

18 February 2025

Tēnā koe

Official Information Act request

Thank you for your email to the Ministry of Disabled People – Whaikaha (Whaikaha) dated 7 November 2024 in which you requested information about Disability Support Services (DSS) funding.

Responsibility for responding to your request transferred from Whaikaha to the Ministry of Social Development (the Ministry) at the beginning of December 2024. This is when the Ministry became responsible for processing requests made under the Official Information Act 1982 (the Act) relating to DSS. This has contributed to the delay in responding to your request, for which I sincerely apologise.

I have considered your request under the Act. You will find my decisions on each part of your request set out below.

I have interpreted that you are seeking information held by the Ministry during the period between 18 March 2024, when Whaikaha announced changes to the Purchasing Rules for flexible funding, and 7 November 2024, the date of your request.

Further, I have interpreted your request to be for information about the overarching guidance and policies, and not related to specific individual's circumstances. Please contact me if this was not the intent of your request; however, please note that generally there is a high privacy interest in information about individual's circumstances.

The Ministry may hold additional information in scope of your request, although it has not been possible to locate it despite reasonable efforts to do so.

- 1.)Part 1 - Any internal communications, emails, policies, guidelines or material with detail related to disabled people who are engaged in ongoing private therapy, such as speech therapy, physiotherapy, and psychology, no longer being able to use their funding for these therapies following their funding allocation being renewed.**

I refer you to APPENDIX 1 for this information. Information that does not relate directly to this part of your request has been redacted as out of scope.

2.) Part 2 - Any internal communications, emails, policies, guidelines or material with detail related to the process that should be followed when a disabled person moves from one region to another within New Zealand, including any information related to communications with the disabled person during transfer and amounts of funding or funding consistency between regions for the disabled person.

I refer you to APPENDIX 2 for this information.

Contact email addresses and phone numbers within this appendix are withheld in accordance with section 9(2)(a) of the Act protect the privacy of natural persons. The need to protect the privacy of these individuals outweighs any public interest in this information.

You will note that some information is withheld under section 9(2)(g)(i) of the Act to protect the effective conduct of public affairs through the free and frank expression of opinions. I believe the greater public interest is in the ability of individuals to express opinions in the course of their duty.

Information that does not relate directly to this part of your request has been redacted as out of scope.

3.) Publicly available information within scope of your request

A range of information related to both parts of your request is publicly available on the internet. Please see the links below:

- Guidance for the sector on changes to the purchase rules - www.disabilitysupport.govt.nz/carers/what-is-carer-support/what-people-can-buy-with-disability-funding-purchasing-rules/guidance-for-the-sector-on-changes-to-the-purchase-rules
- Clarifications on Purchasing Rules for Flexible Funding - www.whaikaha.govt.nz/news/news/clarifications-on-purchasing-rules-for-flexible-funding
- Understanding the purchasing guidelines - www.disabilitysupport.govt.nz/carers/understanding-the-purchase-guidelines
- SERVICE DESCRIPTION AND PURCHASE UNIT CODES: DSS Needs Assessment and Service Co-ordination (DSS1040) Including Discretionary Funding (DSS1039D) - www.whaikaha.govt.nz/assets/Contract-and-Service-Specification-documents/Needs-Assessment-and-Service-Co-ordination.pdf

- Operational Policy and Guidelines 2024/25 Freeze on residential care funding and management of NASC indicative budgets and EGL site fixed budgets - www.disabilitysupport.govt.nz/about-us/taskforce/independent-review/information-for-providers/operational-policy-and-guidelines-202425
- Clarifications to the Purchase Rules – Guidance for Hosts NASCs, EGL sites - www.disabilitysupport.govt.nz/carers/what-is-carer-support/what-people-can-buy-with-disability-funding-purchasing-rules/guidance-for-the-sector-on-changes-to-the-purchase-rules/clarifications-to-the-purchase-rules
- What People Can Buy with Disability Funding: Purchasing Rules - www.disabilitysupport.govt.nz/assets/Purchasing-rules-24-April-20241.pdf.

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, or the information you were seeking does not feature in **APPENDIX 1** or **APPENDIX 2**, I encourage you to contact OIA_Requests@msd.govt.nz.

If you are not satisfied with my decision on your request, 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

p.p. 

Anna Graham
General Manager
Ministerial and Executive Services

APPENDIX 1 - Any internal communications, emails, policies, guidelines or material with detail related to disabled people who are engaged in ongoing private therapy, such as speech therapy, physiotherapy, and psychology, no longer being able to use their funding for these therapies following their funding allocation being renewed.

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

12 April 2024

Q&A on Additional Clarifications to the Purchase Rules

Whaikaha is providing additional guidance to support disabled people, their whānau and providers to apply the Purchasing Rules for flexible funding supports.

These Q&As are intended to support the Minister to answer questions about this.

If the Minister or her office has additional questions they would like us to answer, please contact the Ministerial and Executive Support (MaES) team at Whaikaha in the first instance.

Q&A Additional Guidance

Was there any consultation on this additional guidance?

This guidance is informed by the questions, themes and feedback received to date by Whaikaha from the disability community and providers on the recent changes to the Purchasing Rules announced on 18 March 2024.

As we have gone about implementing the revised Purchase Rules several issues have emerged that, to deliver on the intent of the changes, require realignment of some parts of the original decisions and implementation plan.

What does this additional guidance relate to, what is changing?

The additional guidance relates to the following areas:

1. The purchase of items such as tablet devices, noise cancelling headphones, sensory items, and weighted blankets.
2. Clarifications around the use of rideshare and other forms of transport.
3. Sustaining living situations through EGL personal budgets.
4. Continuing to support ongoing commitments – including in employment, a course of study, therapy.

Where should people go for if they require further clarifications on this guidance?

Whaikaha continues to update its website. [Questions and answers: Changes to Purchasing Rules and EMS | Whaikaha - Ministry of Disabled People](#)

Whaikaha recognises that every situation is different. If people have specific questions about how these changes relate to them, they are best to contact their NASC / Host or EGL site.

For Carer Support queries please contact Te Whatu Ora Contact Centre, Carer Support team on 0800 855 066 or email carseer_support@health.govt.nz if you have an enquiry regarding your claim.

Can we expect more changes and additional guidance? If so, when?

While this additional guidance is intended to add some clarity and respond to some of the questions Whaikaha has received from the disability community, Whaikaha will

Changes to the Purchasing Rules were needed to ensure we could continue to equitably fund critical supports and services for disabled people. Whaikaha must remain within the budget it is allocated to spend on the disability support system.

I understand that Whaikaha is in the early stages of developing a comprehensive engagement strategy to support this longer-term work.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Service	Percentage
Online banking	95%
Mobile banking	90%
ATM services	85%
Branch services	75%
Other services	10%

A horizontal bar chart titled 'U.S. should take action to address climate change' showing the percentage of respondents who believe the U.S. should take action to address climate change, broken down by age group. The x-axis represents the percentage from 0 to 100. The y-axis lists age groups. The bars are dark gray.

Age Group	Percentage
18-29	94%
30-49	100%
50-69	35%
70+	91%
18-29	80%
30-49	95%
50-69	90%
70+	96%
18-29	90%

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Out of scope

Q&A Use of rideshare and other forms of transport

What changes or clarifications are being made regarding the use of rideshare and other forms of transport?

I know that it is important that flexible funding can be used for local transport so disabled people can participate in society.

Flexible funding can also be used for ride and driver services, (for example taxi services, Uber and private agencies – like Driving Miss Daisy) where it is a cost-effective option.

For people who have accessed the Total Mobility Scheme, flexible funding can also be used for additional disability-related costs for local transport that do not require the use of support workers, where this is more cost-effective.

What is meant by local travel?

Local travel means travel within a local community where the disabled person usually lives, works, engages in recreation, and otherwise lives their life. Local travel will usually be:

- within a region;
- in or to areas around a city; and/or
- an equivalent distance where someone lives on or near the border between regions

Do these changes mean we can now use our funding to pay for a domestic flight to achieve respite? For example, my disabled child wants to stay with a relative in a different city?

No, you are no longer able to purchase domestic flight tickets. Your host, EGL connector or NASC may be able to support you to find an alternative solution to maintain your family wellbeing.

Q&A Continuing to support ongoing commitments

What changes or clarifications are being made regarding how people can continue with earlier commitments?

Whaikaha has clarified that disabled people can continue to use flexible funding to access the supports or services where these have been accessed prior to the changes to the Purchasing Rules on 18 March, where:

- they have committed to employment, a course of study, therapy, or a time-bound programme; and

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- they have relied on the availability of flexibility under the previous Purchasing Rules to support them to participate in those commitments; and
- that commitment has been made before 18 March 2024.

What type of thing does this extend to?

- contributing to the costs of delivering support
- expenses that are a necessary part of supporting the disabled person
- travel-related costs of support workers (accommodation, transport, meal allowances) where those costs are incurred as part of domestic travel (including between cities and regions) for work.

How can people demonstrate this commitment?

- your existing employment agreements;
- a plan for, for example, an EGL Personal Budget, where this demonstrates an intended ongoing use of a particular support; or
- the individual or their family being in the course of receiving or engaging in therapy, a course of study, employment, or a time-bound programme that support is required for.

Do these changes just apply for disabled people? What about family carers?

These changes just apply to disabled people.

Can family carers now use this funding to continue previous commitments, for example - employment, a course of study, therapy, or a timebound programme?

No these only apply for disabled people.

What are examples of “therapies” which are included within the scope of flexible funding?

Where a disabled person has been engaged in a course of therapy before the 18th of March, that therapy can continue to be funded from flexible funding, including where other agencies might otherwise have funding responsibilities for that therapy.

If something is a form of therapy that is prioritised by another government agency, new courses of therapy cannot be entered into, even if the main carer would get a break whilst that therapy occurs.

Examples include (but are not limited to):

- speech language therapy;
- psychologist involvement in behaviour support;
- occupational therapy



CARER SUPPORT – Interim Operational Guidance

1. Purpose

- 1.1. This operational guidance is intended to support the use and payment of Carer Support.

2. Application

- 2.1. This document guides Whaikaha staff involved in overseeing and supporting Carer Support, the implementation of changes to the Purchase Rules, and answering FAQs.

3. Context

- 3.1. In recent times uncertainty has arisen between:
- 3.1.1. what broadly could be respite; and
 - 3.1.2. the respite intended to be made available through this service (Carer Support).
- 3.2. This guidance provides clarity about what is intended to be available through this service, in a context where Whaikaha must prioritise across its' appropriation the highest priorities for expenditure.

4. Intended Outcomes

- 4.1. Carer Support contributes to the cost of simple, small breaks that assist in achieving a sustainable rhythm and pace to life.
- 4.2. As a result of this service those who contribute to the life of the disabled person will:
- 4.2.1. Be able to take simple, short breaks, to maintain a more sustainable rhythm and pace to life; and
 - 4.2.2. have greater control over when and how they take a break.

5. Definitions

- 5.1. For the purposes of this guideline the following definitions apply:

Term	Definition
<i>Overseas Travel</i>	Costs of overseas travel refers to the costs of accommodation, food, and transport whilst travelling for the disabled person, their family, and anyone providing support. The costs of a person providing support whilst overseas (eg. wages) however are not excluded from this scope of support.

Term	Definition
<i>Domestic Travel</i>	Refers to the costs of travelling between cities or regions to, for example, go on a break
<i>Local Travel</i>	<p>Local travel means travel within a local community where the disabled person usually lives, works, engages in recreation, and otherwise lives their life. Local travel will usually be:</p> <ul style="list-style-type: none"> • within a region; • in or to areas around a city; and/or • an equivalent distance where someone lives on or near the border between regions
<i>Expense that is a necessary part of</i>	<p>An expense is a necessary part of providing care if, in the view of the person managing the package, within their context it is not possible to provide the desired support to carry out a particular task or participate within a particular activity without the expense.</p> <p>Rule Three – that the expense be reasonable and cost-effective – continues to apply to ensure that public money is used in an economical manner.</p>
<i>For the direct benefit of the disabled person.</i>	<p>Something is for the direct benefit of the disabled person if the disabled person is the recipient of, for example, the massage or therapy, and it creates a disability-related benefit by supporting the disabled person to improve their independence.</p> <p>Whilst disabled people may indirectly benefit when their family members and carers experience self-care services such as massages, pedicures and other appearance or therapeutic care, this is now out of scope of the purchasing rules.</p>
<i>Sensory item</i>	<p>A range of items may support disabled people to self-regulate where they can find particular kinds of sensory stimulation overwhelming.</p> <p>Whilst a wide range of things might serve this purpose, the range of things Whaikaha is providing access to, through flexible funding, is limited to small, portable items, and does not extend to larger and more expensive options such as spa pools, trampolines, play gyms etc.</p> <p>Rule three, that a purchase is reasonable and cost-effective, continues to be in effect. We would not expect that most purchases of small items would require in-depth consideration. If you are unsure about purchasing a specific sensory item, get in touch with your Host or EGL site – they can support you in your decision.</p>

6. Scope

6.1. The scope of support included in this service are:

-
- A horizontal bar chart titled 'U.S. should take action to reduce greenhouse gas emissions' showing the percentage of respondents who believe the U.S. should take action to reduce greenhouse gas emissions, broken down by age group. The y-axis lists four age groups: 18-29, 30-49, 50-69, and 70+. The x-axis represents the percentage, ranging from 0 to 100. For each age group, there are two bars: a dark gray bar for 'Total' and a light gray bar for 'U.S. only'.
- | Age Group | Total (%) | U.S. only (%) |
|-----------|-----------|---------------|
| 18-29 | 92 | 72 |
| 30-49 | 98 | 95 |
| 50-69 | 52 | 52 |
| 70+ | 88 | 98 |

Out of scope

6.2. The Costs excluded from this service are:

6.2.1. All purchases of items as a form of delivering respite, except those listed above.

6.2.2. Out of scope

6.2.3. Out of scope

6.2.4. Out of scope

6.2.5. Travel-related costs for disabled people, whānau, and/or persons providing support, including:

6.2.5.1. Accommodation

6.2.5.2. Overseas and domestic travel (see definitions above)

6.2.5.3. Food.

7. Applying the flexible Purchase Rules

7.1. Carer Support is used in line with Whaikaha's Purchase rules.

7.2. From time to time, Whaikaha may notify changes to those rules to Carer Support Recipients, and the changes will have effect from any date that the person is notified they take effect from.

8. Claiming

8.1. Claims for carer support:

8.1.1. Must be used in line with the uses set out in this guidance.

8.1.2. Must be within the amount of an existing Carer Support allocation.

- 8.1.3. Persons receiving Carer Support can use their allocation as a 'total budget' – that is, they can use as much or as little of their allocation as is necessary for any one activity or period of relief that they are claiming for.
- 8.1.4. Claiming will be contingent on accurate and full provision of information on the claim form.
- 8.1.5. Claims must generally be lodged within 90 days of the relief care being provided.
- 8.1.6. Claims may be declined if, at the sole discretion of Whaikaha or its' agent the use of the money is inconsistent with this guidance, or, after reasonable attempts have made to resolve any issues, the information required in the claim form has not been provided.
- 8.2. Claims made by the relief carer:
 - 8.2.1. May be made by a person or organisation providing relief care;
 - 8.2.2. Where the organisation providing relief care is doing so through a programme, service, or set of activities, Carer Support can be used to contribute to the relief care and, for the purpose of the Purchasing Guidelines will be considered one or both of:
 - 8.2.2.1. the costs of supporting the disabled person; and/or
 - 8.2.2.2. necessary expenses as part of supporting the disabled person.
- 8.3. Claims made by the Fulltime carer:
 - 8.3.1. Where a fulltime carer pays the costs of relief care upfront, they may claim Carer Support as a contribution to those costs;
 - 8.3.2. Claims may be for the relevant half day or day rate as a contribution to costs.

9. Transitional provisions

- 9.1. The changes to the purchase rules are being implemented from 18 March 2024. Some details are worth clarifying to support the transition from one scope of Carer Support to another.

Grace period

- 9.2. A grace period is being applied between 18 March and 28 March, to recognise that not everyone will hear immediately about changes to the scope of Carer Support.
- 9.3. During that grace period, costs that are incurred or committed to will be honoured. However, quotes or queries where no costs have been committed to will be excluded.
- 9.4. Costs incurred or committed in the grace period for significant amounts of expenditure that would now be excluded will receive greater scrutiny, to ensure that the grace period is not being unreasonably taken advantage of.

Claiming period for now out of scope supports

- 9.5. All claims for now excluded expenditure incurred before 18 March or before the changes were heard about during the grace period must be made by 12 April. Payment follows that date, generally within 10 days afterwards.

10. Supporting ongoing commitments

- 10.1. The revisions to the Purchase Rules are not intended to limit the ability of any disabled person to maintain their current engagement in employment, a course of study, therapy, or a timebound programme that support is required for.
- 10.2. Carer Support can continue to be used to access support in the form it was provided prior to the revisions to the purchase rules where:
- 10.2.1. The disabled person has committed to employment, a course of study, therapy, or a timebound programme; and
 - 10.2.2. The disabled person and their family have relied on the availability of flexibility under the previous Purchase Rules to support the disabled person to participate in those commitments; and
 - 10.2.3. that commitment has been made before 18 March 2024.
- 10.3. This extends to:
- 10.3.1. contributing to the costs of delivering support;
 - 10.3.2. expenses that are a necessary part of supporting the disabled person; and
 - 10.3.3. the travel-related costs of support workers (accommodation, transport, meal allowances) can continue to be paid where those costs are incurred as part of supporting the disabled person when they engage in domestic travel (including between cities and regions) for work.
- 10.4. It does not extend to the purchase of items that are otherwise no longer in scope.
- 10.5. An ongoing commitment can be demonstrated by, for example:
- 10.5.1. employment agreements;
 - 10.5.2. explicit inclusion in a support plan pre-dating 18 March 2024, where this demonstrates an intended ongoing use of a particular support; or
 - 10.5.3. the individual already receiving or engaging in a course of therapy, a course of study, employment, or a time-bound programme that support is required for.

Resuming supports that have been re-planned

- 10.6. The purpose of supporting ongoing commitments is to mitigate any potential risks to continuing in employment, study, and therapy.

- 10.7. Whaikaha is aware that some people may have reorganised their supports and family lives to continue in employment, study, or therapy after the 18 March 2024 revision of the Purchase Rules.
- 10.8. Where that is the case, disabled people may resume any previously in place supports that they consider mitigate risks to their continuing in employment, study, or therapy, so long as those supports are:
- 10.8.1. the costs of delivering support;
 - 10.8.2. expenses that are a necessary part of supporting the disabled person; and/or
 - 10.8.3. the travel-related costs of support workers (accommodation, transport, meal allowances) can continue to be paid where those costs are incurred as part of supporting the disabled person when they engage in domestic travel (including between cities and regions) for work.
- 10.9. All of these claims must continue to be within individual's existing allocations, and any other conditions upon accessing flexible funding.

Retrospective costs

- 10.10. Some disabled people and families may also have begun to pay for some supports they were previously in receipt of, such as therapy, privately after the 18 March revisions to the Purchase Rules.
- 10.11. Where those costs were part of support delivered previously, costs incurred between 18 March and **[INSERT DATE OF GO LIVE HERE]** may be claimed for retrospectively. Where these costs are claimed for under Carer Support, the usual 90 day claiming period applies. Retrospective claims should be marked clearly as **[Retrospective payment for continuing in employment, study, or therapy]**.
- 10.12. All of these claims must continue to be within individual's existing allocations, and any other conditions upon accessing flexible funding.



ENABLING GOOD LIVES PERSONAL BUDGETS – Interim Operational Guidance

1. Purpose

- 1.1. This document is intended to provide guidance on the scope, allocation, and implementation of Enabling Good Lives Personal Budgets, and in particular to support the application of the Purchase Rules in individual situations.

2. Application

- 2.1. This document guides Whaikaha staff involved in overseeing and supporting Enabling Good Lives Personal Budgets, the implementation of changes to the Purchase Rules, and answering FAQs.

3. Context

- 3.1. Whaikaha is working in a constrained fiscal environment. In that context, Whaikaha has begun to prioritise across the Disability Support Appropriation the highest priorities for expenditure.
- 3.2. In that context, Whaikaha has introduced new Purchase Rules that clarify the scope of flexible support that can be made available, and removed the ability to purchase things that might be available through other agencies or other funding streams.
- 3.3. Whaikaha has introduced the same Purchase Rules (with slight variations in scope to reflect the different purposes of the different funding types), across all flexible funding it provides.

4. Intended Outcomes

- 4.1. We aspire to see, through engagement with the Enabling Good Lives approach as a whole, disabled people and their whānau being able to say:
 - 4.1.1. *Rights and Protection* - We are safe and our rights are upheld
 - 4.1.2. *Wellbeing* - We are happy and healthy, both emotionally and physically;
 - 4.1.3. *Authority* - We have choice and control over the service provision to suit our needs;
 - 4.1.4. *Equipped* - We have the support and resources we need;
 - 4.1.5. *Developing and achieving* - We have agency and are living our good life;
 - 4.1.6. *Connections* - We are connected in positive ways to whānau, society and networks; and

- 4.1.7. *Belonging* - We belong, contribute to and are valued by our community.

5. Definitions

- 5.1. For the purposes of this guide the following definitions apply:

Term	Definition
<i>Overseas Travel</i>	<p>Costs of overseas travel refers to the costs of accommodation, food, and transport whilst travelling for the disabled person, their family, and anyone providing support. The costs of a person providing support whilst overseas (eg. wages) however are not excluded from this scope of support.</p> <p>There continues to be a requirement, where wages are required for international trips over 21 days, for IF hosts to seek Whaikaha approval.</p>
<i>Domestic Travel</i>	Refers to the costs of travelling between cities or regions to, for example, go on a break
<i>Local Travel</i>	<p>Local travel means travel within a local community where the disabled person usually lives, works, engages in recreation, and otherwise lives their life. Local travel will usually be:</p> <ul style="list-style-type: none"> • within a region; • in or to areas around a city; and/or • an equivalent distance where someone lives on or near the border between regions
<i>Expense that is a necessary part of providing care</i>	<p>An expense is a necessary part of providing care if, in the view of the person managing the package, within their context it is not possible to provide the desired support to carry out a particular task or participate within a particular activity without the expense.</p> <p>Rule Three – that the expense be reasonable and cost-effective – continues to apply to ensure that public money is used in an economical manner.</p>
<i>For the direct benefit of the disabled person.</i>	<p>Something is for the direct benefit of the disabled person if the disabled person is the recipient of, for example, the massage or therapy, and it creates a disability-related benefit by supporting the disabled person to improve their independence.</p> <p>Whilst disabled people may indirectly benefit when their family members and carers experience self-care services such as massages, pedicures and other appearance or therapeutic care, this is now out of scope of the purchasing rules.</p>
<i>Ready-made meals</i>	A ready-made meal is any meal prepared ahead of time, that can be eaten at a time of the person's choosing.

Term	Definition
	<p>Ready-made meals can contribute to the person having greater choice of what they eat, and when they eat it.</p> <p>Take out or food deliveries have some of the features of ready-made meals, and this may be appropriate, occasionally. In practice, it is unlikely that regular use of takeout or food deliveries will be more cost-effective than paying for support to prepare meals.</p>
<i>Sensory item</i>	<p>A range of items may support disabled people to self-regulate where they can find particular kinds of sensory stimulation overwhelming.</p> <p>Whilst a wide range of things might serve this purpose, the range of things Whaikaha is providing access to, through flexible funding, is limited to small, portable items, and does not extend to larger and more expensive options such as spa pools, trampolines, play gyms etc.</p> <p>Rule three, that a purchase is reasonable and cost-effective, continues to be in effect. We would not expect that most purchases of small items would require in-depth consideration. If you are unsure about purchasing a specific sensory item, get in touch with your Host or EGL site – they can support you in your decision.</p>

6. Scope

6.1. The scope of supports included in EGL Personal Budgets are:

- 6.1.1. Contribution to the costs of delivering support work (including wages etc. and intermittent care). For the avoidance of doubt, this includes:
 - 6.1.1.1. Wages and other costs of employing someone to provide support;
 - 6.1.1.2. Invoices for the costs of service providers and other organisations who have provided support;
 - 6.1.1.3. Costs of activities that support the disabled person whilst their family or usual carer takes a break;
- 6.1.2. Expenses that are a necessary part of supporting the disabled person. This includes:
 - 6.1.2.1. supplies and products (eg. rubber gloves, PPE) that might be required by a person delivering support to carry out the task;
 - 6.1.2.2. fuel and mileage costs of local transport where a support person drives the disabled person somewhere;
 - 6.1.2.3. local transport costs that don't require the use of support workers, where this is a more cost-effective way

of supporting the disabled person to participate in supported activities. Examples include driving services, ride share services etc.;

- 6.1.2.4. the cost of entries to events or activities, travel on public transport, or other similar costs that a person might incur in the course of being available to and supporting the disabled person

6.1.3. [Out of scope](#) [Redacted]

[Redacted]

[Out of scope](#) [Redacted]

[Redacted]

[Redacted]

[Out of scope](#) [Redacted]

Out of scope

6.2. The Costs excluded from this service are:

6.2.1. All purchases of items as a form of delivering respite, except those explicitly listed above.

Out of scope

6.2.4. Travel-related costs for disabled people, whānau, and/or persons providing support, including:

6.2.4.1. Accommodation

6.2.4.2. Overseas and domestic travel (see definitions above)

6.2.4.3. Meals whilst travelling

7. Maintaining parity where someone moves from a 24/7 or other intensive arrangement in contracted supports to EGL Personal Budgets

7.1. EGL has had a policy that individuals who leave - or would otherwise be supported in - residential care, should not be disadvantaged as a result of taking up the opportunities of Enabling Good Lives.

7.2. In practice, this means that on some occasions Enabling Good Lives Personal Budgets, including through Flexible Disability Support Contracts, have funded comparable costs to residential care, such as:

7.2.1. Out of scope

- 7.2.2. A variety of intensive early interventions to safely manage and rehabilitate challenging behaviour;
 - 7.2.3. Out of scope
 - 7.2.4. Transport, including dedicated vehicles where this is necessary for safe support to be provided; and
 - 7.2.5. Out of scope
- 7.3. These and related costs can continue to be met and budgeted for where:
- 7.3.1. the EGL site in question identifies the need to maintain parity with a residential response, to not disadvantage the disabled person's material wellbeing if they take up the opportunities of an Enabling Good Lives approach; and
 - 7.3.2. the EGL Director Funding Panel, which already exists to oversee and provide a level of consistency to higher cost package decisions through the EGL sites, endorses that decision and approves the package
- 7.4. From time-to-time, the EGL Director Funding Panel may be called upon to apply this same approach to CiCL and higher cost IF packages where it is necessary to do so to maintain parity across the system.

8. Allocation

- 8.1. Allocation of EGL personal budgets will continue to occur within the existing operational policy and practices of the EGL sites.
- 8.2. The allocations that disabled people receive will continue to be driven by their specific plan for a good life.
- 8.3. The changes to the Purchase Rules have not generally impacted the amount of funding that is allocated to disabled people, just the way it can be used.
- 8.4. If an individual's plan is particularly affected by the changes to the purchase rules, there is an opportunity for them to work with their Connector to re-plan, and consider what an appropriate allocation might be at this time.

9. Applying the flexible Purchase Rules

- 9.1. EGL Personal Budgets are used in line with Whaikaha Purchase rules.
- 9.2. Whaikaha may notify changes to those rules to recipients of EGL Personal Budgets, detailing the date they take effect from.

10. Other Terms and Conditions

- 10.1. All other terms and conditions of EGL Personal Budgets continue in place, including any provisions of funding agreements that are not superseded by these changes.

11. Transitional provisions

- 11.1. The revised Purchase Rules have been implemented from 18 March 2024. Some details are worth clarifying to support the transition for the previous scope of EGL Personal Budgets to the scope and provisions of the revised Purchase Rules.

Grace period

- 11.2. A grace period is being applied between 18 March and 28 March, to recognise that not everyone will hear immediately about changes to the scope of EGL Personal Budgets.
- 11.3. During that grace period, costs that are incurred or committed to will be honoured. However, quotes or queries where no costs have been committed to will be excluded.
- 11.4. Costs incurred or committed in the grace period for significant amounts of expenditure that would now be excluded will receive greater scrutiny, to ensure that the grace period is not being unreasonably taken advantage of.

Claiming period for now out of scope supports

- 11.5. All claims for now excluded expenditure incurred before 18 March or before the changes were heard about during the grace period must be made by 12 April. Payment follows that date, pending confirmation that the claim is within the scope of the service and the purchase rules.

12. Supporting ongoing commitments

- 12.1. The revisions to the Purchase Rules are not intended to limit the ability of any disabled person to maintain their current engagement in employment, a course of study, therapy, or a timebound programme that support is required for.
- 12.2. EGL Personal Budgets can continue to be used to access support in the form it was provided prior to the revisions to the purchase rules where:
 - 12.2.1. The disabled person has committed to employment, a course of study, therapy, or a timebound programme; and
 - 12.2.2. The disabled person and their family have relied on the availability of flexibility under the previous Purchase Rules to support the disabled person to participate in those commitments; and
 - 12.2.3. that commitment has been made before 18 March 2024.
- 12.3. This extends to:
 - 12.3.1. contributing to the costs of delivering support;

- 12.3.2. expenses that are a necessary part of supporting the disabled person; and
 - 12.3.3. the travel-related costs of support workers (accommodation, transport, meal allowances) can continue to be paid where those costs are incurred as part of supporting the disabled person when they engage in domestic travel (including between cities and regions) for work.
- 12.4. It does not extend to the purchase of items that are otherwise no longer in scope.
- 12.5. An ongoing commitment can be demonstrated by, for example:
- 12.5.1. employment agreements;
 - 12.5.2. explicit inclusion in a support plan pre-dating 18 March 2024, where this demonstrates an intended ongoing use of a particular support; or
 - 12.5.3. the individual already receiving or engaging in a course of therapy, a course of study, employment, or a time-bound programme that support is required for.

Resuming supports that have been re-planned

- 12.6. The purpose of supporting ongoing commitments is to mitigate any potential risks to continuing in employment, study, and therapy.
- 12.7. Whaikaha is aware that some people may have reorganised their supports and family lives to continue in employment, study, or therapy after the 18 March 2024 revision of the Purchase Rules.
- 12.8. Where that is the case, disabled people may resume any previously in place supports that they consider mitigate risks to their continuing in employment, study, or therapy, so long as those supports are:
 - 12.8.1. the costs of delivering support;
 - 12.8.2. expenses that are a necessary part of supporting the disabled person; and/or
 - 12.8.3. the travel-related costs of support workers (accommodation, transport, meal allowances) can continue to be paid where those costs are incurred as part of supporting the disabled person when they engage in domestic travel (including between cities and regions) for work.
- 12.9. All of these claims must continue to be within individual's existing allocations, and any other conditions upon accessing flexible funding.

Retrospective costs

- 12.10. Some disabled people and families may also have begun to pay for some supports they were previously in receipt of, such as therapy, privately after the 18 March revisions to the Purchase Rules.

- 12.11. Where those costs were part of support delivered previously, costs incurred between 18 March and **[INSERT DATE OF GO LIVE HERE]** may be claimed for retrospectively.
- 12.12. All of these claims must continue to be within individual's existing allocations, and any other conditions upon accessing flexible funding.

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Briefing

Date:	12 April 2024
For:	Hon. Penny Simmonds, Minister for Disability Issues
CC:	Executive Leadership Team
File reference:	REP XX-XX-XXX
Security level:	Unclassified/In confidence/Sensitive/Restricted

Communications plan for clarifications to the Purchase Rules

Purpose

This briefing sets out in more detail our planned approach to communicating proposed clarifications of the revised Purchase Rules to the disability sector and community.

Whaikaha takes seriously the criticisms of our previous communications with disabled people, their families, and the sector. This briefing is intended to set out an approach that will improve upon that engagement.

Executive summary

The implementation of the revised Purchase Rules on 18 March 2024 did not go as intended, and apologies have been issued. Whaikaha has been learning from that experience and has progressively been releasing more guidance to support a clear application of the revised Purchase Rules within the sector and community.

We are now preparing to implement proposed further clarifications to:

- [Out of scope](#)
- transport and the use of rideshare services;
- essential support for sustaining the living situations of disabled people; and
- transition provisions to mitigate potential impacts on employment, study and therapy.

We are treating the potential next set of clarifications as building on the material we have been releasing, rather than as a separate standalone announcement:

- If none of the proposed clarifications are approved, then we will continue to update our existing guidance and frequently asked questions as topics of importance emerge, but will otherwise take none of the other actions in this briefing.
- If all or some of the proposed clarifications are agreed, we will move to implement the communications plan set out in this briefing, with such adjustments as are required for the final form of decisions.

Assuming that further clarifications are agreed, our general key messages are that:

- These clarifications are part of our ongoing adjustments to explanatory material that support the implementation of the revised Purchase Rules;
- Whaikaha is further clarifying our website content and other materials regarding transport, by making it explicit that rideshare services, etc can be considered once all other relevant subsidies have been accessed and where they are the most cost effective option;
- [Out of scope](#) [REDACTED]
[REDACTED]
[REDACTED] and
- we are adjusting our transition provisions to mitigate potential impacts on employment, study, living situations and therapy.

Attached to this briefing is the document '*Q&A on Additional Clarifications to the Purchase Rules*'.

We will continue to develop Communications material, in preparation for decisions on further clarifications to be made to the application of the Purchase Rules, and will confirm that material once the final form of any decisions are known.

Recommendations

It is recommended that you:

- | | |
|---|--------------|
| a) Note the attached question and answer document provided to support the release of any further clarifications to the purchase rules | Noted |
| b) Note that communications material will be confirmed once the final form of decisions on the proposed clarifications are known | Noted |

Signatory: Ginny Baddeley

Deputy Chief Executive, People and Culture

Date: 12 April 2024

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Communications plan for clarifications to the Purchase Rules

Background

- 1 Whaikaha made revisions to the Purchase Rules, introduced on 18 March 2024. The revisions changed the way flexible funding supports can be used.
- 2 These changes were introduced to ensure that the system prioritises the things that make the biggest impact for disabled people, maintaining meaningful choice and control for disabled people about the supports they receive and improving the overall effectiveness of the system.
- 3 The implementation of the revised Purchase Rules on 18 March 2024 did not go as intended, and apologies have been issued. Whaikaha has been learning from that experience and has progressively been releasing more guidance and answers to questions to support a clear application of the revised Purchase Rules within the sector and community.
- 4 A 'frequently answered questions' factsheet was published on the Whaikaha website following the announcement, and we have since released a further guidance document for the sector (publicly available on our website). That guidance includes key definitions and how the revised Purchase Rules apply to particular kinds of expenses or in particular situations.

Pending clarifications

- 5 We are now preparing to implement any further clarifications that may be agreed upon by Cabinet on 15 April 2024.
- 6 We are now preparing to implement proposed further clarifications to:
 - i. items that can and cannot be purchased through Carer Support and IF Respite;
 - ii. transport and the use of rideshare services;
 - iii. essential support for sustaining the living situations of disabled people; and
 - iv. transition provisions to mitigate potential impacts on employment, study and therapy.
- 7 We are treating the potential next set of clarifications as building on the material we have been releasing, rather than as a separate standalone announcement:
 - i. If none of the proposed clarifications are approved, then we will continue to update our existing guidance and frequently asked questions as topics of importance emerge, but will otherwise take none of the other actions in this briefing.

- ii. If all or some of the proposed clarifications are agreed, we will move to implement the communications plan set out in this briefing, with such adjustments as are required for the final form of decisions.
- 8 Whaikaha takes seriously the criticisms of our previous communications with the sector, disabled people and their families. This briefing is intended to set out an approach that will improve upon that engagement.

General key messages

- 9 Whilst specific messages have been developed on particular topics or questions, our general key messages are that:
- i. These clarifications are part of our ongoing adjustments to explanatory material that support the implementation of the revised Purchase Rules;
 - ii. Whaikaha is further clarifying our website content and other materials regarding transport, by making it explicit that rideshare services, etc can be considered once all other relevant subsidies have been accessed and where they are the most cost effective option;
 - iii. [Out of scope](#) [REDACTED]
[REDACTED]
[REDACTED] and
 - iv. we are adjusting our transition provisions to mitigate potential impacts on employment, study, living situations and therapy.

Objectives for engagement

- 10 Our engagement as part of releasing further clarifications has several key objectives:
- i. *Demonstrating due urgency where people have been waiting for some time* – a number of people are awaiting answers about how the changes will effect, for example, therapy that they are in the middle of a course of, or which they rely on for work. As we move into week 5 of implementation, we must act with haste to avoid hard to undo consequences where that is an intention of the changes (eg. people exiting their existing employment);
 - ii. *Equipping the sector to implement the clarifications well* – we are prioritising information for those who work closely with disabled people and their families in the use of flexible funding, so they hear as soon as possible about the changes in sufficient detail to be able to implement them with confidence;
 - iii. *To maintain trust in the relationship with Whaikaha* – this means ensuring that those in direct relationship with Whaikaha (such as those on advisory groups) hear from Whaikaha directly, and that voice from the community continues to be fed into implementation and guidance.

Values guiding our communications approach

- 11 We expect our approach to communicating these clarifications to:
- i. engage with our people and stakeholders in a mana enhancing way, aware that when we are talking to those working in the sector we are also often talking to someone who may also rely on supports from Whaikaha;
 - ii. ensure our engagement and communication activities are connected, providing important context and connection to the broad financial landscape;
 - iii. ensure we engage and communicate regularly both internally with our kaimahi (employees) and externally with our stakeholders;
 - iv. give the right information to the right audience, at the right time, in the right order;
 - v. display integrity, honesty and authenticity in all communications with the disabled community ;
 - vi. ensure our communications support providers in their understanding of our work and their ability to support disabled people and their whānau;
 - vii. ensure we manage constraints around budget sensitivity.

Sequencing our engagement

- 12 We will sequence our communications so that:
- i. our employees, those working in the sector to implement flexible funding, and key stakeholders are engaged and informed in a timely way;
 - ii. any announcements are aligned with the Minister's office; and
 - iii. our communications demonstrate that we have listened to community feedback.
- 13 The engagement to inform stakeholders will occur in phases:
- ***First phase, day one, shared under embargo – supporting operational delivery***
 - Internal Whaikaha staff – portfolio managers, Enabling Good Lives staff, Communications and Engagement team
 - Sector groups & leaders - with the request that it be disseminated appropriately to disabled people, tangata whaikaha Māori and whānau after it is released on our website
 - ***Second phase, day two, material shared under embargo – wider engagement and information sharing***
 - Internal - remaining Whaikaha staff – 9.00 am

- Community groups and leaders - with the request that it be disseminated appropriately to disabled people, tangata whaikaha Māori and whānau after it is released on our website
- Strategic partners – on the morning of release
- ***Second phase, day two – public dissemination from midday***
 - Published to website – as the one source of truth

Collateral to support this approach

14 To support implementation we are developing:

- i. key messages for yourself and your Office to respond to any media inquiries;
- ii. a more in-depth set of question and answers for queries about what the clarifications might mean for people in different situations;
- iii. updates to the Whaikaha website to refer people with specific questions to;
- iv. a revised version of the 'Guidance for the Sector' document available on our website, so that there is a single, integrated, source of guidance for the sector implementing these changes;
- v. an explanation of specifically what is being clarified, so that it is clear to those working in the sector what information we are directing their attention to;
- vi. interim operational guidelines for each flexible funding service, so that there is a clear 'end-to-end' understanding of how the changes effect services, from objectives, allocation, definitions, through to claiming, monitoring and managing transition to the revised Purchase Rules consistently and effectively;

15 These documents will be finalised once the final form of any clarifications are known.

Communications risks

16 Despite this preparation, there continue to be some risks in the communication of these clarifications:

- i. Whilst these are primarily clarifications of existing material on the revised Purchase Rules, there continues to be the potential for some components to be misconstrued as 'walking back' parts of the announcements of 18 March.
- ii. Because these clarifications differ to some of the content of letters that have been sent by individual MPs or Ministers' offices to constituents, there is potential for some to further criticise ongoing communications after undertakings were made to communicate better.

- iii. These clarifications could be perceived as continuing to undervalue the role of family carers, given the different treatment of disabled people and family members under provisions to continue the employment, study, and therapy of service users.
- 17 Our approach to managing these risks focusses on having clear responses, and reiterating what is possible under the revised Purchase Rules to make a difference in the lives of both disabled people and their families.
- 18 The Question and Answer document (attached) sets out more specifics of how we might respond to these criticisms and queries.

Next steps

- 19 We will continue to develop Communications material, in preparation for decisions on further clarifications to be made to the application of the Purchase Rules, and will confirm that material once the final form of any decisions are known.

Attachments

- 20 Please find attached:
- i. 'Q&A on Additional Clarifications to the Purchase Rules'

End

Author: Paul Miller, Principal Advisor, Commissioning, Design and Delivery

Responsible manager:

Ginny Baddeley, Deputy Chief Executive, People and Culture

ADDITIONAL GUIDANCE ON THE PURCHASING RULES CHANGE

Whaikaha Communications and Engagement

Release date: TBC

(This is a live working document, the one source of truth).

Key messages, Questions and Answers

Contents:

A/ High level information, covering the four key clarifications

1. Additional messaging
2. General Questions
3. Questions about the new guidance
4. Family carers and respite Q&As

B/ Specific Information, covering the four key clarifications individually

1. Purchase of items
2. Use of rideshare and other forms of transport
3. Sustained living situations through personal budgets
4. Continuing to support ongoing commitments

A/ High Level Information, covering the four key clarifications

This messaging informs all comms

Whaikaha is providing additional guidance to support disabled people, their whānau and providers to apply the Purchasing Rules for flexible funding supports.

This guidance is informed by the questions we have received from our community and providers on the recent changes which were announced on March 18.

We are updating our website and working with our Hosts, providers, NASCs and Enabling Good Lives sites to ensure they can use this guidance to respond to disabled people's individual situations.

The additional guidance:

[Out of scope](#)

2. Provides clarifications that confirm that the use of rideshare services and other forms of transport can be funded, when they are cost effective
3. Sustaining living situations through personal budgets
4. Adjusts our approach to mitigate any unintended impacts on ongoing commitments, including in employment, a course of study, therapy

Whaikaha recognises that every person's situation is different. If people have specific questions about how these changes relate to them, they are best to contact their Host/provider or NASC/EGL site.

The FAQ page on our website includes additional information on these changes. [Questions and answers: Changes to Purchasing Rules and EMS | Whaikaha - Ministry of Disabled People](#)

1...Additional Messaging

This is reactive messaging. It will be used to support contact centre, social media and media queries.

Whaikaha recognises we have a lot to learn from the way we made our announcement on March 18. [refer to Paula video if needed. [Video message from Paula Tesoriero | Whaikaha - Ministry of Disabled People](#)]

Whaikaha has received a large number of questions and feedback from the disability community. We are working through these as quickly as possible.

If people have questions about how these changes relate to their individual situation, they are best to contact their Host, provider or NASC/EGL site. For Carer Support queries please contact Te Whatu Ora Contact Centre, Carer Support team on 0800 855 066 or email carer_support@health.govt.nz if you have an enquiry regarding your claim.

Although this additional guidance will add some clarity, the changes made on 18 March will remain in place until we have completed work with disabled people, tāngata whaikaha Māori and whānau to develop longer term settings.

These changes were needed to ensure we were able to continue to fund critical supports and services for disabled people. Whaikaha must remain within the budget it is allocated to spend on the disability support system.

Whaikaha is in the early stages of developing a comprehensive engagement strategy to support this longer-term work. We must get this right. We will keep you updated as this progresses so you know how you can have your say.

Whaikaha recognises that family carers' wellbeing is important. We acknowledge that barriers and negative attitudes in society, along with poor, inadequate systems contribute to a reliance on them. When considering the wellbeing and support needs of disabled people, it is essential that their informal and/or family carers' support needs are recognised. This is something we need to do better. Family carer fatigue is a significant risk and it is essential that we look to how we can support them.

We are committed to our partnership approach and the transformation of the disability support system. Going forward we will work with disabled people, tāngata whaikaha Māori and whānau to develop longer term settings that are aligned to the Enabling Good Lives vision and principles, UNCRRPD and Te Tiriti o Waitangi.

2...General Questions

This is reactive messaging. It will be used to support the creation of talking points, contact centre, social media and media queries.

Engagement pathway:

Have you engaged with the community this time around?

This guidance is informed by the questions we have received from our community and providers on the recent changes announced on 18 March 2024.

Why can't you send information directly to everyone who receives Whaikaha funding?

Whaikaha works with our providers who hold relationships with the disability community. We recognise the important part our Hosts, providers, NASCs and Enabling Good Lives sites play in helping us to communicate our messages – and helping people to navigate how any changes affect individual situations.

What is the best way for me to share my views and experiences and/or contribute to the engagement which will be used to inform the longer-term settings?

We remain committed to our partnership approach and the transformation of the disability support system. Whaikaha is the early stages of developing a comprehensive engagement strategy to support this longer-term work. We will keep you updated as this progresses and let you know how you can have your say.

I understand there may be some webinars. When will these be and is there another way for me to have my say?

We are working through the logistics and timings for webinars.

We remain committed to our partnership approach and the transformation of the disability support system. We know we must learn from this experience. We will work with disabled people, tāngata whaikaha Māori and whānau to develop longer term settings. Whaikaha is the early stages of developing a comprehensive engagement strategy to support this longer-term work. We must get this right.

We will keep you updated as this progresses so you know how you can have your say.

I understand Whaikaha has had additional funding from the Government, why are these changes still needed?

Demand for disability support services, and the cost of delivering those services, is under pressure and increasing year on year. More people are being allocated disability supports, but Whaikaha has a fixed amount of funding.

To manage these demands and to ensure that disability funding is directed to those that need it the most, Whaikaha had to make some difficult decisions to ensure we were able to continue to fund critical supports and services for disabled people.

The additional funding will ensure that Whaikaha can continue to fund these critical supports and services, for example Equipment and Modification Services, and address our forecast overspend across the disability support system.

3...Questions about the new guidance

These are intended to be reactive, however if we get asked them many times we will add to the FAQ page.

How do I get help to understand the impact of all these changes and clarifications on my individual situation?

If people have questions about how these changes relate to their individual situation, they are best to contact their Host/provider or NASC/EGL site. For Carer Support queries please contact Te Whatu Ora Contact Centre, Carer Support team on 0800 855 066 or email carer_support@health.govt.nz if you have an enquiry regarding your claim.

Information is also available on our website [Questions and answers: Changes to Purchasing Rules and EMS | Whaikaha - Ministry of Disabled People](#)

How long will these clarifications/changes remain in place? Will flexibility return at some point? Do these mean more changes are on the way? Will Whaikaha be returning to the way things were? Is this a sign that our advocacy and protests are having the desired effect?

These changes will remain in place until we have completed work with disabled people, tāngata whaikaha Māori and whānau to implement longer term changes to the disability support system which retain flexibility, and are guided by the principles of choice, control, and equity.

Date/are these clarifications retrospective?

Some disabled people and families may have begun to pay privately for some supports they were previously in receipt of prior to 18 March. Where those costs were part of support delivered previously between 18 March and (date tbc), they may be claimed retrospectively.

Will the changes to the purchasing rules change my allocations?

Allocations through NASC are based on a person's disability support needs, so are unlikely to change. Changes to the Purchasing Rules do not reduce the amount of funding that is allocated to disabled people (or carers), however they make clear what can be purchased, with the aim that every dollar spent generates the maximum possible value and benefit for disabled people.

For disabled people and families supported through the Enabling Good Lives Sites - if a disabled person's plan is particularly affected by the changes to the Purchase Rules, there is an opportunity to work with their Connector / Kaitūhono / Tuuhono and funding team to re-plan, and consider what an appropriate allocation might be.

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4...Family Carers and Respite Q&As

How do these changes and clarifications reflect the interrelationship between a disabled person and their family carer?

The primary purpose of both Carer Support and IF Respite is to provide a break.

For Carer Support the primary focus is on the well-being of the carer to have a break and by default the disabled person also gets to have an opportunity to be assisted by a person or an organisation/group. With IF Respite the focus is for the disabled person to have a break and by default the full time carer(s) also gets a break.

How do these changes sit with the values of our culturally diverse community?

Choice on how breaks are provided or decided upon still sits with the disabled person and/or family/whānau. This means that the person's cultural needs can be met individually

What consideration has been given to this via a cultural lens – for example whānau ora and Pacific approaches to carers?

Choice and control remains a primary aspect of how Carer Support and Respite is managed for example whānau, family, aiga can still be included in providing breaks and payment can be made to cover the time of support

Does Whaikaha / the Government not value family carers?

Whaikaha recognises that family carers' wellbeing is important. We acknowledge that barriers and negative attitudes in society, along with poor, inadequate systems contribute to a reliance on them. When considering the wellbeing and support needs of disabled people, it is essential that their informal and/or family carers' support needs are recognised. This is something we need to do better. Family carer fatigue is a significant risk and it is essential that we look to how we can support them.

What is the risk to disabled people, in particular children when their family carers access to respite is removed. Could there be a flow on effect – for example, children put into the care of Oranga Tamariki when they could have remained at home?

Carer support is about providing a contribution to the fulltime carer and ultimately to the whānau as a whole. Where there are challenges in achieving that break or respite then the NASC is the first port of call to discuss how support and assistance can be provided

What is the risk to older carers, who no longer have access to respite? Isn't it cheaper to pay for a family carer to stay in a hotel or BnB, rather than putting a disabled person into an institutional respite setting?

Family carers must be able to take a break from their full-time caring responsibilities, both for their own wellbeing and the wellbeing of the disabled person. We would like to assure full-time carers that we will continue to provide funding for alternative care which allows them to take a break. We have also retained flexibility about how and when they take breaks, and who provides the care.

Expenses that are a necessary part of supporting the disabled person while the full-time family carer takes a break are also covered. However, costs for activities a carer undertakes while they are having a break are no longer funded.

Please contact your NASC/Host or EGL site in the first instance with any questions.

Family carers often need to leave the house in order to get respite (while another carer comes into the home to look after the disabled person) Can the

General statement re family carers

Whaikaha recognises the important role that family carers play. The wellbeing of family carers is important. We acknowledge that barriers and negative attitudes in society, along with poor, inadequate systems contribute to a reliance on you. When considering the wellbeing and support needs of disabled people, it is essential that their informal and/or family carers support needs are recognised. This is something we need to do better. Carer fatigue is a significant risk and it is essential that we look to how we can support you.

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B/ Specific Information, covering the four key clarifications individually

1. Out of scope

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

Q&As

These Q&As will be used to support Whaikaha kaimahi (including contact centre, social media and media teams) to prepare talking points and respond to queries from the community. Some of these will also be added to the FAQs on the website.

Out of scope

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Out of scope

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Out of scope

We are constantly updating our website with more guidance. If you cannot find the answer there, please talk to your Host/provider or NASC or EGL site. They are there to support you and help you to navigate the system. This may include considering a range of supports and services, including from other agencies, that may be available.

I feel unsafe/ my wellbeing is being affected – what do I do?

Talk to your Host/provider or NASC or EGL site. They are there to support you and help you to navigate the system. This may include considering a range of supports and services, including from other agencies, that may be available.

9

2. Use of rideshare and other forms of transport

This statement will go on our website

Flexible funding can be used for local transport so people can participate in society.

Flexible funding can also be used for ride and driver services, (for example taxi services, Uber and private agencies - like Driving Miss Daisy) where it is a cost effective option.

For people who have accessed the Total Mobility Scheme, flexible funding can also be used for additional disability-related costs for local transport that don't require the use of support workers, where this is more cost-effective.

Q&As

These will be used to support Whaikaha kaimahi (including contact centre, social media and media teams) to prepare talking points and respond to queries from the community. Some of these will also be added to FAQs on the website.

In the Hauraki and other rural areas people must travel to access activities. How will this work in rural areas, can we put this funding towards the cost of a support workers petrol?

If someone providing support must travel more than 15km to work, and the person's specific requirements mean that there are few or no alternative workers who are more available, 'exceptional travel' may be funded in line with the general In Between Travel guidance.

Does this cover your support worker/paid family carers milage?

Support worker/paid family carer mileage can still be covered under flexible funding for taking people out into the community. These are considered expenses that are a necessary part of providing support.

What is included in local travel?

Local travel means travel within a local community where the disabled person usually lives, works, engages in recreation, and otherwise lives their life. Local travel will usually be:

- within a region;
- in or to areas around a city; and/or
- an equivalent distance where someone lives on or near the border between regions

What is the 15 kilometre rule?

If someone who works for you must travel more than 15km to work for you, and your specific requirements mean that there are few or no available alternative workers, you might pay 'exceptional travel' in line with the general in between travel guidance. You can find out more in section 4 of the [implementation guidance for providers and funders on Te Whatu Ora's website external URL](#).

Can we use our funding to pay for a domestic flight to achieve respite? For example, a disabled child wants to stay with a relative/grandparent in a different city?

No, you are no longer able to purchase domestic flight tickets. Your Host/provider or NASC/EGL site may be able to support you to find an alternative solution to maintain your family wellbeing.

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3. Sustaining living situations through personal budgets

Proposed statement to go on our website (please note it may change)

We want to reassure disabled people, their families and the providers who work with them, that where people are using Choices in Community Living or a personal budget to sustain a living arrangement to an alternative to residential care that the recent changes to the Purchasing Rules will not be applied in a way that affects their ability to continue with their current living situation.

We are working to put in a process across the EGL sites and for those supported through Choice in Community Living to ensure that people, family, hosts and providers are aware of how to apply the rules in those situations.

Q&A

These will be used to support Whaikaha kaimahi (including contact centre, social media and media teams) to prepare talking points and respond to queries from the community. Some of these will also be added to FAQs on the website.

How do I know if this applies to me? Will this be extended to include higher cost IF packages?

If you are concerned that a package allocated by your NASC organisation, or supported by your Host organisation creates an alternative to residential care and is at risk of ceasing to be viable as a result of the revised Purchasing Rules, please raise this with your NASC, who can seek further direction.

Is this just for people who are already living outside their parent's home? (for example, using a Personal Budget to fund an extra room this may include [hp to include])

Does this prioritise people who are already advantaged by living in an EGL site?

EGL Personal Budgets contain funding other than just disability supports, so will have more flexibility.

4. Continuing to support ongoing commitments

Proposed statement to go on our website (Please note it may change)

It is important that disabled people can maintain their current engagements – be that in employment, a course of study, therapy, or a timebound programme that support is required for.

Disabled people can continue to use flexible funding to access the supports or services where these have been accessed prior to the changes to the Purchasing Rules on 18 March, where:

- they have committed to employment, a course of study, therapy, or a timebound programme; and
- they have relied on the availability of flexibility under the previous Purchasing Rules to support them to participate in those commitments; and
- that commitment has been made before 18 March 2024.

This extends to:

- contributing to the costs of delivering support
- expenses that are a necessary part of supporting the disabled person
- travel-related costs of support workers (accommodation, transport, meal allowances) where those costs are incurred as part of domestic travel (including between cities and regions) for work.

An ongoing commitment can be demonstrated by, for example:

- your existing employment agreements; or (TBC dependent on decision)
- the individual or their family being in the course of receiving or engaging in therapy, a course of study, employment, or a time-bound programme that support is required for.

(Following paragraph to be confirmed following Minister's decision as may just apply to day services)

Where disabled people use flexible funding for these purposes we are asking their Host or EGL site to record that that is the case. This is for the purpose of monitoring and understanding where flexible funding is used to address gaps in the support available between government agencies.

Q&A

These will be used to support Whaikaha kaimahi (including contact centre, social media and media teams) to prepare talking points and respond to queries from the community. Some of these will also be added to FAQs on the website.

What is a contract / what is a binding agreement? For example, I have made a verbal agreement or handshake, can this be honored?

Please contact your Host or a community law provider about this.

Do these changes just apply for disabled people? What about family carers?

These changes just apply to disabled people.

Can family carers now use this funding to continue previous commitments, for example - employment, a course of study, therapy, or a timebound programme?

These changes only apply for disabled people.

What are examples of “therapies” which are included within the scope of flexible funding?

Where a disabled person has been engaged in a course of therapy before the 18th of March, that therapy can continue to be funded from flexible funding, including where other agencies might otherwise have funding responsibilities for that therapy.

If something is a form of therapy that is prioritised by another government agency, new courses of therapy cannot be entered into, even if the main carer would get a break whilst that therapy occurs.

Examples include (but are not limited to):

speech language therapy;
psychologist involvement in behaviour support;
occupational therapy

...end/.

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INDIVIDUALISED FUNDING – Household Management and Personal Care – Interim Operational Guidance

1. Purpose

- 1.1. This document is intended to provide guidance on the scope, allocation, and implementation of IF Household Management and Personal Care, and in particular to support the application of the Purchase Rules in individual situations.

2. Application

- 2.1. This document guides Whaikaha staff involved in overseeing and supporting IF HM and PC, the implementation of changes to the Purchase Rules, and answering FAQs.

3. Context

- 3.1. This guidance is intended to provide clarity about what is available through this service, in a context where Whaikaha must prioritise across its' appropriation the highest priorities for expenditure.

4. Intended Outcomes

- 4.1. The intended outcomes of these services are captured in the IF Host Specification, and are paraphrased below:
 - 4.1.1. The Person receives Disability Support Services to support them to live an everyday life. An everyday life for the Person may include the ability to live in their home and take part in family and community life.
 - 4.1.2. Individualised Funding Host Services enable the management of the Support Allocation where the Person can exercise choice, control, and flexibility to determine what Support Services they will require, the Support Provider who will provide those Support Services and when, where, and how their supports are provided.
 - 4.1.3. The Support Services that may be purchased by the Person must be those identified in the Support Allocation. The Support Services must be of the type described in the service specifications they are allocated under (in this case, HCSS), but do not have to be purchased from a Whaikaha contracted Support Provider.

5. Definitions

- 5.1. For the purposes of this guide the following definitions apply:

Term	Definition
<i>Overseas Travel</i>	<p>Costs of overseas travel refers to the costs of accommodation, food, and transport whilst travelling for the disabled person, their family, and anyone providing support. The costs of a person providing support whilst overseas (eg. wages) however are not excluded from this scope of support.</p> <p>There continues to be a requirement, where wages are required for international trips over 21 days, for IF hosts to seek Whaikaha approval.</p>
<i>Domestic Travel</i>	Refers to the costs of travelling between cities or regions to, for example, go on a break
<i>Local Travel</i>	<p>Local travel means travel within a local community where the disabled person usually lives, works, engages in recreation, and otherwise lives their life. Local travel will usually be:</p> <ul style="list-style-type: none"> • within a region; • in or to areas around a city; and/or • an equivalent distance where someone lives on or near the border between regions
<i>Expense that is a necessary part of providing care</i>	<p>An expense is a necessary part of providing care if, in the view of the person managing the package, within their context it is not possible to provide the desired support to carry out a particular task or participate within a particular activity without the expense.</p> <p>Rule Three – that the expense be reasonable and cost-effective – continues to apply to ensure that public money is used in an economical manner.</p>
<i>For the direct benefit of the disabled person.</i>	<p>Something is for the direct benefit of the disabled person if the disabled person is the recipient of, for example, the massage or therapy, and it creates a disability-related benefit by supporting the disabled person to improve their independence.</p> <p>Whilst disabled people may indirectly benefit when their family members and carers experience self-care services such as massages, pedicures and other appearance or therapeutic care, this is now out of scope of the purchasing rules.</p>
<i>Out of scope</i>	

Term	Definition
	Out of scope

6. Scope

6.1. The scope of support included in this service are:

- 6.1.1. Contribution to the costs of delivering HM and PC care (including wages etc. and intermittent care). For the avoidance of doubt, this includes:
 - 6.1.1.1. Wages and other costs of employing someone to provide support;
 - 6.1.1.2. Invoices for the costs of service providers who have provided support;
 - 6.1.1.3. Costs of activities that support the disabled person whilst a break is taken;
- 6.1.2. Expenses that are a necessary part of supporting the disabled person. For the avoidance of doubt, this includes:
 - 6.1.2.1. Out of scope
 - 6.1.2.2. fuel and mileage costs of local transport where a support person drives the disabled person somewhere within their region;
 - 6.1.2.3. local transport costs that don't require the use of support workers, where this is a more cost-effective way of supporting the disabled person to participate in supported activities. Examples include driving services, ride share services etc.;
 - 6.1.2.4. the cost of entries to events or activities, travel on public transport, or other similar costs that a person might incur in the course of being available to and supporting the disabled person
- 6.1.3. Out of scope

¹ Out of scope

Out of scope

Out of scope

6.2. The Costs excluded from this service are:

6.2.1. Out of scope

6.2.2. Out of scope

6.2.3. Travel-related costs for disabled people, whānau, and/or persons providing support, including:

6.2.3.1. Accommodation

6.2.3.2. Overseas and domestic travel (see definitions above)

6.2.3.3. Meals whilst travelling

7. Allocation

- 7.1. Allocations of IF HCSS should be made on the basis of the hours of Household Management and Personal Care that would be made if the person was to access contracted supports.

8. Applying the flexible Purchase Rules

- 8.1. IF HM and PC is used in line with Whaikaha's Purchase Rules.
- 8.2. From time to time, Whaikaha may notify changes to those rules to recipients of IF HM and PC, and the changes will have effect from any date that the person is notified they take effect from.

9. Other Terms and Conditions

- 9.1. Other conditions for accessing and using IF HM and PC are provided for in the:

- 9.1.1. Individualised Funding Host Service Specification;
 - 9.1.2. Verification Guidelines;
 - 9.1.3. Restrictions on Access to Hosted Budgets policy; and
 - 9.1.4. Purchase Rules.
- 9.2. Host Agencies may impose such conditions on the use of their services as they consider reasonably necessary to fulfil the requirements of those documents, this and other guidance which informs the scope of Individualised Funding options.

10. Transitional provisions

- 10.1. The revised Purchase Rules are being implemented from 18 March 2024. Some details are worth clarifying to support the transition for the previous scope of IF HM and PC to the scope and provisions of the revised Purchase Rules.

Grace period

- 10.2. A grace period is being applied between 18 March and 28 March, to recognise that not everyone will hear immediately about changes to the scope of IF HM and PC.
- 10.3. During that grace period, costs that are incurred or committed to will be honoured. However, quotes or queries where no costs have been committed to will be excluded.
- 10.4. Costs incurred or committed in the grace period for significant amounts of expenditure that would now be excluded will receive greater scrutiny, to ensure that the grace period is not being unreasonably taken advantage of.

Claiming period for now out of scope supports

- 10.5. All claims for now excluded expenditure incurred before 18 March or before the changes were heard about during the grace period must be made by 12 April. Payment follows that date, pending confirmation that the claim is within the scope of the service and the purchase rules.

11. Supporting ongoing commitments

- 11.1. The revisions to the Purchase Rules are not intended to limit the ability of any disabled person to maintain their current engagement in employment, a course of study, therapy, or a timebound programme that support is required for.
- 11.2. IF HM and PC can continue to be used to access support in the form it was provided prior to the revisions to the purchase rules where:
- 11.2.1. The disabled person has committed to employment, a course of study, therapy, or a timebound programme; and

11.2.2. The disabled person and their family have relied on the availability of flexibility under the previous Purchase Rules to support the disabled person to participate in those commitments; and

11.2.3. that commitment has been made before 18 March 2024.

11.3. This extends to:

11.3.1. contributing to the costs of delivering support;

11.3.2. expenses that are a necessary part of supporting the disabled person; and

11.3.3. the travel-related costs of support workers (accommodation, transport, meal allowances) can continue to be paid where those costs are incurred as part of supporting the disabled person when they engage in domestic travel (including between cities and regions) for work.

11.4. It does not extend to the purchase of items that are otherwise no longer in scope.

11.5. An ongoing commitment can be demonstrated by, for example:

11.5.1. employment agreements;

11.5.2. explicit inclusion in a support plan pre-dating 18 March 2024, where this demonstrates an intended ongoing use of a particular support; or

11.5.3. the individual already receiving or engaging in a course of therapy, a course of study, employment, or a time-bound programme that support is required for.

Resuming supports that have been re-planned

11.6. The purpose of supporting ongoing commitments is to mitigate any potential risks to continuing in employment, study, and therapy.

11.7. Whaikaha is aware that some people may have reorganised their supports and family lives to continue in employment, study, or therapy after the 18 March 2024 revision of the Purchase Rules.

11.8. Where that is the case, disabled people may resume any previously in place supports that they consider mitigate risks to their continuing in employment, study, or therapy, so long as those supports are:

11.8.1. the costs of delivering support;

11.8.2. expenses that are a necessary part of supporting the disabled person; and/or

11.8.3. the travel-related costs of support workers (accommodation, transport, meal allowances) can continue to be paid where those costs are incurred as part of supporting the disabled person when they engage in domestic travel (including between cities and regions) for work.

- 11.9. All of these claims must continue to be within individual's existing allocations, and any other conditions upon accessing flexible funding.

Retrospective costs

- 11.10. Some disabled people and families may also have begun to pay for some supports they were previously in receipt of, such as therapy, privately after the 18 March revisions to the Purchase Rules.
- 11.11. Where those costs were part of support delivered previously, costs incurred between 18 March and [INSERT DATE OF GO LIVE HERE] may be claimed for retrospectively. Retrospective claims should be marked clearly as [Retrospective payment for continuing in employment, study, or therapy].
- 11.12. All of these claims must continue to be within individual's existing allocations, and any other conditions upon accessing flexible funding.

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INDIVIDUALISED FUNDING – RESPITE – Interim Operational Guidance

1. Purpose

- 1.1. This guide is intended to provide guidance on the scope, allocation, and implementation of IF Respite, in particular to support the application of the Purchase Rules in individual situations.

2. Application

- 2.1. This document guides Whaikaha staff involved in overseeing and supporting IF Respite, the implementation of changes to the Purchase Rules, and answering FAQs.

3. Context

- 3.1. In recent times uncertainty has arisen between:
 - 3.1.1. what broadly could be respite; and
 - 3.1.2. the respite intended to be made available through this service (IF respite).
- 3.2. This guide provides clarity about what is intended to be available through this service, in a context where Whaikaha must prioritise across its' appropriation the highest priorities for expenditure.

4. Intended Outcomes

- 4.1. This service is intended to provide intensive but intermittent out of home or in-home breaks for family members and others who contribute to the support of the disabled person.
- 4.2. As a result of this service those who contribute to the life of the disabled person will:
 - 4.2.1. have greater control over when they are available to contribute, and when they take a break; and
 - 4.2.2. have greater control over who is involved in providing for that break, and the location of either the break or the support provided for that break.

5. Definitions

- 5.1. For the purposes of this guide the following definitions apply:

Term	Definition
<i>Overseas Travel</i>	Costs of overseas travel refers to the costs of accommodation, food, and transport whilst travelling for the disabled person,

Term	Definition
	<p>their family, and anyone providing support. The costs of a person providing support whilst overseas (eg. wages) however are not excluded from this scope of support.</p> <p>There continues to be a requirement, where wages are required for international trips over 21 days, for IF hosts to seek Whaikaha approval.</p>
<i>Domestic Travel</i>	Refers to the costs of travelling between cities or regions to, for example, go on a break
<i>Local Travel</i>	<p>Local travel means travel within a local community where the disabled person usually lives, works, engages in recreation, and otherwise lives their life. Local travel will usually be:</p> <ul style="list-style-type: none"> • within a region; • in or to areas around a city; and/or • an equivalent distance where someone lives on or near the border between regions
<i>Expense that is a necessary part of</i>	<p>An expense is a necessary part of providing care if, in the view of the person managing the package, within their context it is not possible to provide the desired support to carry out a particular task or participate within a particular activity without the expense.</p> <p>Rule Three – that the expense be reasonable and cost-effective – continues to apply to ensure that public money is used in an economical manner.</p>
<i>For the direct benefit of the disabled person.</i>	<p>Something is for the direct benefit of the disabled person if the disabled person is the recipient of, for example, the massage or therapy, and it creates a disability-related benefit by supporting the disabled person to improve their independence.</p> <p>Whilst disabled people may indirectly benefit when their family members and carers experience self-care services such as massages, pedicures and other appearance or therapeutic care, this is now out of scope of the purchasing rules.</p>
Out of scope	<p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>Out of scope</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p> <p>[Redacted text]</p>

6. Scope

6.1. This scope applies to IF respite allocated as an alternative to, or in addition to:

6.1.1. Facility-based respite;

6.1.2. In-home respite;

6.1.3. Carer Support

6.2. The scope of support included in this service are:

6.2.1. Contribution to the costs of substitute caring whilst the full-time carer takes a break (including wages etc). For the avoidance of doubt, this includes:

6.2.1.1. Wages and other costs of employing someone to provide support;

6.2.1.2. Invoices for the costs of service providers who have provided support;

6.2.1.3. Costs of activities that support the disabled person whilst a break is taken;

6.2.2. Expenses that are a necessary part of supporting the disabled person while the full-time carer takes a break. For the avoidance of doubt, this includes:

6.2.2.1. Out of scope

6.2.2.2. fuel and mileage costs of local transport where a support person drives the disabled person somewhere within their region;

6.2.2.3. local transport costs that don't require the use of support workers, where this is a more cost-effective way of supporting the disabled person to participate in supported activities. Examples include driving services, ride share services etc.;

6.2.2.4. the cost of entries to events or activities, travel on public transport, or other similar costs that a person might incur in the course of being available to and supporting the disabled person

6.2.3. Out of scope

Out of scope

6.2.3.2. Out of scope

Out of scope

Category	Percentage
Very important	45%
Important	35%
Not important	15%
Don't know	5%

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Service	Percentage
I have used any of the services	92%
I have used the services	88%
I have used the services	85%
I have used the services	82%
I have used the services	78%

6.3. The Costs excluded from this service are:

6.3.1. All purchases of items as a form of delivering respite, except those listed above.

6.3.2. All self-care services such as massages, pedicures and other appearance or therapeutic care that are not for the direct benefit of the disabled person.

6.3.3. All expenses that are not a necessary part of supporting the disabled person whilst a break is taken.

6.3.4. Gifts and other forms of recognition for support provided voluntarily.

6.3.5. Travel-related costs for disabled people, whānau, and/or persons providing support, including:

6.3.5.1. Accommodation

6.3.5.2. Overseas and domestic travel (see definitions above)

6.3.5.3. Food

7. Allocation

7.1. Allocations of IF Respite should be made based on the dollar value of otherwise contracted respite, or carer support, that would ordinarily be allocated to the individual, absent this flexible option.

8. Applying the flexible Purchase Rules

- 8.1. IF Respite is used in line with Whaikaha's Purchase Rules.
- 8.2. From time to time, Whaikaha may notify changes to those rules to recipients of IF Respite, and the changes will have effect from any date that the person is notified they take effect from.

9. Other Terms and Conditions

- 9.1. Other conditions for accessing and using IF Respite are provided for in the:
 - 9.1.1. Individualised Funding Host Service Specification;
 - 9.1.2. Verification Guidelines;
 - 9.1.3. Restrictions on Access to Hosted Budgets; and
 - 9.1.4. Purchase Rules.
- 9.2. Host Agencies may impose such conditions on the use of their services as they consider reasonably necessary to fulfil the requirements of those policies, this and other guidance which inform the scope of Individualised Funding options.

10. Transitional provisions

- 10.1. The revised Purchase Rules are being implemented from 18 March 2024. Some details are worth clarifying to support the transition for the previous scope of IF Respite to the scope and provisions of the revised Purchase Rules.

Grace period

- 10.2. A grace period is being applied between 18 March and 28 March, to recognise that not everyone will hear immediately about changes to the scope of IF Respite.
- 10.3. During that grace period, costs that are incurred or committed to will be honoured. However, quotes or queries where no costs have been committed to will be excluded.
- 10.4. Costs incurred or committed in the grace period for significant amounts of expenditure that would now be excluded will receive greater scrutiny, to ensure that the grace period is not being unreasonably taken advantage of.

Claiming period for now out of scope supports

- 10.5. All claims for now excluded expenditure incurred before 18 March or before the changes were heard about during the grace period must be made by 12 April. Payment follows that date, pending confirmation that the claim is within the scope of the Purchase Rules.

11. Supporting ongoing commitments

- 11.1. The revisions to the Purchase Rules are not intended to limit the ability of any disabled person to maintain their current engagement in employment, a course of study, therapy, or a timebound programme that support is required for.
- 11.2. IF Respite can continue to be used to access support in the form it was provided prior to the revisions to the purchase rules where:
- 11.2.1. The disabled person has committed to employment, a course of study, therapy, or a timebound programme; and
 - 11.2.2. The disabled person and their family have relied on the availability of flexibility under the previous Purchase Rules to support the disabled person to participate in those commitments; and
 - 11.2.3. that commitment has been made before 18 March 2024.
- 11.3. This extends to:
- 11.3.1. contributing to the costs of delivering support;
 - 11.3.2. expenses that are a necessary part of supporting the disabled person; and
 - 11.3.3. the travel-related costs of support workers (accommodation, transport, meal allowances) can continue to be paid where those costs are incurred as part of supporting the disabled person when they engage in domestic travel (including between cities and regions) for work.
- 11.4. It does not extend to the purchase of items that are otherwise no longer in scope.
- 11.5. An ongoing commitment can be demonstrated by, for example:
- 11.5.1. employment agreements;
 - 11.5.2. explicit inclusion in a support plan pre-dating 18 March 2024, where this demonstrates an intended ongoing use of a particular support; or
 - 11.5.3. the individual already receiving or engaging in a course of therapy, a course of study, employment, or a time-bound programme that support is required for.

Resuming supports that have been re-planned

- 11.6. The purpose of supporting ongoing commitments is to mitigate any potential risks to continuing in employment, study, and therapy.
- 11.7. Whaikaha is aware that some people may have reorganised their supports and family lives to continue in employment, study, or therapy after the 18 March 2024 revision of the Purchase Rules.

- 11.8. Where that is the case, disabled people may resume any previously in place supports that they consider mitigate risks to their continuing in employment, study, or therapy, so long as those supports are:
- 11.8.1. the costs of delivering support;
 - 11.8.2. expenses that are a necessary part of supporting the disabled person; and/or
 - 11.8.3. the travel-related costs of support workers (accommodation, transport, meal allowances) can continue to be paid where those costs are incurred as part of supporting the disabled person when they engage in domestic travel (including between cities and regions) for work.
- 11.9. All of these claims must continue to be within individual's existing allocations, and any other conditions upon accessing flexible funding.

Retrospective costs

- 11.10. Some disabled people and families may also have begun to pay for some supports they were previously in receipt of, such as therapy, privately after the 18 March revisions to the Purchase Rules.
- 11.11. Where those costs were part of support delivered previously, costs incurred between 18 March and **[INSERT DATE OF GO LIVE HERE]** may be claimed for retrospectively. Retrospective claims should be marked clearly as **[Retrospective payment for continuing in employment, study, or therapy]**.
- 11.12. All of these claims must continue to be within individual's existing allocations, and any other conditions upon accessing flexible funding.



Briefing

Date:	10 April 2024
For:	Hon. Penny Simmonds, Minister for Disability Issues
CC:	Executive Leadership Team
File reference:	REP/WHK/24/4/048
Security level:	In confidence

Implementation plan for clarifications to the Purchase Rules

Purpose

This document outlines our plan on how implementation of the purchase rules is being addressed, and how further clarifications will be rolled out. This document provides a reassurance that Whaikaha has taken lessons from the initial announcement of 18 March 2024, into its implementation planning to operationalise the purchase rules.

Executive summary

Whaikaha is preparing to implement clarifications to the revised Purchase Rules, pending decisions by Cabinet on 15 April 2024.

We have learnt from the previous announcement of changes to the Purchase Rules, and are placing a particular focus on:

- equipping the sector to respond well in advance of the changes going live;
- providing in-depth guidance material and ensuring that there is 'end-to-end' operational guidance to make clear how services will work overall; and
- engaging with the community in a respectful manner by placing an active focus on contextualising messages and providing more acknowledgement of the circumstances of disabled people and their whānau.

We consider that this decreases the likelihood of misunderstandings and uncertainty and increases the likelihood that questions can be resolved close to the disabled person and their family, with organisations they already know and trust.

The engagement to inform stakeholders will occur in phases:

- ***First phase, day one, shared under embargo – supporting operational delivery***
 - Internal Whaikaha staff – portfolio managers, EGL staff, Communications and Engagement team
 - Sector groups & leaders - with the request that it be disseminated appropriately to disabled people, tangata whaikaha Māori and whānau – on the morning of release.
- ***Second phase, day two, material shared under embargo – wider engagement and information sharing***
 - Internal - remaining Whaikaha staff – 9.00 am
 - Community groups and leaders - with the request that it be disseminated appropriately to disabled people, tangata whaikaha Māori and whānau – on the morning of release.
 - Strategic partners – on the morning of release.
- ***Second phase, day two – public dissemination***
 - Published to website – as our one source of truth.

This approach balances the need to move with urgency, with the need to take a more considered approach. Some disabled people are requiring greater certainty as soon as possible to avoid decisions being made, based on misunderstanding of the Purchase Rule changes, that will be difficult to undo. More time in planning the approach and more resources and collateral will be helpful but this will work against the need for timely clarification.

Whilst more time to prepare for implementation is preferable, we consider that the clarifications we are communicating are less sweeping in nature than the previous announcement. It provides the opportunity to clarify many of the questions being asked in correspondence and should reduce the uncertainty and number of questions being asked.

Whaikaha will continue to prepare its communications collateral and will provide you a final communications plan (pending the outcome of Cabinet decisions) on 12 April 2024. This will include some draft proactive lines to support you, and your office in responding to enquiries and to assist in communicating the clarifications.

Recommendations

It is recommended that you:

- | | | |
|----|--|--------------|
| a) | Note that Whaikaha will take a phased approach to implementing further clarifications, pending Cabinet approval. | Noted |
| b) | Note that Whaikaha will provide to you a final comms plan (pending the outcome of Cabinet decisions) on 12 April 2024. | Noted |

Hon Penny Simmonds
Minister for Disability Issues
Date:

Ginny Baddeley

Ginny Baddeley
Deputy Chief Executive, People & Culture, Whaikaha
Date: 10 April 2024

Implementation plan for clarifications to the Purchase Rules

Background

- 1 Whaikaha has been working with the community and your office to provide clarity about how the revised Purchase Rules apply in different contexts, and to ensure that the transition to the revised Purchase Rules does not have unintended consequences for disabled people and matters of key interest to the government, such as the economic participation of disabled people.
- 2 We are now preparing to implement the clarifications that may be agreed upon by Cabinet on 15 April 2024.
- 3 The implementation of the revised Purchase Rules on 18 March 2024 did not go as intended, and apologies have been issued. Whaikaha has been learning from that experience and has progressively been releasing more guidance and answers to questions to support more confident application of the revised Purchase Rules.
- 4 We have appended a summary timeline of implementation to date as Appendix One.

These clarifications will be made in a different context

- 5 The context for these announcements is markedly different than for the 18 March announcements. In particular:
 - i. These clarifications arise from questions present in the public domain. Whilst specific decisions have not been foreshadowed with the sector, the provision of clarifications will not be as unexpected as the 18 March announcements.
 - ii. These clarifications come in the wake of a recent release of definitions and other material explaining the revised Purchase Rules as they stand. This release has been largely well received, and we expect that these additional clarifications will mostly be treated as progressive clarifications, rather than as a wholly new set of changes.

Learning from the previous announcement

- 6 We have paid particular attention to areas that the community has sought further support on. In particular, we have focussed on:
 - i. *Equipping the sector to respond well* – including briefing sector organisations with more details in advance of the changes, and providing them with guidance for key messages so that staff know what to do and say when the changes 'go live'
 - ii. *Providing in-depth guidance material* - Ensuring that key definitions (e.g., 'necessary expense') and guidance material are available to parts of the

sector administering the changes before launch, and that there is 'end-to-end' operational guidance to make clear how services work overall in light of the revisions to the Purchase Rules

- iii. *Engaging with the community in a respectful manner* – We are responding to feedback that our previous communications were 'cold and distant' by placing an active focus on contextualising messages and providing more acknowledgement of the circumstances of disabled people and their whānau.
- 7 We consider that this decreases the likelihood of misunderstandings and uncertainty and increases the likelihood that questions can be resolved close to the disabled person and their family, through organisations and people they already know and trust.

Objectives for engagement

- 8 Our engagement as part of releasing further clarifications has several key objectives:
- i. *Demonstrating due urgency where people have been waiting for some time* – a number of people are awaiting answers about how the changes will affect for example therapy that they are in the middle of a course of, or which they rely on for work. As we move into week five of implementation, we must act with haste to avoid hard to undo decisions being made based on misunderstanding of the changes (e.g., people exiting their existing employment)
 - ii. *Equipping the sector to implement the clarifications well* – we are prioritising ensuring that those who work closely with disabled people and their families in the use of flexible funding hear as soon as possible about the changes, in sufficient detail to be able to implement the clarifications with confidence
 - iii. *To maintain trust in the relationship with Whaikaha* – this means ensuring that those in direct relationship with Whaikaha (such as those on advisory groups) hear from Whaikaha directly, and that voice from the community continues to be fed into implementation and guidance.

Approach

- 9 The engagement to inform stakeholders will occur in phases:
- ***First phase, day one, shared under embargo – supporting operational delivery***
 - Internal Whaikaha staff – portfolio managers, EGL staff, Communications and Engagement team

- Sector groups & leaders - with the request that it be disseminated appropriately to disabled people, tangata whaikaha Māori and whānau – on the morning of release.
- ***Second phase, day two, material shared under embargo – wider engagement and information sharing***
 - Internal - remaining Whaikaha staff – 9.00 am
 - Community groups and leaders - with the request that it be disseminated appropriately to disabled people, tangata whaikaha Māori and whānau – on the morning of release.
 - Strategic partners – on the morning of release.
- ***Second phase, day two – public dissemination***
 - Published to website – as our one source of truth

Collateral to support this approach

10 To support implementation, we are developing:

- i. A revised version of the 'Guidance for the Sector' document available on our website, so that there is a single, integrated, source of guidance for the sector
- ii. Interim operational guidelines for each flexible funding service, so that there is a clear 'end-to-end' understanding of how the changes effect services, from objectives, allocation, definitions, through to claiming, monitoring, and managing transition to the revised Purchase Rules consistently and effectively.

11 These documents will be finalised once the final form of Cabinet decisions are known.

Implications, risks, and issues

Despite this preparation, there are some risks involved in the implementation of these clarifications:

Risk	Impact	Mitigation
If disabled people and families have lost confidence in making decisions as a result of changes	then it is likely they will seek additional permission and explanation beyond the guidance	We will continue to provide guidance as a framework for service recipient and those working in the sector to make decisions within, to rebuild confidence in making decisions without seeking permission from Whaikaha

Risk	Impact	Mitigation
If these changes are felt to support disabled people to an unfairly greater degree than family carers	Then this may increase existing frustration and concern at a perceived undervaluing of the role of family carers	Whaikaha will continue to focus on increasing the effectiveness of flexible support in achieving ordinary lives for disabled people, thereby reducing impacts on carers
If the timeframe for announcements is seen as too truncated	Then the community may once again be frustrated that Whaikaha has changed things rapidly	These clarifications are less sweeping in nature than the original 18 March announcement, and we will communicate clearly that we have prioritised responding to the urgency of the situations some disabled people are in for clarity
If these clarifications come too late for some people who have made hard to undo adjustments	Then this may increase frustration that these clarifications were not part of the original decisions	We will provide clear operational guidance about how to approach situations where people have adjusted rapidly to the changed purchase rules to their potential detriment under the anticipated clarifications

Next steps

Whaikaha will continue to prepare its' communications collateral and will submit to you a final comms plan (pending the outcome of Cabinet decisions) on 12 April 2024.

End

Author: Carmela Petagna, Director Office of the Deputy Chief Executive Commissioning, Design and Delivery

Responsible manager: Ginny Baddeley, Deputy Chief Executive, People and Culture

Appendix 1 – Whaikaha actions - changes to Purchasing Rules

Date	Activity	Whaikaha input
15/3/24	Series of communications and meetings to alert various audiences of an announcement that would be made on 18 March 2024.	Senior kaimahi from Policy, Partnerships and Stewardship (PSP), and Commissioning, Design and Delivery (CDD).
18/3/24	Announcement to sector and community of changes to Purchasing Rules and introduction of prioritisation to EMS.	Communication and engagement team coordinated the announcement through social media and email communications.
18/3/24	Establish process and team to respond to questions and comments.	ELT decision enacted through DCE instruction.
19/3/24 to now	<p>Small team of people with subject knowledge working systematically through agreed process to receive, record and respond to questions.</p> <p>Frequently Asked Questions section placed on Whaikaha website and updated as approved content is available.</p> <p>Daily coordination meetings set up similar to CIMS (Coordinated Incident Management System) structure.</p> <p>Engagement with EMS providers and leaders of allied health teams relating to the EMS prioritisation.</p> <p>Engagement with IF Hosts, NASCs and CiCL / FDS providers through existing meeting schedules.</p> <p>Develop guidance document to support key partner agencies in consistent application of the Purchasing Rules.</p> <p>Prepare Communications and Engagement Plan to be implemented following final decisions on Purchasing Rules.</p>	<p>Mostly people from CDD.</p> <p>Communications team, using information developed by the subject matter team.</p> <p>Led by senior kaimahi from Quality and Insights team.</p> <p>CDD Regional Manager and Portfolio Manager.</p> <p>CDD kaimahi who hold existing relationships with the organisations.</p> <p>Input from multiple kaimahi across CDD, PSP and Corporate groups.</p>

Date	Activity	Whaikaha input
		Led by Communications team with input from CDD.
5/4/24	Meeting with key CDD team members to update them on plans to release the guidance document.	CDD senior managers.
8/4/24	<p>Guidance document shared with key partner agencies through meetings:</p> <ul style="list-style-type: none"> Individualised Funding Hosts Needs Assessment and Service Coordination organisations Choice in Community Living and Flexible Disability Support providers Enabling Good Lives sites kaimahi and leadership groups Disability Information and Advisory Services organisations Health NZ Te Whatu Ora carer support payments team, contact centre and Health Payments Integrity Team. 	CDD senior managers and Portfolio Managers.
9/4/24	<p>Guidance document placed on Whaikaha website.</p> <p>Updated FAQs on website.</p>	Communications team.

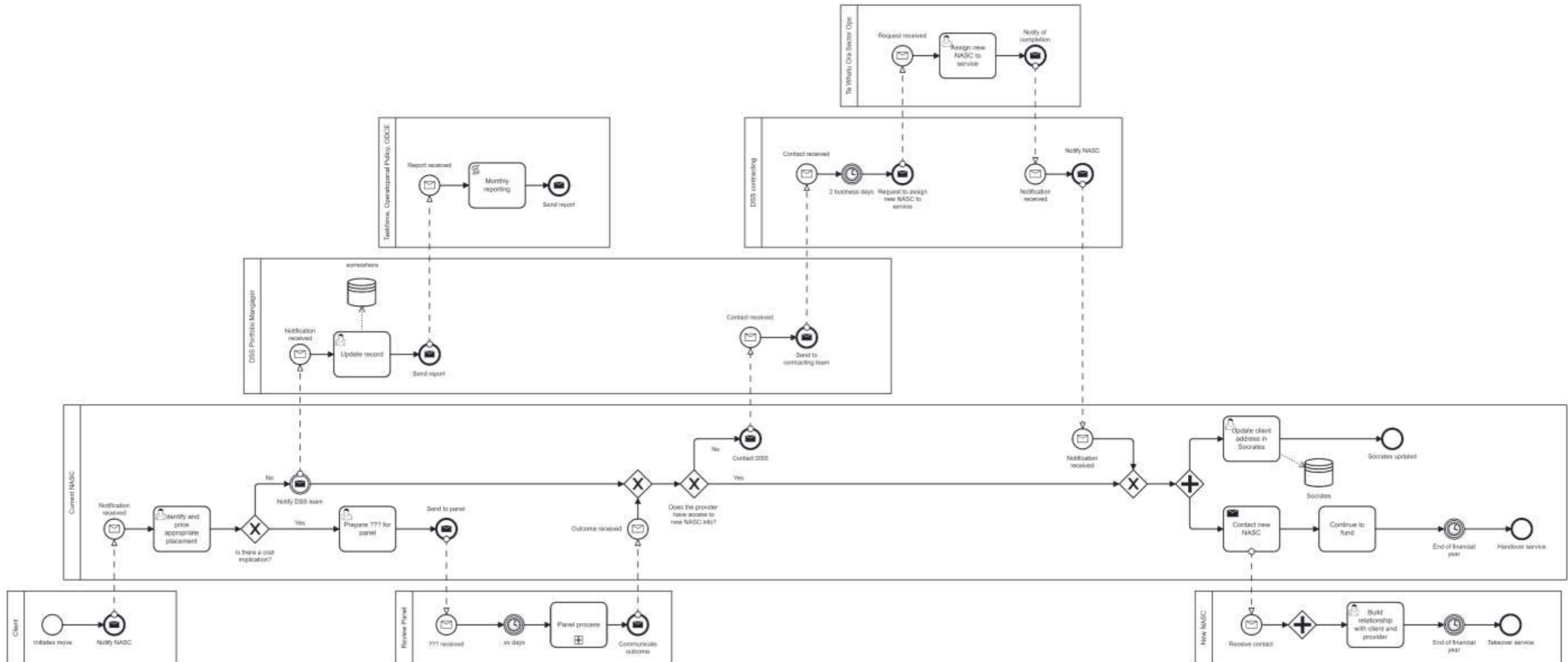
APPENDIX 2 - Any internal communications, emails, policies, guidelines or material with detail related to the process that should be followed when a disabled person moves from one region to another within New Zealand, including any information related to communications with the disabled person during transfer and amounts of funding or funding consistency between regions for the disabled person.

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Appendix 1: Systems process for inter-regional service coordination and inter-NASC transfer

This process outlines how:

- a disabled person initiates a regional transfer with their decision-making NASC,
- placement cost across regions determines approval and reporting
- cross-regional service coordination can be enabled and configured in SOCRATES
- a receiving NASC can be assigned
- shared access can be enabled to facilitate transition planning for the decision-making and receiving NASC.



Visual description: A green Disability Support Services logo sits to the left of the New Zealand Government crest in black.

Memorandum

Date:	24 October 2024
For:	Nathan Schofield, Director Financial Sustainability
CC:	Anne Shaw, Associate DCE Disability Support Services
From:	Natalie Stewart, Manager Operational Policy
Security level:	In confidence

High-level options for inter-NASC transfers of people in residential care

Purpose

This memo seeks a decision on a preferred option to managing inter-NASC transfers.

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Executive summary

- 1 You asked for advice on how inter-NASC¹ transfers could be enabled for the remainder of the 2024/25 year to inform discussion with the Programme Director of the Taskforce. This follows feedback from NASCs that the *Operational Policy and Guidelines 2024/25: Freeze on residential care funding and management of NASC indicative budgets and EGL site fixed budgets (2024/25 'Freeze' Policy)* is unnecessarily preventing disabled people in residential care from moving to areas managed by different NASCs.

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Recommendations

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High-level options for inter-NASC transfers of people in residential care

Background

9 On Monday 21/10/24 you asked the Operational Policy team for an outline of the process and timeframes for creating guidance around:

9.1 Inter-NASC transfers for people in residential care, where they wish to transfer between NASC areas

9.2 Inter-agency transfers, where people become, or are eligible for, DSS funding or services and are being transferred to DSS from a different agency

9.3 a risk position for NASC budgets.

10 s9(2)(g)(i)

The status quo vs. alternative options

12 We discussed the status quo and alternative options at a workshop on 22/10/24 with a range of subject matter experts across DSS.

13 Informing the options that are put forward for your consideration is that:

13.1 Rec 1 of the Independent Review reinstated NASC and EGL budgets and reinforced a requirement for improved monitoring and reporting against budgets.

13.2 Rec 2 of the Independent Review also froze current levels of funding for residential care for the financial year 2024/25, pending the commissioning and completion of a detailed and urgent review of contract pricing models.

13.3 Recs 1 and 2 provide an explicit requirement on NASCs and EGL sites to manage funding decisions within their allocated budgets, and liability for ensuring services remain within budgets lies with NASCs and EGL sites.

13.4 This liability means that NASCs are likely to take a risk averse approach to inter-NASC transfers. I.e., they will be hesitant to take on the associated liability of funding decisions made by a different NASC.

13.5 This issue is reinforced by the 2024/25 'Freeze' Policy, which directs the NASC to prioritise the provision of funding for those groups in paras 26 and

27 and treat those transferring between regions as a lower priority in para 35.

13.6 We are developing guidance on this issue for the short-term; we understand there is ongoing work to assess the longer-term settings for contract and pricing models.

- 14 Given tight timeframes and ongoing work by the Taskforce, we have assessed alternative options that most align with existing systems, policies and processes and avoided options that create further complexity for the Taskforce to manage in its longer-term work.

Status quo: responsibility for funding and service transfers to the receiving NASC

- 15 Under the status quo, responsibility for providing funding and service transfers from the decision-making NASC to the receiving NASC when a person transfers from the geographic area of the decision-making NASC to that of the receiving NASC.
- 16 This is indicated through clause 4.3 of the NASC Service Specification, which outlines that the NASC will provide service to people within the NASC's specified region.

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-
- | Category | Percentage |
|---|------------|
| U.S. should take action | 60% |
| U.S. should not take action | 38% |
| U.S. should take action but not at the expense of the economy | 12% |
| U.S. should not take action but not at the expense of the economy | 2% |

Next steps

- 28 If the Taskforce agrees to option 1:
- 28.1 The Operational Policy team can prioritise work with others in DSS to implement appropriate variance reporting and draft changes to the 2024/25 'Freeze' Policy to reflect the exceptions rules.
- 28.2 The exceptions rules and any accompanying FAQs could be drafted in 1-2 weeks, with input and authorisation by the Taskforce.

s3(2)(g)()

Engagement

- 32 This advice has been developed with significant input from across Monitoring and Analysis, Operations, Legal and Finance.

End

Author: Natalie Stewart, Manager Operational Policy

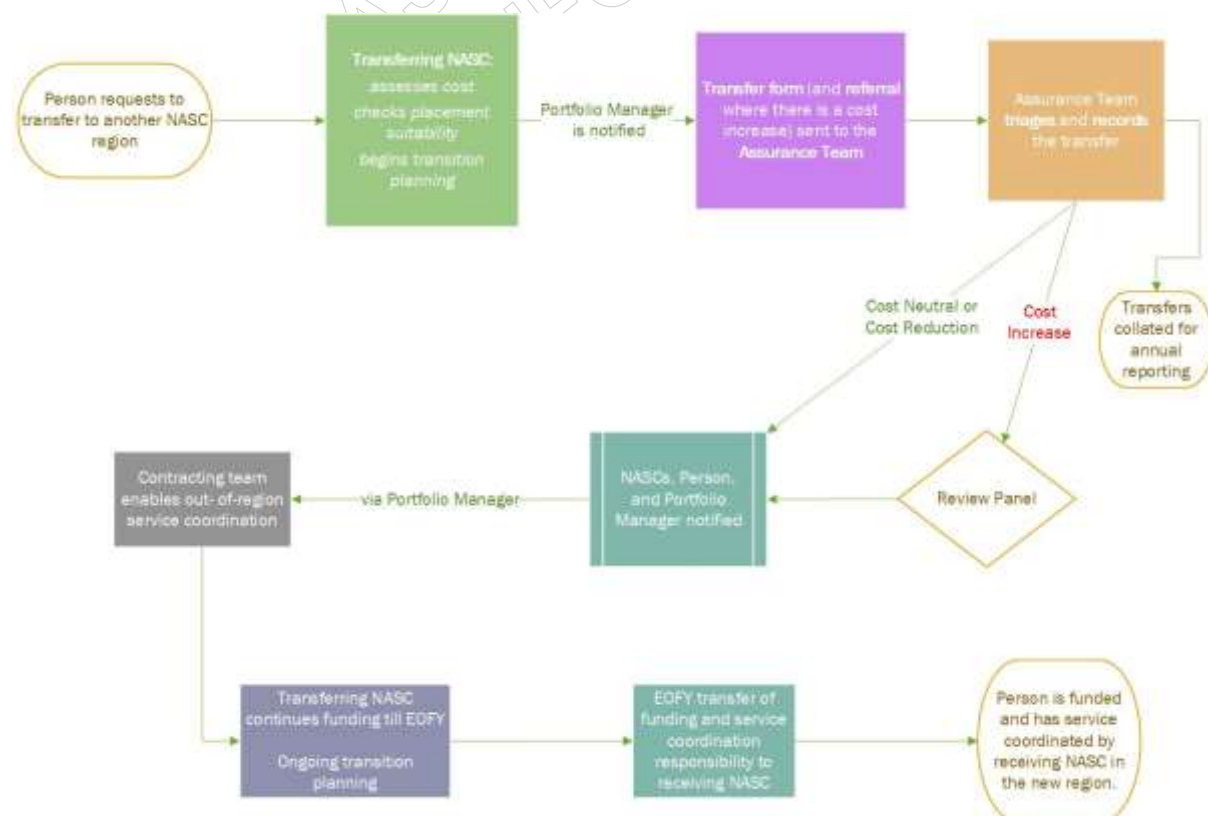
Visual description: A green Disability Support Services logo sits to the left of the New Zealand Government crest in black.

Out-of-region residential service co-ordination and inter-NASC transfer process until EOFY 2024/25

The process map below outlines the high-level interim process to enable inter-NASC residential transfers in line with the amendment to the 'Operational Policy and Guidelines 2024/25: Freeze on residential care funding and management of NASC indicative Budgets and EGL site fixed budgets' [**Freeze Policy**]. This process involves:

- Transition planning between the transferring and receiving NASCs
- The Assurance Team triaging transfers based on changes to the cost of individuals' funding packages, and recording all out-of-region service co-ordinations
- Referrals to the Review Panel for transfers associated with increased costs
- Opening service lines in SOCRATES on request to enable out-of-region service-co-ordination for transfers
- Transfer of funding and coordination responsibilities to the receiving NASC at EOFY 2024/25.

High-level process for inter-NASC residential transfers for remainder of 2024/25



INTER-NASC TRANSFER NOTIFICATION FORM

Receiving NASC							
Receiving NASC Name							
To (person's name)							
Email / Fax number:					Date received:		
Transferring NASC							
Transferring NASC Name							
From (person's name)							
Email / Fax number:					Date sent:		
Client Details							
Client's Name:					DOB:		
Principal Disability:					NHI:		
Current Address:							
Current phone number:							
Date of last assess reassess / review:		Assessment Completed Date:			SPA level:		
		Date of Service Coordination:					
Reason for Transfer:		Out-of-region transfer					
New Address:							
New phone number:							
Documents attached:	Needs Assessment		Review		Specialist Reports		Other
Current Support Plan							
Current Total Cost of Service				Requested transfer date		EOFY	
Other Involvements / Sectors / Funding							
		Any orders, other information.			Approved Funding		
ORRS							
CYFS							
Dual Diagnosis							
Mental Health							
Personal Health							
Other (specify)							

INTER-NASC TRANSFER NOTIFICATION FORM

Have Transfers been arranged?	Yes		No	
Any approvals confirmed, by the above sectors?	Yes		No	
Comments:	<p>DSS has agreed on amendments to the Residential Funding Freeze process for the Financial Year 2024/25. These amendments enable people receiving Community Residential Support to move between regions in line with the 'Operational Policy and Guidelines 2024/25: Freeze on residential care funding and management of NASC indicative budgets and EGL site fixed budgets'.</p> <p>NOTE This form is a notification of an out-of-region placement. A formal inter-NASC transfer of responsibilities will occur at the end of the 2024/25 Financial Year.</p> <p>The transferring NASC:</p> <ul style="list-style-type: none"> • has confirmed this transfer is cost neutral or associated with a reduction in costs or has sought endorsement for increased costs through the DSS Assurance Panel in line with Operational guidance [delete one option as appropriate] • has discussed this transfer with the receiving NASC and agreed on a transition plan • will retain responsibility for funding and coordinating this placement for the remainder of the 2024/25 Financial Year • confirms that the DSS Assurance Team has been informed of this out-of-region Service Coordination and future transfer • has completed a new Service Coordination and noted that this is an out-of-region placement in SOCRATES. <p>The receiving NASC:</p> <ul style="list-style-type: none"> • has accepted the responsibility for funding and coordinating this placement from 01 July 2025, • will support local engagement with the Provider(s) as required (as agreed with transferring NASC), • will engage with the transferring person to build a relationship in advance of the formal transfer as appropriate. 			
Any actions needed:				
<p style="text-align: center;">To be completed by Receiving NASC and returned to Transferring NASC</p>				
Confirmed:				
Not confirmed:				
Name:				
Signature:				

INTER-NASC TRANSFER NOTIFICATION FORM

Position:	
Date:	

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From: [Natalie Stewart](#)
To: [Martin Anderson](#); [Clare Kirby](#); [Ryan Moran](#); [Philip Berghan-Whyman](#); [Alex Dixon](#); [Julia Inkster](#); [Rebecca Livingston](#); [Paul Miller](#); [John Wilkinson](#); [Sarah Morgan](#); [Tigga Taylor](#); [Bruce Atmore](#); [Viv Ruth](#); [Jane Hansford](#)
Cc: [Rachael Burt](#)
Subject: FW: Inter-NASC transfer options
Date: Thursday, 24 October 2024 4:58:46 pm
Attachments: [241024 Memo - Inter-NASC residential transfers.docx](#)
[241024 Appendix 1 - Systems process for inter-regional service coordination and inter-NASC transfer.docx](#)
[image001.png](#)

IN-CONFIDENCE

FYI only.

From: Natalie Stewart
Sent: Thursday, October 24, 2024 4:56 PM
To: Nathan Schofield [s9\(2\)\(a\)](#)
Cc: Anne Shaw [s9\(2\)\(a\)](#); Terry Hibbert [s9\(2\)\(a\)](#); Rachel Daysh [s9\(2\)\(a\)](#); Steph Roberts
[s9\(2\)\(a\)](#) >
Subject: Inter-NASC transfer options

Kia ora Nathan

Attached is a memo outlining the status quo for inter-NASC residential transfers and two alternative options, should the Taskforce consider it appropriate for NASCs to prioritise inter-NASC transfers.

To summarise:

- The status quo is that responsibility for providing funding and service transfers from the decision-making NASC to the receiving NASC when a person transfers from the geographic area of the decision-making NASC to that of the receiving NASC
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I'm happy to talk you through the advice, including the merits of each option.

This advice reflects a collaborative effort by Operational Policy, Monitoring and Analysis, Finance, Operations and Legal.

Ngā mihi
Natalie

Natalie Stewart | Manager | Operational Policy | Disability Support Services

Mobile **s9(2)(a)** | Website: [MSD - Ministry of Social Development](#)

Ministry of Social Development

MSD purpose:

We help New Zealanders to be safe, strong and independent

Manaaki tangata, manaaki whānau



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