

Briefing for Incoming Minister

Disability Issues

2017

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The Minister for Disability Issues leads and advocates across government on behalf of disabled New Zealanders, to ensure government services and policy consider their needs and interests.



1.1m (24%)
New Zealanders are disabled



59%
of all people over 65 are disabled



approx 60,000
people received a health and disability-related benefit in 2016
(an increase from 31,000 people in 2000 and a liability of \$5.5 billion)



\$3.176m

Note:
\$3.176m is incorrect. The correct figure is \$3.716m.

Vote Social Development appropriation
(includes a contribution to funding for the Office for Disability Issues)



\$1.5m

for the promotion and maintenance of NZSL
(with \$1.25 million for the NZSL Fund for supporting initiatives and \$0.25 million for the operation of the NZSL Board)



\$0.275m

for disabled-people led monitoring of disabled people's rights



\$1m

for the Be.Accessible programme delivering accessible tourism

Introduction

This briefing provides you with information on the scope of the portfolio, information on key decisions and matters requiring your attention in your first three months, along with the key contacts for your portfolio.

While this briefing details our current focus in the portfolio, we look forward to discussing the most effective ways we can support you and your priorities as Minister.

In addition to your portfolio briefing, we have included information on what we consider to be the key strategic issues for the wider social development sector at the moment. We have also provided background information on the Ministry to assist you.

Scope of your portfolio

Leadership and advocacy

Currently the Minister for Disability Issues leads and advocates across government on behalf of disabled New Zealanders, to ensure government services and policy consider their needs and interests.

This leadership and advocacy includes the following cross-agency issues:

- disability support and services
- employment
- housing
- schooling
- health services
- transport
- the protection of rights and interests.

You are responsible for the:

- New Zealand Disability Strategy (revised in 2016 following widespread public consultation)
- New Zealand Sign Language Act 2006, which recognised New Zealand Sign Language (NZSL) as an official language of New Zealand.

You also lead co-ordination of New Zealand reports for the United Nations Convention on the Rights of People with Disabilities (CRPD).

The Ministry also monitors the New Zealand Artificial Limb Service, which provides individualised services to rehabilitate amputees. The Minister for Social Development is responsible for the Service; however, in recent years responsibility for the day-to-day oversight of the Service has been delegated to the Minister for Disability Issues. We will explore with you the degree of synergy between the work of the Service and the Disability Issues portfolio.

Support for the portfolio

The Office for Disability Issues (the Office) provides support to you, along with the Ministry's Policy and Service Delivery teams.

Office for Disability Issues

The Office for Disability Issues was established by Cabinet in 2002 to be the focal point within government on disability issues. The Office is made up of seven staff based in the Policy group at the Ministry, led by a Director. The Office's function is separate from the sector-specific disability policy work undertaken by the Ministry.

The key areas of responsibility for the Office include:

- reporting directly to the Minister for Disability Issues
- co-ordinating and reporting on implementation of the CRPD, the New Zealand Disability Strategy and the Disability Action Plan
- providing advice to government agencies on disability issues
- sharing ideas and growing the understanding of issues that are important to disabled people
- facilitating an effective working relationship between the disability sector and government agencies
- providing secretariat support to the NZSL Board and Fund.

Our activities are funded from Vote Social Development. Our annual work programme is agreed directly with the Minister for Disability Issues.

Policy and Service Delivery teams

The Ministry has a strong focus on social wellbeing and employment for the whole population, including disabled people. The Ministry's Policy team provides advice on disability-related issues, including on:

- improving employment outcomes for disabled people and people with health conditions (including mental health)
- supporting the transformation of the disability support system
- providing resources and support for employers to hire disabled people (particularly in the public service)
- promoting accessible information and communications.

The Service Delivery teams provide support on initiatives to increase employment opportunities for disabled people.

New Zealand's disabled population

In New Zealand, 1.1 million people (24 percent of the population) have some form of long-lasting impairment. As our population ages, the proportion of disabled New Zealanders is increasing, as a result of disabled people living longer and the increasing numbers of people with age-related impairment. Fifty-nine percent of all people aged 65 and over are disabled¹.

Causes of impairment vary greatly. People may have impairment from birth, injury, a health condition, or arising naturally as they age.

¹ New Zealand Disability Survey 2013 (the next New Zealand Disability Survey will be conducted in 2023).

Disabled New Zealanders and their families want equal opportunities in life. Just like everyone else, they want to enjoy our country, make their contribution, be employed, feel they belong in their community, have fun, be safe, and access support to make choices over their life.

Many disabled people, however, face reduced opportunities. Disabled New Zealanders have poorer life outcomes compared with non-disabled people. Statistics NZ's Disability Surveys consistently show disabled people have lower rates of employment, experience poorer educational outcomes, face higher health risks, and are over-represented in low-income groups and live in poorer areas. Disabled people's experience of poorer life outcomes have persisted over time.

Figure 1: Labour market rates by disability status (June 2017 quarter)

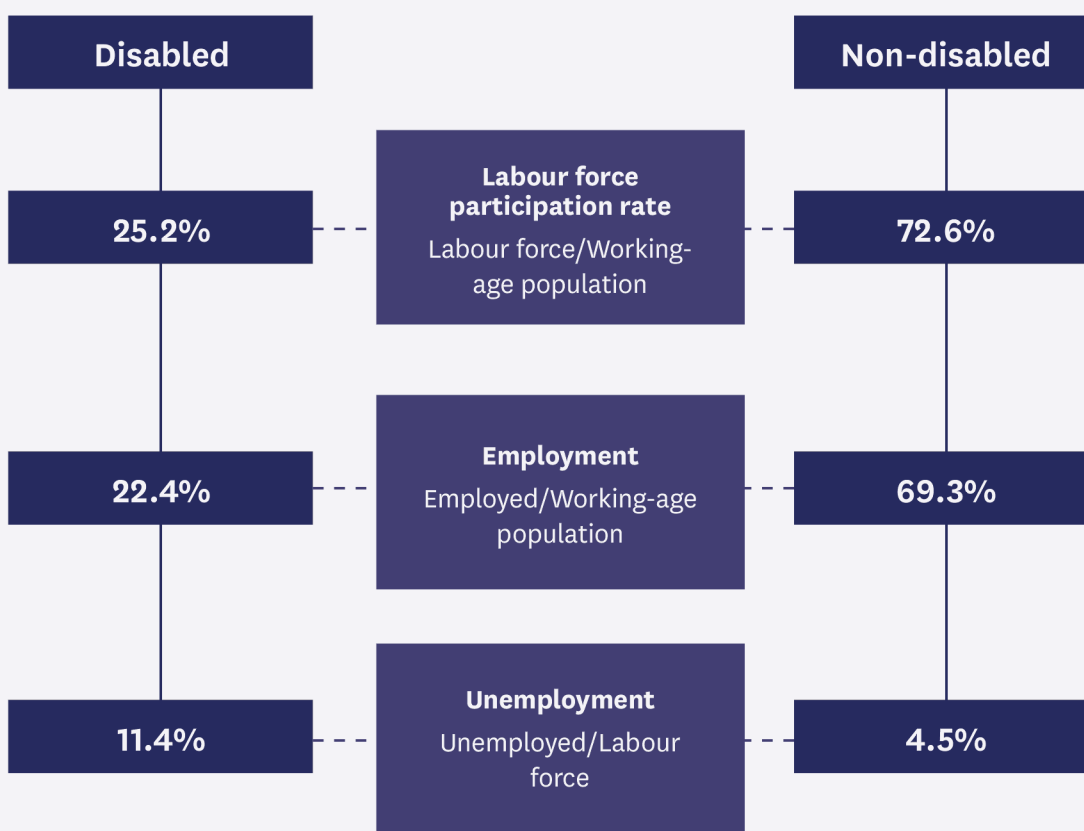
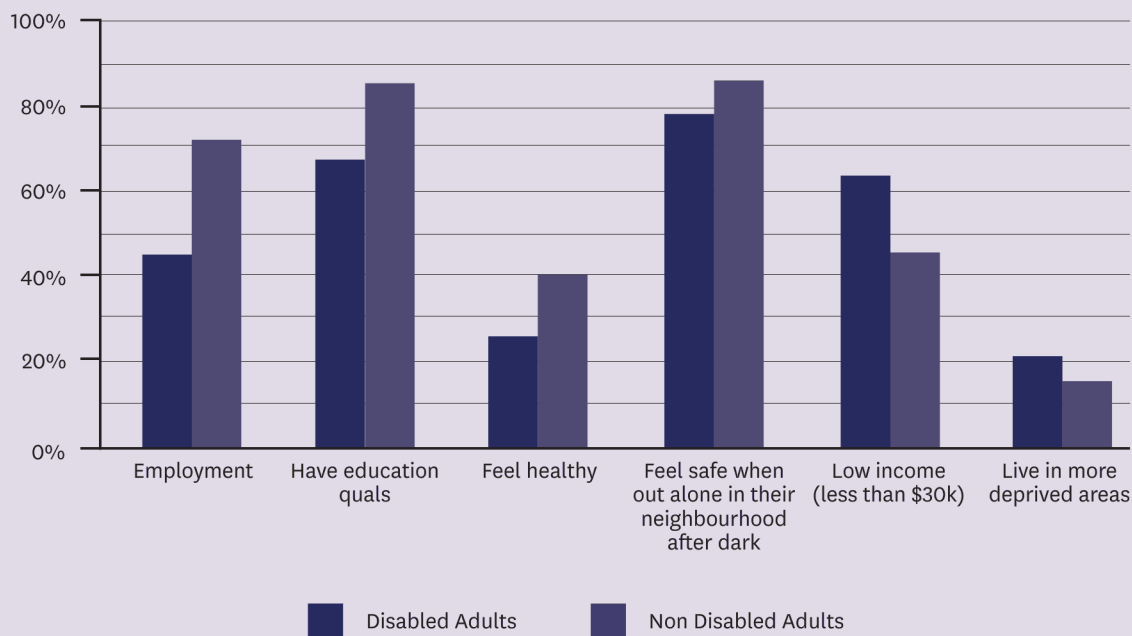


Figure 2: Disparity in life outcomes between disabled people and non-disabled people (Statistics NZ Disability Surveys)



Improved data on disabled people may improve outcomes for disabled people

Statistics NZ's inclusion of a set of disability questions in their population surveys (including the 2018 Census) has provided better data on disabled people. The improved data provides the opportunity to improve policy-making and practice, and to track progress achieved through the New Zealand Disability Strategy (2016-2026). There are some concerns from disabled people that the data may reinforce negative assumptions about disabled people. Better data, however, can be an impetus for improving policy and practice and can provide opportunities to better realise the rights of disabled people and their potential to contribute to New Zealand. In the development of indicators for the New Zealand Disability Strategy, it has become apparent that there is the opportunity to consider developing additional data sources to ensure effective measurement of progress for disabled people.

Improving employment outcomes

The Ministry has increased its focus on health and disability clients, including people with mental health conditions. The number of people with a mental health condition in receipt of a health and disability-related benefit has increased from 31,000 in 2000 to about 60,000 today.

Removing the barriers to employment faced by disabled people and people with health conditions, is a priority for us. The Ministry's initial analysis indicates that improvements can be made to current settings; for example, through an increased focus on prevention and early intervention at the gateway to the benefit system.

The Ministry has a range of initiatives in place to trial new approaches to improving employment outcomes for clients with a mental health condition. In addition, The Ministry and the Ministry of Health have commissioned the OECD to undertake research about employment and mental health in New Zealand, similar to other country reports produced by the OECD. We expect this will inform policy and service design to improve social and health outcomes for people with mental health conditions. The research is due for completion around September 2018.

We can provide advice on your commitments around improving employment opportunities for disabled people.

Disability experienced by Māori

Māori are over-represented in the disabled population² and disabled Māori have poorer life outcomes compared with other Māori. Key issues are low income, poor housing quality and discrimination³. Higher rates of impairment among Māori contribute to poorer socio-economic status. For example, Māori have higher rates of moderate impairment related to environmental factors such as ill health, poor housing, or injury from more risky occupations.

This highlights the need for greater focus on disabled Māori across all agencies in initiatives targeting disabled people.

People with high support needs

The number of people with high support needs is rising. There are growing numbers of people diagnosed with dementia, autism, Foetal Alcohol Syndrome Disorders, and other types of cognitive impairments. There is growing advocacy for these people, who can be particularly vulnerable and dependent on others. They are at greater risk of abuse, violence, undue influence or experiencing other forms of disadvantage. It is important that advances in policy and practice consider the needs of disabled people with high support needs, as well as more specialist approaches, in universal services and approaches.

The ageing population will have a significant impact on the growth of people with high support needs, with the number of people with dementia alone is projected⁴ to increase to 170,212 people by 2050.

The Office is working with the disability sector on more modern and effective approaches to supporting disabled people (particularly adults with cognitive impairment) to have increased choice and control over decision-making about their lives. The Office has estimated that the sub-population of people who may need support for decision-making currently ranges from the tens of thousands to around a hundred thousand people. We would like to engage with you on possible areas for improvement, with a report being developed for you by February 2018 for your consideration.

² The 2013 Disability Survey found that Māori had a disability rate of 32 percent, compared with 24 percent for Europeans, 26 percent for Pacific, and 17 percent for Asian.

³ Statistics New Zealand (2015). *He Hauā Māori: Findings from the 2013 Disability Survey*.

⁴ Alzheimers New Zealand/Deloitte (2017). *Dementia Economic Impact Report 2016*.

Strategic opportunities

We would like to discuss with you where we could make gains for disabled people. The New Zealand Disability Strategy⁵ 2016-2026 sets out an agenda for promoting change in thinking and behaviour about disabled New Zealanders⁶. The Strategy has been developed with disabled people and included two rounds of public consultation in 2016.

The Strategy is aligned with the United Nations Convention on the Rights of People with Disabilities and will inform a plan of action (a revised Disability Action Plan) to achieve those priority outcomes as well as indicators that demonstrate the progress being achieved. The diagram below illustrates those alignments.

New Zealand Disability Strategy 2016-2026

The priority outcomes identified in the Strategy to be achieved for disabled people are:

- education
- employment and economic security
- health and wellbeing
- rights protection and justice
- accessibility
- attitudes
- choice and control
- leadership.

We believe focussing on the following three outcomes of the Strategy would create significant gains for disabled people.

Improving access

Accessibility is particularly important for disabled people because they are likely to be most affected by a lack of accessibility (along with older people, parents with pushchairs, people who have been injured, and people who have English as a second language). There is strong interest from an alliance of disability organisations to explore the role of legislation, based on the legislation in Ontario, to achieve a more accessible New Zealand. We can provide you with further advice on this approach at your request.

Accessibility is used to describe a feature or quality and can include many things such as:

- the built environment (buildings, housing, public spaces)
- transport
- information
- communication
- services.

⁵ Section 8 of the New Zealand Public Health and Disability Act 2000 provides that the Minister of the Crown responsible for disability issues must determine a strategy for disability support services, to provide the framework for the Government's overall direction for the disability sector in improving disability support services.

⁶ The New Zealand Disability Strategy was developed by the Office for Disability Issues following two rounds of public consultation over 2016 and with advice provided by a cross-sector reference group. Cabinet approved the New Zealand Disability Strategy in October 2016.

Figure 3: New Zealand Disability Strategy framework



Leverage points for improving access for disabled people include:

- working on housing, particularly promoting an increase in the supply of accessible state/social housing design
- working to improve the design and access requirements of buildings
- supporting local authorities to improve access for disabled people
- supporting the transport sector to improve access to land transport for disabled people
- ensuring government information is available in NZSL.

Leadership development

We can support the Disabled People's Organisations (DPO) Coalition to promote leadership of disabled people, in both the community and the government sector through investment in capability development for disabled people.

There is a need to build capability across the disabled population, especially among groups that have not been as visible, including disabled Māori, Pacific peoples, Asian people, women, and youth. Different approaches may be needed to reach and develop these groups.

Changing attitudes

There are opportunities to partner with the disability sector on common messages and communication tools to promote positive attitude change. Work on the Disability Confident employment campaign can inform such future initiatives.

We can also provide you with advice on your manifesto commitment to develop further opportunities for disabled people and people with mental health conditions to undertake creative initiatives.

Ensuring the Disability Strategy makes a difference for disabled people

A key message from disabled people during the update of the New Zealand Disability Strategy was the need to ensure the Strategy is backed up with action and that it makes a difference for disabled people.

Outcomes Framework

The Office is currently developing the Strategy's Outcomes Framework. The Framework will provide the mechanism to measure whether progress is being made on implementing the revised Strategy. This will include indicators and targets to measure the improvement in life outcomes of disabled people. We have worked with our Disability Strategy Reference Group to identify indicators which would provide evidence of progress. The measures for those indicators are yet to be established and data gaps have been identified. We will engage with you on the Outcomes Framework and on seeking Cabinet's approval for public consultation to be undertaken in early 2018.

Involving disabled people in direction-setting and monitoring – the Disability Action Plan

The Disability Action Plan was established to give effect to the 2001 Strategy and the 2014 CRPD concluding recommendations. The Action Plan was last updated in 2015 and has 29 actions that have been agreed between government agencies and the DPO Coalition.

The Office provides funding for the DPO Coalition to meet regularly and engage with government agencies on the development and monitoring of the Disability Action Plan. Appendix 2 outlines the DPO Coalition's priorities.

We will engage with you on updating the Disability Action Plan in 2018 to ensure actions are well aligned with the outcomes and indicators in the Strategy and respond to issues and recommendations from the CRPD examination.

Appendix 3 identifies key milestones, including completion of the Strategy's Outcomes Framework in 2018 and the update of the Disability Action Plan, which both involve public consultation.

Other priorities within the portfolio

Promoting and maintaining New Zealand Sign Language

New Zealand Sign Language Act

NZSL was recognised as an official language through the New Zealand Sign Language Act 2006. The Act is administered by the Ministry, through the Office. The Act:

- gives a person who uses NZSL the right to use NZSL in legal proceedings
- empowers the making of regulation setting competency standards for the interpretation of legal proceedings in NZSL
- states principles to guide government departments on matters relating to NZSL.

New Zealand Sign Language Board

In 2014 Cabinet established the NZSL Board as an independent advisory committee. The Office is the secretariat to the Board. The purpose of the Board is to:

- promote and maintain the use of NZSL by ensuring the development, preservation and acquisition of the language
- ensure the rights of Deaf people and NZSL users to use NZSL as outlined in the NZSL Act 2006
- provide expert advice to government and the community on NZSL.

Budget 2014 designated \$1.5 million per year for the operation of the Board, with \$1.25 million of that appropriation allocated to create an annual contestable fund to promote and maintain NZSL through community-led initiatives. There have been three funding rounds to date, with the fourth planned for release by the end of 2017. So far, 58 percent of the NZSL Fund has been allocated to 55 separate community-led NZSL initiatives.

Board appointments

The board has up to 10 members, all of whom are NZSL users, and the majority of members are Deaf NZSL users. The standard term of office for each member of the Board is three years (except on its establishment, when some members were appointed to shorter terms to provide for the staged turnover change in membership).

You are responsible for making appointments to the Board through the Cabinet Appointments and Honours Committee, and approving the policy and criteria for the NZSL Fund. We will engage with you on the next round of appointments (for five positions) before June 2018.

Funding challenges

The NZSL Board has identified a challenge in the lack of ongoing funding for essential language services and resources. This has the potential to continue to impact negatively on Deaf NZSL users becoming fully fluent in NZSL. We would like to discuss with you funding NZSL essential services and resources. The NZSL Board will seek the approval of the Minister for Disability Issues for any proposed changes to the Board's plan and the NZSL Fund.

United Nations Convention on the Rights of Persons with Disabilities

Ratification and focus

New Zealand played a leading role in the establishment of the CRPD in the 2000s and in recognising the language rights of Deaf people.

The CRPD was adopted by the United Nations in 2006 and ratified by the New Zealand Government in 2008. Its treaty-based human rights approach affirms the need for state parties to progress the realisation of equal rights and better life outcomes for disabled people.

The CRPD's articles focus on specific areas of life; for example, rights to education, having a family, emergency responsiveness, choosing where you live, non-discrimination, or decision-making. The concept and practice of having reasonable accommodation is central to the realisation of these rights for disabled people.

Reporting under the CRPD

Every four years New Zealand is required to report to the CRPD Committee on New Zealand's implementation of the convention. The Office co-ordinates the reporting process across government. Full benefit from this mechanism is achieved when states' parties see the reporting as an opportunity for feedback and improvement rather than just focusing on compliance.

A New Zealand Government report on implementation will be developed in 2018 (in response to the CRPD Committee's List of Issues, expected to be released around March 2018). New Zealand is likely to have to appear before the CRPD Committee in 2019 (at the United Nations in Geneva) to report on progress with implementation.

Domestic accountability is reinforced through an Independent Monitoring Mechanism involving the Human Rights Commission, the Office of the Ombudsman, and the Disabled People's Organisations Coalition (DPO Coalition). The DPO Coalition receives \$275,000 per year for disabled people-led monitoring.

Following a review of their operating model, the DPO Coalition will use the 2017 funding to update the monitoring mechanism to better access the voice of Māori, Pasifika and people who have difficulty communicating. The new monitoring framework should be in place from July 2018.

Strategic and aligned priorities in other portfolios

Within the commitment to reducing inequality and poverty and improving the well-being of all New Zealanders it will be important that opportunities to improve the wellbeing of disabled New Zealanders are considered in new policy development in other portfolios. Two current policy initiatives in other portfolios are closely aligned with the Disabilities portfolio.

Transformation of the disability support system – led by the Ministry of Health

The current disability support system does not provide disabled people and their families with choice and control over their lives. Work is underway to transform the system, based on co-design with disabled people.

The transformation of the disability support system programme is based on the Enabling Good Lives vision and principles. The co-design process is being informed by lessons from the two demonstrations of the Enabling Good Lives approach – in Christchurch and the Waikato – as well as other evidence of what works.

We will provide you with advice on the next phase of the detailed co-design of the prototype for the MidCentral District Health Board region. Transformation is planned to begin in the region in July 2018.

The transformation programme aims to ensure disabled people, their families and whānau have greater choice and control over the support they receive from government, including individualised funding. You jointly lead the programme with the Associate Minister of Health. The Ministry of Health is the lead agency, and the Ministry provides support for the system transformation work.

The transformed disability support system will:

- be proactive and responsive, welcoming people into the system
- offer access to independent facilitation (to help people plan for the life they want)
- provide a personal budget made up of funding from multiple government agencies
- target services more effectively to help disabled people and their whānau achieve better outcomes and reduce long-term disability costs
- refer people to other agencies for additional services
- use data analytics and system insights to monitor outcomes and continually improve the system.

Disability Confident campaign - led by the Ministry of Social Development

The Disability Confident campaign was launched in November 2016 and recognises that disabled people are an untapped talent pool of loyal and committed employees. They bring a perspective that can help transform the culture, customer relations and performance of a business for the better.

The campaign is a partnership between government and the private sector, and provides employers with the practical tools and information to have the confidence to hire disabled people.

We can provide you with further advice on your commitment to consult in partnership with disabled people on areas of policy shortfall and inadequacy, and on sponsoring the Accessibility for New Zealanders Act.

Appropriation responsibilities

You are the appropriation Minister for the departmental appropriation Promoting Positive Outcomes for Disabilities within Vote Social Development.

This is the appropriation for providing services to promote and monitor the implementation of the New Zealand Disability Strategy, to monitor and implement the CRPD, and to provide information to Ministers on disability matters.

In 2017/2018 the appropriation's \$3.716 million comprises baseline funding of:

- \$1.5 million for NZSL promotion and maintenance, through the activity of the NZSL Board and initiatives supported by the NZSL Fund
- \$0.275 million for disabled people-led monitoring of disabled people's rights
- \$1 million for the Be.Accessible programme delivering accessible tourism.

The appropriation also contributes funding for the Office for Disability Issues.

Key relationships

Your portfolio has strong mutual interest with Ministers whose portfolios focus on other population groups. The strongest overlap is with the Seniors portfolio. There are also strong connections with portfolios for Māori Development, Pacific Peoples, Women, Ethnic Communities, Youth, and Children.

Other key ministerial relationships include the Minister of Health, Minister for Social Development, Minister of Education, Minister of Justice, Minister for ACC, Minister for Housing and Urban Development (in relation to state/social housing), Minister for Economic Development, Minister for Workplace Relations and Safety, and the Minister for Building and Construction.

Appendix 1 includes a list of stakeholders throughout the disability sector and wider community that you will have relationships with.

Decisions that require your early attention

Below is a list of the key matters we would like to discuss with you in your first 100 days as Minister for Disability Issues, in addition to your key priorities.

Matters for discussion	Date	Authority
Report on progress with implementation of the New Zealand Disability Strategy, which is presented to Parliament	December 2017	Minister for Disability Issues
A draft New Zealand Disability Strategy Outcomes Framework and permission to undertake public consultation on the draft in early 2018	February 2018	Cabinet approval
Options for possible improvement of support for the exercise of legal capacity by disabled people	February 2018	Minister for Disability Issues
NZSL strategic plan, annual report, and updated policy and criteria for the NZSL Fund	February 2018	Minister for Disability Issues
Design of the transformed disability support system that will be implemented in the MidCentral region, along with a high-level implementation plan (with the Associate Minister of Health)	February 2018	Cabinet approval

Working with you

We look forward to working with you and discussing the most effective ways we can support you and your priorities as Minister.

We are keen to discuss how frequently and in what form you wish to meet with us and the frequency and type of information you would like us to report to you on. We expect you wish to be kept informed of progress on initiatives and work programmes, as well as financial and performance data.

We will provide you with additional information on key work programme items for the Disability Issues portfolio.

Key contacts

Name	Title	DDI	Mobile
Simon MacPherson	Deputy Chief Executive, Policy	s 9(2)(a) OIA	
Brian Coffey	Director, Office for Disability Issues		
James Poskitt	General Manager, Community and Families Policy		
s 9(2)(a) OIA	Manager, Youth and Disabilities		

Appendix 1: Key stakeholders

Key disability-related stakeholders include:

- **Human Rights Commission:**
in 2017, Paula Tesoriero was appointed as the first dedicated Disability Rights Commissioner under the recently amended Human Rights Act 1993
- **Office of the Ombudsman:**
Judge Peter Boshier, Chief Ombudsman
- **Office of the Health and Disability Commissioner:**
Rose Wall, Deputy Commissioner Disability
- **Office of the Health and Disability Commissioner:**
Kevin Allan, Mental Health Commissioner
- **DPO Coalition:**
made up of the Association of Blind Citizens of New Zealand Incorporated, Balance Whanganui (Balance Aotearoa), Deaf Aotearoa New Zealand Incorporated, Disabled Persons Assembly (New Zealand) Incorporated, Kāpō Māori Aotearoa New Zealand Incorporated, and People First New Zealand Incorporated
- **Disability sector organisations:**
CCS Disability Action, IHC Advocacy, NZ Disability Support Network, Blind Foundation, National Foundation for the Deaf, Hearing Association, Complex Care Trust, Autism New Zealand, Barrier Free Trust, Auckland Disability Law, Christchurch Earthquake Disability Leadership Group, Arts Access Aotearoa. Inclusive NZ, Be. Institute, and Lifemark
- **Disability Confident:**
employers and the business community, including BusinessNZ
- **Transformation of the disability support system:**
National Co-design Group, the National Enabling Good Lives Leadership Group, the MidCentral Leadership Group.

There are many other regional and local service providers, and advocacy groups on specific impairments or health conditions around the country. Engagement with these groups can be considered on a case-by-case basis.

Appendix 2: Involving disabled people and priorities

In recent years, there has been a growth in the use of co-design by government agencies on disability-related policy. Most significantly, in 2017 Cabinet agreed that the transformation of the disability support system would follow a co-design approach in its development and have leadership mechanisms overseeing implementation.

The Office for Disability Issues strongly encourages the involvement of disabled people at the early stages of government legislation, policy, or service development, including in the problem definition stage, where there is a significant impact on disabled people.

In practice under the Disability Action Plan, it has become clear that there are constraints on the ability of both the DPO Coalition and government agencies to engage. DPOs acknowledge they are limited by the lack of resources available to them outside of attending meetings, and government agencies are challenged by the increased time and resources needed for working collaboratively with community stakeholders.

Priorities from the DPO Coalition

The DPO Coalition looks forward to continuing to grow our positive relationship with government through the Office for Disability Issues and have collectively agreed on the following current priorities:

- **Disability Action Plan** – Many actions are progressing but others are delayed by lack of government resources. The DPO Coalition has worked with the Office for Disability Issues to produce a risk report outlining how to get all actions back on track, and the first additional resources have been confirmed.
- **New Zealand Disability Strategy Outcomes Framework** – More time is needed for engagement with disabled people and the development of robust outcomes, indicators and measures. Government has agreed to co-create this in partnership with the DPO Coalition and the disability community, and to take more time to get it right.
- **Shadow Report to the United Nations** – In 2018 the DPO Coalition will prepare a joint Shadow Report from the perspective of disabled people. We expect to engage widely with other disability organisations (our allies) to achieve this.
- **Transformation of the disability support system** – The DPO Coalition is working with government on new arrangements for Enabling Good Lives and with the Ministry of Health on transformation of the disability support system. There is a lot of work to do to get this right and to ensure that local leadership roles and groups have enough time to develop and work effectively. We will be calling on our members to get involved in these local and regional groups.
- **Transition of disabled people-led monitoring** – The Office for Disability Issues has agreed to change how disabled people-led monitoring works. The good work will continue, led more closely by the DPO Coalition. Government has committed to continue its investment in disabled people-led monitoring as core to its obligations under the CRPD.
- **The work of DPOs** – The member organisations of the DPO Coalition continue to take opportunities individually and collectively to develop our capacity and capability, and hope that further work with government will include discussions on sustainable funding.

Appendix 3: Forward planning milestones

