



28 May 2025

Tēnā koe

Official Information Act request

Thank you for your letter dated 10 January 2025 requesting documents about Disability Support Services' (DSS's) functions and how it is governed, including information about needs assessments and eligibility for disability support services.

Your request was transferred from Whaikaha - the Ministry of Disabled People (Whaikaha) to the Ministry of Social Development (the Ministry) as DSS functions now sit with the Ministry.

I would like to extend my apologies for the delay in responding to your request for information.

I have considered your request under the Official Information Act 1982 (the Act). Please find my response to each section of your request set out below.

- *Policies, regulations and statutes that govern the maximum time that Needs Assessments must be completed in by NASCs; the time that entitlements to DSS must be completed.*
- *Policies, regulations and statute that governs Disability Support Services delivery and service provision.*
- *Publications that explain in detail the purpose, role and functions of Whaikaha (and that of NASCs); illustrating how the Whaikaha system works.*
- *Copy of the statute which Whaikaha operates under.*
- *Copy of Whaikaha brochures.*

Your requests for the following documents are refused under section 18(e) of the Act as no such documents exist:

- regulations and statutes that govern the maximum timeframe within which needs assessments need to be completed; the time that entitlements must be completed.
- regulations and statutes that govern DSS service delivery and service provision.
- the statute which Whaikaha operates under.
- Whaikaha brochures.

Whaikaha and DSS were not established by legislation and there are no statutes or regulations that govern the way DSS operates or that set out entitlement to disability support services.

Instead, DSS has existed over time within several government departments including the Ministry of Health and Whaikaha, and now as a business unit within the Ministry.

Members of the public are not entitled to disability support services. In order to access these services, a person must meet the eligibility criteria for a particular service and eligibility is based on need.

We are providing you with the following policy document which sets out eligibility criteria for disability support services.

- MSD DSS Operational Policy – DSS Eligibility

We are also providing you with the following publications which cover the content you are seeking in your above requests.

- Needs Assessment and Service Coordination Service Specification
- DSS Tier One Service Specification
- Copy of text from the following webpages on DSS's website:
 - www.disabilitysupport.govt.nz/
 - www.disabilitysupport.govt.nz/disabled-people/assessment-and-funding
 - www.disabilitysupport.govt.nz/disabled-people/assessment-and-funding/needs-assessment-services

The Tier One Service Specification document is referenced in all DSS's funding contracts with service providers and outlines expectations and requirements that must be adhered to. In addition, there are separate service specification documents for the different disability service types DSS funds. I've listed the titles of these service specification documents in Appendix One at the end of this letter.

You are welcome to submit a further request if you would like to obtain a copy of particular titles listed in Appendix One.

- *The rights, codes of rights that disabled persons must enjoy in reference to Needs Assessments and Disability Support Services service provision.*

Your request is released in full. Please find the following documents enclosed:

- Code of Health and Disability Services Consumers' Rights
- Please also refer to the DSS Tier One Service Specification document enclosed, which was referred to above. It lists principles of the UN Convention on the Rights of People with Disabilities, which New Zealand is a party to (Clause 3 pp 2 – 4).
- *Information explaining the purpose, role and function of "NRC" (National Referral Centre).*

This information is released to you as an excerpt in accordance with section 16(1)(e) of the Act. It provides a service description of the NRC and is an excerpt from the following contract:

- Health and Disability Services Agreement 230284/360278/03 - variation 03 - 1 May 2021 – 30 June 2023.

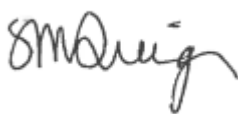
There is no stand-alone service specification document for the NRC which outlines its purpose and functions.

I will be publishing this decision letter, with your personal details deleted, on the Ministry's website in due course.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with my decision on your request, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Ngā mihi nui

pp. 

Anna Graham
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Ministerial and Executive Services