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Update from the CE
Dr Garth Bennie

Kia ora and welcome to our second newsletter of 2017. Now that the legislation to implement the pay equity settlement has landed our attention must turn to its consequences and the implications for providers.

While this has been a major focus for us over recent weeks we have also endeavoured to keep attention on some of our “business as usual” activity and the newsletter is an opportunity to keep you informed about all aspects of our work programme. But, inevitably, let’s start with the pay equity settlement.....

Pay Equity Settlement

Despite some clear and consistent messages from a wide range of stakeholders, including NZDSN, the select committee process has resulted in little material change to the legislation. [Click here](#) to view the updated information. You can read the select committee report which responded to the submissions made and the resulting changes to the Bill. [Click here](#) to view that information. The concerns raised by NZDSN in its submission largely stand. [Click here](#) to see our submission. This means that any funding for the significant flow on costs to employers

resulting from the increases in support worker pay rates is in the hands of the funder and the vagaries of the contract “negotiation” process.

Vague comments in the June 7th Ministry Employers Fact Sheet about what work is being done by government for the “sustainability” of the sector are very cold comfort indeed – providers are having to wrestle with some very immediate sustainability issues with little in the way of tangible support from the Ministry to deal with these impacts – not the least of which is the nightmare involved in sorting out distinctions between DSS, MSD and Mental Health funded support workers and, of course, the immediate relativity issues with supervisors/managers of support workers.

The Ministry’s provocative call (in the June 7th Employers Fact Sheet) that it is “reasonable for employers to contribute” revealed a lack of understanding or acknowledgement of the current financial stress experienced by providers as nothing short of breath taking! It can only be left to assume the Ministry thinks providers can afford to absorb all these flow on costs despite the long standing and much discussed issues with the pricing models that underpin contracts! We would be keen to know from the Ministry’s perspective, where in the current pricing regime they think there are sufficient margins for providers to contribute to the costs of the pay equity settlement? On a positive note, the employer’s fact sheet was subsequently amended with commentary on “sustainability” and “employer contribution” removed. Nevertheless the initial posting does provide some insight into Ministry perspectives on the sector. The latest employer’s fact sheet can be found [here](#).

The reality is that the market place in which disability support providers operate is entirely managed and controlled by government pricing. The need for a pay equity settlement was because the government, over several years, suppressed pricing and therefore wages to the point of market failure. This meant a pay equity case through the courts was inevitable. The Government now has a moral and fiscal duty to manage its way through the consequences by ensuring pricing arrangements that acknowledge the full cost to disability providers of implementing the settlement. If not, it will not be long before we are back we started.

This reinforces for us the need to try and create some additional safeguarding around the contract negotiation process over the period covered by the implementation of the Settlement.

As indicated in recent updates, we are proposing a Memorandum of Understanding (MoU) where both the Ministry and providers commit to high levels of trust, transparency and good faith. The Ministry has indicated a willingness to discuss a proposed MoU. We have shared a draft of this document with you in previous updates and asked you to contact us should you have any major concerns with this approach. We have had no concerns raised with us to date, so it is now our intention to engage with the Ministry over the coming week about the MoU. A copy of the proposed MoU (draft) can be found [here](#).

MSD Coverage regarding Pay Equity

We are meeting regularly with MSD over coverage for MSD funded services as per the settlement agreement committing to separate discussions to ensure consistent coverage for

“vocational Support services”. We can confirm that Community Participation, VH Needs and Transition will all be covered. There are questions though about Employment Services and Business Enterprises around the extent to which the support worker role is focused on direct support of the disabled person and the gender profile of this workforce. We have requested some urgent data from providers so that we can support the argument for coverage.

At this stage MSD are aiming for implementation from July 1st, but because of time constraints are considering an initial payment based on an “estimate” with a reconciliation process once they have accurate data.

Thank You!

We would like to acknowledge the generosity of the many providers who made contributions to the legal costs we have incurred as the negotiations have unfolded. We can report that we have fully utilized these funds (and then some!). We would also like to thank the many providers who contacted us with questions, information and suggestions – all of this has been extremely helpful in developing our thinking and strategy in relation to the negotiations and implementation of the settlement.

Our CEO Forum in Wellington will have a focus on the implementation of the settlement with key personnel from the Ministry in attendance. [Click here](#) for further information and to register.

We will keep you updated with any further developments as they unfold.

Qualification Equivalencies

The pay equity settlement has thrown up significant issues around the matter of qualification equivalencies. We are in discussion with Careerforce about the process, particularly in relation to what might be regarded as relevant diplomas and degrees that have equivalency to the level 4 Certificate in Health and Wellbeing- especially given the precedent set by the Ministry in recognising nursing qualifications first up. This has not send very helpful messages to the disability support sector which has been trying to escape health and medicalised notions of disability for at least a generation. It is also important to note that “support” rather than “care” models are the focus of much of the activity in the area of disability “support work”, for example facilitating, coaching, teaching, educating and brokering roles.

This whole area is potentially complex, although a long overdue matter that needs to be sorted. It may take some time to work through (Careerforce have logged over a thousand enquiries to date and were only approached about this role on May 19th). Note that decisions made after July 1st will be backdated in terms of changes in pay rates and funding.

Careerforce will be posting updated information on their website this week about a specific process for recognition of prior learning (RPL) for potentially relevant degrees and diplomas (for example in psychology, social work, occupational therapy, education, speech language therapy and physiotherapy). You will need to supply information about when and where the qualification was gained, the course content and learning outcomes as well as your current job description.

Additional commentary on the relevance of the qualification to your current role will also be helpful.

Workforce Development

The pay settlement will increase the focus on qualifications. Aside from the interim issue of qualification equivalencies, we can assume a growing demand for recognised qualifications, particularly the level 4 apprenticeship certificate. NZDSN is committed to the concept of high quality, nationally recognised and portable qualifications. It is essential that these qualifications are fit for purpose and not only reflect what is currently regarded as best practice, but also anticipate and prepare organisations and support workers to respond effectively to new innovations and demands, particularly those signalled by the Enabling Good Lives principles and proposals for service system transformation.

The new Health and Wellbeing Certificate qualifications offer a national qualification framework, but are in their infancy and some continuing work is needed to ensure they anticipate present and future requirements. For this reason NZDSN is actively involved in offering ongoing advice, guidance and feedback to both Careerforce (as the ITO) and the Open Polytechnic. We will also take the opportunity to involve ourselves with any other tertiary providers moving into this space.

Service System Transformation

Since the announcements were made about the first stage of implementation in the Mid Central area around Palmerston North a co-design team have been busy looking at the high level architecture of a new service system – informed by the Enabling Good Lives principles. John Taylor (Community Connections) and David Matthews (CCS Disability Action) are part of the team offering provider perspectives – both are active members of NZDSN. The team, which includes disabled people, representatives from families with disabled members and from disability service organisations, have been holding a series of workshops. [Click here](#) to keep up with progress from these workshops. You can also contribute to this work by submitting ideas or suggestions to STfeedback@moh.govt.nz. The outcomes of this process will be reported to Cabinet in early July which will then lead into more detailed design work with a wider group of stakeholders.

A transformation “Think Tank” has been established with membership largely based on those who were part of the working group that developed the recommendations that went into the Cabinet Paper released in February. The group is made up of people from DPOs’, the National Enabling Good Lives Leadership Group, Inclusive NZ and NZDSN (I am representing NZDSN on this group). The Think Tank is providing information and advice to the co-design group and may offer its thoughts directly to Government at some point in response to developments related to system transformation.

From an NZDSN perspective we remain concerned about the limitations of implementing the design of a transformed system in the absence of alternatives to annualised capped budgets.

System transformation and EGL will be addressed in the second part of the CEO Forum in Wellington on July 11th and 12th. Key officials and members of the National EGL leadership group will be presenting. [Click here](#) for further information and to register.

NZDSN is continuing its EGL Roadshow series of workshops in partnership with the National EGL Leadership Group, and we are currently in the process of establishing Communities of Practice in those areas where workshops have already been held. For information about upcoming workshops (next stop is Palmerston North on the 19th July). [Click here](#) for all information and registration details for this event.

We highly recommend these workshops as a means of engaging with EGL principles and what they mean in terms of implementation and transformation – for providers, disabled people and family members.

MSD Employment Service Contracts

Providers will now be getting ready for the implementation of the new contracts. NZDSN is coordinating a piece of work to further develop indicators for Service Level Intensity (SLI) and a nationally consistent process for accessing ongoing support funding. The project is being jointly overseen by NZDSN, Platform and Inclusive NZ and is being supported by MSD. This is due for completion in October.

Some productive discussion was had on 30 March regarding several aspects around roles and relationships between Work and Income and supported Employment Providers. A summary is attached [here](#). We are anticipating some next steps and an action plan soon. Suffice to say at this point that the more effort providers can put into their organisations profile and relationships with local Work and Income offices the better.

Employment Practice Guidelines

This project is shaping up nicely. Substantive feedback has been received on the first draft with further input from both the working group and the governance group overseeing the project. A final draft will now be prepared and formatted incorporating the feedback provided. This final draft will be circulated for one further opportunity to provide feedback. Depending on progress we hope to either circulate a draft for final consultation, or launch a final document, at the NZDSN Employment Symposium in Hamilton on 9 & 10 August.

NZDSN Employment Symposium August 9th and 10th Novotel Tainui, Hamilton.

An exciting line up of national and international speakers has been secured including perspectives from employers and disabled people. [Click here](#) to see the latest programme and to register for this amazing event!

Pricing, Contracting, Transparency and Risk

We brought your attention to this project in our last Newsletter. The outcome will be a comprehensive report that analyses and exposes the shortcomings of current funding systems and contracting processes and offers compelling solutions for government to consider. We are in the process of commissioning this piece of work at the moment and it is anticipated that the project will get underway at the beginning of July with a report due before the end of the year.

This work is now particularly timely given how the implementation of the pay settlement will exacerbate the sustainability issues for providers and the work on designing a transformed service system.

Employer Guidelines

These guidelines are intended to keep providers on track with respect to their obligations under current employment related legislation. The work is being completed by personnel with a blend of expertise in disability and employment law. A final publication will be due out in September.

Fire Regulations and Group Homes

A consultation document will become available soon. Some holdups have been experienced with regard to final sign offs within the MBIE bureaucracy. It is clear that some supplementary guidance will be needed to support implementation of the Design Guide and we will be working with Community Housing Aotearoa (CHA) on this. We will let relevant stakeholders know of the details around the consultation process as soon as they are available.

Access Alliance Campaign

The Access Alliance is a group of Disabled People's Organisations, Disability Service Providers and disability advocacy organisations. They want all New Zealanders to work together to strive to create a fully accessible New Zealand, where people with access needs can participate to their full potential as citizens and consumers.

The Access Alliance has come together to call on Parliamentary Parties to commit to introducing accessibility legislation in the lead-up to the general election being held in September 2017. You can learn more about the campaign on the [website](#). Support **Access Matters** by taking a minute to [tell your MP that access matters to you](#).

The Access Alliance are also inviting people to send in stories of the good and not-so-good about accessibility and share these through their website and social media. You can send stories to communications@blindfoundation.org.nz. They have created [The Access Alliance Story Template](#) for campaign supporters to submit their stories.



Phil Smith
Training & Development Coordinator

Provider Development Programme

To date over 580 people have attended the 34 events provided under the umbrella of the NZDSN Provider Development Programme. We are running more events in association with organisations from within the sector and this is enabling us to reach a wider audience so you will see more of these collaborations as part of the Provider Development Programme. The recent revamp of our website has assisted the registration process for events and people are telling us that it is now far easier to register and obtain all the relevant information on events than was previously the case. June however, will be a quiet month for the Provider Development Programme given the pressure the Lion's Tour is placing on venues and travel throughout New Zealand.

We are currently running a monthly series of Enabling Good Lives Roadshows at venues throughout the country in association with the EGL Leadership group. These collaborative events are designed to continue the national conversation around EGL, for families, disabled people and Providers to hear directly from people living their lives informed by EGL and to hear exactly what EGL is all about and have any questions you may have, answered. If you haven't attended one yet – keep an eye on the events section of the NZDSN website for an event near you. Following each event there is the opportunity to join a community of practice associated with the event you attended. The aim of the communities of practice is to continue the connections made and conversations started at the various events. Keep an eye on the NZDSN website for information as to how to join these groups. The next EGL Roadshow will be in Palmerston North on July 19 and registration is now open at www.nzdsn.org.nz/events

Registrations are also open for the **CEO Forum** to be held in Wellington over two half days on the 11 and 12 July and for the **'Why Work Matters Symposium'** in Hamilton on the 9th and 10th of August. Make sure you register early to ensure you don't miss out on these valuable events. Later in the year [September and October] we will be running a series of 'Quality Employment Services' one day workshops. This workshops series will give providers in the Supported Employment area the opportunity to reflect on their service and how they might improve the quality of service delivery for people with a learning disability or mental illness. The workshops will share research carried out with people who have interacted with supported employment providers on what works in this space. Later in the year we will also be running a series of Level Two Person-Centred Planning workshops in conjunction with

Tautoko Services, building on the successful Level One workshops just completed. The prerequisites for these workshops are that you have completed Level one training. Keep an eye out for these on our events page.

We have recently completed the trial series of Board Training workshops and are currently undertaking an evaluation of the workshops with the participating organisations. Feedback gathered via this evaluation process will be used to inform how and what we will offer in the Board Training space in the future.

It has been really pleasing to see so many people turning out to the events run under the banner of our Provider Development Programme and for the valuable feedback provided. Such attendance and feedback enables NZDSN to continue to provide relevant and valuable training events for the sector.



Mireille Vreeburg
Auckland Executive Facilitator

Auckland Regional Update

Please [click here](#) to read all the latest news from the Auckland Region