

Accelerating Accessibility in New Zealand – Discussion with Access Alliance

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 act as a vehicle for progressive implementation of accessibility over time.
- The proposed 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 accessible formats here: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/cabinet-papers/2021/accelerating-accessibility.html>

Timeline until introduction:

- **November - January**
Bulk of engagement
- **February 2022**
MSD report to Minister
- **March 2022**
Minister for Disability Issues reports back to Cabinet
- **July 2022**
Legislation is introduced to House

Scope

In scope for today's engagement:

- The detailed objectives of the system
- The name and function of the Board
- How the voices of the disabled community can be reflected in the system

Note: The Establishment Unit will lead engagement on the new Ministry for Disabled People in the new year

System overview and questions

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 systemic 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 viable 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:

1. **Systemic barrier identified**
Ensure that we're focusing resources across the system on a specific barrier, we've got all the relevant agreements to address it, etc
2. **Barrier researched, problem defined**
Ensure we've understood the full breadth and root cause of the problem
3. **Viable solutions identified**
Canvas the full range of solutions, make sure we're being ambitious enough, 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, argument the solution is viable
5. **Ongoing monitoring of solutions and outcomes**
Understand how solutions have been implemented and ensure the outcomes are achieved. If not, what are the next steps and what can we learn?

Questions:

Question 1

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?**

Question 2

The system will include an **Accessibility Governance Board** (Board) made up of representatives from the disability community and people with a lived experience of a disability. The Board 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?**
- **What are some of the expected behaviours/attributes that you want Board members to demonstrate?**

Some examples of behaviours/attributes are:

- Lived experience of disability
- Representation of whānau
- Ability to put disabled people's views first
- Capability and capacity to deal with a large number of issues
- Diverse experiences across the board
- Knowledge of government systems
- Knowledge of tikanga Māori
- Transparency
- Ability to work as a team

We are thinking that the Board will be made of up to eight people and that some members will be appointed by the Minister and some will be nominated by disabled people.

There are two questions on this point:

- **What do you think the ratio between those appointed by the Minister vs nominated the community should be?**
- **For the community nominations, how do you think this should happen?**

Here are some examples of appointment processes:

Department of Prime Minister and Cabinet (DPMC) appointment process

DPMC has an appointment process workflow which sets out the standard process for appointments. Agencies can use this as a starting point and adjust so the appointment process fit for purpose and relevant to the function of the Board.

This process starts with a vacancy being identified, identification of required skills, agreement of appointment process, calls for nominations and candidates are put to the Minister.

The Minister then proceeds with Ministerial/political consultation on the candidates, followed by Cabinet consideration and caucus consideration.

Appointment documentation is put to the Minister, the Governor-General, or the Governor-General in Council for signature. The appointee is notified, gazetted (if required) and the appointment is announced.

Example of appointment process by Minister

The *Climate Change Response Act 2002* has a Commission appointed and the roll of the Commission is to provide independent, expert advice to the Government on mitigating climate change and adapting to the effects of climate change; and to monitor and review the Government's progress towards its emission reduction and adaptation goals.

The Commission is nominated through the Minister establishing a nominating committee. This committee comprises of a Chairperson and 4 or more others, who in the opinion of the Minister have the relevant skills or experience to identify suitably qualified candidates.

The nominating committee publicly call for expressions of interest in being appointed and consult any person or group who may have an interest in being a member of the Commission, including iwi and Māori representative organisations and any person or group the Minister identifies as having an interest.

The Minister must also have regard to a number of matters before recommending the appointment of a member to the Commission. This includes understanding climate change mitigation and adaptation, experience working in or with local or central government, knowledge of the process by which public and regulatory policy is formed and given effect too and other matters.

Example of election process

The *Teaching Council* comprises of 13 members, 6 appointed by the Minister and 7 members elected with one each representing an area of education, e.g. early childhood, primary, secondary etc.

Members must be nominated and elected, with elections happening every 3 years. The Minister then appoints or elects a member appointed as chairperson and as deputy chairperson.

Question 3

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

- **What responsibilities should the board have to be accountable and responsive to disability communities?**
- The accessibility legislation will impact all areas of life in New Zealand. **What are some of the other groups apart from disabled people that will be impacted by the system? How should the board engage with these groups?**

Next steps

We are undertaking targeted engagement with a range of disabled groups between now and Christmas.

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 be reporting 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/>