

In confidence

Office of the Minister for Disability Issues

Cabinet Legislation Committee

Government Response to the Petitions Committee on Petition of Shary Bakker: Reinstate the Whaikaha Purchasing Guidelines for Individuals from March 1, 2024

Proposal

- 1 This paper seeks approval of the Government's response to the Petition of Shary Bakker to reinstate the Whaikaha Purchasing Guidelines for Individuals from March 1 2024.
- 2 The response is attached at Appendix One.

Background

- 3 This petition was heard by the Petitions Committee on 7 May 2024, and was subsequently referred to the Minister for Disability Issues for a response on 13 February 2025.
- 4 This petition requested that immediate action be taken to reverse changes made to Disability Support Services flexible funding purchasing guidelines on 18 March 2024.
- 5 The petition argued that the changes would negatively impact disabled people, their families, whānau and carers by restricting access to certain supports and services.
- 6 The petition also argued that these changes had been made without appropriate consultation, were not well communicated, and were made without giving sufficient time for people impacted to make alternative arrangements for support.

Comment on petition

- 7 Prior to 2 December 2024, Disability Support Services (DSS) was part of Whaikaha – the Ministry for Disabled People (Whaikaha). It did not, however, have strong fiscal controls in place, and as a result, was not able to appropriately manage its budget appropriation.
- 8 The March 2024 changes to flexible funding referred to by the petition aimed to mitigate an expected overspend of Whaikaha's budget allocation and ensure that funding was focussed on disabled people.
- 9 The Government is aware of the difficulty that these changes have caused for some disabled people, their whānau and their carers. Many disabled people and carers who access DSS funding have told us that accessing flexible funding has improved their lives, and changes made on 18 March 2024 reduced that flexibility.

- 10 On 30 April 2024, the Government announced the Independent Review of DSS. The aim of this review was to provide advice on the actions that should be taken in the 2024/25 financial year to better manage cost pressures faced by Whaikaha. The review recommended seven actions, which the Government accepted.
- 11 The review found that flexible funding was one of the main areas of growth in expenditure for DSS and has been increasing rapidly since 2015/16. The review also found that there is a lack of established criteria for who should be supported and in what circumstances.
- 12 The DSS Taskforce is currently actioning the review's recommendations, including a recommendation to review the flexible funding guidelines. There has been an extensive consultation with the disability community on this.
- 13 Officials are currently analysing the feedback of this consultation in detail and developing policy proposals to respond to the Independent Review recommendations.
- 14 The actions we are taking to stabilise DSS so that it is fairer, more consistent, transparent, and sustainable are critical to restoring that trust and to meeting disabled people's needs.
- 15 Further details are included in the accompanying letter to the Petitions Committee that forms the basis of the government's response.

Timing of the Government response

- 16 The Government response must be presented to the House by 13 May 2025.

Financial Implications

- 17 There are no financial implications.

Consultation

- 18 Disability Support Services recently finished a round of public consultation on consistent and transparent assessment and allocation tools and fairer, more consistent flexible funding (the subject of the petition). The consultation included nearly 1000 disabled people, whānau, carers and providers across 25 in-person and online workshops and over 800 survey and submission responses. Officials are currently analysing the feedback in detail and developing policy options to inform Government decisions in mid-2025.

Proactive Release

- 19 I intend to proactively release this paper and the relevant Minute, subject to any redactions as appropriate under the Official Information Act 1982.

Recommendations

The Minister for Disability Issues recommends that the Cabinet Legislation Committee:

- 1 approve the Government response to the Petition of Shary Bakker to reinstate the Whaikaha Purchasing Guidelines for Individuals from 1 March 2024;
- 2 note that the Government response must be presented to the House by 13 May 2025;
- 3 invite the Minister for Disability Issues to present the Government response to the House in accordance with Standing Order 256;
- 4 invite the Minister for Disability Issues to write to the petitioner enclosing a copy of the Government response, after the response has been presented to the House;

Authorised for lodgement.

Hon Louise Upston

Minister for Disability Issues