16 May 2025

Tēnā koe

Official Information Act request

Thank you for your email of 25 March 2025, requesting information about training or guidance about dealing with people with disabilities.

I have considered your request under the Official Information Act 1982 (the Act). Please find my decision on each part of your request set out separately below.

1. *Any and all information & policies that MSD WINZ holds, possesses uses or relies upon to ensure that The United Nations Convention for the Rights of Peoples with Disabilities regarding "reasonable accommodation" is upheld / effected in New Zealand.*

The Ministry acknowledges the rights of disabled people as detailed in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the Human Rights Act 1993. We agree that all clients have the right to be treated without discrimination and stigma.

Many Ministry clients live with a range of health conditions or disabilities, and many clients have also had impactful life experiences, resulting in subsequent daily challenges. For this reason, we have multiple programmes of support which are designed to specifically help with these challenges.

The Ministry is specifically involved in upholding these obligations in the employment space and offers the following programmes below:

Here Toitū

This provides additional support to help clients reach their goals in employment, volunteering, study or wellbeing in general. Here Toitū also has a 'responding early' component which specifically aims to help those with health conditions and disabilities in instances where extra support or reasonable accommodations may help individuals retain work. This involves working with the employer to make the necessary changes to the work environment.

Puāwaitanga

This is a free service for individuals over 18 years old who are receiving assistance from the Ministry, such as a main benefit or at risk of coming onto a benefit. This service offers up to 12 months of phone or mobile app-based support with dedicated counsellors.

Job Support Funds

This support is provided to meet disability costs when in employment. This can include covering necessary equipment, modification grants to the employer for workplace changes, funding for interpreters and support people, job coaching and productivity allowances.

Training Support Funds

This support is provided to people with a disability or health condition to gain or retain employment. This fund assists with additional costs required for engagement in training and other activities, e.g. equipment, support people, interpreters or transport.

Mainstream Programmes

These programmes provide a range of wage subsidies that are paid directly to employers to help disabled people gain work experience. These programmes cover both paid work subsidies and internship support for students moving from study into employment.

Specialist Employment Service

This support provides case management, placement into open and inclusive employment as well as ongoing support during employment.

Sustainable Employment Trial

This supports Supported Living Payment (SLP) clients to move into employment or increase their hours of work by allowing a period of up to 6 months where their SLP entitlement will not be affected.

Employment Services in School

This support is jointly provided by the Ministry and the Ministry of Education. This helps secondary school students who have a health condition, mental health condition, disability or are neurodiverse plan for the future and explore job and career opportunities in collaboration with their whānau and school.

2. *A detailed & full description of how MSD WINZ is actually meeting the UN Convention for the Rights of Peoples with Disabilities with special regard "reasonable accommodation and non discrimination".*

The New Zealand Government, as a ratifying member of the UNCRPD is expected to uphold the articles of the convention including Article 5 which states that "In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided".

Under UNCRPD (Article 33) New Zealand is also required to develop frameworks for implementation, with a specific focal point within government. The Ministry for Disabled People (MoDP) is this focal point in New Zealand and the supporting frameworks are the Disability Strategy and successive Disability Action Plans that support the strategy.

Accordingly, taking action to bring New Zealand better in line with the UNCRPD is coordinated by MoDP with the Ministry taking action on several specific areas then reporting back. MoDP got Cabinet approval earlier this year on the list of actions that will be taken by various agencies in response to the UNCRPD concluding

observations and for the Ministry this includes helping disabled people achieve open labour market by finding ways to reduce persistent disadvantage.

The Cabinet paper can be found online here: www.whaikaha.govt.nz/assets/United-Nations-Committee-on-the-Rights-of-Persons-with-Disabilities_-Progressing-the-Government-Response-to-Concluding-Observations.pdf

The list of actions for various agencies including the Ministry can be found online here: www.whaikaha.govt.nz/assets/About-us/Cabinet-papers-and-information-releases/UNCRPD-cabinet-paper/Appendix-Two-Progressing-the-Government-response-to-the-UNCRPD-Concluding-Observations_Redacted.pdf

In the longer term, there are also actions for the Ministry that are being considered as part of MoDP's refresh of the New Zealand Disability Strategy. This may include working with the Ministry of Health to look into the affordability of necessary assistive devices, modification services and mobility aids for persons with disabilities.

> 3. *What training MSD WINZ staff are given in regard dealing with people with mental health disabilities with direct regard to applying the United Nations Convention for the Rights of Peoples with Disabilities regarding "reasonable accommodation".*

The Ministry provides compulsory staff training around working with clients and identifying unconscious bias relating to a number of client conditions and presentations. Additionally, our Regional Health and Disability teams often provide additional training to the frontline staff in their region around health conditions, including mental health. These do not always specifically note the UNCRPD, but we seek to have our staff treat all clients with dignity and respect, and without any form of discrimination.

The Ministry also offers access to training around disabled client support mechanisms, such as the use of Alternate Formats and accessible information.

The Ministry does not currently offer specific training around reasonable accommodation within the convention. However, all staff are required to work with the client to identify, and respond to, the specific needs the client has and then offer appropriate services and supports that meet these needs. For example, identifying that a client cannot do heavy physical work due to a health condition or disability but can take up a more sedentary role. This reflects the intention of reasonable accommodations.

> 4. *What training MSD WINZ staff are given in relation to NZ legislation and requirements for non discrimination of peoples with disabilities especially psychiatric disabilities*

All staff receive basic training around working with a range of client presentations. The Regional Health and Disability teams also receive ongoing professional development around a range of specific client health conditions or disabilities, including mental health conditions. Where appropriate, this includes relevant legislation. Frontline staff also have the opportunity to attend mental health training, more information can be found on this training online here: www.blueprint.co.nz.

While not specifically in scope of your request, I have included the training given to staff titled 'Engaging and Consulting with MSDs Tangata Whaikaha community'. This training helps staff identify disabilities clients may present with and provides staff with tools to better serve disabled clients in engaging with the Ministry and accessing its services.

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, please feel free 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

pp.

Anna Graham
General Manager
Ministerial and Executive Services

Engaging & Consulting with MSDs disabled and tāngata whaikaha community

Today's session

- Defining Disability @ MSD

- Who are MSDs disabled whānau?

- Disabled Affirming language

- Guidelines for engaging disabled people

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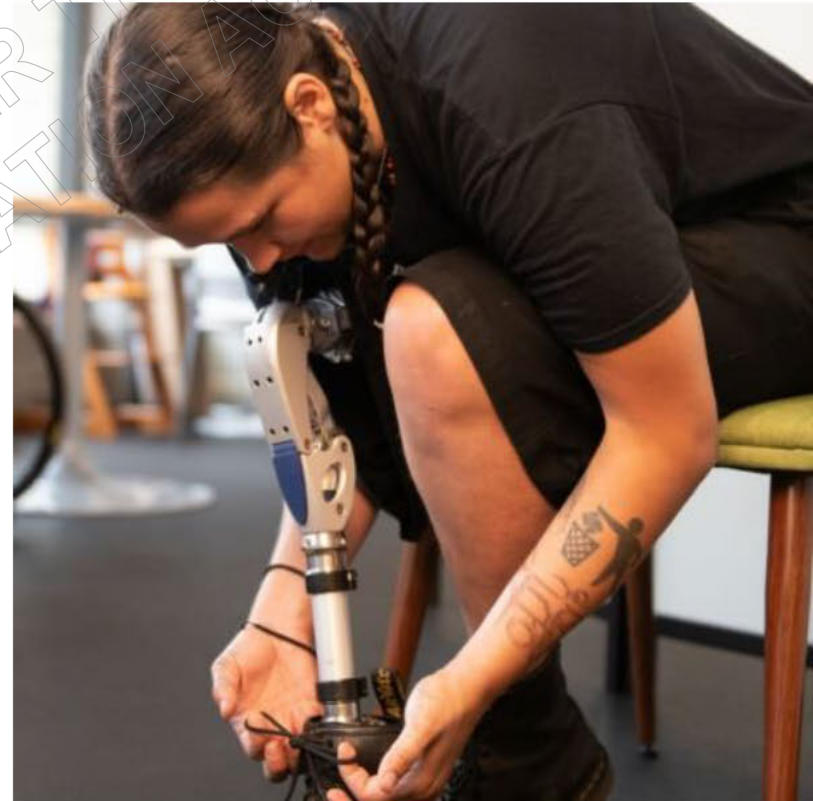
What we know?

- What comes to mind when you think of disability?

- Can you name some types of disability?

- What percentage of MSD's clients are disabled?

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Defining disability at MSD

MSD uses the definition of disability from the United Nations Convention on the Rights of Disabled People (UNCRPD).

The UNCRPD defines disability as **"any long-term physical, mental, intellectual or sensory impairment which, in interaction with various barriers, may hinder the full and effective participation of disabled people in society on an equal basis with others"**.

MSD interacts with over 70,000 disabled people every year, often multiple times.

It's not uncommon for one household to contain more than one adult and/or child with a disability. This has been shown to have a significant impact on the financial costs of the household.

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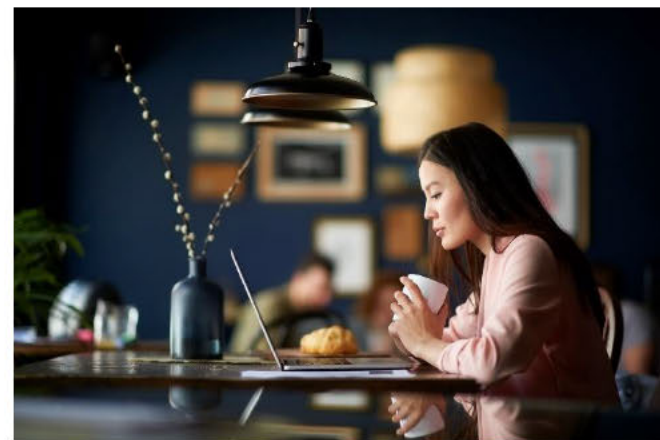
Defining Disability

This definition includes people with physical health impairments or conditions, people who are **neurodiverse/divergent, people who live with mental health and addiction issues, and older people who have age-related impairments**.

Some people are born with an impairment, others acquire it through accident or illness. Some people live with multiple impairments which may be caused by a single disorder or multiple disorders. Multiple impairments are more common with increasing age.

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Defining disability

- 'Disability' is an umbrella term – not everyone who meets the MSD criteria for 'disabled' will identify with this term. '

- This is often true for the neurodiverse community, people living with mental health issues or substance addiction or people whose impairment level can change on any given day (e.g. people living with chronic fatigue or arthritis).

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Why does MSD have so many disabled clients?

For many people, living with an impairment often means low income, exclusion from the job market and high health and disability costs relative to income.

This often means they are less likely to be able to afford accessible housing, and their general health and wellbeing outcomes are worse than for non-disabled people.

A number of our clients come to MSD just for Disability-related support such as the Disability Allowance or the Child Disability Allowance.

They may also come to us for employment supports.

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Are clients with health conditions considered disabled

People with temporary or short-term health conditions do not meet the definition of being disabled, although they may face the same barriers to MSD services and supports for the period of their illness.

While their needs may be the same for a period of time, disabled people often face significant additional inequities that non-disabled do not.

NOTE: To meet criteria for a disability-related support from MSD, a person must be likely to experience the impairment for a minimum of six months.

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Why does MSD have so many disabled clients?

- Disabled people are more likely to have low incomes than non-disabled people and live in more deprived areas.

- The employment rate for disabled 15–64-year-olds was 39.4 percent, compared with 81.7 percent of non-disabled people.

- Disabled adults are about five times more likely to have an unmet need for a GP due to lack of transport.

- Four in 10 tāngata whaikaha Māori (Māori disabled) adults have no formal educational qualifications, almost double the proportion of non-Māori disabled people without qualifications.

- 72% of Pacific people who are disabled live in socioeconomically deprived areas, making it harder for them to access disability support services and other mechanisms. They are also less likely to have had a needs assessment, and to claim on ACC.

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Which MSD services do disabled people use?

- **income support** – for people receiving Jobseeker (Health Condition or Disability - HCD) or Supported Living Payment benefits

- **disability and health care support** – for people seeking disability-related health care costs through the Disability Allowance; or for parents of young children requiring additional care and attention through the Child Disability Allowance

- **accommodation support** – for people seeking accessibility-adapted accommodation through our Housing services.

- student based support for **disabled students** seeking Student Loans/Accommodation Support/Disability Allowance

- **employment support for disabled** people seeking support through one of our disability-specific employment services through Oranga Mahi or School-Based Transition Services

- employment and training support for disabled people using Support Funds

- **youth support services** and/or our school transition services

- older age-based support - such as **Superannuation and Gold Card** support

- emergency response supports - such as the **Civil Defence Payments or Emergency Benefits**

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Social model of disability

Increasing focus on rights of disabled people has shifted focus from the individual and onto society to remove the barriers that it has imposed through oppression, marginalisation, discrimination and stigma.

Internationally, the social model/rights-based model of disability began in the 1970 and was largely brought about due to increasing knowledge of human rights, which led to the closing of large institutions and leading to wider engagement within communities.

Previously we used the terms' person with disabilities' however, we now use the term **'disabled people'** to indicate that these people are disabled by those around them.

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Disabled voice...

[A DAY IN THE LIFE - YouTube](#)

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Disabled-affirming language

Autistic person: Person who identifies as autistic / living with autism (note that autistic traits are not linear or on a spectrum and every autistic person is impacted differently).

Blind or visually impaired person: Person who cannot see at all or who is visually impaired

Deaf or hearing-impaired person: Person living with hearing loss or a hearing impairment

Deafblind person: A person living with a hearing and visual impairment

Disabled person: Person living with a long-term health impairment or disability

Invisible / Hidden disability: A disabled person whose impairment is not immediately visible to others e.g. neurodiversity, arthritis, dyslexia, depression

Neurodiverse person: Person who identifies as neurodiverse / neurodivergent. This includes conditions such as Attention Deficit Hyperactive Disorder (ADHD), Attention Deficit Disorder, Dyslexia, Dyspraxia, Sensory Processing Disorder

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Disabled affirming language

Person with learning difficulties: A person who has learning difficulties (this includes people with intellectual disabilities)

Person with lived experience of mental illness or mental distress: A person who lives with mental health challenges such as anxiety, depression, bipolar disorder, psychosis, eating disorder or trauma disorder.

Person with lived experience of substance misuse or addiction: A person who lives with misuse use of alcohol, drugs, gambling and the internet.

Person with a speech impairment: People who live with a speech impairment or may include a deaf person who is able to speak some words

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Disabled affirming language

Tāngata whaikaha: Māori living with a disability

Tāngata turi: Disabled Māori who are deaf or hearing-impaired

Tāngata kāpō: Disabled Māori who are blind or visually impaired community

Tāngata whahangu: Disabled Māori who are non-speaking/have speech impairments

Tāngata takiwātanga: Disabled Māori who lives with autism

Tāngata whaiora: Māori person with lived experience of mental health and substance use / addiction

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Disabled people excluded from engagement

Some examples of people and groups often excluded from government engagement:

- neurodiverse, mental health, and substance misuse communities are some of our most vulnerable client groups due stigma and discrimination

- disabled communities in rural settings

- carers, whānau, whānau support groups and advocates who have important knowledge of barriers and needs that some disabled people may not be able to communicate themselves

- clients who are long-term users of our services including those receiving residential subsidy, in long-term care (e.g. forensic services, assisted living).

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Including disabled people when you're unsure.. Tips and tricks

Not all engagement is neat and tidy.

Sometimes you need to do the work to find out…

- How this person prefers to communicate?

- What accessibility needs they have ?

- More about the disability and how it impacts the person

In these situations, **just ask!**

- Respectful inquiry is always okay.

- You might not always feel comfortable, but you don't have to always have the answers.

- If you don't know something, offer to go away and find out

- If someone has a complaint, apologise and ask what you / MSD could do better

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Intersections matter

Some disabled clients will come with other identities as well – meaning they may face multiple life challenges.

For example, our clients will likely include an older Māori disabled person or a young disabled person from the Rainbow community.

We may be supporting an older Pacific person who is speech impaired as well as an amputee, or a young student who uses a computer to communicate.

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Guidelines for engaging with disabled people and tangata whaikaha Māori

Step 1

- Clear purpose
- Are you wanting new ideas, feedback or informing about decisions already made
- One-off or ongoing?
- Do you need certain disabled communities or general feedback

Step 2

- Identify and engage with MSD staff who already hold existing relationships
- National Relationships
  - Principal Disability Advisor
- Regional Relationships
  - Regional Health Advisor
  - Regional Disability Advisor
  - Health & Disability Coordinator

Northland
7 service centres

Auckland
31 service centres
2 contact centres

Bay of Plenty
12 service centres

Waikato
14 service centres
1 contact centre

Taranaki
10 service centres

East Coast
9 service centres

Nelson/Marlborough/West Coast
6 service centres

Central
8 service centres

Wellington
8 service centres
2 contact centres

Canterbury
9 service centres
1 contact centre
(including Chatham Islands)

Southern
10 service centres

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Guidelines for engaging with disabled people and tangata whaikaha Māori

Step 3 – Planning your venue

- Prepare your engagement
- Plan your venue or location
    - Is the event online or in person?
    - Do you need an accessible venue? Parking?
    - Are assistance dogs allowed?
    - Does it have accessible bathrooms?
    - Does it have a range of seating options?
    - Do you need additional support for clients?

- Make sure your meeting has frequent breaks
- If you include food, ensure it is easily edible i.e. Does not need utensils

Step 4 – Accessible Information

- Ensure all information is available prior to the event (word versions only)
- Powerpoint presentations are inaccessible to blind peopole – have these made into accessbile versions (accessiblilty@whaikaha.govt.nz)
- Have multiple options for gathering information. Take additional scribes who can write as needed
- Do you need an NZSL interpreter? Do you know how to work with an interpreter?

Accessible Information

Best practice disabled engagment is best practice engagement made accessible

Plain language

Write all client information in [plain language](#). All readers, including those outside of government roles, should be able to read the content easily and understand the messages.

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Accessible Information

Accessible documents

You can [make a document more accessible](#) for screen readers or those with computer reading devices by following some simple rules.

These include switching to accessible font types and sizes, removing tables, pictures and graphs wherever possible and adding alternative text ("alt text") to these.

We encourage all kaimahi to go through online accessibility training on Teams. Members of the disabled community present this session providing information on how to increase accessibility when you're engaging with the disabled community. It's a great internal resource to grow your knowledge.

To register or find out more email accessibility@whaikaha.govt.nz.

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Where to next?

- Go to **Guidelines: Engaging with MSDs disabled and tāngata whaikaha community**

- **Contact:** MSD Principal Disability Advisor

- **Book yourself** in to do the Accessible Information training – accessibility@msd.govt.nz

- **Attend** MSDs Digital Accessibility team weekly clinics providing information and support around accessible digital information

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Quiz

- ## Are age-related conditions considered disabilities?
  - Yes
  - No

- ## How many disabled people does MSD interact with each year?
  - A: 30,000
  - B: 45,000
  - C: 70,000
  - D: 115,000.

- ## To Meet MSD criteria for disability related supports a person must experience disability for:
  - A: 1 Month
  - B: 4 Months
  - C: 6 Months
  - D: 8 Months

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Quiz continued.

- The Māori name for disabled Māori who are deaf is:
  - A: Tangata Turi
  - B: Tangata Whaikaha
  - C: Tangata Kapo
  - D: Tangata Whaiora.

- True or False - PDFs are the accessible format preferred by Blind people?

- What is the best way for you to increase your accessibility knowledge – Hint it is held monthly, online via teams right here in this building!

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