

From: [MaES requests \(WHAIKAHA\)](#)
To: [s9\(2\)\(a\) @parliament.govt.nz](#); [Brian Coffey](#)
Cc: [MaES requests \(WHAIKAHA\)](#); [Mele Tasola](#)
Subject: FW: Briefing REP-WHK-24-02-018 Changes to EMS and flexible funding to manage Whaikaha expenditure_.docx
Date: Thursday, 22 February 2024 5:20:00 pm
Attachments: [Briefing REP-WHK-24-02-018 Changes to EMS and flexible funding to manage Whaikaha expenditure_.docx](#)

Kia Ora

Please find attached the briefing paper to go with the Official's agenda.

Ngā mihi,

Emma Williams (she/her)

Manager, Ministerial and Executive Services

Whaikaha | Ministry of Disabled People

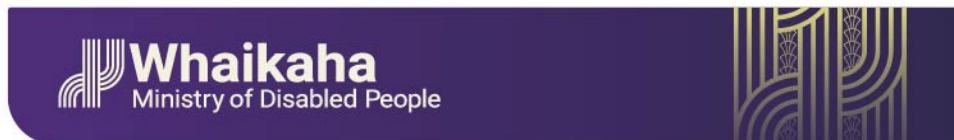
s9(2)(a)

[@whaikaha.govt.nz](#)

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[GIF image of the logo and email signature banner of the Ministry]

**Me he aka rātā ka tipu tahi, ka puāwai tahi kia tū kaha i ngā hihi ō
Tamanuiterā.**

Like the rātā vines growing together and flourishing to stand strong in the warmth of the sun.

From: [Brian Coffey](#)
To: [MaES_requests\(WHAIKAHA\)](#)
Cc: [Emma Williams; s9\(2\) @parliament.govt.nz](#)
Subject: FW: Matters arising and actions from agency meeting 28.02.24.docx
Date: Thursday, 29 February 2024 9:29:41 am
Attachments: [Matters arising and actions from Whaikaha officials meeting with the Minister for Disability Issues - 28 February 2024.docx](#)

Kia ora

Attached and copied below:

Matters arising and actions from Whaikaha Officials Meeting with Minister for Disability Issues – 28 February 2024

Agenda Item	Out of scope
Matters arising and action	
Agenda Item	
Matters arising and action	
Agenda Item	Changes to EMS and flexible funding to manage Whaikaha expenditure. Paper attached - Briefing REP-WHK-24-02-018
Matters arising and action	<p>Out of scope</p> <p>Flexible Funding</p> <ul style="list-style-type: none"> • Immediate action is required to manage sensitive expenditure within flexible funding allocations, particularly in light of the need to prioritise equipment and modification services. • The flexibility implemented during COVID for sound reasons is now creating stress on the Vote. • Immediately pause "sensitive expenditure" (as listed in paragraph 21 of the paper) • A key principle to be implemented is that funding must provide direct benefit for the disabled person, not for family/whanau. • Minister asked Whaikaha to develop advice on limiting the proportion of "individualised funding" budgets that are deemed "flexible". • This advice should cover different options for the proportion of flexible funding allocations that should remain flexible, such as a percentage or actual \$ value. <p>Actions</p> <ul style="list-style-type: none"> • Whaikaha to provide in "table form" the list of actions it is progressing to reduce expenditure, the projected dollar value of those actions where currently known, and the timing for progressing those actions, including dates for advice to the Minister. • To be provided by mid-day 7 March
	Out of scope

Brian Coffey
 Private Secretary – Disability Issues Portfolio | Office of Hon Penny Simmonds

Minister for Disability Issues | Environment | Tertiary Education & Skills |
 Associate Minister for Social Development & Employment

s9(2)(a) @parliament.govt.nz

Website: www.Beehive.govt.nz

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

From: [MaES_requests \(WHAIKAHA\)](#)
To: **Out of** [@parliament.govt.nz](#)
Cc: [MaES_requests \(WHAIKAHA\)](#); [Emma Williams](#); [Brian Coffey](#)
Subject: REP/WKH/243/022 / URGENT - Commissioning - Adie Memoire and Talking Points - Meeting with Marsha Marshall - Due 12noon Wednesday 6 March
Date: Wednesday, 6 March 2024 5:07:40 pm
Attachments: [REP-WKH-243-022 Meeting Manawanui AM.docx](#)
[image003.png](#)

IN-CONFIDENCE

Kia ora Sarah,

Please accept our apologies for the delay in getting the final AM to you.

Please find attached AM and talking points for the Ministers meeting with Marsha Marshall tomorrow.

Ngā mihi nui

Mele Tasola | Senior Advisor, Ministerial and Executive Services team

Corporate Services

Whaikaha | Ministry of Disabled People

[Whaikaha.govt.nz](#)



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From: Sarah [s9\(2\)\(a\)@parliament.govt.nz](#)
Sent: Monday, 4 March 2024 9:12 am
To: MaES_requests (WHAIKAHA) <[xxxxxxxxxxxxx@xxxxxxxx.xxxx.xx](#)>; Emma Williams
[s9\(2\)\(a\)@whaikaha.govt.nz](#)
Cc: Brian Coffey [s9\(2\)\(a\)@parliament.govt.nz](#)
Subject: URGENT - Commissioning - Adie Memoire and Talking Points - Meeting with Marsha Marshall - Due 4pm Wednesday 6 March
Importance: High

Kia Ora koutou

Can I please commission an Aide-Mémoire and Talking Points which provides background information for the below meeting or event:

Name of Organisation: Manawanui – Marsha Marshall

Location of meeting/event: Ministers Office G.26, Parliament House

Names of people attending [if known]: Marsha Marshall

Topics to be discussed: Meet and Greet and likely topic flexible funding criteria

Date and Time [if known]: Thursday 7 March – exact date and time to be confirmed

I note Whaikaha previously provided meeting advice for this. As Manawanui is a host provider the best team to write this would be the commissioning, design and delivery team.

Can you please also confirm if an official would be available to support the Minister with this meeting.

Apologies for the tight timeframe on this one but the Minister only just received the invitation and made her decision over the weekend.

Ngā mihi

Sarah



Sarah s9(2)
Private () ry – Disability Issues Portfolio | Office of Hon Penny Simmonds

Minister for Disability Issues | Environment | Tertiary Education & Skills |
Associate Minister for Social Development & Employment

s9(2)(a)

[@parliament.govt.nz](mailto: @parliament.govt.nz)

Website: www.Beehive.govt.nz

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand



Aide-mémoire

Date: Wednesday, 6 March 2024

For: Hon. Penny Simmonds
Minister for Disability Issues

File reference: REP/WKH/243/022

Security level: Sensitive

Meeting with Manawanui Support Ltd

Details

You are meeting with Ms Marsha Marshall, Chief Executive of Manawanui Support Limited (Manawanui) on Thursday 7 March 4pm-4.30pm in your office.

Attendees

Ms Marshall will be accompanied by Sir Bill English, in his capacity as Chair of the Board of Manawanui.

Officials attending the meeting from Whaikaha will be:

- Paula Tesoriero, Chief Executive.
- Carmela Petagna, Director – Office of the Deputy Chief Executive, Commissioning, Design and Delivery

Key contacts

Name	Role	Contact Number
Amanda Bleckmann	Deputy Chief Executive Commissioning, Design and Delivery	s9(2)(a)
Carmela Petagna	Director, Office of the Deputy Chief Executive Commissioning, Design and Delivery	s9(2)(a)

Purpose

The purpose of the meeting is an introductory opportunity to meet with you, and to provide you with background on Manawanui to discuss current challenges and opportunities impacting the disability support sector.

Background

Individualised Funding is a mechanism which enables disabled people, tāngata whaikaha Māori, and their family and whānau to exercise choice and control over their supports.

Manawanui is the largest Individualised Funding (IF) host, supporting over 8000 of the approximate 14,000 IF recipients across New Zealand. Manawanui also supports some disabled people and families in the Enabling Good Lives sites to manage their personal budgets.

Whaikaha generally has a good relationship with Manawanui. They are supportive of, and actively contribute to a range of IF issues across New Zealand.

Ms Marshall will be meeting with several senior Whaikaha officials on Thursday 7 March s9(2)(b)(ii)

s9(2)(b)(ii) We anticipate having a constructive meeting with Manawanui.

Comment

Payments System

Manawanui may raise concerns regarding the challenges that IF Hosts have in maintaining cash flow under current payment mechanisms being used by Whaikaha. Regular payments are required to be made to support workers, with Whaikaha operating a reimbursement process. This means there can be a delay between when Manawanui incurs costs for the support workers, and Whaikaha making payment to Manawanui (and other IF host providers).

s9(2)(b)(ii)

s9(2)(b)(ii) Whaikaha is currently looking at options to address this issue for all IF Hosts.

Paid Family Carers

Manawanui may raise a concern that a conflict of interest arises when some disabled people and their family use IF. That is because a family member manages IF as an agent of the disabled person, while also being paid to provide care to their disabled family member. This issue has arisen in the current litigation relating to family carers. Whaikaha is working with urgency to create other options for people in this situation, while ensuring the disabled person's will and preference is upheld to the greatest degree possible.

Purchasing guidelines

During COVID, IF was made more flexible, to allow for the purchases of goods, services or items that reduce the need for ongoing support. Manawanui have become concerned that, in the absence of suitable controls, IF is not always being used appropriately. Whaikaha shares this concern and is working urgently to provide clearer guidance on what can and cannot be purchased using IF.

Using Data to inform Decision Making and Social Impact

Manawanui has a range of data related to the people and families they serve and would like to link this with evidence to demonstrate improved outcomes. They see this as a means to enable Whaikaha to have increased visibility over allocation and spending as a result of having ready access to spending trends, and ultimately better outcomes related to allocation.

Whaikaha is interested in exploring these possibilities with Manawanui. It would, however, need to be confident that any linking of data is done in ways that are consistent with the Health Information Privacy Code, and Manawanui's contractual obligations.

End

Authors: Hannah Perry, Principal Advisor – Enabling Good Lives, Commissioning, Design and Delivery

John Wilkinson, Principal Advisor, Policy, Policy Strategy and Partnerships.

Responsible manager: Rachael Burt, Group Manager – Enabling Good Lives, Commissioning, Design and Delivery.

From: [Brian Coffey](#)
To: [Amanda Bleckmann](#)
Cc: [Emma Williams](#); [s9\(2\)\(a\) @parliament.govt.nz](#)
Subject: FW: Memorandum to Minister IF and EMS implementation
Date: Friday, 15 March 2024 1:10:50 pm
Attachments: [image001.jpg](#)
[Memorandum to Minister IF and EMS implementation FINAL 14.3.24 \(003\).docx](#)
Importance: High

Kia ora team

Thanks for this, really appreciate the care taken in developing this. One quick question, in paragraph 3.5 it says:

s9(2)(g)(i)

Just to note I prepared some very drafty "key messages" for the Minister which I have sent over for feedback so we can get these to the Minister.
Thanks

Brian

Ngā manaakitanga

Brian Coffey (MNZM) ([pronoun he/him](#))

Chief Advisor to the Chief Executive

Whaikaha – Ministry of Disabled People

[s9\(2\)\(a\) @whaikaha.govt.nz](#) | [Whaikaha.govt.nz](#)

I work flexible hours, if this email arrives in your inbox outside of your working hours, I do not expect you to read, take action or respond until you are next at work and able to respond.



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From: MaES_requests (WHAIKAHA) <xxxxxxxxxxxxx@xxxxxxxx.xxxx.xx>

Sent: Friday, March 15, 2024 12:57 PM

To: Disability Issues Portfolio <xxxxxxxxxxxxx@xxxxxxxx.xxxx.nz>; Brian Coffey
[s9\(2\)\(a\) @parliament.govt.nz](#)

Cc: MaES_requests (WHAIKAHA) <xxxxxxxxxxxxx@xxxxxxxx.xxxx.xx>; Emma Williams
[s9\(2\)\(a\) @whaikaha.govt.nz](#)

Subject: Memorandum to Minister IF and EMS implementation

Importance: High

Kia ora

Please find attached Memorandum to Minister IF and EMS implementation.
Please let know if any issues.

Ngā mihi,

Emma Williams ([she/her](#))

Manager, Ministerial and Executive Services

Whaikaha | Ministry of Disabled People

s9(2)(a)

[@whaikaha.govt.nz](mailto:)

www.Whaikaha.govt.nz



[GIF image of the logo and email signature banner of the Ministry]

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From: [Brian Coffey](#)
To: [s9\(2\) @parliament.govt.nz](#)
Cc: [s9\(2\) @parliament.govt.nz](#); [MaES requests \(WHAIKAHA\)](#); [Emma Williams](#)
Subject: Draft key messages for the Minister on changes to the EMS and flexible funding
Date: Sunday, 17 March 2024 11:34:45 am

IN-CONFIDENCE

IN-CONFIDENCE

Hi [s9\(2\)\(a\)](#)

Please see below some draft key messages for the Minister to assist in responding to changes that happen tomorrow to manage the forecast budget overrun in some of the supports funded through service providers.

Overall message

I understand that there is urgent work being undertaken and communicated to prioritise spending because some of the support budgets, such as the equipment and modification budget, are forecast to be overspent this year. These changes are happening from 18 March and are intended to be temporary changes until later this year and Whaikaha will be working with the community on sustainable funding options for the future.

Supporting messages

- Whaikaha is working with providers to manage a forecast overspend on some of the supports for disabled people
- This is not a response to the need to find savings
- It is a response to a forecast of overspending on a budget that had a 10 percent increase for 2023/2024
- This is a difficult situation that is being managed carefully
- Support for disabled people will continue to be maintained, however to manage the current situation Whaikaha will be working with providers on how support can be prioritised to those with the greatest need
- It will also require in the short term changes to those budgets that have been able to be used flexibly by disabled people and their families
- Whaikaha is communicating the detail of the changes required with service providers and the wider disability community
- Whaikaha is a relatively new Ministry and the current situation is an early indicator for Whaikaha of disability funding issues that have been creating budget pressures for some time.
- While responding to the current budget issue Whaikaha will continue its work with disabled people, their families and others in the disability community, to develop a disability support system that is sustainable and progresses the vision and principles of Enabling Good Lives

Key Information

Changes to the Purchase Rules for flexible funding and introduction of prioritisation of Equipment and Modification Services

Context

- Whaikaha commissions disability support services for almost 50,000 people and funds equipment and home and vehicle modifications for approximately 100,000 people.
- Demand for disability support services, and the cost of delivering those services, is increasing year on year
- The budget for disability support services was increased for the 2023/24 year, including by 10 percent to manage increases in demand for supports and the increased costs of equipment.
- With the 10% increase \$128.785 million is available within the Equipment and Modification service (EMS) budget for 2023/2024.

The role of Whaikaha

- The Ministry is committed to improving the way disability support services are provided, to improve outcomes for disabled people, tāngata whaikaha Māori and whānau and to advance societal change that will lead to a non-disabling Aotearoa New Zealand
- Whaikaha commissions and contracts service providers to allocate funding and supports for disabled people

Changes to how people can use Flexible Funding

- Whaikaha is making changes to its Purchasing Rules to clarify how people can use their disability support funding
- The changes do not reduce the amount of funding that individuals may be allocated, but clarifies what can be purchased
- These changes will take effect on Monday 18 March and will be in place while Whaikaha works through how this funding may be used in future.

Equipment and Modification Services (EMS):

- EMS includes equipment such as wheel-chairs, customised standing frames, customised seating systems, adjustable beds, communication devices, and housing and motor vehicle modifications for disabled people
- These services are a valued support and assist disabled people to live as independently and safely as possible.
- Whaikaha is introducing prioritisation to the way they fund equipment and modification EMS. This will ensure that people who have the highest priority for EMS receive it first.



Brian Coffey
Private Secretary – Disability Issues Portfolio | Office of Hon Penny Simmonds

Minister for Disability Issues | Environment | Tertiary Education & Skills |
Associate Minister for Social Development & Employment

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From: Sarah s9(2)(a)
To: MaES requests (WHAIKAHA); Emma Williams
Cc: Disability Issues Portfolio; s9(2)(a) @parliament.govt.nz
Subject: Commissioning: WQ - 27 question(s) released to Minister - Due 12pm Monday 25 March
Date: Tuesday, 19 March 2024 11:23:59 am

Kia ora koutou,

We just received 27 new WPQs. All have been asked by Labour Priyanca Radhakrishnan. I haven't looked at them in great detail so please let me know if you think there are any whaikaha can't draft a response for.

Due please Monday 12pm Monday 25 March.

From: Written Questions <xxxxxxxxxxxxxxxx@xxxxxxxxxx.xxx.xx>

Sent: Tuesday, March 19, 2024 11:14 AM

To: Sarah s9(2)(a) @parliament.govt.nz>

Subject: WQ - 27 question(s) released to Minister

Reply 3136 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What medium to long term plans will the Minister adopt to ensure the financial stability of the disability support system?

[3136 \(2024\)](#)

Reply 3137 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What conversations, if any, has the Minister had with the Finance Minister about increasing Whaikaha's budget to deal with the increasing pressure across the disability support system?

[3137 \(2024\)](#)

Reply 3138 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: In light of a recent comment by Whaikaha on their Facebook page, what other "difficult decisions" are they making "in response to the increasing pressure across the disability support system"?

[3138 \(2024\)](#)

Reply 3139 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: Does the change to Purchasing Rules and Equipment and Modification Services implemented and announced by Whaikaha on 18 March 2024 mean that the funding can only be used for full time carers; if so, will more carers be recruited and how will this recruitment be funded?

[3139 \(2024\)](#)

Reply 3140 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: How many carers are there across New Zealand and how many carers receive carer support through Whaikaha?

[3140 \(2024\)](#)

Reply 3141 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What does the changes to Purchasing Rules and Equipment and Modification Services implemented and announced by Whaikaha on 18th March 2024 mean for families who receive carer support through Te Whatu Ora?

[3141 \(2024\)](#)

Reply 3142 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What assurance can the Minister provide the disability sector that narrowing the funding criteria for the Purchasing Rules and Equipment and Modification Services will support improved living and wellbeing standards for people that rely on that funding?

[3142 \(2024\)](#)

Reply 3143 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What is the process that will be followed to determine what expense is deemed a necessary part of supporting the disabled person while the full-time carer is taking a break?

[3143 \(2024\)](#)

Reply 3144 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What advice, if any, has the Minister received about the changes made to the Purchasing Rules and Equipment and Modification Services announced on 18 March 2024, prior to agreeing to these changes?

[3144 \(2024\)](#)

Reply 3145 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: Do the changes to Purchasing Rules and Equipment and Modification Services announced on 18 March align with the Enabling Good Lives Approach; if so, how?

[3145 \(2024\)](#)

Reply 3146 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: How will the changes to Purchasing Rules and the Equipment and Modification Services announced and implemented on 18 March reflect needs assessments that have already taken place prior to the change?

[3146 \(2024\)](#)

Reply 3147 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: Will the changes to the Purchasing Rules and Equipment and Modification Services announced on 18 March result in a change to the criteria for needs assessment?

[3147 \(2024\)](#)

Reply 3151 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet Committee during the week beginning Monday 4 March 2024, by Cabinet Committee, title and date?

[3151 \(2024\)](#)

Reply 3149 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What consultation, if any, took place prior to the changes in the Purchasing Rule and Equipment and Modification being implemented on 18th March 2024, by organisation name or individual name and date?

[3149 \(2024\)](#)

Reply 3148 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet Committee during the week beginning Monday 19 February 2024, by Cabinet Committee, title and date?

[3148 \(2024\)](#)

Reply 3153 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet Committee during the week beginning Monday 26 February 2024, by Cabinet Committee, title and date?

[3153 \(2024\)](#)

Reply 3150 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet Committee during the week beginning Monday 11 March 2024, by Cabinet Committee, title and date?

[3150 \(2024\)](#)

Reply 3152 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet Committee during the week beginning Monday 12 February 2024, by Cabinet Committee, title and date?

[3152 \(2024\)](#)

Reply 3154 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet Committee during the week beginning Monday 5 February 2024, by Cabinet Committee, title and date?

[3154 \(2024\)](#)

Reply 3155 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet Committee during the week beginning Monday 29 January 2024, by Cabinet Committee, title and date?

[3155 \(2024\)](#)

Reply 3156 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet during the week beginning 12 March 2024, by title and date?

[3156 \(2024\)](#)

Reply 3159 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet during the week beginning 19 February 2024, by title and date?

[3159 \(2024\)](#)

Reply 3157 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet during the week beginning 4 March 2024, by title and date?

[3157 \(2024\)](#)

Reply 3158 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet during the week beginning 26 February 2024, by title and date?

[3158 \(2024\)](#)

Reply 3160 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet during the week beginning 12 February 2024, by title and date?

[3160 \(2024\)](#)

Reply 3161 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet during the week beginning 29 January 2024, by title and date?

[3161 \(2024\)](#)

Reply 3162 (2024) has been released

Portfolio: Disability Issues (Hon Simmonds)

Due: 27 Mar 2024

Question: What Cabinet papers, if any, did the Minister take to Cabinet during the week beginning 5 February 2024, by title and date?

[3162 \(2024\)](#)

From: s9(2)(a)
To: [Emma Williams](#)
Subject: FW: AM Meeting with the Disability Rights Commissioner 21 March 2024 [URGENT]
Date: Wednesday, 20 March 2024 2:06:30 pm
Attachments: [AM Meeting with the Disability Rights Commissioner 21 March 2024.docx](#)

Sorry - forgot to include you...

-----Original Message-----

From: Mark s9(2)(a)
Sent: Wednesday, March 20, 2024 2:05 PM
To: MaES requests (WHAIKAHA) <xxxxxxxxxxxxx@xxxxxxxx.xxxx.xx>
Cc: Sarah s9(2)(a) @parliament.govt.nz
Subject: AM Meeting with the Disability Rights Commissioner 21 March 2024 [URGENT]

Hi - please see Jasmine's comment on p6. Can you please provide key points on the Purchasing guidelines changes and include them adjacent to the EMS points on p2. Deadline 3pm today

Your message is ready to be sent with the following file or link attachments:

AM Meeting with the Disability Rights Commissioner 21 March 2024.docx

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



Aide-mémoire

Date: 20 March 2024

For: Hon Penny Simmonds, Minister for Disability Issues

File reference: REP/WHK/24/3/029

Security level: In confidence

Meeting with the Disability Rights Commissioner

Details

11:00 am – 11:30am, Thursday 21 March 2024, Parliament G.026

Attendees

Human Rights Commission (Te Kāhui Tika Tangata)

- Prudence Walker, Disability Rights Commissioner (Te Kaihautū Tika Hauātanga)
- Fs9(2)(a) As9(2)(a), Senior Advisor Disability Rights

Key contact

Js9Ds9(2)(a), Executive Assistant to the Disability Rights Commissioner

- Phone: s9(2)(a)
- Email: s9(2)(a)

Purpose

This is your first meeting with the Disability Rights Commissioner. This meeting is an opportunity to discuss the Commissioner's priorities and your priorities as Minister for Disability Issues. Talking points are attached as **Appendix one**.

Background

The Disability Rights Commissioner is a position within the Human Rights Commission, which works to promote and protect the rights of disabled and tāngata whaikaha Māori New Zealanders.

Prudence Walker

Commissioner Walker was appointed to her role as Disability Rights Commissioner in 2022 having previously been Chief Executive Officer of the Disabled Persons Assembly

(DPA) New Zealand, a not-for-profit pan-impairment Disabled People's Organisation run by and for disabled people.

Independent Monitoring Mechanism

The Human Rights Commission, the Disabled People's Organisations (DPO) Coalition and the Office of the Ombudsman comprise the Independent Monitoring Mechanism (IMM). The IMM was Gazetted in 2011 to protect, promote, and monitor New Zealand's implementation of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and reports on progress made to realise the UNCRPD to the New Zealand public and the United Nations Committee on the Rights of Persons with Disabilities.

Key issues and advice

Commissioner Walker has raised several issues for discussion, many of which cross-over multiple Ministerial portfolios.

As your meeting is for half an hour, Commissioner has highlighted the following topics as priorities for discussion:

- your Ministerial priorities
- implementing the 2022 Concluding Observations
- material hardship experienced by disabled people
- violence and abuse of disabled people.

Talking points on your priorities are outlined in Appendix one.

Other priority areas the Commissioner identified in a letter to you dated 11 December 2023 are included as **Appendix two**.

The Commissioner may also raise the announcements this week on the Purchasing Rules and Equipment and Modification Services (EMS). Bullet points on this topic follow.

EMS - PRIORITISATION

- From Monday, 18 March Whaikaha is introducing a prioritisation approach to the way equipment and modification EMS services are funded. This is to ensure that people who have the highest priority for EMS receive it first.
- Equipment and Modification (EMS) services are a valued support and assist disabled people and tāngata whaikaha Māori to live as independently and safely as possible.
- EMS services currently support more than 100,000 people a year.
- To ensure we continue to meet the needs of as many people as possible, EMS assessors must ensure that the most cost-effective solutions are considered and recommended.
- EMS Assessors and Providers are working together to ensure all requests for funding meet the eligibility criteria.
- Whaikaha is working with Equipment and Modification Service (EMS) assessors and allied health teams to put in place prioritisation measures.

Implementing the 2022 Concluding Observations

As part of the IMM, the Disability Rights Commissioner has a key interest in the Government's response to the Concluding Observations (recommendations) made by the United Nations Committee on the Rights of Persons with Disabilities on how New Zealand could further its implementation of the UNCRPD.

The previous Government agreed a high-level response to progress 51 of the 60 Concluding Observations, and that a Cabinet Paper would be provided by 1 December 2023 to provide an update on implementation progress. This report-back was subsequently moved by the Cabinet Office to 30 April 2024, given Government 100-day priorities. This date may change pending advice to you in the coming weeks.

You've noted in your portfolio priorities letter to the Prime Minister you intend on developing the next New Zealand Disability Strategy by 2026, and that there is scope for the next Strategy to be focused on a smaller set of priorities with a more targeted set of actions to achieve concrete, tangible gains. You also indicated that in parallel to the development of the next Disability Strategy, you will progress a small number of actions focused on tangible gains for disabled people.

The next Disability Action Plan (DAP) is due for renewal and may therefore provide a vehicle to further develop some of the concluding observations in the short-term. Whaikaha is developing advice on the concluding observations agreed to by the previous government could be included in a work programme in the short-term via a new DAP, and which may need to be considered as part of the development of the next Disability Strategy.

Commissioner Walker may indicate disappointment that the original report-back approach may be modified.

Material hardship experienced by disabled people

Most (74 percent¹) disabled people would like to work if a job is available to them. Disabled people experience additional barriers² to employment, and significantly poorer employment and income outcomes than non-disabled people. A breakdown of key employment and income statistics is attached as **Appendix three**.

In November 2023, MSD and Whaikaha Chief Executives met with DPA to discuss how they could work together to support better employment outcomes for disabled people. The following actions were agreed at the meeting.

¹ *Working Matters – Disability Employment Action Plan (2020)*

² Additional costs for disabled people to travel to work, employer bias, workplace inaccessibility, impacts of work on ongoing government supports received, and disabled people may be hesitant to declare an impairment or accessibility needs during the recruitment process.

MSD is planning cross-agency work with the DPA, MSD, Whaikaha, the Ministry for Business, Innovation and Employment, the Ministry of Education, and organisations that support disabled people in employment. This work will review active labour market policies (subject to that work programme being confirmed by the incoming Government).

Whaikaha will bring the DPA into the work Whaikaha is undertaking with the Public Service Commission on the Foundational four-point plan³.

Differences in support available through government systems

An ongoing issue raised by the disability community is the difference in support available for people accessing the welfare, disability support, and ACC systems. It is of concern to the disability community that assessments for support differ across agencies and that access to some supports may disqualify people from services provided by other agencies. It is argued that this creates confusion in navigating support services, results in some people not receiving supports they are entitled to and may put people in financial hardship.

Public health, disability and welfare systems provide needs-based services to ensure an equitable base standard of care paid for out of general taxation.

While MSD assistance is income-tested (and is impacted by partner income), some Whaikaha-funded assistance is not income-tested.

In contrast, the ACC Scheme works to provide fair and sustainable compensation for loss of earnings caused by a result of accident. The social contract foundation compensates a person for the loss they have experienced in return for relinquishing the right to sue. Entitlements are paid for mainly by specific levies on employers, earners, and motorists.

Minimum Wage Exemption

The Minimum Wage Act 1983 enables disabled people to receive a rate of pay that is lower than the minimum wage rate. The UN Committee on the Rights of Persons with Disabilities has recommended the government repeal section 8 of the Minimum Wage Act 1983 and ensure persons with disabilities are paid on the principle of equal pay for work of equal value.

Violence and abuse experienced by disabled people

There has been limited research published on violence and abuse experienced by disabled people in New Zealand. Available research shows:

³ This plan works to embed opportunities for tāngata whaikaha Māori and disabled people in the Public Service by:

- Improving the visibility of and information about disabled people in the public service.
- Increasing the number of disabled people in the public service
- Improving accessibility for disabled people in the public service
- Identifying inequities.

- Disabled people are three times more likely than their non-disabled peers to experience violence or abuse committed by a family member.
- 40% of disabled women have experienced violence or abuse in their lifetimes.
- Disabled adults were significantly more likely than non-disabled adults to have been subject to sexual assault in their lifetime (30% compared with 24%)⁴. This means that disabled adults were about 25% more likely to have experienced sexual assault than other adults.

National Strategy to Eliminate Family Violence and Sexual Violence (Te Aorerekura)

Whaikaha has taken the lead role for Action 28: *Implement safeguarding responses for disabled and vulnerable adults*. This action recognises the prevalence of violence against disabled people is not a disability issue but often a family violence issue.

In Budget 2023, \$6.11 million was made available over 4 years to increase access to specialist supports through the Waitematā Safeguarding response and expand the initiative to other localities, while also supporting improved access to mainstream family violence and sexual violence services. Whaikaha plans to expand the Waitematā approach to a second dedicated area in 2024/25.

Also in Budget 2023, MSD received \$3.42 million to establish a time limited, contestable fund to support MSD-funded family violence and sexual violence providers to better meet the accessibility needs of disabled people and tāngata whaikaha Māori.

Next steps

Your office may wish to consider scheduling regular meetings with the Disability Rights Commissioner. Previous Ministers have met with the Commissioner 3-4 times per year.

End

Author: Alan Ryan, Senior Advisor, Partnerships and Stewardship Group

Responsible manager: Sheryl Pinckney, Group Manager, Partnerships and Stewardship

⁴ New Zealand Crime and Victims Survey 2022

From: Sarah s9(2) [Emma Williams](#)
To: [Emma Williams](#)
Subject: FW: DRAFT PR - Re: Whaikaha - the Ministry of Disabled People
Date: Wednesday, 20 March 2024 9:56:20 am
Attachments: [Outlook-5s5hvk0.png](#)

From: s9(2)(a) @parliament.govt.nz>
Sent: Wednesday, March 20, 2024 9:55 AM
To: Sarah s9(2)(a) @parliament.govt.nz>
Subject: Fwd: DRAFT PR - Re: Whaikaha - the Ministry of Disabled People

s9(2)(a)

Ministerial Advisor | Office of Hon Penny Simmonds

Minister for Minister for Disability Issues | Environment | Tertiary Education & Skills

Associate Minister for Social Development & Employment

s9(2)(a)

Email: s9(2)(a) [@parliament.govt.nz](#) Website: [www.Beehive.govt.nz](#)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

Authorised by Hon Penny Simmonds, Parliament Buildings, Wellington

From: s9(2)(a) [x@xxxxxxxxxx.xxxx.xx](#)>
Sent: Wednesday, March 20, 2024 9:45:31 AM
To: s9(2)(a) [@parliament.govt.nz](#)>; s9(2)(a) [@parliament.govt.nz](#)>; s9(2)(a) [@parliament.govt.nz](#)>
Cc: s9(2)(a) [@parliament.govt.nz](#)>; Penny Simmonds [<xxxxx.xxxxxxxx@xxxxxxxxxx.xxxx.xx>](#)
Subject: DRAFT PR - Re: Whaikaha - the Ministry of Disabled People

**DRAFT Hon Penny Simmonds
Minister for Disability Issues**



20th March 2024

DRAFT

“Whaikaha - the Ministry of Disabled People has taken urgent steps to manage a forecast budget overrun in the disability support appropriation says Minister for Disability Issues Penny Simmonds.

“This is not a reduction to the budget – the same budget is available now as was agreed in July 2023. The equipment and modification budget has been increased by 10% this financial year to take the budget to \$128.78 million.

“Simmonds says the changes that are being undertaken as of Monday are to manage forecast over-runs in the flexible support budget and the equipment and modification budget.

“The flexible support budget is used by families to purchase disability supports. The change to this budget is to ensure the supports being funded are providing direct support for the disabled person.

“The change to the equipment and modification budget is to ensure equipment and property/motor vehicle modifications are prioritised to those with the greatest need said Simmonds.

“Flexibility remains as an important principle within the use of disability budgets, but it needs to be fair, and to managed consistently across the system.

“The changes to the purchasing guidelines reflect the need for greater consistency while balancing the personal circumstances and needs of disabled people.

“Parents will still be able use the support budget to pay for within region travel +
MORE TO COME FROM WHAIKAHA SOON

“I acknowledge that consultation was lacking, while the Ministry was able to brief some key community leaders before implementing the changes it has not been possible to consult as widely or in the way the Ministry usually would.

“While responding to the current budget issue Whaikaha will continue its work with disabled people, their families, and others in the disability community, to develop a disability support system that is sustainable and progresses the vision and principles of Enabling Good Lives.

ENDS

Key Information for PMO

Changes to the Purchase Rules for flexible funding and introduction of prioritisation of Equipment and Modification Services

Context

- Whaikaha commissions disability support services for almost 50,000 people and funds equipment and home and vehicle modifications for approximately 100,000 people.
- Demand for disability support services, and the cost of delivering those services, is increasing year on year
- The budget for disability support services was increased for the 2023/24 year, including by 10 percent to manage increases in demand for supports and the increased costs of equipment.
- With the 10% increase \$128.785 million is available within the Equipment and Modification service (EMS) budget for 2023/2024.

The role of Whaikaha

- The Ministry is committed to improving the way disability support services are provided, to improve outcomes for disabled people, tāngata whaikaha Māori and whānau and to advance societal change that will lead to a non-disabling Aotearoa New Zealand
- Whaikaha commissions and contracts service providers to allocate funding and supports for disabled people

Changes to how people can use Flexible Funding

- Whaikaha is making changes to its Purchasing Rules to clarify how people can use their disability support funding
- The changes do not reduce the amount of funding that individuals may be allocated, but clarifies what can be purchased
- These changes will take effect on Monday 18 March and will be in place while Whaikaha works through how this funding may be used in future.

Equipment and Modification Services (EMS):

- EMS includes equipment such as wheel-chairs, customised standing frames, customised seating systems, adjustable beds, communication devices, and housing and motor vehicle modifications for disabled people
- These services are a valued support and assist disabled people to live as independently and safely as possible.
- Whaikaha is introducing prioritisation to the way they fund equipment and modification EMS. This will ensure that people who have the highest priority for EMS receive it first.

Notes on fiscals:

Whaikaha Ministry of Disabled People is forecasting a budget overspend of between \$50 million and \$65 million (2% to 3%) in 2023/24. Whaikaha is undertaking a range of measures to address the potential for overspend.

Disability supports are funded by a fixed annual appropriation; however, the allocation of the supports is devolved and demand-driven.

The disability supports administered by Whaikaha Ministry of Disabled People, face immediate cost pressures driven by some factors specific to disability. These include:

1. Growth in the number of people supported (of just over 3,000 disabled people each year).
2. Increases in the cost of residential care (which is approximately half of the disability services budget)
3. Changes in the role of families in providing care.

4. Greater uptake of supports where there have been increases to the flexibility of funding.

There are also pressures caused by wider environmental factors, outside of the control of Whaikaha Ministry of Disabled People, that impact on disability supports:

5. The aging population in New Zealand.

6. Changes to the costs of labour.

7. The impact of general inflation and wider economic conditions including supply chain disruption and exchange rate changes.

The Ministry has stood up a programme of work focussed on achieving fiscal sustainability, which is taking steps to address the immediate overspend risk and to implement longer-term financial practices. The prioritisation of equipment and modification services and Purchasing Rules are two changes in the broad programme, and are not intended, on their own, to remedy the overspend.

Q&A

CURRENTLY BEING PREPPED

From: [Emma Williams](#)
To: [Brian Coffey](#); [s9\(2\)\(a\) @parliament.govt.nz](#); [s9\(2\)\(a\) @parliament.govt.nz](#); [Brian Coffey](#); [Nathan Schofield](#)
Cc: [ELT_Whaikaha \(WHAIKAHA\)](#); [MaES_requests \(WHAIKAHA\)](#); [Alexander van Wel](#); [Lucy Hall](#)
Subject: MoF talking points: Urgent commissioning - One pagers for cabinet
Date: Monday, 25 March 2024 10:45:38 am
Attachments: [20240325 Talking points for Minister of Finance regarding Whaikaha.docx](#)
Importance: High

IN-CONFIDENCE

Kia ora

Please find attached the back pocket talking points for MoF.

Nathan Schofield is sending to Tsy to get to MoF.

Ngā mihi,

Emma Williams (she/her)

Manager, Ministerial and Executive Services

Whaikaha | Ministry of Disabled People

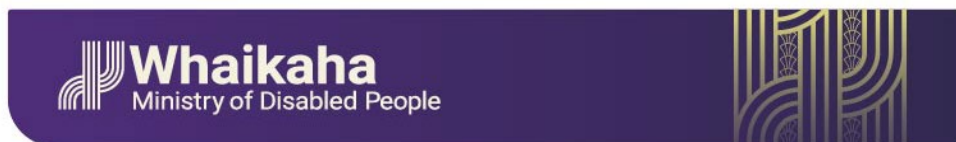
s9(2)(a)

[@whaikaha.govt.nz](mailto:s9(2)(a)@whaikaha.govt.nz)

www.Whaikaha.govt.nz



Scan for
NZSL name



[GIF image of the logo and email signature banner of the Ministry]

**Me he aka rātā ka tipu tahi, ka puāwai tahi kia tū kaha i ngā hihi ō
Tamanuiterā.**

Like the rātā vines growing together and flourishing to stand strong in the warmth of the sun.

From: Brian Coffey [s9\(2\)\(a\) @whaikaha.govt.nz](#)>
Sent: Sunday, 24 March 2024 1:22 pm
To: [ELT_Whaikaha \(WHAIKAHA\) <xxxxxxxxxxxx@xxxxxxxx.xxxx.xx>](#)
Cc: [MaES_requests \(WHAIKAHA\) <xxxxxxxxxxxx@xxxxxxxx.xxxx.xx>](#); [Emma Williams s9\(2\)\(a\) @whaikaha.govt.nz](#); [s9\(2\)\(a\) @parliament.govt.nz](#); [s9\(2\)\(a\) @parliament.govt.nz](#)
Subject: Urgent commissioning - One pagers for cabinet
Importance: High

IN-CONFIDENCE

Kia ora

Talking points for Minister of Finance regarding Whaikaha

- Whaikaha - Ministry of Disabled People is at high risk of breaching its 23/24 appropriation due to a forecast overspend against its budget for this year.
- The overspend is driven by demand and cost growth that exceeds that forecast at Budget 2023 and is evident across many of the services and supports funded by Whaikaha. Since 2008, the population receiving Disability Support Services has increased from about 32,000 to almost 50,000. Growth has accelerated, with the net increase in people supported per annum at about 2500-3500 additional people each year since Whaikaha was established.
- In the face of the forecast overspend, Whaikaha requires within-year funding to ensure it can continue to provide critical disability supports.
- Cabinet has agreed to provide within-year funding to meet the forecast deficit.

Flexible Funding Purchasing Rules

- Recently, Whaikaha made changes to the use of its Flexible Funding Purchasing Rules as the scope of what could be funded and purchased had grown beyond the original scope of the fund, and the level of growth was financially unsustainable.
- The demand for disability support services has been significant, and we expect this to continue to increase. Changes will still be required, even with this funding decision.
- The flexible funding changes ensure prioritisation of spend towards those things that directly benefit disabled people, and to maintain confidence that disability support funding is being used for the purpose it was allocated for.
- Changes to the Flexible Funding Purchasing Rules will need to remain in place until further work can be undertaken on the long-term settings for these supports.
- Given the pressure on disability support services funding, some changes to the flexible purchasing rules may be required on a permanent basis to ensure integrity and affordability of the supports, and greater equity across the system.

- Family carers play an incredibly valuable role, in the lives of disabled people and some of the changes to the level of flexibility has particularly affected them.
- Whaikaha has committed to engaging in a more meaningful way with the disability community on the systems level changes required to create a fiscally sustainable approach for the longer term, that is fair and easy to understand and enables disabled people the opportunity to have choice and control over the disability supports they access.

From: [MaES_requests \(WHAIKAHA\)](#)
To: [Brian Coffey; Brian Coffey; s9\(2\)\(a\) @parliament.govt.nz](#)
Cc: [MaES_requests \(WHAIKAHA\)](#)
Subject: FW: Urgent commissioning - number one (another to follow for Hayley, already discussed)
Date: Thursday, 28 March 2024 11:30:46 am
Attachments: [image003.png](#)
[MaES Memorandum Template.docx](#)

IN-CONFIDENCE

Kia Ora

Please find attached information requested this morning.

Ngā mihi,

Emma Williams (she/her)

Manager, Ministerial and Executive Services

People

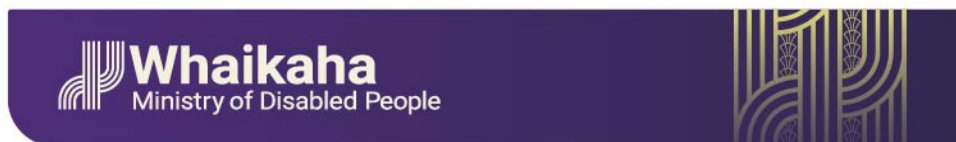
s9(2)(a)

[@whaikaha.govt.nz](#)

[www.Whaikaha.govt.nz](#)



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Tamanuiterā.**

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warmth of the sun.

From: Brian Coffey [s9\(2\)\(a\) @whaikaha.govt.nz](#)>

Sent: Thursday, 28 March 2024 10:19 am

To: Amanda Bleckmann [s9\(2\)\(a\) @whaikaha.govt.nz](#)>

Cc: MaES_requests (WHAIKAHA) <[@xxx](#)>; Emma Williams

<[s9\(2\)\(a\) @whaikaha.govt.nz](#)>; [s9\(2\)\(a\) @parliament.govt.nz](#);

[s9\(2\)\(a\) @parliament.govt.nz](#); ELT_Whaikaha (WHAIKAHA)

<[@xxx](#)>

Subject: Urgent commissioning - number one (another to follow for Hayley, already discussed)

IN-CONFIDENCE

Kia ora team

Very sorry to be doing urgent commissioning the Thursday before Easter, but here we go:

1. Please provide a statement that describes the evidence for flexible funding being used for the range of purchases listed in column three below.

For context: Public statements have been made like

"Whaikaha has informed that they have received information from providers that disability funding has been spent on massages, pedicures, overseas travel"

Some suggested wording to assist in the statement: "The evidence behind the need for limiting the use of flexible funding on "Overseas travel, accommodation, and other more sensitive expenditure such as self-care services such as massages, hairdressers, pedicures accessed as part of Carer Support or IF respite is:

•

Timing ... by 11.00 a.m. 28/03/24. Amanda has been alerted to this.

Limit flexibility within Individualised Funding and personal budgets by limiting purchasing options in particular categories to prohibit certain purchases.

Some types of purchases, particularly sensitive expenditure items, that can be made using flexible supports will be limited while we address some design issues in the use of flexible funding. (REP/WHK/24/2/018 refers)

As advised, Whaikaha is implementing pauses on the following uses of flexible funding:

- Overseas travel, accommodation, and other more sensitive expenditure
- Self-care services such as massages, hairdressers, pedicures accessed as part of Carer Support or IF respite.
- Beneficial activities or items that do not obviously address how family care responsibilities limit opportunities to otherwise participate in that activity.
- The purchase of items such as consumer electronics, sporting or recreation goods, which families might otherwise provide for.

By mid-April 2024 Communications with the sector about these changes will occur earlier than this date

1.

Ngā mihi

Brian Coffey ([he/him](#))

Chief Advisor to the Chief Executive

Whaikaha | Ministry of Disabled People

Whaikaha.govt.nz





Memorandum

Date: 28 March 2024

For: Hon Penny Simmonds, Minister for Disability Issues

Security level: In confidence

Evidence for Expenditure Limitations

Purpose

You have requested information on the sources of evidence that Whaikaha had available to support the need to limit the uses of flexible funding.

Executive summary

Whaikaha limited the following uses of flexible funding:

- Overseas travel, accommodation, and other more sensitive expenditure
- Self-care services such as massages, hairdressers, pedicures accessed as part of Carer Support or IF respite.
- Beneficial activities or items that do not obviously address how family care responsibilities limit opportunities to otherwise participate in that activity.
- The purchase of items such as consumer electronics, sporting or recreation goods, which families might otherwise provide for.

The evidence for each of these limitations came from the following sources:

- Analysis of spending data.
- Flexible Funding recipients directly contacting Whaikaha where Individualised funding Hosts had declined requests that were considered sensitive expenditure.
- Concerns raised directly with Whaikaha by Providers, including Individualised Funding and Choice in Community Living Hosts and Needs Assessment and Service Coordination organisations on what funding was actually being spent on.
- Feedback from directly from the community.

Recommendations

It is recommended that you:

- a) Note the contents of this memorandum

Noted

Amanda Bleckmann

Deputy Chief Executive, Commissioning, Design and Delivery

28 March 2024

Author: John Wilkinson, Principal Policy Analyst, Policy

Responsible manager: Amanda Bleckmann, Deputy Chief Executive, Commissioning, Design and Delivery

From: [MaES_requests \(WHAIKAHA\)](#)
To: [Brian Coffey](#); [Brian Coffey](#); [s9\(2\)\(a\) @parliament.govt.nz](#); [s9\(2\)\(a\) @parliament.govt.nz](#)
Cc: [MaES_requests \(WHAIKAHA\)](#); [Emma Williams](#)
Subject: FW: Flexible Funding
Date: Thursday, 28 March 2024 12:26:00 pm
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Kia ora

Further information as requested from Amanda.

Ngā mihi,

Emma Williams (she/her)

Manager, Ministerial and Executive Services

[eople](#)
[s9\(2\)\(a\) @whaikaha.govt.nz](#)
[www.Whaikaha.govt.nz](#)



[GIF image of the logo and email signature banner of the Ministry]

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Tamanuiterā.**

Like the rātā vines growing together and flourishing to stand strong in the
warmth of the sun.

From: Amanda Bleckmann [s9\(2\)\(a\) @whaikaha.govt.nz](#)>
Sent: Thursday, 28 March 2024 12:25 pm
To: Emma Williams <[s9\(2\)\(a\) @whaikaha.govt.nz](#)>
Cc: Brian Coffey [s9\(2\)\(a\) @parliament.govt.nz](#)>; MaES_requests (WHAIKAHA)
<[xxxxxxxxxxxxx@xxxxxxxx.xxxx.xx](#)>
Subject: Flexible Funding

IN-CONFIDENCE

Hi Emma, please see below

Source Host Provider

Below is a snapshot of some of the items that have been purchased under respite.



Personal Budgets

Category	Sum of Spent	Count of Category
Accommodation	41245.75	52
AfterPay	2990.32	53
Air Fare	29933.39	35
Bank Payment	641554.01	4054
Bank Transfer	92450.22	1205
Bill Payments	219166.59	797
Cleaning Services	52945.88	467
Entertainment	15112.72	274
Fee	5463.67	184
Gas Station	38178.92	566
Gym & Fitness	25943.29	319
Healthcare	39576.89	195
Lotto	882.96	28
Misc	2046890.25	11102
SuperMarket	24387.23	409
Takeout	13625.81	356
Tax	2569.89	387
Taxi & travel	35218.91	1013
Therapy	128566.03	1045
Wages	981254.28	1673
Cash	20527.6	128
Various Respite	69808.02	523
Telecommunications	5465.11	84
Alcohol & Tobacco	3412.23	61
Retail Purchases & Items	194584.55	719
Grand Total	4731754.52	25729

IF Respite

Row Labels	Sum of Amount	% Total
Contract Care & Wages	\$ 11,910,280	37%
Miscellaneous	\$ 6,026,394	19%
Travel, Taxi & Parking	\$ 5,954,309	18%
Computers & Tech	\$ 1,461,032	5%
Therapeutic Items & Services	\$ 1,279,350	4%
item	\$ 1,083,576	3%
Accomodation	\$ 972,070	3%
Gym & Fitness	\$ 577,673	2%
Entertainment	\$ 540,315	2%
Meals	\$ 466,033	1%
Lessons	\$ 339,355	1%
Subscriptions, Passes & Memberships	\$ 302,549	1%
Bike	\$ 288,079	1%
Airfares	\$ 244,970	1%
Recognition	\$ 236,411	1%
Admin Costs	\$ 177,061	1%
Spa Pool	\$ 123,225	0%
Cleaning	\$ 84,528	0%
Petrol	\$ 78,105	0%
Bonus	\$ 40,867	0%
assistant animals	\$ 36,401	0%
Groceries	\$ 15,559	0%
Training	\$ 14,232	0%
Modification	\$ 12,641	0%
Internet & Telecommunications	\$ 10,294	0%
Healthcare	\$ 8,030	0%
Health products	\$ 3,565	0%
Grand Total	\$ 32,286,907	100%

IF- HCSS

Row Labels	Items	Total Value	% of Total Value
ACC Levies	12	\$ 1,841.90	0.01%
Accomodation	195	\$ 110,279.25	0.35%
Admin Costs	1350	\$ 424,821.89	1.36%
Airfares	52	\$ 43,907.72	0.14%
Assistant Animals	46	\$ 10,159.31	0.03%
Bonus	647	\$ 230,424.45	0.74%
Cleaning	867	\$ 157,460.56	0.50%
Computers & Tech	533	\$ 395,087.54	1.27%
Contract Care & Wages	35882	\$ 26,011,915.58	83.39%
Entertainment	605	\$ 59,406.74	0.19%
Groceries	473	\$ 16,531.44	0.05%
Gym & Fitness	272	\$ 51,009.30	0.16%
Health products	103	\$ 7,792.24	0.02%
Healthcare	14	\$ 17,740.19	0.06%
Internet & Telecommunications	107	\$ 6,639.40	0.02%
Item	420	\$ 1,003,152.00	3.22%
Lessons	23	\$ 6,320.63	0.02%
Meals	1438	\$ 74,891.20	0.24%
Misc Respite	117	\$ 51,953.78	0.17%
Miscellaneous	331	\$ 110,780.91	0.36%
Modification	23	\$ 170,062.95	0.55%
Petrol	278	\$ 33,104.73	0.11%
Recognition	398	\$ 116,306.05	0.37%
Subscriptions, Passes & Memberships	128	\$ 14,040.87	0.05%
Therapeutic Items & Services	742	\$ 248,877.98	0.80%
Training	122	\$ 32,706.26	0.10%
Travel, Taxi & Parking	19070	\$ 1,786,750.26	5.73%
Grand Total	64248	\$ 31,193,965.13	100.00%

Ngā manaakitanga

Amanda Bleckmann ([pronoun she/her](#))

Deputy Chief Executive

Commissioning, Design and Delivery

Whaikaha – Ministry of Disabled People

s9(2)(a) [@whaikaha.govt.nz](mailto:s9(2)(a)@whaikaha.govt.nz) | Whaikaha.govt.nz

I work flexible hours, if this email arrives in your inbox outside of your working hours, I do not expect you to read, take action or respond until you are next at work and able to respond.



Me he aka rātā ka tipu tahi, ka puāwai tahi kia tū kaha i ngā hihi ō Tamanuiterā.

Like the rātā vines growing together and flourishing to stand strong in the warmth of the sun.

From: Brian Coffey


Sent: Thursday, 28 March 2024 1:11 PM

To: s9(2)(a) @parliament.govt.nz; s9(2)(a)

@parliament.govt.nz>

Subject: FW: flexible purchases

Out of scope



Out of scope

IN-CONFIDENCE

You can edit as you wish, but this is more context.

The Purchasing Rules were introduced to provide disabled people and family carers flexibility to purchase support that works for them, in their specific context.

Over time, particularly carer support and flexible respite funding have been used with an increasingly broad interpretations of 'sustaining the carer in their role'.

Some of these purchases have recognised that effective support of the disabled person, including psychological services, speech language services, services that work with young people who have both intellectual disability and mental illness, and the purchases of items that support disabled children to self-regulate, are an effective way to reduce the need for more intensive breaks.

However, this use of flexibility enables access to services that for the general public are subject to limited availability due to fiscal constraints within the public health, social development and education systems. Whaikaha has become concerned that use of flexibility for these services may undermine general efforts within government to work within fiscal limits.

Arguments have been made that hairdressing appointments and other appearance services can be part of supporting often solo carers to have time for themselves, spend time with other adults, and achieve a sense of wellbeing.

We have recorded evidence through providers of the range of purchases that are occurring, with access to pedicures, hairdresser appointments, and massages at the extreme end of the continuum.

Whaikaha considers it is not clear that paying these expenses is necessary to overcome any barrier to undertaking these activities arising from having care responsibilities.

The same can also be said of domestic or overseas travel costs for families and individual disabled people, where the cost of alternative care is not sought.

In the grey area between these kinds of investments have been gym memberships for family carers, sporting and recreation goods that are used for carers undertaking physical lifting work to maintain their fitness and ability to physically provide care safely.

While there is perhaps a stronger argument for these kinds of expenditure, fundamentally Whaikaha believes these cannot be considered a high priority at a time when some family carers must wait for essential equipment such as wheelchairs or equipment necessary to do lifting safely to be provided.

This has contributed to pressure on the disability support budget, creating the need for a pause and tightening of the rules, to managed immediate budget pressures and to ensure that money appropriated for disability support is spent on the highest priority uses at this time.

Snapshot

-

Here is the first view of spending based on an analysis of the last 6 months of spending data for s9(2)(ba)(i) -

We have analysed 25729 bank transaction records and have categorised the majority of them.

The pivot below shows the \$ total value and also the number of records in each of the categories.

I have described some of the categories below where they need some explanation.

There are still many Misc items that lack enough details/particulars to categorise quickly and will require a lot more time to continue to categorise.

Category	Sum of Spent	Count of Category
Accomodation	41245.75	52
AfterPay	2990.32	53
Air Fare	29933.39	35
Bank Payment	641554.01	4054
Bank Transfer	92450.22	1205
Bill Payments	219166.59	797
Cleaning Services	52945.88	467
Entertainment	15112.72	274
Fee	5463.67	184
Gas Station	38178.92	566
Gym & Fitness	25943.29	319
Healthcare	39576.89	195
Lotto	882.96	28
Misc	2046890.25	11102
SuperMarket	24387.23	409
Takeout	13625.81	356
Tax	2569.89	387
Taxi & travel	35218.91	1013
Therapy	128566.03	1045
Wages	981254.28	1673
Cash	20527.6	128
Various Respite	69808.02	523
Telecommunications	5465.11	84
Alcohol & Tobacco	3412.23	61
Retail Purchases & Items	194584.55	719
Grand Total	4731754.52	25729

Categories Defined:

- Bank Payments: are bank transfers to organisations or people we cannot identify or categorise
- Healthcare: are various items like pharmacy costs and charges and health related costs that are not Therapies
- Cash: are transactions that we can clearly identify as Cash Withdrawals
- Retail Purchases & Items: are various retail and hardware store purchases (e.g. Harvey Norman, Mitre 10, etc)
- Bill Payments: are various payments for services (e.g. Electricity, etc)

From: [Emma Williams](#)
To: s9(2)(a)
Cc: [Paula Tesoriero](#); [Disability Issues Portfolio](#); [MaES requests \(WHAIKAHA\)](#)
Subject: Proactive OIA release - briefings to Minister for Disability Issues
Date: Monday, 22 April 2024 11:55:13 am
Attachments: [6. Second tier BIM Safeguarding and Quality 2023.pdf](#)
[4. Disability Support Services REP-WHK-23-11-007.pdf](#)
[5. Background on the approach to scoping the Review of Eligibility for Disability Support Services.pdf](#)
[1. Briefing - Changes to EMS and flexible funding to manage Whaikaha expenditure.pdf](#)

IN-CONFIDENCE

Kia ora s9(2)(a)

Further to Trish's phone conversation this morning with Paula Tesoriero, please find attached the unsigned briefings to be included in the OIA proactive release.

Please let me know if there is anything else you require.

Ngā mihi,

Emma Williams (she/her)

Manager, Ministerial and Executive Services

Whaikaha | Ministry of Disabled People

s9(2)(a)

[@whaikaha.govt.nz](mailto:s9(2)(a)@whaikaha.govt.nz)

www.Whaikaha.govt.nz



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Ministry of Disabled People

[GIF image of the logo and email signature banner of the Ministry]

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Tamanuiterā.**

Like the rātā vines growing together and flourishing to stand strong in the warmth of the sun.

From: [Disability Issues Portfolio](#)
To: [MaES requests \(WHAIKAHA\)](#); [Emma Williams](#)
Cc: [Brian Coffey](#); [Disability Issues Portfolio](#)
Subject: Commissioning: Meeting Advice - Midcentral Governance Group - Due 12pm 1 May 2024
Date: Wednesday, 17 April 2024 3:50:29 pm
Attachments: [image001.png](#)

Kia Ora koutou

Can I please commission Meeting / Invite Advice for the request below that the Minister has received:

Type of request: meeting

Name of Organisation / Individual: MidCentral Governance Group

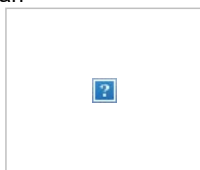
Proposed date (if known): unspecified

Topics they wish to discuss with the Minister, or wish the Minister to talk about: discuss concerns following the recent announcements (see below email for details of concerns)

Deadline to return Meeting Request Advice to the Minister's office: **12pm 1May 2024**

Ngā mihi

Sarah



Sarah s9(2)
Private ry – **Disability Issues Portfolio** | Office of Hon Penny Simmonds
Minister for Disability Issues | Environment | Tertiary Education & Skills |
Associate Minister for Social Development & Employment
s9(2)(a) [parliament.govt.nz](#)
website: [www.beehive.govt.nz](#)
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

From: s9(2)(a)
Sent: Saturday, 6 April 2024 7:38 pm
To: Paula Tesoriers s9(2)(a) [whaikaha.govt.nz](#)>
Cc: s9(2)(a)
Subject: Disability changes

Dear Minister for Disability Issues,

The Midcentral Governance Group which provides community oversight in conjunction with the Director of Mana Whaikaha over the delivery of disability support services in our region is compliant with a system transformation response to the Community Enabling Good Lives approach. As a Governance Group we have an obligation to make recommendations to you on what is working well and what is not.

In light of the recent announcements we are inviting you to attend a meeting where we can discuss the following concerns.

Our first concern is being the lack of contact with us before this decision was made.

We are aware that it might not have completely changed the direction you talk but without input we believe the response could have been less traumatic and together we could have co-designed solution that retained the integrity of Enabling Good Lives.

Our position as a Governance group is to maintain the integrity of Enabling Good Lives and all it stands for. By excluding us from this decision and not using the process put in place has caused mistrust and unrest wear some if not most of that could have been avoided.

Even though this is after the fact, consultation may avoid further disruption and disharmony among the disabled community. We do realise budget cuts are necessary, that if our community had been approached our Community would have been able to consider priorities to skim what they can themselves, and areas that may cause less disruption. Giving people the explanation, Choice and control allows them the ability to make decisions over their own lives which is as you are aware one of our principles.

Another concern is the adverse effect on the mental and emotional well being placed upon individuals and families. We know al Health system cannot take an influx of more people at its door. There is also a concern of greater violence within families and community when supports our disrupted, some of the most vulnerable people will not reach out but act out. Hence why we have individualised funding and Personal Budgets to work with the Enabling Good Lives approach specifically meeting the needs of the people. Our budget are not one hat fits All, they are carefully planned to give the best support for those in need on the criteria that personally suits them best, for well-being, safety and leading towards more productive, purposeful, meaningful and independent good lives

.Our governance Group is made up of disabled people, Family members, Pacifica, Mana Whenua and providers and includes a member from the Union with a wealth of knowledge between us . With this in mind we believe it would be strongly recommended to meet with us to try and repair some of the damage that has been done and build a

relationship back to the people of our disabled Community you have been charged as a duty by yourCoalition Government to support.

We respectfully Wait for your response.

s9(2)(a)

Enabling Good Lives

Disability Core Group

Regional leader

Acting Chair

Governance Group

Mid Central

Palmerston North

s9(2)(a)

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From: [MaES_requests \(WHAIKAHA\)](#)
To: [Brian Coffey; ELT_Whaikaha \(WHAIKAHA\)](#)
Cc: [Ginny Baddeley; Carmela Petagna; s9\(2\) \[redacted\] @parliament.govt.nz; Emma Williams; Disability Issues Portfolio](#)
Subject: Daily report on implementation of clarifications
Date: Tuesday, 23 April 2024 5:00:00 pm
Attachments: [2024.04.23 Daily Report \(002\).docx](#)
Importance: High

Kia ora

Please find today's briefing on implementation of clarifications attached.

Let me know if there are any queries.

Ngā mihi,

Emma Williams (she/her)

Manager, Ministerial and Executive Services

Whaikaha | Ministry of Disabled People

s9(2)(a)

[@whaikaha.govt.nz](#) [www.Whaikaha.govt.nz](#)



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Tamanuiterā.**

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From: Brian Coffey [s9\(2\)\(a\) \[redacted\] @parliament.govt.nz](#)>
Sent: Monday, April 22, 2024 9:44 AM
To: MaES_requests (WHAIKAHA) <[@xx \[redacted\]](#)>
Cc: Emma Williams [s9\(2\)\(a\) \[redacted\] @whaikaha.govt.nz](#)>; Ginny Baddeley <[s9\(2\)\(a\) \[redacted\] @xx \[redacted\]](#)>; Carmela Petagna [s9\(2\)\(a\) \[redacted\] @whaikaha.govt.nz](#)>; [s9\(2\)\(a\) \[redacted\] @parliament.govt.nz](#)
Subject: Daily report on implementation of clarifications

Kia ora

In follow up to this morning's CMM meeting.

Please provide a daily (by 4.00 p.m.) update on implementation of the Clarification Implementation Plan.

Bullet points informing on the actions on the plan implemented each day – Monday, Tuesday, Wednesday, Friday.

Ginny/Carmela to take the lead?

A summary of any "reactions/responses".

Any emerging risks/issues and approach to be taken.

Ngā manaakitanga

Brian Coffey

Private Secretary – Disability Issues Portfolio | Office of Hon Penny Simmonds

Minister for Disability Issues | Environment | Tertiary Education & Skills |
Associate Minister for Social Development & Employment

[s9\(2\)\(a\) \[redacted\]](#)

[s9\(2\)\(a\) \[redacted\] @parliament.govt.nz](#)

Website: [www.Beehive.govt.nz](#)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand



Tuesday 23 April 2024

Daily Report for the Minister: 22-24 April 2024

Progress update on the release of clarifications to the Purchase Rules – due for website release 9.00 am 24 April 2024

<p>What happened today</p>	<p>Briefings commenced today at 8.30 am with key external stakeholders being invited to meetings as a pre-briefing on clarifications to the Purchase Rules. Immediately prior to each meeting, three key documents were shared, to form the basis of the discussion. Meetings held (or email communications sent) included:</p> <ul style="list-style-type: none"> • Strategic advisory groups (including the Transformation Board, Insights Alliance, the CEO Forum) • Peak Bodies (NZDSN, HCHA, NZNASCA, Carers NZ) • IF Hosts • NASCs • Choice in Community Living providers • DIAS providers • Te Whatu Ora carer support payments team <p>All were advised to keep the material confidential, given public release is planned for 9.00 am 24 April 2024.</p>
<p>How did it go?</p>	<p>All parties welcomed the advance notice, and additional time to digest the information shared, prior to public release.</p> <p>There is a need to maintain active engagement with our provider network, and strategic</p>



	<p>networks in the next few weeks as questions continue to be raised and we support our providers and partners to understand the intent and application of the Purchase Rules.</p> <p>Some common themes raised today at the various meetings included:</p> <ul style="list-style-type: none"> • What is funded by other Government Departments; • Ensuring consistency of application and decision-making is occurring; • Many focussed on how they will more meaningfully be engaged to inform the longer term settings for flexible funding.
<p>What is happening tomorrow?</p>	<p>Tomorrow the material is being placed on the external website at 9.00 am, with a cover website story.</p> <p>Our comms team has prepared some potential reactive media statements should they be required.</p> <p>No public / media releases are planned, and no dissemination on social media, although the social media channels will be monitored as part of our BAU.</p>

From: [Brian Coffey](#)
To: [MaES_requests \(WHAIKAHA\)](#)
Cc: [s9\(2\)](#) [@parliament.govt.nz](#); [Amanda Bleckmann](#); [Emma Williams](#); [Carmela Petagna](#); [John Wilkinson](#)
Subject: Change of due date from 26.4.24 to 3.05.24
Date: Wednesday, 24 April 2024 10:11:19 am
Attachments: [questions about disability supports and services.docx](#)

Kia ora Whaikaha

Please note that the due date for this information is now back to 3 May 2024, not 26 April 2024.

Thanks

Ngā manaakitanga

Brian Coffey

Private Secretary – Disability Issues Portfolio | Office of Hon Penny Simmonds

Minister for Disability Issues | Environment | Tertiary Education & Skills |

Associate Minister for Social Development & Employment

[s9\(2\)\(a\)](#)

[parliament.govt.nz](#)

website: [www.Beehive.govt.nz](#)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

From: Brian Coffey

Sent: Thursday, April 18, 2024 12:26 PM

To: MaES_requests (WHAIKAHA) <xxxxxxxxxxxx@xxxxxxxx.xx>

Cc: Sarah [s9\(2\)\(a\)](#) [@parliament.govt.nz](#); Amanda Bleckmann [s9\(2\)\(a\)](#) [@whaikaha.govt.nz](#);

Emma Williams [s9\(2\)\(a\)](#) [@whaikaha.govt.nz](#); Carmela Petagna [s9\(2\)\(a\)](#) [@whaikaha.govt.nz](#)

Subject: questions about disability supports and services.docx

Kia ora Whaikaha

Commissioning information by close of play 26 April. The information below and attachment provides detail on what is required.

Basically, the task is:

- Check the answers already provided to the questions – change, add to, replace.
- Provide a response to the questions where we have not been able to provide information or we don't have the full information (four questions)

This will most likely need to be responded to by Commissioning Design and Delivery., hence Carmela and Amanda copied in.

The "top 20 question" will need some thought on how best to present. I have made some suggestions.

Ngā manaakitanga

Brian Coffey

Private Secretary – Disability Issues Portfolio | Office of Hon Penny Simmonds

Minister for Disability Issues | Environment | Tertiary Education & Skills |

Associate Minister for Social Development & Employment

[s9\(2\)\(a\)](#)

[parliament.govt.nz](#)

website: [www.Beehive.govt.nz](#)

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

Information request

Please see below some questions from the Minister's office.

I have been able to respond to most of the questions by cutting and pasting from recent papers, but there are still some gaps. Please check the responses provided and change, add information if required.

Please provide information or additional information on the following questions:

- What proportion of requests for support and funded items are declined?
- What proportion of overall funding goes to the person with disabilities vs carers?
- What proportion of overall funding goes to the person with disabilities vs carers?
- How does Whaikaha contract for service delivery? How much \$\$, what services, how many providers etc
- In addition to a broad understanding as above, I'd like (anonymised) information describing the circumstances of the top 20 households who receive most funding from Whaikaha please. The reason I would like this is with other agencies I have found asking for information in this format sheds valuable light on the extreme need some of our families are facing. Happy to provide more detail if needed.

This may best be answered through the "top 20" accessing (a) forensic services (b) residential services (c) community based supports.

Key anonymised information – impairment, family/whanau context, age, gender, ethnicity, additional challenges, length of time known to the system, employment status, the counter factual (if not this support/investment what other support/service

would be required..

I'm not sure if you have an existing briefing paper that explains it, but the kind of things I'd like to "Can you please help me get my head around how the funding for people with disabilities works currently?"

- Eligibility for funding and or support services – how is this currently decided?
- What's the process to become eligible for funding?
- How do we decide how much support a particular individual requires?
- All the different pools of funding and what they cover
- What proportion of requests for support and funded items are declined?
- What support is available for carers and from which allocations?
- What proportion of overall funding goes to the person with disabilities vs carers?
- I assume this funding isn't taken into account for MSD's 'income' purposes.. and what's the correlation between disability or caring for a person with disabilities and benefit receipt?
- All about respite, what's available, how is that accessed? Is there a set amount of time each year?
- How does Whaikaha contract for service delivery? How much \$\$, what services, how many providers etc

In addition to a broad understanding as above, I'd like (anonymised) information describing the circumstances of the top 20 households who receive most funding from Whaikaha please. The reason I would like this is with other agencies I have found asking for information in this format sheds valuable light on the extreme need some of our families are facing. Happy to provide more detail if needed.