# The Whaikaha - Ministry of Disabled People logo which includes a QR code to the Whaikaha New Zealand Sign language name.

# Whaikaha summary and response to the ‘Review for Whaikaha of policies, processes, and practices for managing complaints about IDEA Services Limited’

## Whaikaha Summary and background to the review

This is a summary of the IDEA Services review. We are not the authors of the IDEA Services review, but this summary is authored by Whaikaha.

In March 2023 Whaikaha – Ministry of Disabled People – commissioned a review of the policies, processes and practices for managing complaints about IDEA Services Limited.

The review was commissioned in response to information we had become aware of about the standard of disability support services provided by IDEA Services, including its engagement with the people IDEA Services supports, and their whānau.

We commissioned Independent Barrister Rachael Schmidt-McCleave to review the policies, processes, and practices for managing complaints about IDEA Services Limited’s contracted delivery of disability support services.

Whaikaha did not ask the reviewer to make any findings or recommendations about any of the individual complaints or concerns.

The review process included a series of engagements with family, whānau and carers, extensive reviews of written material provided by IDEA Services and Whaikaha; and engagements with other agencies including the Health and Disability Commission, and people involved with the Royal Commission of Inquiry in Abuse in Care.

We received the Final Report on 19 October 2023. On 27 October 2023 we published the report and a statement from Amanda Bleckmann, Deputy Chief Executive for Commissioning, Design and Delivery on our website.

You can find the full report on our website under [Cabinet Papers and information Releases | Whaikaha - Ministry of Disabled People](https://www.whaikaha.govt.nz/about-us/corporate-publications/cabinet-papers/#scroll-to-1) or here <https://tinyurl.com/3vvdw954>.

You can find the news item here: [Whaikaha welcomes review into policies, processes, and practices for managing complaints | Whaikaha - Ministry of Disabled People](https://www.whaikaha.govt.nz/news-and-events/news/whaikaha-welcomes-review-into-policies-processes-and-practices-for-managing-complaints/) or at <https://tinyurl.com/kfsrtr3t>.

## Whaikaha Statement from Amanda Bleckmann, Deputy Chief Executive for Commissioning Design and Delivery

Whaikaha welcomes the report into the processes and practices for managing complaints about the delivery of disability support services by IDEA Services.

The process has been thorough, and I particularly want to acknowledge the whānau who have contributed to the review by sharing their stories.

Our highest priority is the safety and wellbeing of disabled people, and we take our responsibilities to disabled people receiving disability supports through Whaikaha funded providers seriously.

Disabled people should receive the support they need in a way that respects their rights, dignity and autonomy. We will continue to listen to the experience of the people we are here to serve.

We sought recommendations about the role Whaikaha should take in responding to complaints about the disability service providers we fund. We accept all the recommendations that relate to our role.

We also asked for advice on whether IDEA Services’ complaints processes and its approach to responding to complaints was appropriate. We will be working with IDEA Services to strengthen processes and practices for managing complaints.

We would also like to acknowledge the cooperation of IHC and IDEA Services, and the other agencies who have participated in this process.

We commit to continuing to work collaboratively with IDEA services, our other service providers and the disabled communities to rebuild trust. We all want to see improved experiences of disabled people and their family supported through IDEA and other Whaikaha funded providers, as a result of this review.

## About the scope of review

When Whaikaha commissioned the Review, we asked for recommendations about the role Whaikaha should have in responding to complaints and issues raised by the community about services funded by Whaikaha. The following scope of review outlines our instructions for the reviewer.

There are some words used in the review that might be unfamiliar to you. We have used some of these words in our summary.

The review mentions natural justice principles. These are legal concepts that are designed to make sure you are treated fairly.

The review also mentions the steps in the Outcome Agreement.
An Outcome Agreement is an agreement between the purchasing agency, or funder, of services, in this case Whaikaha, and the provider of the services. It describes the outcomes to be achieved; the services the Provider will provide to contribute towards achieving that Outcome; and a performance measurement framework to assess the provision of the Services, and whether the Services have contributed towards achieving the Outcomes.

### Scope of the review

The following paragraph is taken directly from the review.

Given the nature and number of issues, the volume of material and correspondence, and the range of perspectives, I instruct you to review the information provided by Whaikaha and IDEA, or obtained by you in the course of the Review, and to advise us on the following:

**(a)** Outline what Whaikaha’s role should be in responding to concerns about complaints raised by the community about services they receive from IDEA Services (or other contracted service providers), and how Whaikaha’s role interacts with IDEA’s (or other service providers), and other agencies, who also have roles in responding to concerns and complaints raised, such as the Health and Disability Commissioner.

**(b)** In what circumstances should action be taken by Whaikaha when a person raises issues, they have about IDEA Services (or other contracted service providers), and what action is appropriate?

**(c)** After considering the information, whether IDEA Services’ complaints processes and its approach to responding to complaints about its contracted delivery of disability support services is appropriate with regard to the contractual obligations outlined in the Outcome Agreement and Service Specifications and if not, what steps Whaikaha should take to ensure that IDEA Services’ complaints processes are appropriate?

**(d)** After considering the information, whether Whaikaha’s processes and approach to responding to complaints about IDEA Services’ contracted delivery of disability support services is appropriate and if not, what steps Whaikaha should take to ensure it is appropriate.

## Recommendations

The Report has recommendations for Whaikaha, IDEA Services and for other providers funded by Whaikaha.

Whaikaha has accepted all the reviews recommendations as they relate to our role.

### Summary of Recommendations

Overall recommendation: Whaikaha and IDEA work together to rebuild the trust of the community.

**1**. Whaikaha shares its standard operating procedure for managing complaints with service providers to ensure complete understanding of processes of both funder and providers.

**2**. The provider engagement and management tool used by some Whaikaha Portfolio Managers is mandated for use by all Portfolio Managers in consultation with the appropriate person at each provider. The Contract Management Plan should cover the issues set out in the body of this report.

**3**. The Contract Management Plan should also be reflected in a public document that sets out not just what providers can expect in their relationship with Whaikaha but sets out clearly what disabled people and their whānau can expect.

**4**. Whaikaha needs to set its [Quality] framework out in writing, including how natural justice considerations will be met, reflecting the steps in the Outcome Agreement, and working in collaboration with service providers. This document would necessarily have to be drafted so that all parties meet their obligations under the Health and Disability Commission Code of Rights, including with respect to the right to privacy and the right to informed consent in particular cases where a complainant has requested confidentiality.

**5**. Whaikaha to set up good ways of recording keeping and filing.

**6**. Commitment from both parties to regular meetings occurring both for contractual management/relationship matters and matters relating to quality and service users. These regular meetings be expanded to enable a broader range of information sharing about matters specific to IDEA, as well as to broader matters within the sector. Serious concerns are to be raised within those meetings unless there is a matter of urgency.

**7**. The ongoing work between the two organisations, and the broader sector, in relation to critical incident reporting, and the complaints register work already begun, continue on a collaborative basis.

**8**. Whaikaha to implement a documented process for service providers to raise issue with regard to any of policies, processes and practices which affect that service provider. Because of the everyday relationships which need to be preserved, that process needs to have independence from the Chief Executive and the Portfolio Manager and officials who deal with service providers to manage their contracts.

**9**. The steps Whaikaha will take when a concern is raised and the level of reporting back it will then require from the service provider needs to be clearly articulated in the recommended Contract Management Plan and in the public expectation document.

**10**. Whaikaha and IDEA, as part of the Contract Management Plan recommended, should agree on a timeframe for making recommended changes to the complaints process.

**11**. The complaints process of other service providers be similarly reviewed by Whaikaha to ensure they comply with recommendations in this report.

**12**. Whaikaha takes steps to start policy work with the Government, in conjunction with IDEA, other providers, and with Health and Disability Commission Code of Rights to increase the role the advocacy service can play in the disability sphere.

**13**. Whaikaha and IDEA need to work together to formulate possible options to address those circumstances which are unable to be resolved satisfactorily.

## Next Steps

Whaikaha is committed to taking action to build trust with the community and the people we serve.

We will work together with disabled people, their families/whānau, IDEA Services and other service providers to consider how best to implement the recommendations and make the required changes.

We will be ensuring accountability to disabled people and their families for implementing all the recommendations set out in the review and will continue to welcome their feedback and experiences.

Whaikaha is committed to continuing to work closely with disabled people, families/whanau and with service providers around all the recommendations set out in the report.

We will provide opportunities for IHC and other providers to link in with this programme of work.

## Get in touch with us

Please visit our Contact us webpage for all our contact information: <https://www.whaikaha.govt.nz/contact-us/>

If you have any questions or comments, you can email contact@whaikaha.govt.nz

You can also contact us on:

* Phone: 0800 566 601
* Text: 4206

Mon, Tue, Thur, Fri: 8am - 5pm.
Wed: 9:30am - 5pm

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**End of information: Whaikaha summary and response to the ‘Review for Whaikaha of policies, processes, and practices for managing complaints about IDEA Services Limited**’.

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