

New Zealand Disability Action Plan 2019-2023: Executive Summary for the Sixth Progress Report, July to December 2022

The [Disability Action Plan 2019–2023 \(DAP\)](#) aims to improve 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, previously managed by the Office for Disability Issues (ODI), will now continue through Whaikaha – Ministry of Disabled People.

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

This sixth progress report covers the period July to December 2022. Agency reports on the 29 work programmes are tracking well since the previous reporting period with one more programme on track with minimal risks and two fewer programmes off track with significant risk. The cross-government Disability Data and Evidence work programme was not reported on, due to changes in personnel leading the programme.

Progress Rating for the 6th Round of the Disability Action Plan

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

On track or ahead	7	(24%)	[7]
On track minimal risks	15	(52%)	[14]
Off track low risks	5	(17%)	[5]
Off track significant risks	1	(3.5%)	[3]
Not reported on	1	(3.5%)	[0]
Total number of reports	28		[29]

Report status is moderated by a review group that includes agency and DPO Coalition representatives. For two reports the agencies gave a higher status to their reports than the review group deemed justified. When an agency writing a report and the DPO Coalition hold differing views about whether the work programme is on track or not, the agency's view stands unless the DPO Coalition and the agency agree a new status.

The ongoing impact of COVID-19 on people and services was the most common reason cited for work programmes running behind schedule. Other reasons included staff illness (non-COVID-19) and IT issues.

The review groups that considered the DAP reports for this period made the following general observations:

- Agencies are putting substantial effort into the work programmes and there is evidence of good cross agency collaboration, particularly in the Accessibility work programmes.
- Agencies need to provide stronger evidence when stating that improvements in services for disabled people have occurred.
- Agencies should consider how they can involve disabled people more in their work and seek opportunities to embed the Enabling Good Lives (EGL) Principles in their work.
- Agencies should focus more attention on the status of their work programmes and check with the DPO Coalition before marking work as "complete" as follow-up work may be required.
- Citing work as off track with minimal risk relates to the risk to programme completion rather than the risk to disabled people. Not progressing work as quickly as intended may mean significant risk for disabled people if their rights remain unprotected.
- Significant concern was raised about the housing sector, with only 15% of new builds being accessible and a lack of progress on the original work programme put forward by the Ministry of Housing and Urban Development (HUD).

- All Ministry of Social Development (MSD) work under Outcome Two, Employment and Economic Security, should have been completed.
- If work is to be marked as, “on hold, work covered by alternative work programme”, it must be clear what that alternative work programme is and when it will commence.
- At this stage the “roll out” of EGL entails rolling out the principles rather than the funding and does not reflect that services will operate differently across different regions.
- Increased knowledge of an issue does not necessarily imply increased confidence in a work programme.
- Some agencies focus on the needs of neurodiverse people but not on other disabled people.
- Many of the documents referred to in reports do not meet accessibility requirements.

Outcome One – Education

The Ministry of Education (MOE) has six major DAP programmes of work:

- NCEA Review
- Tomorrow’s Schools
- Learning Support Action Plan (LSAP), 2019-2025
- Early Learning Action Plan
- Curriculum, Progress and Achievement
- Reform of Vocational Education.

Most of the work is on track with minimal risks or issues, including:

- Online resources for teachers and learning support staff about strengthening inclusive teaching and assessment in NCEA and using Universal Design for Learning have been published. Resources supporting learners with Dyslexia in NCEA literacy and numeracy contexts have been finalised for publication in early 2023.

- Under Tomorrow's Schools, the MOE has appointed two of the three newly established Chief Advisor – Learning Support positions to provide support to regional leaders.
- The Phase 3 Evaluation of Learning Support Coordinators (LSC) under Learning Support Action Plan (LSAP) Priority 1 was published in October 2022. Outcomes could be improved, particularly for learners in Māori medium/Kura Kaupapa Māori settings.
- Cabinet approved the Highest Needs Review and recommendations for change Under LSAP Priority 4.
- The Inclusive Curriculum Indicators were finalised in December.
- Under the Reform of Vocational Education, the Tertiary Education Commission (TEC) agreed competent learner performance expectations with nine tertiary education organisations (TEOs). These TEOs will apply for incentive payments in 2023.

Some MOE work programmes are not progressing as anticipated:

- Delay in delivery of the LSAP Priority 2 (Screening and early identification of learning support needs) while MOE works to align the School Entry Kete project with broader Ministry work programmes such as ICT and curriculum change development.
- Delay in work on Action 2.2 in the Early Learning Action Plan, to develop facilitation policy for wrap-around health and social services and coordinating learning support, due to COVID-19 impacts.

Completed actions for the TEC work programme to improve outcomes for disabled learners in tertiary education include:

- Nineteen draft Disability Action Plans (a funding requirement) have been submitted by TEOs and assessed by an expert panel.
- Web content on dyscalculia, Attention Deficit Hyperactivity Disorder (ADHD), Auditory Processing Disorder (APD) and Autism has been published on the TEC website.

Outcome Two – Employment and Economic Security

MSD led four Employment and Economic Security Outcome programmes:

- Working Matters, Disability Employment Action Plan
- National Information Portal and Regional Hubs
- Replacing Minimum Wage Exemption Permits
- Accessible Employment (Lead Toolkit, Government Internships, We Enable Us, Disability Employment Resources).

Progress on implementation includes:

- Progressing actions under Working Matters, including on legislative amendments enabling Supported Living Payment recipients with a child aged 6 months to 2 years to work more than 15 hours weekly.
- Options on some policy settings relating to Replacing Minimum Wage Exemption Permits have been provided to Minister Sepuloni.
- Members of the All of Government (AOG) Lead Toolkit Champions Network are working in an Advisory Group to support the Lead Toolkit refresh. This aims to reach a wider audience to support the employment of Neurodiverse people, people with mental health and addiction issues, and older people.

Work programmes which are not progressing well include:

- The disability-specific information portal and regional hubs are now partnering with established Oranga Mahi work programmes to integrate employment and health supports and services. Some programmes were underused, possibly due to a lack of promotion across the disabled, mental health and addiction communities.
- The AOG Disabled Internship Programme had variable success in placing interns in mainstream programmes. These often have requirements, such as a requirement to work a 40-hour week, unsuitable for disabled students, and the 10-week Summer Internships are often too short for workplaces to build in the necessary reasonable adjustments.

- The development of disability employment resources, such as AOG Disability Awareness Training, is not currently resourced. MSD is working with government agencies with existing training to identify ways to support a programme across all agencies.

Outcome Three - Health and Wellbeing

Of the five work programmes under this Outcome, four are overseen by Manatū Hauora and one is overseen by Sport New Zealand (Sport NZ):

- Sport New Zealand Disability Plan
- Health Outcomes and Access to Health Services
- Bodily Integrity
- Seclusion and Restraint
- Repeal and Replace Mental Health Act.

Implementation progress includes:

- The Sport NZ Disability Lead continues to promote inclusion of disabled tamariki and rangatahi through Sport NZ staff, programmes, initiatives, partners, and government agencies. School Sport NZ is working with Sport NZ to ensure more disabled rangatahi can participate in secondary school sports.
- Work is being actively progressed to improve health and wellbeing outcomes for disabled people as a key equity group in the Pae Ora (Healthy Futures) Act 2022, including initial engagement with the disabled community on the Health of Disabled People Strategy.
- Two of three proposed training and education modules, developed with Te Pou (to be launched in January 2023), will support implementation of the revised Guidelines to the Mental Health (Compulsory Assessment and Treatment) Act 1992. These include a focus on preventing and eliminating seclusion and restraint, and the safe use of these practices when unavoidable. Related policy proposals for new mental health legislation are being developed, tested, and refined with the Expert Advisory Group.

Of note is that ongoing resource and time constraints have had an impact on the Bodily Integrity work programme. The work will now be progressed within the context of addressing inequities faced by disabled people.

Outcome Four – Rights Protection and Justice

There are three work programmes under this Outcome:

- The Ministry of Justice Work Programme
- Implementation of Safeguarding Responses for Disabled and Vulnerable Adults Te Aorerekura Action 28
- Department of Corrections Work Programme.

Implementation progress includes:

- Data collection for the 5th Cycle of the New Zealand Crime and Victims Survey ran from mid-November 2021 to October 2022.
- The Sexual Violence Legislation Act 2021 (in effect from 2023) will help improve the justice response to sexual violence victims by reducing the sources of unnecessary trauma in court. For example, sexual violence complainants will be automatically entitled to give evidence in alternative ways such as by pre-recorded video.
- One of the focus areas of the Family Court (Supporting Children in Court) Legislation Act (in force from August 2023) relates to enabling family justice professionals to support the participation of disabled children in decisions about their care.
- A Young Adult Neurodiversity Project has been established to improve response to the high prevalence of neurodiversity among adults aged 18 to 25 in the district criminal courts.
- Planning for implementing the family violence and sexual violence training package for court-related staff (designed by specialist family violence and sexual violence providers, including from the disability sector) is underway.
- Whaikaha, as lead agency for Implementation of Safeguarding Responses for Disabled and Vulnerable Adults Te Aorerekura Action

28, established a planning team to implement a Safeguarding Rights Framework.

- Preliminary results from the evaluation of the Waitemata Safeguarding Pilot were released. Agency collaboration was highlighted as the only appropriate response to implementing a safeguarding approach ensuring disabled people are safe from violence, abuse, and neglect. This aligns with the EGL principles.

For the Department of Corrections work programme, the Ara Poutama Aotearoa Disability Action Plan 2023-2027 has been completed, ready for launch in February 2023. Work on the “Immediate Actions” has started.

Outcome Five - Accessibility

Work under this Outcome is undertaken by agencies including MSD, Housing and Urban Development (HUD), Ministry of Transport (MOT), NZ Transport Agency (NZTA), Kāinga Ora, and the Office for Seniors:

- Better Later Life – He Oranga Kaumātua Strategy and Action Plan
- Accelerating Accessibility
- Accessibility Charter – Including Accessible Public Information – All of Government (AOG) Alternate Formats
- Ministry of Transport component of the Joint Transport Disability Action Plan 2019-2023
- The NZ Transport Agency component of the Joint Transport Disability Action Plan 2019-2023: Improving access to public information, employment, and transport to enable safe and equitable participation
- Kāinga Ora Accessibility Work Programme
- Improve Accessibility across the New Zealand Housing System.

Progress on implementing accessibility work programmes includes:

- The Accessibility for New Zealanders Bill passed its first reading and was referred to the Social Services and Community Committee. The Committee is to report to the House in May 2023.

- There has been a significant increase in the uptake of monthly Accessibility Charter training with approximately 40-50 Public Sector staff attending each month.
- The MSD Alternate Formats work programme has grown in the last 6 months. It included government communications to the disabled community for The Royal Commission of Inquiry into Abuse in State Care, the Waitangi Tribunal, WAI 2575, and the 2023 Census.
- The New Zealand Transport Agency published two research reports in November 2022.

Work programmes which are not progressing, as anticipated, include:

- Action 35 in the Office for Seniors' Better Later Life Action Plan promoting development of an age-friendly Aotearoa New Zealand.
- MOT's review of the Total Mobility Scheme has been delayed due to resourcing constraints and the date for Cabinet consideration of the Accessible Streets regulatory package has yet to be confirmed.
- Kāinga Ora has not been able to reach the 15% full universal design target for all new houses by December 2022.
- HUD's work programme to increase accessibility across the housing system, including in the rental market, was off track for the third consecutive reporting period.

Outcome Six – Attitudes

There are no work programmes under Outcome Six, Attitudes. Instead, it is hoped that all work programmes in the DAP will contribute towards positive improvement in attitudes towards disabled New Zealanders.

Outcome Seven – Choice and Control

This Outcome has two work programmes, both managed by Whaikaha:

- Disability Support System Transformation
- Supported Decision Making.

The Whaikaha work programme on Disability Support System Transformation continues in the initial three regions. Whaikaha started

work in November 2022 to draw down the tagged contingency funding to implement the EGL approach nationally.

The Supported Decision-Making: Guidance Resources work programme, which has moved from MSD to Whaikaha, is off track with low risks. The re-established Advisory Group will complete editing of the guidance document in early 2023.

Outcome Eight – Leadership

Whaikaha manages the one work programme for this Outcome, the Nominations Database. Progress on the work programme during this reporting period included establishing a small working group in late 2022 to develop a Cabinet paper proposing inclusion of disability in the annual Board Stocktake.

Cross-government focus - Disability Data and Evidence

The cross-government programme on Disability Data and Evidence did not submit a report during this reporting period.

Conclusion

In the next reporting cycle (January to June 2023), the column, “note any impacts from COVID-19”, will be changed to refer to any constraints on the progress of an agency work programme. As noted in the January to June 2022 report, the DPO Coalition expressed the view that COVID-19 should no longer be used as a reason for not progressing programme(s) as systems should now be in place to ensure work continuity.

The DPO Coalition asks that agencies consult with them if they wish to update or change actions in their DAP work programme(s), and once a work programme is deemed complete as there may be other appropriate actions for the agency to undertake before the completion of the current DAP at the end of 2023.

The New Zealand Disability Strategy 2016-2026 and earlier DAP reports and executive summaries, including alternate formats, can be found here: <https://www.odi.govt.nz/disability-action-plan-2/dap-biannual-reports/>.