

**QLDC Council
3 May 2018****Report for Agenda Item: 2****Department: Corporate Services****Adoption of new QLDC Disability Policy****Purpose**

The purpose of this report is to present the new QLDC Disability Policy and request Council adoption of this policy.

Recommendation

That the Council:

1. **Note** the contents of this report; and
2. **Adopt** the Disability Policy as a Council policy.

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18/04/2018

Background

- 1 While QLDC has adopted 'best practice', QLDC does not currently have a disability policy that can be used to guide decision-making for internal and external programmes.
- 2 The key principles for the development of a disability policy were approved by the Community and Services Committee on 2 November 2017. These include three sets of principles acknowledged by the New Zealand Disability Strategy 2016-2026:
 - Te Tiriti o Waitangi (The Treaty of Waitangi)
 - United Nations Conventions on the Rights of Persons with Disabilities
 - Ensuring disabled people are involved in decision-making that impacts them.

3 The other guiding principles QLDC will adhere to are:

- Recognise the diverse needs of disabled people and acknowledge that disabled people are experts in their own experience.
- Recognise the need to provide all people with equity of opportunity and access.
- Ensure that quality standards and safety are maintained and barriers to access are removed.
- Maintain an ongoing partnership with disabled people built on mutual trust and respect.

4 The Community and Services Committee approved the Draft Disability Policy for public consultation on 7 December 2017.

Comment

Disability Policy

5 The disability policy presented with this report sets goals and measurable actions for creating an inclusive and enabling society, by removing barriers to participation for disabled people living in and visiting our community.

6 The policy goals in the disability policy are:

Policy Goal 1: QLDC will enable the participation of disabled people in QLDC's service design, planning and decision making process.

Policy Goal 2: QLDC will demonstrate an understanding of the lived experience of disabled people.

Policy Goal 3: QLDC communicates inclusively for disabled people.

Policy Goal 4: QLDC delivers or funds events that are inclusive of disabled people.

Policy Goal 5: QLDC public infrastructure is increasingly accessible to disabled people.

Policy Goal 6: QLDC facilities are accessible to disabled people and QLDC leases are actively encouraged to adhere to similar standards.

Policy Goal 7: QLDC will promote the development of a resilient community that includes disabled people, with a particular focus on emergency events.

Policy Goal 8: QLDC will demonstrate leadership as a good employer and contract manager that aims to build a diverse workforce, whilst providing a safe and accessible working environment.

Consultation and engagement

7 Given the nature of this policy, it was deemed critical that a stakeholder group supported the development of the first draft of the Disability Policy.

The Executive Leadership Team then reviewed the Draft Disability Policy and provided comment.

- 8 The group's comments were taken into account in the Draft Disability Policy provided to the Community and Services Committee on 7 December 2017.
- 9 The Draft Disability Policy was available for public comment via the QLDC website from 12 December 2017 to 16 February 2018. Those commenting were also offered the opportunity to give feedback in person rather than via the online form if preferred. Drop-in sessions were hosted at the Queenstown and Wanaka libraries during January 2018.
- 10 The consultation process received 20 comments on the policy from community organisations, advocacy groups, District Health Boards, local authorities and individual members of the community. Key points raised via these comments were:
 - All generally supportive of the policy.
 - A few suggested wording changes, in particular to strengthen the intent of some actions.
 - The document needs to be less wordy and use more images ("easy read").
 - Wanted more clarity around the timeline for the actions.
 - Emphasised the need for ongoing engagement with disabled people in relation to implementation of the policy goals.
- 11 Consideration of the comments prompted some changes to the Draft Disability Policy. The updated policy and feedback were presented to the Community and Services Committee in March 2018, and socialised with the wider organisation.

Next steps

- 12 If the Council adopts this Disability Policy, an Easy Read version of the policy will be produced alongside the standard version of the policy. Both documents will be published on the QLDC website by 31 May 2018. Easy Read is a recognised way of presenting information that is easier for people with a learning disability to understand.
- 13 The Disability Policy will be adopted by QLDC staff and implemented in all work programmes.

Options

- 14 It is recommended that the Council adopts the Disability Policy or directs staff to make changes to the policy.

Significance and Engagement

- 15 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because of its positive impact upon affected parts of the community.

Risk

- 16 This matter relates to the strategic risk SR1 as documented in the Council's risk register. The risk is classed as low. This matter relates to this risk because it mitigates the risk of failing to meet the current and future needs of the affected members of the community.

Financial Implications

- 17 The policy does not explicitly require any immediate expenditure directly, although its evolution and application will need to be factored in future work programmes. Such implications will be assessed by subject matter experts during the Annual Plan process.

Local Government Act 2002 Purpose Provisions

- 18 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by catering for the needs of disabled people within the community;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

Consultation: Community Views and Preferences

- 19 The persons who are directly affected by or interested in this matter are disabled people within the community, their support networks and advocates. It will also affect all other residents, ratepayers and businesses within the District.
- 20 The Council have engaged and consulted with disabled people in the community in the creation and finalisation of the disability policy.

Attachments

- A QLDC Disability Policy (final v1.0 18/03/2018)

Disability Policy



Policy Statement

1. Queenstown Lakes District Council (QLDC):
 - will support and advocate for the development of a more inclusive and diverse community;
 - will respond to the needs of disabled people living in and visiting our district, with a focus on removing barriers to their full participation in our community;
 - and acknowledges and respects the diversity within the disability community and recognises the value it adds to our community.

Policy Scope

2. This Disability Policy sets goals and measurable actions for creating an inclusive and enabling society, by removing barriers to participation for disabled people living in and visiting our community.
3. Disabled people make up 26 % of the population of Otago and Southland, which is higher than the national average.¹ With increasing ageing populations in New Zealand and worldwide there will also be more disabled people travelling and making a contribution to our local tourism industry. This policy provides an overview of current disability issues within New Zealand and our response to those issues.
4. This policy acknowledges the New Zealand Disability Strategy 2016-2026 as a guiding document for improving the lives of disabled people.

¹ Statistics New Zealand Disability Survey; 2013.

5. The vision of the New Zealand Disability Strategy 2016-2026 is:

“New Zealand is a non-disabling society – a place where disabled people have an equal opportunity to achieve their goals and aspirations, and all of New Zealand works together to make this happen.”

6. This policy acknowledges the contribution disabled people can and do make to the cultural, social and economic life of our community. “Future economic growth of the country has the potential to be constrained by skill and labour shortages. The low employment rates of disabled people represent a significant loss of potential contribution to New Zealand’s economy.”² This policy aims to support the development of genuinely inclusive environments in which people can participate and contribute, on an equal basis, free of barriers.
7. This policy has adopted the social model of disability which acknowledges that all people are unique individuals, and that disability arises from the interaction between people living with impairments and the physical, attitudinal, communication and social barriers they face in their environment. People can experience disability in different ways depending upon age, gender, ethnicity, impairment and many other factors. The social model of disability aims to remove the barriers that prevent disabled people from participating and contributing to community life.
8. Barriers are obstacles that make it difficult – or sometimes impossible – for disabled people to fully participate in life. Barriers usually develop because the needs of disabled people are not considered. “It is something that happens when the world we live in has been designed by people who assume that everyone is the same.”³

² New Zealand Disability Strategy 2016-2026, Office for Disability Issues, p. 15.

³ New Zealand Disability Strategy 2016-2026, Office for Disability Issues.

9. Barriers may be visible or invisible. There are many different types of barriers, for example:
 - **Attitudinal barriers** may result in disabled people being treated differently than non-disabled people.
 - **Informational and communication barriers** arise when a disabled person cannot easily receive and/or understand information that is available to others.
 - **Systemic barriers** in policies, practices and procedures result in disabled people being treated differently than others or sometimes excluded altogether.
 - **Physical and architectural barriers** occur in the environment and prevent access for disabled people.
10. QLDC is committed to delivering high quality services that satisfy the needs and expectations of all of our community. As a local authority responsible for building and managing key public assets (e.g. roads, parks, community facilities) and delivering essential services (e.g. building and resource consents, community event facilitation, emergency management) QLDC can play an important role in reducing barriers.

Strategic Context

11. The Council's vision for the district is outlined within the QLDC Ten Year Plan 2018-28 as "Vibrant Community, Enduring Landscapes, Bold Leadership".
12. This policy contributes significantly to the achievement of the Ten Year Plan vision, most specifically in the achievement of the following community outcomes:
 - Inclusive for Everyone
 - Effective and Efficient Community Facilities
 - Effective and Efficient Infrastructure
 - Good standard of Living and Wellbeing
 - Appropriate Public Access
 - Resilient and prepared for civil defence and emergency events.

13. Further detail about the QLDC strategic framework can be found within the Ten Year Plan 2018-28.

Guiding principles

14. This policy acknowledges the New Zealand Disability Strategy 2016-2026 as a guiding document for improving the lives of disabled people.
15. This policy is aligned with the New Zealand Disability Strategy 2016-2026 in its acknowledgement of three sets of principles which “will help make sure the disabled community is visible, acknowledged and respected on an equal basis with others, and that disabled people can live a life with dignity and feel valued”.⁴

The three sets of principles are⁵:

a. **Te Tiriti o Waitangi (The Treaty of Waitangi)**

Partnership: Māori and the Crown have a relationship of good faith, mutual respect and understanding, and shared decision-making.

Participation: the Crown and Māori will work together to ensure Māori (including whānau, hapū, iwi and communities) participate at all levels of decision-making. This includes the right to seek opportunities for self-determination and self-management.

Protection: the Crown actively contributes to improving the wellbeing of Māori, including support for independent living and the protection of Māori property and identity, in accordance with Māori values. Māori have the same rights and privileges as other citizens.

⁴ New Zealand Disability Strategy 2016-2026, Office for Disability Issues, p.6

⁵ New Zealand Disability Strategy 2016-2026, Office for Disability Issues, p.16-19

b. United Nations Convention on the Rights of Persons with Disabilities

- i. Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
- ii. Non-discrimination
- iii. Full and effective participation and inclusion in society
- iv. Respect for difference and acceptance of disabled people as part of human diversity and humanity
- v. Equality of opportunity
- vi. Accessibility
- vii. Equality between men and women
- viii. Respect for the evolving capacities of disabled children and respect for the right o disabled children to preserve their identities.

- c. Ensure disabled people are involved in decision-making that impacts them and acknowledge that disabled people are experts in their own lives.

16. QLDC will also adhere to the following guiding principles:

- Recognise the diverse needs of disabled people and acknowledge that disabled people are experts in their own experience.
- Recognise the need to provide all people with equity of opportunity and access.
- Ensure that quality standards and safety are maintained and barriers to access are removed.
- Maintain an ongoing partnership with disabled people built on mutual trust and respect.

Key Terms

17. There are many words and terms that are used to identify disability and at present there is no consensus on this within the disability community. This policy will use specific terms proposed within the New Zealand Disability Strategy 2016-2026 when referencing disability. This is based on advice from the New Zealand

Disability Strategy Revision Reference Group and in recognition of the history of the term in the 2001 Strategy.

18. Recommended terms include:

- a. **Disability:** The loss or limitation of opportunities to take part in society on an equal level with others due to social and environmental barriers. Disabled people include: "...those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others..."⁶
- b. **Disabled people:** A group or community of people with disabilities.
- c. **Impairment:** An injury, illness, or congenital condition that causes or is likely to cause a loss or difference of physiological or psychological function. Impairments can be both physically apparent and 'hidden'.
 - i. **Physical:** Reduced physical capacity, which for example affects mobility, strength, or balance.
 - ii. **Sensory:** Impairment of the senses (mostly commonly sight and hearing).
 - iii. **Mental Illness:** A mental health condition arising from continuous or intermittent disorders related to thinking, feeling, volition or behaviour.
 - iv. **Intellectual:** Permanently impaired learning ability (usually from birth) which prevents or inhibits people from developing the range of physical and social skills usually found in a person of that age.
 - v. **Neurodevelopmental:** Neuropsychiatric problems or impaired motor function, learning, language or non-verbal communication, e.g. Autism spectrum disorders; dyslexia; dyspraxia.
 - vi. **Age-related:** Physical, sensory, intellectual, disability or mental illness related to the onset of old age. This includes chronic conditions which can affect younger people, for example stroke, but which are more often found amongst older people.

⁶ United Nations Convention on the Rights of Persons with Disabilities, Article 1.

- d. **Access/Accessibility/Barrier-free:** These terms all refer to the removal of barriers, whether they are attitudinal or environmental, which increases the opportunity for disabled people to participate in the community.
- e. **Non-disabling:** Removing the barriers in society that disable people with impairments. This is more meaningful than 'enabling', which only helps disabled people get around barriers rather than remove them completely."⁷

QLDC's Role

19. The Council has the following strategic roles:

- **Advocate** – QLDC is responsible for advocating for access and equity issues as they relate to disabled people. QLDC recognises that self-advocacy is the strongest and most effective form of advocacy and will support advocacy groups accordingly.
- **Partner** – QLDC will support and consolidate the efforts of the wide range of groups and individuals actively involved in advocating on disability issues.
- **Planner** – QLDC has a key role in defining future development of the district in relation to buildings (including commercial, community and housing), road network, cycleways, parks, gardens, reserves and footpaths. It plays a key role in promoting sustainable development that sustains a diverse community and is barrier free.
- **Regulator** – QLDC has a regulatory function to ensure that quality standards and safety are maintained and barriers to access are removed.
- **Provider**- QLDC is a key provider of facilities and services including libraries, sport and recreation facilities, community halls, advisory and infrastructure services.
- **Leader** – QLDC displays leadership in relation to issues affecting disabled people and will lead by example.
- **Employer** – QLDC is a major employer in the District and will ensure provision of a fair and equitable workplace. QLDC will maximise the benefits that a diverse workforce can bring.

⁷ New Zealand Disability Strategy 2016-2026, Office for Disability Issues, p.11

Policy Goals and Actions

20. This policy provides goals and actions for Queenstown Lakes District Council (QLDC) to achieve a non-disabling community:

Policy Goal 1

QLDC will enable the participation of disabled people in QLDC's service design, planning and decision making process.

Actions:

- a. Consult, include and inform in accordance with the QLDC Significance and Engagement Policy.

Policy Goal 2

QLDC will demonstrate an understanding of the lived experience of disabled people.

Actions:

- a. Build staff disability awareness into the QLDC competency framework.

Policy Goal 3

QLDC communicates inclusively for disabled people.

Actions:

- a. Ensure the QLDC website continues to meet government web standards for accessibility.
- b. Develop QLDC Brand Guidelines that include guidance about reflecting community diversity in the branding/images used by QLDC.
- c. Ensure public documents and policy take into account the Disability Policy.
- d. Remove barriers wherever possible, to democratic processes i.e. consultation and voting.

Policy Goal 4

QLDC delivers or funds events that are inclusive of disabled people.

Actions:

- a. Any events funded by QLDC must confirm that they will make all efforts to ensure the event is accessible to disabled people as either a participant, spectator or employee. QLDC will consider this information during the assessment of funding applications.
- b. Any events delivered by QLDC as the event organiser must be accessible to disabled people as either a participant, spectator or employee.

Policy Goal 5

QLDC public infrastructure is increasingly accessible to disabled people.

Actions:

Work towards:

- a. Produce an online and hardcopy disability access map showing all accessible carparks, public toilets and public facilities in the District.
- b. Consider the ease of an accessible journey when commuting, in relation to the provision of appropriate accessible public toilets, public transport, parking and drop off points.
- c. Develop a quick-reference fact sheet that outlines disability requirements within QLDC infrastructure, building and development standards. Review these standards for any gaps.
- d. Review monitoring of building and resource consent standards in relation to accessibility to ensure standards are being met.
- e. Consider a process for providing temporary disability parking permits for those who experience temporary impairments.

Policy Goal 6

QLDC facilities are accessible to disabled people and QLDC leases are actively encouraged to adhere to similar standards.

Actions:

- a. Consider the accessibility of current QLDC community facilities and significant parks and reserves.

- b. Ensure that new facilities and services developed by QLDC are accessible to disabled people.
- c. Ensure all active and passive recreation programmes delivered by QLDC are accessible to disabled people.
- d. Work towards ensuring that all QLDC facilities have clear accessibility signs.

Policy Goal 7

QLDC will promote the development of a resilient community that includes disabled people, with a particular focus on emergency events.

Actions:

- a. Ensure that the CDEM Welfare Group is taking the needs of disabled people into account in planning emergency response provisions.
- b. Support the development of community leaders within the disabled community to enable their contribution to building community resilience.
- c. Solicit input from the disability community in the development of emergency response provisions.

Policy Goal 8

QLDC will demonstrate leadership as a good employer and contract manager that aims to build a diverse workforce, whilst providing a safe and accessible working environment.

Actions:

- a. Develop a QLDC HR Diversity and Inclusion Policy.
- b. Develop procurement guidelines to ensure best practice when engaging contractors and suppliers, in relation to Disability Policy.

All new policies and strategies will be reviewed by the Corporate Services Team to ensure due consideration has been given to the Guiding Principles of the Disability Policy.

Consultation and Stakeholder Management

QLDC will consult and inform in accordance with the QLDC Significance and Engagement Policy.

Monitoring Performance

A biennial paper will be produced and reported through the Community and Services Committee, providing a progress update on the action items identified in this policy.

Policy review

This policy will be subject to biennial review and ratification by the Community and Services Committee.

Related Legislations and Documents

This policy relates to the following legislation:

- Human Rights Act 1993

This policy relates to the following live documents:

- Annual Plan 2017/18

And the following draft documents currently under development

- Ten Year Plan 2018-28 – DRAFT
- HR Disability and Inclusion Policy (QLDC Internal Policy) – DRAFT
- QLDC Disability and Inclusion Strategy – TBD 2018/19