



25 September 2024

Tēnā koe

Official Information Act request

Thank you for your email of 31 July 2024, requesting information about guidelines and policies about neurodiversity, disability, or accessibility at the Ministry.

I have considered your request under the Official Information Act 1982 (the Act).

- *Any internal guidelines, policies, or procedures this department has that relates to neurodiversity, disability, or accessibility*

I have interpreted your request to refer to overarching policies regarding accessibility at the Ministry for employees, rather than clients. Your request encompasses physical and digital accessibility at the Ministry.

Physical accessibility

I have identified five documents regarding physical accessibility that I consider in scope of your request. Please see copies of the following documents attached:

- Injury and Illness Rehabilitation Policy
- Animals on Ministry Premises
- Flexible Working Policy
- Remote Working Policy
- Reasonable Accommodation in Employment Policy

Digital Accessibility

The Ministry has a Digital Accessibility team, which provides staff with practical advice on making digital content and communications with clients and staff more accessible. The team also offers on-demand digital accessibility training.

The Ministry has identified several documents about the Digital Accessibility team that are not in scope of your request. These documents include the Digital Accessibility team's work and education programme for 2024. If this information interests you, you are welcome to make a fresh request.

Other information

There is also a range of information about All-of-Government work on accessibility that is available on the Ministry's website:

- Accessibility Work Programme:

- www.msd.govt.nz/about-msd-and-our-work/work-programmes/accessibility/index.html
- Lead Toolkit – For employing disabled people
 - www.msd.govt.nz/about-msd-and-our-work/work-programmes/lead-programme-work/lead-toolkit/index.html
- Information and support for employing disabled people:
 - www.msd.govt.nz/about-msd-and-our-work/work-programmes/lead-programme-work/information-and-support/index.html

You may also be interested in the Ministry's Brief of Evidence for the Health Services and Outcomes Kaupapa Inquiry, which is available here: www.forms.justice.govt.nz/search/Documents/WT/wt_DOC_209849233/Wai%202575%2C%20L025.pdf.

- *Any records of any recent audits or assessments undertaken to evaluate workplace accessibility and inclusivity for disabled and/or neurodivergent individuals.*

I have interpreted this part of your request to refer to the frequency of Ministry-wide audits or assessments undertaken to evaluate workplace accessibility and inclusivity for disabled and/or neurodivergent employees. Please note that the Ministry does complete individual workplace assessments for employees.

Recently, quarterly staff surveys undertaken by the Ministry have included questions relating to People Effort Score (such as 'how easy is it to work at the Ministry?'). Responses to these surveys are assessed to identify areas of improvement.

The Digital Accessibility team prepares monthly one-page reports on digital accessibility. These reports monitor frequent issues and progress against accessibility commitments. These are predominantly focused on the client experience, rather than the experience of staff members.

- *Any reports, assessments, or strategic plans developed by your agency that discuss goals or future initiatives aimed at improving disability and neurodiversity inclusion and accessibility.*

I have interpreted your request to refer to Ministry-wide strategic plans or reports. You are welcome to submit a more specific request if there are certain areas that you are interested in.

Please refer to information about the Accessibility Charter on the Ministry's website: www.msd.govt.nz/about-msd-and-our-work/work-programmes/accessibility/accessibility-charter/index.html.

Please refer to the Technology Strategy 2024, which is available on the Ministry's website: www.msd.govt.nz/about-msd-and-our-work/publications-resources/corporate/msd-technology-strategy.html.

The Ministry is currently developing key principles for accessible workplaces and spaces, with the intention for these to be incorporated into property and facility requirements in the future. As these principles have not been finalised or incorporated, I do not consider that they are in scope of your current request.

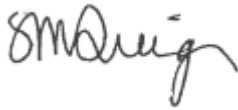
If you are interested in these principles, I encourage you to submit a request for this information at the end of this year.

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 regarding accessibility, 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. 

Magnus O'Neill
General Manager
Ministerial and Executive Services

Injury and Illness Rehabilitation Policy

Last Review Date:	August 2023
Next Review Date:	August 2025
Approved by:	DCE, Organisational Assurance and Communication
Owner:	General Manager, Health Safety and Security

Purpose

The Ministry of Social Development (MSD) is committed to the principles of being a good employer. The Injury and Illness Rehabilitation Policy outlines MSD's commitment to assist staff in returning to work after any injury, illness or change in a long term health condition, wherever that is the person's preferred option, and where a return to work has medical or other specialist support.

Scope

This policy applies to all MSD staff who have an injury or illness, regardless of the circumstances under which this arises, and whether or not the cause is work related. It includes physical and psychological injuries and illnesses, changes in long term physical and mental health conditions, and rehabilitation from any form of addiction or drug use.

Policy Statement

MSD recognises the need for its staff to be provided with a safe and healthy workplace and supports them to live safe and healthy lifestyles. Should an injury or illness occur, MSD recognises that for most people the earliest safe return to work, with the appropriate supports in place, will be beneficial for their health and wellbeing.

In many cases, standard leave provisions will allow time for healing and full recovery without further support. Where this is not the case, assistance with rehabilitation may be required. If rehabilitation is the person's preferred option, and where medical advice supports this choice, MSD will support the person's rehabilitation so they can return to work duties as quickly as possible.

Policy principles

MSD is committed to:

- helping prevent injury or illness in the workplace by providing a safe and healthy working environment
- supporting staff with knowledge and awareness to reduce the risk of illness or injury outside the workplace
- early intervention to avoid a longer-term absence: any injury, illness or change in a long-term health condition should be reported and acted on as soon as possible

- applying the MSD Reasonable Accommodation in Employment policy to foster an inclusive environment that creates equal opportunities for all staff to reach their full potential
- when indicated, commencing the rehabilitation process as soon as possible (consistent with medical advice) and encouraging staff to participate fully in the process
- taking a holistic approach to rehabilitation, including giving attention to the personal, emotional, spiritual and cultural contexts of the individual
- providing rehabilitation options that are not limited by or to the employee's substantive role, including suitable and meaningful alternative, modified or time-limited duties in an alternate site or service line if required
- ensuring that staff returning from an injury, illness or change in a long-term health condition can have access at any time to support, advice and representation from a third party, such as (but not limited to) a union or health and safety representative, a colleague, friend, family or whanau member, or through the Employee Assistance Programme or Poutuarā, peer support at MSD.
- having leave provisions that enable a measured and realistic return to normal work duties
- appreciating that a rehabilitation process may take some time. If paid sick leave is not sufficient to cover the period of off-work time required, consideration may be given to the use of special circumstances leave or a period of leave without pay.

Application

The goal of rehabilitation is sustainable return to work. In most situations, this will be achieved through the development and implementation of an Individual Rehabilitation Plan (IRP). The details of an IRP will differ depending on the individual's circumstances, their health condition, and how their work capacity has been impacted. The *Injury and Illness Rehabilitation Procedures* document provides further information on the application of this policy.

Responsibilities

Person/Party	Responsibilities
Managers	<p>Managers should maintain close contact with staff who are absent from work because of illness or injury, or a change in a long term health condition. If rehabilitation is required, then early intervention is one of the keys to its effectiveness.</p> <p>Managers must actively and consistently support their staff during the rehabilitation process. While Wellnz and ACC are responsible for completing a needs assessment and weekly monitoring, managers are required to work</p>

Person/Party	Responsibilities
	<p>with staff to ensure the IRP assists them in a safe and sustainable return to optimal health and work.</p> <p>Managers are required to ensure that all medical information is treated confidentially and held separate from personal information. This includes information held electronically, or in hard copy.</p>
Staff	<p>Staff should actively participate in the development and implementation of their IRP, including identifying the recommended treatment and rehabilitation activities and any reasonable accommodations that may be needed.</p> <p>Not following the treatments recommended in the IRP may result in MSD reviewing its support for continued rehabilitation efforts and options.</p> <p>All staff have a responsibility to help make the Ministry a safe and healthy place to work. When a colleague is recovering from an injury or illness, or adjusting to changes, we expect each other to model values of mana manaaki.</p>
Health, Safety and Security team	<p>The Health, Safety and Security team will review this policy in consultation with unions, as per the HSS policy review cycle. The team will also provide advice and assistance to managers and to staff affected by this policy, as required.</p> <p>Health, Safety and Security are responsible for managing contracts with third party providers, including escalating any issues with provider performance.</p>

Review

This policy will be reviewed every two years. It will also be reviewed following any change to legislation affecting this policy; following a critical event that requires the application of this policy; and/or following any change in MSD's other health and safety policies or processes affecting this policy.

Definitions

Word/ phrase	Definition
Employee Assistance Programme	EAP is a private and confidential counselling and coaching service for anything that is impacting on a person's wellbeing, whether work-related or personal.
Holistic	An approach characterised by the belief that the parts of something are intimately interconnected and explicable only by reference to the whole.
Individual Rehabilitation Plan	A tailored plan for managing a capacity and capability for a return to duties.
Mana Manaaki	Looking after the dignity of people with warmth, listening, respect, compassion, openness and fairness.
Poutuarā - Peer Support at MSD	The purpose of the Poutuarā programme is for people to be able to talk to a trained colleague about any challenges they may face in their work or personal life and be guided to appropriate ongoing supports.
Psychological Injury	A psychological injury is any condition (injury or illness) described by cognitive, emotional or behavioural symptoms impacting on the person's normal functioning or an actual mental health diagnosis (such as depression, anxiety or PTSD). See Appendix for further information.
Wellnz	MSD contracts Wellnz as our third party administrator to assist in managing work related injuries on our behalf. This includes helping us to assist injured employees through comprehensive rehabilitation using specialist case managers.

Related policies

Policy Name	Definition
Health and Safety Policy	MSD's overarching policy statement on Health and Safety affirms its support for the rehabilitation and return to work of our people following a physical or a psychological injury.
Reasonable Accommodations in Employment Policy	Reasonable accommodation enables employees to get the workplace adjustments they need to perform their job, in a way that is appropriate to them.

Leave Management Policy	When our people are healthy, well and resilient they can contribute their best and we can all work together to achieve better outcomes for New Zealanders. In order to achieve this, all MSD staff have leave provisions specified in their employment agreement.
Drug and Alcohol (Substance Misuse) Policy	This policy aims to provide a clear understanding of MSD's expectations with regard to substance misuse.
Medical Retirement Policy	Medical retirement is the cessation of employment of an employee where it is confirmed that they are medically unable to continue or resume performing their duties and an alternative position cannot be found.

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Appendix: Psychological injuries

Rehabilitation should be applied to all injuries including psychological injuries (also known as mental injuries).

A psychological injury is any condition (injury or illness) described by cognitive, emotional or behavioural symptoms impacting on the person's normal functioning or an actual mental health diagnosis (such as depression, anxiety or PTSD).

Although a workplace psychological injury is often caused by work-related stress, stress itself is not a psychological injury. However, a prolonged period of unmanaged stress can lead to a psychological injury where the person is no longer able to cope with usual demands placed upon them.

Early interventions are essential to prevent long-term sickness and absence, and a psychological injury or illness should be reported as soon as possible.

Early intervention includes:

- Eliminating or minimising the risks to psychological health (things that cause distress) in the workplace
- recognising signs and symptoms of unwellness early
- having supportive conversations with the staff member and
- discussing and putting in place appropriate workplace and/or clinical interventions.

The goal of effective psychological injury management is recovery and sustainable return to work.

Psychological injury management can be supported by MSD's injury management provider Wellnz

People who have experienced a psychological injury may require a range of accommodations in preparation for and upon return to work. These may include a gradual return to work (gradual increase in work hours) and/or suitable duties, or workplace adjustments such as changes to working patterns or duties, working from home, changes to the work environment (e.g. reducing noise levels, or contact with the public) increasing frequency of feedback, support and debriefing opportunities.

Rehabilitation and recovery should be focussed on the whole person as well as the changes in the work environment to achieve sustainable return to work. This includes psychological treatment, psychosocial mental health supports, stress management skills, resilience building, education and support with healthy lifestyle behaviours and - where possible and reasonable - eliminating or minimising the identified stressors in the work that led to the injury.

Animals on Ministry Premises Policy

Last Review Date:	1 April 2022
Next Review Date:	1 April 2024
Approved by:	DCE Organisational Assurance and Communication
Owner:	General Manager Health Safety and Security

Purpose

The purpose of this policy is to manage the circumstances where animals may be allowed on Ministry of Social Development (MSD) premises.

Policy Statement

Unless legally permitted, animals are not allowed on MSD premises.

Scope

This policy applies to all Ministry controlled premises, including MSD vehicles.

Policy principles

In consideration for the health and safety of staff and people accessing Ministry services, only legally permitted animals are allowed on Ministry premises. These include:

- Registered disability assist dogs
- Government working dogs
- Search and rescue dogs.

Registered disability dogs

A registered disability dog has been certified by an agency listed in or authorised by the [Dog Control Act 1996](#). Any disability assist dog accompanying and assisting a person with a disability, or accompanying a person engaged in the dog's training, is allowed on Ministry premises.

A disability assist dog should have an identifying coat or harness and/or the handler should have a certifying identification card¹.

Disability assist dogs may travel in Ministry vehicles with their handler, in accordance with best practice as set by the approved disability assist organisation. All reasonable steps should be taken to ensure the vehicles are left clean and fit for subsequent users.

Clients bringing animals onto MSD premises

Other than registered disability dogs, clients may not bring animals on to MSD premises. Animals may be left outside MSD premises provided they are secured and do not pose a risk or inconvenience to staff, clients, or the public.

¹ Disability assist dogs that are not identified as such and cannot be confirmed as such by their handler to be certified may be allowed on to Ministry premises with discretion.

Exceptional circumstances

If exceptional circumstances require a non-permitted animal to be on Ministry premises, contact a Health Safety and Security Regional Advisor for advice.

Definitions

Word/ phrase	Definition
Disability assist dog	A dog certified by an authorised organisation under the Dog Control Act 1996. Organisations currently (December 2021) authorised are: Assistance Dogs New Zealand, Hearing Dogs for Deaf People New Zealand, K9 Medical Detection New Zealand, K9 Search Medical Detection, Mobility Assistance Dogs Trust, New Zealand Epilepsy Assist Dogs Trust, Perfect Partners Assistance Dogs Trust, Royal New Zealand Foundation of the Blind,
Government working dog	Any dog supporting government services, including police, military, detector and quarantine, customs and aviation security dogs. These dogs may cover a broad range of duties, from tracking possible criminals to detecting illegal substances. such as police, aviation security or customs
Search and rescue dog	A dog that has been trained to locate or assist people in an emergency event, for example following an earthquake or flood

Flexible Working Policy

This page outlines the Ministry of Social Development's flexible working policy.

On this Page:

Purpose

The Ministry of Social Development (MSD) is a service delivery organisation helping New Zealanders to be safe, strong and independent through a wide range of services. Doing this successfully requires us to have face-to-face engagement and collaboration with clients, colleagues and partners within core business hours.

This Policy provides guidance and clarity for employees and managers so they can fully consider flexible working arrangements and ensure arrangements meet the operational needs of the organisation and the team as well as the needs of individuals.

Having flexible working options helps MSD to:

- be a good employer
- build a more diverse and inclusive workplace
- enhance the ability to deliver better outcomes for the public in normal and crisis times
- attract and retain diverse talent
- honour our commitments to eliminating pay equity gaps
- create an agile and resilient organisation, able to ensure business continuity in times of crisis
- give effect to the Gender Pay Principles
- support the mental health and wellbeing of MSD employees.

Policy statement

Flexible working can be across a range of areas including different work hours, leave patterns, location of work or flexibility within a role. To meet MSD's operational objectives, we need to be responsive and collaborate, this means that for some roles options such as working mostly from another location are less likely to fit well within our business context. Flexible working arrangements will need to fit with MSD's responsibilities, with the team's functions and deliverables and the employee's role.

Because our people and the work they do is so diverse, flexibility will be different for our people depending on the work they do, the team situation and their individual needs. Different types of flexibility may suit different types of roles. Managers, teams and individuals should formally agree what could work for them in their operational context.

Flexible working arrangements must be consistent with our obligations under the Health and Safety at Work Act 2015, Employment Relations Act 2000 and MSD's Code of Conduct.

Arrangements must not impact the delivery of services, compromise health and safety, information security or privacy obligations.

This policy is not intended to be used when MSD initiates people working from another location for a specified period of time (three months to two years). In these situations, MSD's [Remote Working Policy \[https://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/hr/remote-working-policy.html\]](https://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/hr/remote-working-policy.html) will apply.

This policy complements MSD's Reasonable Accommodation in Employment Policy which relates to adjustments within the workplace.

This policy is based on and aligned to, Public Service flexible-by-default principles and Gender pay principles. MSD supports people to request flexible working arrangements and will consider these taking into consideration the needs of the organisation, the team and the individual. MSD will comply with the requirements of the [Employment Relations Act 2000 \[http://www.legislation.govt.nz/act/public/2000/0024/latest/DLM1398200.html\]](http://www.legislation.govt.nz/act/public/2000/0024/latest/DLM1398200.html).

Scope

This policy applies to all MSD employees.

Principles

Te Kawa Mataaho – Public Service Commission have established six principles for flexible working. These principles underpin flexible working arrangements at MSD:

If not, why not?

Works for the role

<p>All roles are treated as flexible unless there is a genuine business reason for a role not to be. Flexibility is equally available to women, men and gender diverse employees, irrespective of the reason for wanting it. Working flexibly does not undermine career progression or pay.</p>	<p>Every role should be suitable for some form of flexibility but not every type of flexibility will work for every role. Genuine business reasons may mean that some types of flexibility cannot be implemented for some roles.</p>
<p>Works for agencies and teams</p> <p>Flexible working should not be viewed as something which is just agreed between an employee and manager. This means that the impact of arrangements should be considered on teams and the agency as a whole.</p>	<p>Requires give and take</p> <p>Flexibility requires give and take between the employee, manager and team. It also places collective obligations on employees, managers and teams to be open and adaptable so that it works for everyone.</p>
<p>Mutually beneficial</p> <p>Flexible working needs to work for the agency, teams and employees. Consideration should be given to how flexible work arrangements can maintain or enhance service delivery and the performance of agencies, teams and employees. It should not result in increased workloads for employees working flexibly, or for other team members who are not.</p>	<p>Actively championed by leaders</p> <p>Leaders support, champion and role model flexible working for their teams and themselves.</p>

Specific types of flexible arrangements

This is an overview of some of the more common types of flexible working.

Flexi-time	Flexi-leave	Flexi-place	Flexi-role/Career
<p>Options that allow employees to vary their work hours or days on a regular basis or from time to time</p>	<p>Options that allow employees to vary their leave patterns to create more flexibility</p>	<p>Options that allow employees to work from locations other than their designated workplace</p>	<p>Options that allow employees to manage their roles and careers more flexibly</p>
<p>flexible start and finish times ie variable start and/or finish times are worked on a regular or as needed basis</p> <p>swapping workdays or hours with non-work hours or days</p> <p>part-time hours</p> <p>compressed week or fortnight ie full-time employees work longer days over a four-day week or nine-day fortnight</p> <p>flexible shifts – full-time or part-time</p> <p>fixed shifts – full-time or part-time</p> <p>combination of fixed shifts and flexible shifts – full or part-time</p>	<ul style="list-style-type: none"> • leave without pay • term-time working ie working during school terms and taking leave during school holidays • other types of leave eg study leave, special leave 	<ul style="list-style-type: none"> • working from another location eg another MSD office or home regularly or from time-to-time • working from another location, - part-time • working from another location temporarily as part of a return to work plan • Note that we cannot approve requests to work overseas (other than business-related travel such as conferences) 	<ul style="list-style-type: none"> • phased return to work ie employees gradually increase their hours on returning from long-term leave • phased retirement ie employees gradually reduce their hours as they approach retirement • seasonal working ie to cover busy periods • job sharing ie splitting a role with another employee • taking career breaks

Responsibilities

Person/Party	Responsibilities
<p>Employee</p>	<p>Read MSD’s flexible working policy and guidance before making a request for flexible work arrangements.</p> <p>Make all requests for formal flexible working arrangements in writing.</p> <p>Ensure a request for formal flexibility is made at least one month in advance of when they want it to take effect.</p>

Person/Party	Responsibilities
Employer (Manager)	<p>Provide enough information on the variation to working arrangements they are after to enable their manager (and MSD) to give their request proper consideration.</p> <p>Be able to discuss their request in an open and constructive manner with their manager.</p> <p>Be prepared to be flexible themselves in order to reach an agreement.</p> <p>Provide guidance and expectations for their team on how flexible working can work for MSD, teams and individuals.</p> <p>Consider formal requests fully in accordance with the set process set out in the flexible working guidelines which includes responding to employees' requests in writing.</p> <p>Deal with the request in a timely manner, no later than one month after receiving it. NB: For requests for flexible working arrangements for people affected by domestic violence, this is 10 working days (refer to MSD's Domestic and Family Violence Policy [https://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/hr/hr-policies/domestic-violence-policy/domestic-and-family-violence-policy.html]).</p> <p>Understand the support employees need to make flexible working successful.</p> <p>Discuss formal flexible work arrangements with HR Business Advisory/AskHR before deciding a request.</p> <p>If a request is accepted, ensure it is made clear to the employee where the variation is for a fixed period of time and what the end date is, or at what point the variation will be reviewed.</p> <p>Refuse the request where grounds for refusal of request provided for in Section 69AAF(2) of the Employment Relations Act 2000.</p> <p>If request is refused, state that the request is refused because of a ground in section 69AAF (2) and explain the reason to the employee including the business and/or team context as applicable.</p> <p>Refuse the request if it is from an employee covered by a collective agreement and the employee's proposed working arrangements would be inconsistent with the collective agreement as outlined under section 69AAF(3).</p>
One up manager	Decide a review of decisions of flexible working arrangements
Level three Manager as defined by HR delegations (eg Group General Manager, Regional Commissioners, General Managers)	Set the organisational context for flexible working with managers within their group to ensure arrangements can work for MSD and teams.
HR Business Advisory	<p>Provide advice on flexible working, including guidance on approving or refusing flexible working requests.</p> <p>Action formal flexible working arrangements in myHR (if required).</p> <p>Complete appropriate employment documentation related to the flexible working arrangements agreed between employees and MSD.</p>

Definitions

Word/ phrase	Definition
Formal flexible working	Occurs when a recurring work arrangement impacts on pay or involves changes to employment terms and conditions such as working hours, patterns and location. It may take place for an agreed period or on an ongoing basis with regular review. Examples could include regular part-time hours, job sharing or working from another location on a regular basis.
Informal flexible working	Usually occurs when managers agree that employees have flexibility over when and where they carry out their work, subject to meeting position responsibilities and deliverables. This can mean that the exact arrangements (times or place of work) vary and are agreed between managers and employees as and when needed. It can also involve agreements to more regular arrangements, such as regular

	changes to start and finish times, as long as arrangements don't require changes to pay or employment agreements.
Employee	Person engaged on either a permanent, fixed term or casual employment agreement with MSD.
Reasonable Accommodation	Adjustments in the workplace to ensure a person can perform their job. Reasonable accommodation refers to creating an environment to ensure equality of opportunity by meeting an employee's needs in relation to a disability or particular practices of an employee's religious or ethical beliefs.

Content owner: [Human Resources](#) Last updated: 07 September 2023

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Remote Working Policy

This page outlines the Ministry of Social Development's remote working policy.

On this Page:

Purpose

This policy defines 'remote working' as it applies to the Ministry of Social Development (MSD) and outlines the requirements of remote working arrangements such as health, safety and security.

Policy statement

Remote working is an MSD initiated arrangement where employees work primarily from a location other than an MSD site for a specified term (defined as minimum three months - maximum two years) in response to a business need. Where an employee will be working primarily from a location that is not the employee's home, such as an NGO, other Government agency or a rented venue, this policy must be used in conjunction with the [Off-site safety and security policy](http://doogle/resources/helping_staff/policies-standards/health-safety-security/off-site-safety-and-security.html). [http://doogle/resources/helping_staff/policies-standards/health-safety-security/off-site-safety-and-security.html]

This policy does not replace our obligations under Part 6AA of the Employment Relations Act 2000, under which allows employees to request a change to their working arrangements. These requests are covered by MSD's [Flexible Working Arrangements guidance](http://doogle/working-here/working-for-us/flexible-working/flexible-working-guidelines.html). [<http://doogle/working-here/working-for-us/flexible-working/flexible-working-guidelines.html>]

This policy is not intended to be used as part of MSD's response to a site, regional or national crisis including, but not limited to, natural disaster or pandemic. These situations would be covered by the business continuity plans.

Scope

This policy applies to all permanent and fixed term MSD employees

Principles

Approach

Remote working is initiated by MSD in response to a business need as approved by Senior Management.

All decisions to work remotely will be mutually agreed between a manager and their employee. Any agreement will take into consideration the appropriateness of the arrangement for MSD and the employee, the health, safety and security of the employee, and the privacy and security of MSD information (e.g. making sure the remote working environment is suitable for an enduring remote arrangement before any agreement is made, including internet connectivity and a working space away from other occupants).

Remote working will be supported by effective management and support. This includes employee access to coaching, training, 'buddies', Helpline, peer networks and Employee Assistance Programme (EAP).

Workload distribution and management, productivity and performance will be proactively managed between the manager and employee.

Employees may need to work from an MSD site for a period of time to receive support to address any issues that have arisen.

Contracts and obligations

Remote working arrangements will be for a specified term (minimum three months, maximum two years) which will be reviewed every three months to ensure the arrangement is operating effectively.

The benefits of working remotely should offset any ongoing additional expenses. Any actual and reasonable costs associated with a remote working arrangement will require pre-approval.

The setup of the remote working environment must be suitable, including management of health and safety, information security and privacy requirements.

There may be occasions where employees will need to travel to MSD sites.

Provision of suitable equipment

Employees will be provided with the appropriate IT equipment, and a desk or chair if required and consideration of reasonable accommodations as agreed between MSD and the employee.

Remote workers will not have a dedicated desk at an MSD site. They may arrange with their manager to work from an MSD site on occasion if there is space, to attend meetings or use office facilities etc.

Health, safety, security and wellbeing of remote workers

Hazards and risks must be identified in advance, effectively controlled and reviewed regularly through an active Safety Plan. Ergonomic issues and any sign of pain and discomfort will be managed through self-management and support. The standard MSD process will apply to people experiencing pain or discomfort, including early reporting in STAR. Workstation assessments will be initiated through the same process that exists for people working in MSD sites and will be carried out by WellNZ, MSD's contracted provider.

Where health, safety and wellbeing issues are unable to be reasonably accommodated in the remote location, employees may need to be relocated to an MSD site in order to address these needs.

Responsibilities

Person/Party	Responsibilities
Manager	<p>Understand and meet the requirements of managing remote workers including proactive, regular communication and connection to teams.</p> <p>Meet obligations under the Health and Safety at Work Act 2015, including management of hazards and risks in partnership with employee.</p>
Employee	<p>Must abide by all MSD policies and obligations, including MSD's Code of Conduct, health, safety and security, and information security and privacy requirements.</p> <p>Meet obligations under the Health and Safety at Work Act 2015, including identification and management of hazards and risks in partnership with manager.</p>
Senior Management i.e. at least GM level	Responsible for approving the use of remote working within their designated group.

Definitions

Word/phrase	Definition
Remote working	An agreement, based on business need, for an employee to work primarily from a location other than an MSD site, including from an employee's home, for a specified term (minimum three months - maximum two years).
Flexible working	<p>Flexible working is about people having options regarding how they work and can include adjustments to when and where they work. Arrangements can be:</p> <ul style="list-style-type: none"> formal – recurring work arrangement which impacts pay or involves changes to employment terms and conditions such as working hours, pattern or location. informal – agreement between manager and employee to have flexibility over when and where they carry out their work subject to meeting position responsibilities and deliverables.
Primarily	An employee's full working week from another location with the ability to return to the office on occasion, as outlined in the policy principles.

Related policies

The following is not an exhaustive list but an indication of the types of policies you need to be aware of when working remotely as all MSD policies apply.

Policy	Definition
Acceptable Use of Technology Policy	Outlines what is acceptable use of technology including, use of technology to store, transfer or process MSD information, and personal use of MSD technology for anything other than MSD work.

<p>Business-Related and Sensitive Expenditure Policy [http://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/finance/index.html]</p>	<p>Provides principles and policies that must be followed when claiming reimbursement of expenditure incurred on behalf of the Ministry.</p>
<p>Code of Conduct [http://doogle.ssi.govt.nz/working-here/working-for-s/standards-of-behaviour/codes-of-conduct/msd-code-of-conduct.html]</p>	<p>Guides you on how to go about your work and how best to service the Government of the day. It does not cover every situation or requirement that you experience in your role, but it does include very clear expectations about behaviours or conduct that we cannot and will not tolerate.</p>
<p>Flexible Working Arrangements [http://doogle/working-here/working-for-s/flexible-working/flexible-working-guidelines.html]</p>	<p>Sets out MSD's approach to flexible working arrangements in line with Part 6AA of the Employment Relations Act 2000.</p>
<p>Health and Safety Policy [http://doogle.ssi.govt.nz/documents/working-here/keeping-healthy-and-safe/health-and-safety-policy.pdf]</p>	<p>Sets out MSD's commitment to the health, safety, security and wellbeing of our people and the people we work with, and how we will meet our responsibilities to ensure a psychologically and physically healthy and safe working environment.</p>
<p>Legislative Compliance Policy [http://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/legal/compliance-policies/index.html]</p>	<p>Explains how certain legislation and law impacts on our people, clarifies rights and obligations, gives guidance about what to do and what to avoid and says who to contact with specific queries.</p>
<p>Managing Performance Policy [http://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/hr/managing-performance.html]</p>	<p>Outlines the mutual responsibilities of managers and employees in relation to performance issues.</p>
<p>Off-site Safety and Security Policy [http://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/health-safety-security/off-site-safety-and-security.html]</p>	<p>Staff have the responsibility for the on-going assessment of the off-site environment in which they are working and for making appropriate decisions to keep themselves safe in those environments.</p>
<p>Responsibility for the Security of MSD Computer Systems [http://doogle.ssi.govt.nz/resources/helping-staff/policies-standards/business-security/computer-use/computer-systems-security.html]</p>	<p>Everyone has a responsibility for the security of MSD computer systems. This includes MSD, managers, staff and Human Resources.</p>
<p>Secure Workplace Policy [http://doogle.ssi.govt.nz/documents/business-groups/organisational-solutions/who-we-are/ciso-secure-workspaces-policy.pdf]</p>	<p>Defines the requirements for how employees should protect MSD information both in the workplace and when working remotely.</p>
<p>Travel, Accommodation, and Related Expenses Policy [http://doogle.ssi.govt.nz/documents/resources/helping-staff/policies-standards/finance/fp2.0/travel-accommodation-and-related-expenses-policy.pdf]</p>	<p>Sets out the principles and policies that must be followed when organising, undertaking, or authorising business-related travel on behalf of the Ministry.</p>

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Reasonable Accommodation in Employment Policy

This page outlines the Ministry of Social Development's reasonable accommodation in employment policy

On this Page:

Purpose

The purpose of this policy is to define 'reasonable accommodation in employment' as it applies to the Ministry of Social Development (MSD) and outline the Ministry's approach. This policy is to be read in conjunction with the Reasonable Accommodation in Employment Guidance.

This policy complements but does not replace MSD's Flexible Working Policy and Guidance which outlines our obligations under [Part 6AA \[http://www.legislation.govt.nz/act/public/2000/0024/latest/DLM1398200.html\]](http://www.legislation.govt.nz/act/public/2000/0024/latest/DLM1398200.html) of the Employment Relations Act 2000 (ERA).

Policy statement

MSD recognises that each employee has their own individual circumstances and that making reasonable accommodations fosters an inclusive environment which creates equal opportunities for our people to reach their full potential, enabling high levels of trust and wellbeing and building strong communities.

Reasonable accommodation enables employees to get the workplace adjustments they need to perform their job, in a way that is appropriate to them, and can apply from when someone first applies to work for MSD, all the way through to when they finish their employment with the Ministry.

Most adjustments are relatively simple and involve little or no cost, eg demonstrating how to complete a task in addition to providing written instructions. Other adjustments require more thought and/or are provided to address a more specific need, eg adjusting a test in an interview to make it accessible for someone with a hearing impairment or providing documents that are accessible to employees with visual impairment.

MSD's policy and definition of reasonable accommodations reflect the expectations set out in the [Human Rights Act 1993 \[http://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304467.html\]](http://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304467.html), the [United Nations Convention on the Rights of People with Disabilities \(UNCRPD\) \[https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html\]](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) and the Lead Toolkit:

The Human Rights Act 1993 directs employers to make reasonable accommodations in order to avoid unlawful discrimination and specifically discusses considerations regarding disabled people.

Article 27 of the UNCRPD further details the rights of people with disabilities to work on an equal basis with others in work environments that are open, inclusive and accessible.

The Lead Toolkit succinctly describes reasonable accommodations as the creation of an environment in which employees' specific needs are met.

At MSD, the Reasonable Accommodation in Employment Policy applies to all employees, including those who do not have a disability and may benefit from a reasonable accommodation. As an organisation, we recognise that it's good management practice to provide reasonable accommodations in the workplace to meet the individual needs of our employees. This helps our organisation attract good employees and assists with retaining experienced staff.

Scope

This policy applies to all employees and workers (hereafter "employee/s") at MSD and includes the provision of reasonable accommodations in recruitment.

Principles

Our Reasonable Accommodation in Employment Policy and guidance are supported by the following principles:

Whānau – we are inclusive and build a sense of belonging by valuing diversity and encouraging everyone at MSD to be who they are

Manaaki – we work together with respect, openness and compassion to make accommodations that promote success and wellbeing

Tika me te pono – we do the right thing by our people and act with integrity

Responsibilities

Person/Party	Responsibilities
Employee	<p>Discuss your needs with your manager and follow the reasonable accommodation guidance to make a request for accommodations. Explore available options together.</p> <p>Follow the Flexible Working Policy and Guidance to request a change to work hours or environment.</p> <p>Register pain and discomfort events [https://doogle.ssi.govt.nz/working-here/keeping-healthy-and-safe/health-and-safety-in-the-workplace/workstation-set-up-and-the-pain-and-discomfort-programme.html] in the STAR event reporting system.</p>
Manager	<p>Engage in regular conversations with applicants and employees about what they need to perform their job and follow the reasonable accommodation guidance. Explore all options available.</p> <p>Approve reasonable accommodation requests on behalf of MSD and record any reasonable accommodations that have been agreed.</p> <p>Treat reasonable accommodation requests as a priority to ensure employees have what they need to do their job.</p> <p>Take active steps to ensure we meet our obligations under the Human Rights Act, UNCRPD and the ERA.</p>
One up manager	Decide on review of decisions for reasonable accommodations

Definitions

Word/ phrase	Definition
Reasonable accommodation	<p>Adjustments in the workplace to ensure a person can perform their job.</p> <p>Reasonable accommodation refers to creating an environment intended to ensure equality of opportunity to meet an employee's needs in relation to a disability or family commitments and particular practices of an employee's religious or ethical beliefs (as described in guidance [https://www.employment.govt.nz/workplace-policies/employment-for-disabled-people/reasonable-accommodation-measures/#_text=Reasonable%20accommodation%20is%20the%20term,in%20relation%20to%20a%20disability] on Employment New Zealand's website explaining 'what reasonable accommodation means').</p> <p>Reasonable accommodations can include – but aren't limited to – providing instructions in writing as well as verbally, demonstrating how to do a task, reallocating aspects of the job to another employee, changes to lighting and desk arrangements, facilities, equipment or software. In some instances, more than one accommodation may best suit a person's circumstances. However, MSD only provides work-related and additional specialised equipment for an employee's main place of work, which is defined as an MSD office unless otherwise stated in the conditions of employment.</p> <p>Reasonable accommodations should be fully explored before considering whether an employee can no longer work and the medical retirement process is initiated.</p> <p>When considering what is reasonable, factors to take into account include:</p> <ul style="list-style-type: none"> • how effective the adjustment will be in assisting the employee to perform their job • whether it's practical to make the adjustment • the financial or other costs of the adjustment • how much disruption, if any, will be caused to our services or our people.
Flexible working arrangements	<p>Arrangements can be:</p> <ul style="list-style-type: none"> • formal – a recurring work arrangement which impacts pay or involves changes to employment terms and conditions such as working hours, pattern or location. • informal – an agreement between manager and employee to have flexibility over when and where they carry out their work subject to meeting position responsibilities and deliverables.
Workstation assessments	<p>A formal workstation assessment is conducted once pain and discomfort has been registered in the STAR event reporting system. An occupational therapist will complete a report that recommends the height of desk, chair and monitor and may recommend equipment such as a personalised chair, mouse or document holder.</p> <p>A formal workstation assessment is not required for reasonable accommodations to be made. As well, a health practitioner may recommend specialised equipment or other accommodations to ensure a person's</p>

	<p>wellbeing in the workplace.</p> <p>Conversations about health and safety can complement discussions about reasonable accommodations.</p>
Support Funds	<p>Support Funds is external funding, specifically for disabled employees, that can be applied for by the employee (rather than the employer) to cover the "cost of disability" – that is additional work costs that are a direct consequence of a person's disability.</p> <p>Support Funds are particularly useful for more expensive specialised requirements that are unlikely to be used again when the person leaves MSD. Items typically covered by Support Funds are specialised equipment or software, and New Zealand Sign Language (NZSL) interpreters. Any equipment or software belongs to the employee so they can move with the employee if they change roles or employers.</p> <p>Support Funds [https://www.supportfunds.co.nz/] do not cover disabilities covered by ACC.</p>

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