

# **Budget Sensitive**

## **Office of the Minister for Disability Issues**

## **Office of the Minister of Health**

## **Cabinet Social Wellbeing Committee**

## **Disability System Transformation Update**

### **Proposal**

1. This paper provides an update on progress toward the establishment of a Ministry for Disabled People ('the new Ministry') and the national implementation of the Enabling Good Lives approach to disability support services and identifies future opportunities for further disability system transformation once the new Ministry is established and fully operational
2. This paper seeks agreement that the new Ministry will:
  - 2.1 integrate the Office for Disability Issues (ODI) and its functions and responsibilities

- 2.2 be responsible for cross-government accessibility leadership once accessibility legislation is passed

## **Executive Summary**

4. Cabinet agreed in October 2021 to establish a new (provisionally named) Ministry for Disabled People, as a departmental agency hosted by the Ministry of Social Development (MSD) [SWC-21-MIN-0146 refers]. An Establishment Unit in MSD is currently working on standing up the new Ministry and is working with a Community Steering Group and Governance Group as well as engaging more widely with disability community groups on the establishment
5. The new Ministry will be responsible for most Disability Support Services (DSS) currently funded through the Ministry of Health, and for the transformation of those services using the Enabling Good Lives (EGL) approach, but it has a broader purpose and mandate. Ultimately the new Ministry is intended to drive improved outcomes for disabled people, and this cannot be achieved solely through changes to specialised supports. To have the desired impact, the new Ministry will focus on strategic policy, stewardship, and capability building for the wider government system as it relates to disabled people
6. Through the national scaling of the Enabling Good Lives approach, there will also be a focus on development of disabled people, tāngata whaikaha

Māori, tagata sa'ilimalo and their family, whānau, aiga and carers (disabled people and their whānau)<sup>1</sup> leadership by investing in capacity and capability development in the regions to enable self-determination, voice and enhancement of mana

**7.** Future opportunities for further disability system transformation once the new Ministry is established and fully operational are discussed throughout this paper, and collectively are:

**7.1** ongoing transformation of disability services and supports, including continuing the movement from a service delivery and medical model to a social model of disability that supports self-determination and choice and embraces Te Aō Māori models

**7.2** bringing accessibility and disability together in the new Ministry

---

<sup>1</sup> This abbreviation is used throughout the paper for the purpose of brevity, not exclusivity. It is used when referring to a general group including disabled people, tāngata whaikaha Māori, tagata sa'ilomalo and their family, whānau whaikaha, aiga and carers. The appropriate cultural term has been used when specifically addressing topics relating to tāngata whaikaha and whānau whaikaha, and tagata sa'ilimalo and aiga.

- 7.3** the broader mandate, including leadership and stewardship functions, that the Ministry will have to drive transformational change across government
- 8.** In order to put the Ministry in the best position to achieve that greater impact, we recommend that ODI and its functions become part of the new Ministry, and that the new Ministry also becomes responsible for supporting the new accessibility framework once accessibility legislation is passed
- 9.** To prepare the new Ministry to lead the next phase of national implementation of the EGL approach, the Ministry of Health is continuing work:
- 9.1** to establish a partnership approach for the implementation with the community
  - 9.2** on an investment strategy
  - 9.3** to develop person-directed funding approaches
  - 9.4** on a proposed transition pathway to new regional EGL entities for local service commissioning
  - 9.5** to develop workforce and monitoring/evaluation strategies
  - 9.6** to put a disabled people and their whānau capacity and capability strategy in place

## **Recommendations**

The Minister for Disability Issues and Minister of Health recommend that the Committee:

- 1. note** that in October 2021, Cabinet:
  - 1.1** agreed to establish a new Ministry, provisionally named the Ministry for Disabled People, in the form of a departmental agency hosted by the Ministry of Social Development
  - 1.2** noted the intention that the new Ministry will be established by 1 July 2022 but that it will take longer for the new agency to be fully operational
  - 1.3** agreed that relevant Disability Support Services functions, including responsibility for the national implementation of the Enabling Good Lives approach, will transition from the Ministry of Health to the new Ministry
  - 1.4** agreed that the new Ministry will be responsible for driving improved outcomes for disabled people across government, which requires an expanded mandate and new disability-related responsibilities and functions, including a strategic policy function
  - 1.5** note that any functions resulting from Cabinet decisions on the Accelerating Accessibility work programme will be considered as part of decisions on the new Ministry's future work programme
  - 1.6** invited the Minister for Disability Issues and the Minister of Health to report back to SWC in early 2022 with further detail on:
    - 1.6.1** establishing the new Ministry, including relevant transitional arrangements

- 1.6.2 implementing the Enabling Good Lives approach on a national scale
- 1.6.3 future opportunities for further disability system transformation once the new Ministry is established and fully operational
- 1.6.4 the future of the Office for Disability Issues, including recommendations on its future location within government

- 2. **note** the Establishment Unit for the new Ministry is in place and work is underway to set up the foundational elements of the new Ministry and manage the transition of the relevant Disability Support Services functions from the Ministry of Health and Ministry of Social Development
- 3. **note** that future opportunities for further disability system transformation once the new Ministry is established and fully operational collectively are:
  - 3.1 ongoing transformation of disability services and supports, [content redacted, s9(2)(j)]
  - 3.2 bringing accessibility and disability together in the new Ministry
  - 3.3 the broader mandate, including leadership and stewardship functions, that the Ministry will have to drive transformational change across government
- 4. **agree** that the Ministry of Social Development will manage the new Ministry's assets and liabilities and administer its appropriations

5. **agree** that the new Ministry may incur expenses and capital expenditure against Disability Issues non-departmental appropriations and non-departmental categories of multi-category appropriations administered by the Ministry of Social Development in accordance with a delegation given by the Minister for Disability Issues
6. **note** that Ministry of Social Development and Treasury officials consider that the quantum of Disability Support Services expenditure and the historical challenges there have been within Vote Health of managing this expenditure within appropriation pose a substantial risk to the Ministry of Social Development as appropriation administrator and officials will undertake further work on how to mitigate this risk
7. **agree** that the new Ministry will initially work within the Ministry of Social Development's strategic framework while it builds its systems and processes
8. **agree** that within the first 18 months of its establishment and subject to the Minister for Disability Issues' assessment of its capability and capacity, the new Ministry will shift to operate within its own strategic framework
9. **invite** the Minister for the Public Service to issue drafting instructions to the Parliamentary Counsel Office for an Order in Council to add the new Ministry to Schedule 1, Part 1A of the Ombudsmen Act 1975, as per section 32 of the Ombudsmen Act

- 10. note** that the Office for Disability Issues was established by agreement of Cabinet in 2002 to provide departmental functions for the Minister for Disability Issues [SEQ Min (02) 3/7 refers]
- 11. note** that the Office for Disability Issues has functions and responsibilities related to cross government disability issues, the New Zealand Disability Strategy and Disability Action Plan, New Zealand Sign Language Act 2006, and United Nations Convention on the Rights of Persons with Disabilities
- 12. agree** that the Office for Disability Issues and its existing functions and responsibilities become part of the Ministry for Disabled People
- 13. note** the Minister responsible for the Ministry for Disabled People, working with the new Ministry's Chief Executive, may agree to further changes to the Office for Disability Issues, without further agreement from Cabinet
- 14. note** that:
  - 14.1** the Minister for Disability Issues is reporting separately on the detailed design of the legislation and system for accelerating accessibility
  - 14.2** part of the proposed detailed design of the legislation and system for accelerating accessibility includes the designation of a Chief Executive who would have a key role in overseeing accessibility measures and mobilising resources across government for



accessibility and who would provide a programme office to support a Ministerial Advisory Committee

**15. agree** that:

**15.1** following the passage of accessibility legislation the Ministry for Disabled People will be responsible for administering that legislation

**15.2** in the interim the Ministry for Social Development will continue to lead work on accessibility legislation

**16. note** that the Ministry of Health has continued work on Phase One of the Enabling Good Lives implementation plan:

**16.1** partnership approach established with the community

**16.2** investment strategy, development of person-directed funding approaches

**16.3** proposed transition pathway to new regional EGL entities for local service commissioning (to replace the current Needs Assessment and Service Coordination role)

**16.4** workforce and monitoring/evaluation strategies developed

**16.5** disabled people and whānau capacity and capability strategy in place