

Accelerating Accessibility in New Zealand – Questions

This is a discussion paper on the Accelerating Accessibility work programme. If you would like to provide feedback, please fill this in and return it to

Accelerating_Accessibility@msd.govt.nz before 28 January 2022.

Background of the Accelerating Accessibility work programme

- Disabled people in New Zealand have advocated for accessibility legislation and a coordinated approach to accessibility for many years.
- In 2018, Cabinet announced a work programme to explore how we can achieve accessibility for disabled people and all New Zealanders.
- In 2020, the Labour Government made a manifesto commitment to accelerate accessibility in New Zealand by introducing an Accessibility for New Zealanders Act.
- In October 2021, the Government announced a new legislative framework and system to be introduced to enable implementation of accessibility over time.
- The legislative framework will focus on the prevention and removal of barriers to ensure disabled people and others can participate and access the same opportunities on an equal basis with others.
- You can access the Cabinet Paper and supporting document, in a range of alternate formats here: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/cabinet-papers/2021/accelerating-accessibility.html> (Available in Te Reo Māori, HTML, audio, Easy Read, Word, large print, braille, NZSL and PDF).

Purpose of this engagement

The detailed design process

Through this engagement, we want to get feedback on some key parts of the legislative framework – specifically leadership for the new Accessibility system, the processes it will follow for removing barriers, and how it can engage with communities.

Your feedback will help with the detailed design of the accessibility system that the Minister of Disability Issues will propose in her March report back to Cabinet and the legislation before it is introduced in July 2022.

System overview and questions

Improving access to housing, transport, information, communication, technology, public buildings, and spaces is important for disabled people to participate in and belong to the world. Improving accessibility is closely linked to achieve fundamental human rights.

However, our current system for addressing barriers that disabled people face has been fragmented, slow, hard to measure, and hasn't led to the necessary changes to achieve accessible society.

The Accelerating Accessibility system will take a progressive approach to identifying, preventing, and removing barriers to participation for disabled people, tāngata whaikaha Māori and others with accessibility needs.

Shared Leadership

The system will be led by:

- An Independent **Accessibility Governance Board** (formal name to be agreed) led by and representing disabled people. The Board will set the strategic direction on accessibility and draw on the lived experiences of disabled people to identify and advise on accessibility barriers. It will have a direct line to the Minister for Disability Issues and will advise a Chief Executive about accessibility issues.
- The **Minister for Disability Issues**, supporting and overseeing work and gaining wider Ministerial support to address accessibility barriers across Government, and
- A **Chief Executive** to be a single point of leadership in the public service to identify and implement solutions to accessibility issues. The Chief Executive will be responsible for co-ordinating and mobilising Government resources and will have oversight of accessibility measures across the public service.

Process for identifying, preventing, and removing barriers:

The system leadership will need to work through an iterative process that ensures the right barriers are addressed, and the right solutions are enacted. It will follow a process like this:

1. Systemic barrier identified

Ensure that we're focusing resources across the system on a specific barrier, agree with affected parties.

2. Barrier researched, problem defined

Ensure we've understood the full span and root cause of the problem.

3. Viable solutions identified

Understand the full range of solutions, make sure we're being ambitious enough and have involved the right people (technical experts and people who have experience of that barrier).

4. Recommendations made to decision makers

Ensure there's a strong case for change and that the solution is possible.

5. Ongoing monitoring of solutions and outcomes

Understand how solutions have been put in place and ensure the outcomes are achieved. If not, what are the next steps and what can we learn?

Questions:

We have some questions about the detailed design of the Accessibility framework.

Feedback can be provided for and of the questions below.

Section one

The purpose of our system is to progressively identify, prevent, and remove systemic accessibility barriers that disabled people and others face.

- In your own words, what do you think the objectives or goals of the system should be?

The **goal** of the system should be “enabling disabled people to equitably participate in everyday life including commercial, economic, and social activities”.

To realise this goal, there should be specific **objectives** to cover critical areas such as employment, central and local government programs, services, sport, recreation, tourism, health, activities, built and natural environment, businesses, and public, private, and non-profit service providers.

Section two

The system will include an Accessibility Governance Board (Board) and will have an important role to play in pushing the Government to do more to improve accessibility. We have some specific questions about the Board:

- What should the Board be called?
- Are there certain words that should be included or avoided?

The name of the Board should reflect/be aligned with the followings:

- its authority
 - its responsibility and accountability
 - its members
 - whether members are appointed or elected
- It would be premature to name the Board before the above details are decided upon

The Board will need to represent disabled people, their families/whānau, and community.

- What are some of the expected behaviours or qualities that you want members of the Board to demonstrate?

For example: Lived experience of disability, representation of whānau, knowledge of government systems, knowledge of tikanga Māori

- Because people with different types of disability/impairments have significantly different lived experience of disability and “accessibility needs”, the Board should include people with as many different types of disability/impairments as possible (physical, intellectual, neurological).
- Lived experience of disability from different socio-economic demographics (for instance, gender, religion, income, age, cultural background, family status)
- Tāngata whaikaha should be present on the Board
- Knowledge of government systems should not be required
- The Board should include disabled people from various backgrounds, knowledge, skills, and qualifications, from grassroot level to academics
- The Board should also include a disability provider voice, to ensure the practical implications of service policy decisions feature where required

There are options for how Board members are appointed.

- What do you think of the following options?
 - a. Board members are appointed by the Minister for Disability Issues.
 - b. Board members are nominated by a panel of disabled people and/or other, before being formally appointed by the Minister.
 - c. Board members are elected by the community.
- Are there other options for Board appointments that should be considered?

NZDSN prefers a modified version of option “c”. If elected by the community, the Board members will have the support of the community and will be more accountable to the community. This process should be managed, however, to ensure the main types of disability (as mentioned above) are reflected in the composition.

We oppose options “a” and “b” because the Board has “monitoring, evaluation and reporting” functions where the performance of the Office for Disability Issues (and the forthcoming Ministry for Disabled People) will be scrutinised. Therefore, we believe appointment by the Minister for Disability Issues will create an actual/perceived influence over the members.

Section three

It's important for disabled people, their whānau, and community to be present and involved across the accessibility system. Apart from a notification's mechanism, we can set out in legislation the responsibilities of the board for ensuring the right voices are listened to.

- What responsibilities should the board have to be accountable and responsive to the disability community?
- How should the Board engage with the disabled community? (eg, holding public events, holding meetings with community groups, a website to update the community)
- How often and how should they do so?

- The Board's accountability and responsiveness to the disability community would depend on their level of authority specified by the legislation. Among other functions, the Board should act as an entity to receive notifications from people about their disabling experiences. The Board should have the authority to co-ordinate and work with relevant Government agencies and stakeholders to address and remove identified barriers.
- The disabled community should have access to a range of inclusive and accessible channels to connect and communicate with the Board. Communication channels should include, for instance, public meetings where disabled individuals and community and disability organisations can meet the Board in-person and virtually. The Board should also have a strong online presence with two-way communication channels including phone, email, and text messaging. All communications should be available in inclusive formats such as braille, audio, easy read, plain English, and large print. Consideration to the languages reflecting the New Zealand community should also be given, for example Pasifika languages and the languages of those refugees seeking to settle in New Zealand.

Is there anything else you would like to share?

NZDSN believes it is necessary that the disability community engage, consult, and participate in all and every step of setting up the new accessibility system. As the peak body of disability service providers in Aotearoa New Zealand, NZDSN is equipped with the required knowledge, expertise, skills, and connections to support MSD in the development of the new accessibility system.

NB: Policy work on embedding Te Tiriti o Waitangi in the Accessibility system is ongoing, and we will continue to engage with Māori on this. If you are interested in this work, please let us know and we can send you further details.

Next steps

We are undertaking targeted engagement with a range of disabled groups between now and Christmas, and into the new year.

We will also be working alongside the Establishment Unit on the new Ministry, and we will share information from all our engagements with them.

The Minister will report back to Cabinet on the detailed design of the accessibility system in March 2022.

Select Committee Process:

When the Bill is introduced to the House, it will go through the Select Committee process.

You can make submissions for the Select Committee to consider through the public submissions process. There is more information about this here:

<https://www.parliament.nz/en/pb/sc/how-to-make-a-submission/>