with Minimal risks</p>
<p>Narrative</p>			
<p>During this reporting period the advisory group convened by MSD was re-engaged with a view to finalising the guidance document and making its content available online. Re-establishing the advisory group to oversee development of this online guidance resource is critical to the success of this project. Advisory group members bring subject matter expertise and lived experience about SDM from a range of professional and personal contexts. The success of this project is contingent on the group’s guidance and oversight (cf. a ‘top-down’ approach).</p> <p>The advisory group provided invaluable advice about SDM and (as noted above) project scope, timelines, and resourcing. This informed key changes to the project including extending the delivery date for the online implementation of the resource and committing to build on this initial resource in future years. The purpose of these changes is to ensure timelines are realistic and development is not rushed, and that the online guidance resource is sustainably developed beyond 2023. As a result, “Off-track” aspects of the project are planned for delivery from the next reporting period (July – Dec 2023) onward.</p> <p>Following this, a subgroup was formed to provide focussed advice to support development of background information and requirements to inform subsequent procurement processes. A draft was completed towards the end of the reporting period.</p>			

Risks/Issues that are impacting or may impact progress and mitigations

- Availability of a suitable provider.
- Suitability of Whaikaha website as host platform for the SDM guidance resources.
- Maintaining advisory group engagement as pace of project progress varies.

Impacts on inequities

Support for the exercise of legal capacity is considered a fundamental right that underpins the exercise of most other human rights. The advisory group believes the point of supported decision-making is that people should be supported to make the decisions they want to, even if others would decide differently (and might even consider the decision unwise).

The advisory group's view is that we don't need to wait for legislation (such as resulting from the Law Commission's review of laws relating to Adult Decision-Making Capacity) for those working with disabled people and others to use SDM principles.

Research has shown that supported decision-making can increase a person's wellbeing through the promotion of self-determination, control, and autonomy. Supported decision-making can also:

- minimise the use of guardianship or administration and/or guide processes within guardianship arrangements.
- enable people to retain their legal capacity through being an alternative to enduring documents or powers of attorney.
- enable people to make arrangements of their choosing to be implemented in the future if required (advance directives).
- help minimise the need for compulsory mental health treatment by empowering people to make their own decisions about mental health care and treatment".

Programme changes based on disruptions to the normal workflow

Project timeline changes also reflect the need to make realistic demands on advisory group members' time, and some disruption from pressure on project resources.

Next Steps**Actions planned for next six months (1 July 2023 – 31 December 2023)**

1. Develop a procurement process to establish concrete option(s) for developing the online guidance platform .
2. Engage Te Ao Marama on the kaupapa Māori approach.

Outcome Eight - Leadership

The DAP Review group asked whether the Nominations database would continue after December 2023 it should be noted that this work is ongoing.

Nominations Database - DAP Reporting

Name of Agency	Partnerships and Stewardship, Whaikaha - Ministry of Disabled People
Name of Work Programme	Nominations Database of disabled people for government boards / advisory groups
Overall Status	On track with minimal risks
Programme Summary	<p>Increasing diversity on government boards is a priority of the current government. Whaikaha leads the programme of work that aims to increase the representation of disabled people on public sector boards and advisory groups and promotes the development of leadership and governance skills within the disability community.</p> <p>The Partnerships and Stewardship Group (PSG) at Whaikaha (formerly known as the Office for Disability Issues) hosts a database of disabled people interested in seeking positions on government-appointed boards, committees, and advisory groups. PSG works as a conduit between appointing agencies and disabled candidates to promote greater diversity on public sector boards and advisory groups. The goal of this programme is to ensure greater numbers of disabled people are aware of opportunities to apply to and serve on government-appointed boards. In addition, Whaikaha seeks to build disabled people's</p>

	<p>leadership and governance skills by providing or linking them to training and development opportunities.</p> <p>Consistent monitoring is needed to determine whether the number of disabled people serving on boards and other bodies is increasing. This data needs to be collected annually so that progress can be monitored over time. As a result, PSG is working on an initiative to include disability as a category in the annual board stocktake undertaken each January by the Ministry for Women.</p>
<p>Alignment</p>	<p>This work programme primarily aligns with the New Zealand Disability Strategy (2016 – 2026) Outcome 8 - Leadership. It also aligns with Outcome 2 - Employment and economic security, Outcome 5 - Accessibility, and Outcome 6 - Attitudes.</p> <p>Additionally, as outlined in article 29 (Participation in Political and Public Life) of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), States parties should “promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and furthermore, states parties should encourage disabled people’s participation in public affairs”.</p> <p>At its most recent appearance (August 2022) in front of the United Nations Committee on the Rights of Persons with Disabilities, New Zealand was told: ‘The Committee is concerned about the lack of support for persons with disabilities to form their own sustainable organisations and build their capacity to represent persons with disabilities, and in particular the lack of organisations to represent Māori persons with disabilities, Pasifika persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons with disabilities, children with disabilities and women and girls with disabilities’ (para. 55.</p>

	CRPD/C/NZL/CO/2-3 refers). The key messages informing this programme are the need for disabled people to have equitable opportunities to build their capacity to represent themselves in public life, and the need to recognise the intersectionality of disabled people.		
Progress against Plan for the period			
Actions that were planned for the period	Actions completed in the period	Note any disruptions	Status
1. Ongoing maintenance of the database and updates to ensure the data is current.	As part of their wider roles in the PSG team, one Senior Advisor and an Advisor manage the Nominations Database, with some technical support being provided by an administrator.	Nil	On track or ahead
2. Contact all people on the Nominations Database to check they still want to be included.	In the past six months, Whaikaha aimed to update all members' database records. To date, all database members have been contacted by email at least twice, and over 130 of them have also received either a phone call or text. At the time of writing, approximately 75 others remain to be contacted.	Nil	Off track with minimal risk
3. Ongoing promotion of the database to government agencies who manage	This work continues each time PSG communicates with a nominating agency and puts forward the names of disabled candidates for positions, ensuring that the agencies know that all nominees are disabled people.	Nil	On Track or head

<p>appointments to boards / advisory groups.</p>	<p>In the last six months, PSG has been asked to comment on several Cabinet papers that provide details about the new members for a given government board. The theme of all Whaikaha feedback is that there are no known disabled people on those boards.</p> <p>In April 2023, the Nominations teams at Whaikaha, and the Ministry for Ethnic Communities pooled resources to run a professional development session via the MAGNet group (Monitoring Appointments Governance Network) entitled, "Working together to increase board diversity". This event was well attended, with over 25 officials from thirteen different agencies.</p> <p>Additionally, the Nominations Database has been promoted to a wider audience at other events during this reporting period (e.g., "Diversity with a Difference Event" at the Australian High Commission).</p> <p>Unfortunately, there has been insufficient time to meet with individual agencies to encourage them to consider disability and diversity regarding their nominations work.</p>	<p>Nil</p> <p>Nil</p> <p>Nil</p> <p>Nil</p>	<p>On Track or ahead</p> <p>On Track or Ahead.</p> <p>On Track or Ahead.</p> <p>Off Track with Minimal risks.</p>
<p>4. Provide ongoing professional development</p>	<p>Nominations database members identified a need for professional development around Te Ao Māori and Whaikaha is hoping to deliver this in the second half of</p>	<p>Nil</p>	<p>On track</p>

<p>opportunities so disabled people acquire the skills they need to become competent board members.</p>	<p>2023 with the guidance of the Kaihautū, Chief Advisor Māori, Whaikaha.</p> <p>PSG has offered two training sessions for database members during this reporting period in conjunction with other population agencies. The most recent was about the Board Appointments Process. This proved very popular, with 190 people across five population group agencies accessing the training. At least ten people from the Whaikaha database were present.</p> <p>Earlier in the year an online session about using LinkedIn to build a governance profile was hosted for Nominations database members (attendance numbers unavailable).</p> <p>More sessions are planned for the second half of 2023. The topics and timing will be determined by the population agencies.</p> <p>PSG works, along with the other population group agencies, with the Public Service Commission (PSC) which is developing a training package for prospective board members. A pilot <i>Future Directors</i> programme is about to be launched. This will see several public sector boards taking on a "Future Director" for a period of at least eighteen months and training them to be 'board-</p>	<p>Nil</p> <p>Nil</p> <p>Nil</p> <p>Nil</p>	<p>On track</p> <p>On track</p> <p>On track</p> <p>On track</p>
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	<p>ready'. It is hoped that at least four of the pilot's twenty participants will be from the Whaikaha nominations database. More details will be provided in the next report.</p> <p>PSG is working with the Be. Institute Leadership programme and supports its provision of a five-day leadership and governance course for disabled people. This course is supported by the Institute of Directors (IoD). The second course started in March 2023 and was advertised to members of the Whaikaha nominations database.</p> <p>PSG has also been working alongside other population agencies on a Ministry for Women (MfW)-funded project to create an accessible web-based resource of governance training resources. This website was launched in June 2023 and can be found here: Leadership Learning Hub Ministry for Women.</p> <p>When Whaikaha is made aware of other governance training and development opportunities, information about these is passed to members of the Nominations database.</p>	<p>Nil</p> <p>Nil</p>	<p>On Track</p> <p>On Track</p>
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<p>5. Write a Cabinet paper to include disability in the annual board stocktake.</p>	<p>The focus group that was convened last year to support the drafting process for this Cabinet paper met several times in the early part of 2023.</p> <p>After an initial scoping paper was prepared in 2022, an executive summary was written and presented to the Whaikaha Executive Leadership Team (ELT).</p> <p>In April, ELT agreed a briefing paper should be written for the Minister for Disability Issues, inviting her to take a paper to Cabinet to seek approval for the inclusion of disability into the annual board stocktake.</p> <p>The briefing paper was presented to the Minister in May 2023. Whilst the Minister agreed with its recommendations, she believed there was insufficient time to get this paper through Cabinet before the general election. As a result, the work has been paused until after October 2023.</p>	<p>Nil</p> <p>Nil</p> <p>The Minister has asked this work to be paused until after the October 2023 general election.</p>	<p>On Track or Ahead.</p> <p>On Track</p> <p>Off Track with Minimal risks/issues.</p>
<p>Narrative</p>			
<p>PSG works closely with the other population agencies hosting nominations databases, including the Ministry for Women - Minitatanga Mo Nga Wahine (MfW), Ministry for Pacific Peoples - Te Manatu mo nga iwi o te moana-nui-a-kiwa (MPP), Ministry for Ethnic Communities - Te Tari Matawaka (MEC), and Te Puni Kōkiri (TPK). PSG also works with the Public Service Commission (PSC) and many of the appointing agencies through MAGNet (Monitoring, Appointments and Governance Network), an employee-led network facilitated by the Public Service Commission.</p>			

At the request of database members, work is being considered to add further database fields to enable filtering of people interested in senior governance positions and those more interested in working groups and advisory groups whose focus is the disability community. Such a change would allow a more targeted approach to nominations. There are several Whaikaha nominations database members who are only interested in participating in working groups and advisory committees that directly pertain to disabled people.

The reason for contacting all database members was to ensure that everyone currently on the database still wished to be receiving information about governance opportunities. It also provided an opportunity to request a CV from those who had not provided one at the time of application to the database. Most people wished to remain on the database and many people have sent an updated CV. However, 20 people opted to leave, some due to lack of time, others due to retirement and/or feeling they no longer have the energy to perform governance roles.

PSG continues to advise database members of opportunities to apply for board positions and has maintained the database by removing people who no longer wish to be included and adding new members. Currently, there are 205 people on the database. Of these, 186 are disabled people fully registered on the database, fourteen are family/whānau of disabled people, and five have incomplete records, three of whom are known to be disabled. Note, family/whānau members are not usually put forward for a position unless the appointing agency is specifically looking for family/whānau voice.

Te Puni Kokiri currently has 75 people fully registered, with another 1,500 who are interested. The Ministry of Pacific Peoples has 347 people on their database, Ethnic communities has 245, and the Ministry for Women has 1,576.

In this period, PSG sent out 42 opportunities for people to be nominated to boards, some with multiple positions available. To our knowledge and bearing in mind it can often take nine months from nomination to appointment, three people from the Nominations database have successfully gained places on a board or advisory group in the last six months. Meanwhile, Te Puni Kokiri sent out 60 nominations in the first six months of the year and are aware of one person being successful, and the Ministry for Ethnic Communities were successful in getting five new people onto

boards and two reappointments. The Ministry for Women worked on 59 nominations and is not aware of any successful nominations.

The work with the Ministry of Women on its resource hub has now concluded and work with PSC on an All of Government database has been placed on hold (by PSC). Work is, however, underway on relationship building with the Institute of Directors, particularly the local Wellington Branch, to find ways that Whaikaha and the IoD can work together to support and increase disabled people's presence in governance roles. Some of this work is likely to involve the other population agencies as we are all working towards similar goals, and it makes sense for the IoD to work with five agencies as a group rather than negotiating relationships with individual agencies.

It is unclear if the Cabinet paper about introducing monitoring of disabled people to the board stocktake will be written post the election in October 2023, or whether Whaikaha will instead incorporate its request into the Cabinet Paper to the Awards and Honours committee in the middle of 2024. Whaikaha will need to await further direction from the Minister for Disability Issues post-election. What is clear is that the current Minister for Women and Minister for Disability Issues both support the concept. They released a joint press statement on 6 June 2023 to highlight the need to encourage more disabled people onto public sector boards.

During the writing of this report, Whaikaha received an update from the Be. Institute about its Leadership and Governance programme. In 2023, 18 people attended this programme. Five of the participants were members of the PSG Nominations Database and a further three participants were Be. Leadership alumni. The Be. Institute acknowledges that leadership and governance training is a 'long game' and that graduates will not necessarily find board positions immediately. It is in the process of introducing a mentoring programme. Whilst, some course participants already have a board mentor, the Be. Institute expects this programme to be fully operational by mid-2024. It intends running another Leadership and Governance programme in 2024 as it appears that there is demand for such a programme.

Risks/issues that are impacting or may impact progress and mitigations

There have been eight instances in the past six months where information about nominations has not been sent to candidates. On all eight occasions this was because no one on the Nominations database had the specific skills or knowledge required for the advertised position. Last year there were instances when nominations could not be made due to a lack of capacity, but this was not an issue during the current period.

Impacts on inequities

Of the current 205 members on the database all identify as disabled except the fourteen family/whānau of disabled people and potentially two people whose records are incomplete. In terms of gender, 100 (49%) are female, 98 (48%) are male, 3 (1.5%) are gender diverse and 4 (1.5%) preferred not to say.

In terms of ethnicity, 177 (86%) people identified as New Zealand European, 14 (7%) people identified as Māori (compared with 13 at the last reporting period), 4 (2%) identify as Pacific people (the same as the last reporting period), 2 (1%) as Asian, and 8 people (4%) preferred not to say. Note these figures are based on primary ethnicity only.

Of the three people who were successful in obtaining board positions, two were female and one was male. All were New Zealand European.

A comparison of the database and Census 2018 data¹² shows more work needs to be done to encourage disabled people from ethnically diverse backgrounds to join the Whaikaha Nominations database and be upskilled so they can serve on public sector boards. Earlier in the year the Lead Adviser for Pacific People at Whaikaha and the Senior

¹² European 71.8%, Māori 16.5%, Asian 15.3%, Pacific peoples 9.0% (Source: Stats NZ, [2018 Census totals by topic – national highlights](#))

Adviser for Nominations advertised the database to Pacific people but unfortunately only one parent of a disabled person expressed an interest.

Approaches to increase the ethnic diversity of people on our Nominations database are a future consideration for this work. A further future consideration is increasing the reporting on the intersectionality of data. This could be achieved by updating the questions asked on the expression of interest form to join the database and by further breaking down the ethnicity data by gender.

Programme changes based on disruptions to the normal workflow

None

Next steps

- PSG will continue to nominate people for government boards and advisory committees.
- PSG as part of Whaikaha will put forward candidates for King's Birthday Honours 2024.
- PSG will continue to work with the other nominating agencies, the PSC, the IoD and Be. Institute to provide professional development opportunities for members of the Whaikaha Nominations database.
- PSG will continue contacting people on its Nominations database to ensure the records are up to date.
- PSG will seek opportunities to promote disability as a dimension of diversity to those involved in public sector governance.

Any growth opportunities for this area of work will need to be considered against the resources allocated for this work. Further work could be undertaken in liaising with appointing agencies and providing more professional development for database members.

The review group asked how the nominations work will be impacted by a change of government. This will be reported on in the next DAP report, as will the impact of the proposed Cabinet Paper, if it has been dealt with at the time of writing. There are certainly opportunities to increase the participation of Māori and Pacific people in leadership opportunities. The first step will be to engage with Tāngata Whaikaha Māori organisations and Pacific disabled people's organisations.

Cross Government Work Programme

Disability Data and Evidence

This programme has not provided a report for this reporting period but will be back on track for the July to December 2023 reporting period.