



Cabinet Social Wellbeing Committee

Minute of Decision

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Disability System Transformation Update

Portfolio **Disability Issues / Health**

On 30 March 2022, the Cabinet Social Wellbeing Committee (SWC):

- 1 **noted** that in October 2021, SWC:
 - 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 (MSD);
 - 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 noted 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 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;

[SWC-21-MIN-0146]

- 2 **noted** that 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 MSD;
- 3 **noted** 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, § 9(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 **agreed** that MSD will manage the new Ministry's assets and liabilities and administer its appropriations;
- 5 **agreed** 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 MSD in accordance with a delegation given by the Minister for Disability Issues;
- 6 **noted** that MSD 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 MSD as appropriation administrator, and officials will undertake further work on how to mitigate this risk;
- 7 **agreed** that the new Ministry will initially work within MSD's strategic framework while it builds its systems and processes;
- 8 **agreed** that, 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 within the first 18 months of its establishment;
- 9 **invited** 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;

Office for Disability Issues

- 10 **noted** that in 2002, Cabinet agreed to establish the Office for Disability Issues to provide departmental functions for the Minister for Disability Issues [SEQ Min (02) 3/7];
- 11 **noted** 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 **agreed** that the Office for Disability Issues and its existing functions and responsibilities become part of the new Ministry;

- 13 **noted** that the Minister responsible for the new Ministry, working with the new Ministry's Chief Executive, may agree to further changes to the Office for Disability Issues, without further agreement from Cabinet;

Accessibility Legislation

- 14 **noted** that:
- 14.1 the Minister for Disability Issues is reporting separately on the detailed design of the legislation and system for accelerating accessibility [SWC-22-SUB-0047];
 - 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 **agreed** that:
- 15.1 following the passage of accessibility legislation, the new Ministry 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;

Enabling Good Lives

- 16 **noted** that the Ministry of Health has continued the following work on Phase One of the Enabling Good Lives (EGL) 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.

Rachel Clarke
Committee Secretary

Present:

Hon Kelvin Davis
Hon Dr Megan Woods
Hon Chris Hipkins
Hon Carmel Sepuloni (Chair)
Hon Andrew Little
Hon Poto Williams
Hon Jan Tinetti
Hon Dr Ayesha Verrall
Hon Aupito William Sio
Hon Meka Whaitiri
Hon Priyanca Radhakrishnan

Officials present from:

Office of the Prime Minister
Office of the Chair
Officials Committee for SWC